

HONORING SANDRA E. ULSH,
PRESIDENT OF THE FORD
MOTOR COMPANY FUND

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today in honor of Sandra E. Ulsch. Sandra is president of the Ford Motor Company Fund, a philanthropic organization funded largely by Ford Motor Company profits. Ford Fund supports innovative programs that focus on education, American heritage and legacy, and safety. Under her leadership, Ford Motor Company Fund has also dedicated itself to celebrating cultural diversity and supporting programs that stimulate cross-cultural exchanges.

Sandra received a bachelor's in mathematics and economics from Gettysburg College and an MBA from Lehigh University. She joined Ford as an economic analyst in 1978. She held numerous positions in Finance, including vehicle pricing manager, vehicle program finance manager, manager of business analysis and business plans for Truck Operations, and manager of Investor Relations.

Sandra joined Ford's Governmental Affairs organization in 1996 as a strategic issues associate in the Corporate Economics and Strategies Issues office, and later became a legislative manager on Healthcare and Financial Service matters in Washington, DC. Prior to assuming her current position, Sandra was the director, Public Policy, Governmental Affairs.

Along with her work at Ford Motor Company Fund, Sandra serves on various other non-profit and advisory boards, including the Council of Michigan Foundations, ConnectMichigan Alliance, Charles H. Wright Museum of African American History, U.S. Hispanic Chamber of Commerce Foundation Corporate Advisory Board, Dennis Archer Foundation, and America's Promise Leadership Council.

Sandra will be retiring from her position at Ford Motor Company Fund on December 31st. I'm sure I'm not the only one impressed with her professionalism, dedication and the achievements reached by Ford Motor Company Fund during her leadership tenure. I wish to thank her for her exceptional service and wish Sandra well on all her future endeavors.

FLORIDA DELEGATION FAREWELL TRIBUTE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2006

Mr. MILLER of Florida. Mr. Speaker, I rise today to specially recognize 4 of my colleagues who have so honorably served the residents of Florida and the citizens of the United States over the past 4 to 26 years.

I applaud my friends, CLAY SHAW, MIKE BILIRAKIS, JIM DAVIS, and KATHERINE HARRIS for their admirable service. Over the years, each has made numerous invaluable contributions bettering the lives of their constituents and all Americans.

I've seen first hand how effective and committed these individuals are in serving their

constituents. Our longest serving member with 26 years, CLAY SHAW has been one of seniors' and Social Security's greatest advocates. His expertise in Social Security, trade, and welfare issues will be sorely missed. Serving 24 years, MIKE BILIRAKIS has been one of Congress' primary supporters for veterans' issues. It has truly been my pleasure serving with MIKE on the VA Committee for the past 5 years. Over the past 10 years, JIM DAVIS has been one of the leading sponsors in trying to protect Florida's pristine coastlines and U.S. military missions from offshore drilling. His leadership and passion are lauded and will not be forgotten. KATHERINE HARRIS has left her mark as a strong leader in helping Florida toward its future as an international leader in economic and foreign affairs.

Mr. Speaker, Florida and the Nation have benefited from their leadership, and each will be truly missed. I would like to thank each for their service to our country and extend my best wishes for their continued success.

H.R. 6099, UNBORN CHILD PAIN AWARENESS ACT OF 2006

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 6, 2006

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 6099, the Unborn Child Pain Awareness Act. I would point out that, despite the best efforts of some in this Chamber and from various interest groups to masquerade this as a pro-choice or pro-life issue, this is not about choice. This is quite simply an issue of who is qualified to provide medical information to patients: Congress or doctors? Frankly, patients are better served with medical information coming from a qualified medical professional than from a simple Polish lawyer from Southeast Michigan like myself.

Let me be clear: this bill requires that doctors provide women seeking an abortion past the twentieth week of gestation a brochure produced by the Department of Health and Human Services. The bill very clearly requires that the brochure include text written word for word by Congress. The patient would then have to sign a document saying she received the information. That document, again, would contain specific text written by Congress. The very idea that Congress would require that specific text imparting a medical opinion be handed out to patients is ludicrous. We are in the business of writing laws, not of keeping up on the most recent articles published in medical journals. I would ask, Mr. Speaker, where does this game of Congress playing doctor end? Will we next be writing scripts or brochures advocating for one chemotherapy treatment over another for cancer patients? I think not. I believe that most of us recognize that this is well beyond our capability as lawmakers.

Mr. Speaker, let's leave the decisions about medical science to the scholars and professionals who are qualified to make them and focus on our responsibilities as Members of Congress.

I've always wondered why we don't focus more of our attention on preventing unwanted pregnancies. Reducing the number of abor-

tions performed in this country is certainly a goal we can all agree on and strive for. Instead of imposing ourselves on private relationships between doctors and patients, I hope that my colleagues on both sides of the aisle will come to the table to discuss how we can further this mutual goal.

ETHICS IN THE 110TH CONGRESS

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2006

Mr. HEFLEY. Mr. Speaker, as the 109th Congress ends and I prepare to leave the House of Representatives after 20 years, I wanted to speak with my colleagues about congressional ethics one last time. This is an honorable House and an ethical House. Most House Members desire to serve honorably and ethically, a few do not. Yet, as James Madison observed in the Federalist 51, "if angels were to govern men, neither external nor internal controls on government would be necessary . . . but experience has taught mankind the necessity of auxiliary precautions." The integrity of this House is important to our Nation and our integrity is not as it should be. As Members of Congress, we will never be perfect, but we can strive to be better. As Members of this House we must do better.

In 1952, Senator Paul Douglas of Illinois wrote a small book that had wide influence, "Ethics in Government." Douglas said the book grew out of his experiences on the Chicago City Council and in the Senate, where he served on a committee which investigated the Reconstruction Finance Corporation and chaired a Senate subcommittee which considered the entire range of ethics issues for those involved in public service. His book started with the following words, "[T]he American public has become increasingly uneasy in recent months about the moral practices of many government officials." Sounds familiar, doesn't it? More than 60 years later, Congress is still struggling with many of the issues identified by Senator Douglas. We have made significant progress since the 1950s, but as this past Congress has shown, we have a long way to go.

Before discussing ethics in the Congress while I have served and what I believe we need to do in the future, I think it would be helpful to review some of the conclusions and recommendations of Senator Douglas. After reviewing that state of ethics during the time of the ruling Florentine House of the Medici as described by Machiavelli in "the Prince," Douglas surveyed the state of ethics in Great Britain during the 18th and 19th centuries and of our own Congress during the period before the Civil War and during the Civil War. Despite the evidence of enormous corruption during those times, Douglas stated, "[M]y own conclusion is, therefore, that there has been an appreciable long-time improvement in the level of political morals." However, he also noted that there are frequent periods of "moral relapse," often after wars and that in his own time the standards of behavior were "by no means good enough and need radical improvement."

Let's look at what Douglas was concerned about. First, he identified six "difficulties which

beset public officials and legislators.” Leading the list was the items of gifts and entertainment. The next issue he described as the “lure of past and future employment.” Next, he identified the problem of the use of public office as a means of making money through various private business interests engaged in by members in addition to their congressional duties, such as insurance or practice of law. Douglas was extremely concerned by what he called, “use . . . of public office to further . . . private business.” Finally, Douglas identified the abuse of members of government resigning and “then almost immediately appear[ing] as well-paid legal representatives of private agencies which are doing business with the Government.” Douglas also identified this issue as the sale of influence. Senator Douglas recommended 2 remedies to these issues; better pay and an ethical code for public officials.

Douglas went on to identify 3 sets of additional ethics issues important to legislators: (1) The expense of campaigning for office, (2) relationships between legislators and administrative agencies, and (3) the conduct of congressional investigations and the treatment of witnesses before congressional committees.

Douglas concluded with 2 final recommendations: disclosure of private income and the suggestion that stocks and investments be sold or placed in trusts not under the control of the owner. Finally, Senator Douglas stated that “more important than the institutional improvements which I have suggested is our need for a deeper set of moral values.” He surmised that “since the state is but the individual writ large, perhaps the disclosures of the past years may reawaken within us a sense of our individual failure to live up to the standards we inwardly cherish.” Institutional reform begins with self-reform, he suggested.

Since the time of Senator Douglas, we have come a long way towards fulfilling his recommendations and establishing a modern ethics process. The Ethics Committee was established in 1967. Through the years, the committee has provided oversight and enforcement, sanction recommendations and investigations, and importantly, advice and education to Members and staff. Congress adopted Code of Ethics for Government Service was in 1958 and the House adopted a Code of Official Conduct in 1968. Significant campaign finance legislation was adopted in 1971, 1974, 2002 and House Rules now limit personal use of campaign funds. A limited private financial disclosure system was put in place in 1969 and made public in 1978. In 1989, Congress adopted rules limiting outside income and employment, banned honoraria and established post-employment restrictions. Finally, in 1995, strong gift and travel rules were adopted by the House and Congress passed the Lobbying Disclosure Act to counter public perception that special interests groups maintain undue influence over the legislative process and that Members are granted perquisites and privileges unavailable to average Americans. Each of these steps was significant in and of itself. Taken together they represent real progress.

Through this modern ethics process an established ethics committee has sanctioned Members of the House for inappropriate conduct on a nonpartisan basis. More importantly, the Ethics Committee has provided thousands

of letters to Members and staff advising them how to navigate the web of ethics rules and procedures. In my opinion, the advice and education process, though unsung, is the most valuable asset the House has received from the Ethics Committee.

Under the modern ethics system our constituents now have a good idea of our income and assets. Members are restricted from outside income and honoraria of the sort that concerned Senator Douglas and created the potential, the appearance and sometimes the actual existence of a conflict of interest. Gifts have been limited and official business funded by private groups is publicly disclosed.

The tide of power in Washington turned again in November. With power comes great responsibility. Knowing that Congress is an institution, we can find comfort in the fact that faces may change but purpose remains. During the years we as elected officials represent our home districts, our people, our values, we should hold ourselves to higher standards because we have been given the power to change law, to create law, and to fund our government. And when those standards weaken in the House, we monitor each other through the use of the Ethics Committee. Real ethics reform begins and ends with enforcement of the rules and advice and education by the Ethics Committee.

Since its inception in 1967, the Committee on Standards for Official Conduct, informally known as the House Ethics Committee, has been unique in the House of Representatives. It is the only standing committee in which membership is equally divided between each party. The make-up of the committee is 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.

I have been in the position to serve on the Ethics Committee as a member and as chairman. During my service, I have come to the conclusion that the process works if leadership allows it to. Having an equally divided committee encourages a working relationship that has rarely been equaled on other committees. While serving as chairman, all of our actions were consensus and most were unanimous. I told each new member to leave his partisanship at the door and they did.

I would be hard pressed to remember a time when Congress was not under scrutiny but in recent times, we have come under a direct dissection and search for credibility. To be a credible ethics process, bipartisanship must exist not only in committee deliberations and actions, but also in the development of the rules under which those deliberations and actions will occur.

I believe some of our credibility disappeared during the 109th Congress, when the House leadership fast-tracked legislation and called on party loyalty to pass rules changes for the Ethics Committee during a party-line vote. This is a misfortune that should be remedied in the 110th Congress.

The vote on the ethics process should be separate and apart from the vote on the House rules. The vote on the House rules is a party-line vote, the vote on the ethics process should not be. I see it as a duty for each member to make an individual vote not a party-line basis but on the basis of what would

be the best ethics process for the House. The January 2005 vote signified a major detour from a bipartisan ethics process.

Besides the actual rule changes, which would have weakened the Ethics Committee both in its ability to do its job and as a bipartisan institution, I am troubled by the process leadership engaged in to fast-track the rules changes. Despite numerous requests by the Ethics Committee, leadership did not consult the committee on any of the changes they proposed and publicly released the text of these rules only a few hours before they were to be voted upon. As a result of protest by myself and others, some of the proposed rules changes were dropped immediately. Fortunately, the rest were dropped after months of unnecessary dispute. So the end result was that the rules were not changed permanently, but the process used by the House leadership damaged both the ethics process in the House and the House as an institution.

Prior to this misguided effort, the Ethics Committee has almost 40 years of bipartisan tradition. Sure, the process has not always been perfect, but the House has had a tradition of addressing any imperfections through the use of a bipartisan process. From its very beginning, the rules for the Ethics Committee were the results of a bipartisan panel composed of six Democrats and six Republicans. To continue working without undue influence, it is imperative to develop the rules in a bipartisan manner. All significant changes in the ethics process over the years, principally in 1976–77, 1989–1991 and 1997, were adopted after bipartisan task forces looked at the issues or a bipartisan consensus was reached before passage. As I have stated repeatedly, if the House is to have a meaningful, bipartisan ethics process, ethics reform can be made only after thoughtful, careful consideration on a bipartisan basis.

Why, at this time when partisanship dominates virtually every aspect of political life, is bipartisanship necessary in the ethics process? The reason, quite simply, is that if the ethics process were to be dominated by the majority party, whichever party that might be, it would have no credibility whatsoever. Such an ethics process would almost certainly degenerate into simply another tool of partisan warfare and thereby become a farce.

I also have to note, that both parties in the House are guilty of misusing the ethics process from time to time, most notably during what Norm Ornstein and Thomas Mann call the period of “the politics of scandal.” During this period in the late 1980’s and continuing through 1997, both parties alternatively used the ethics process to attack and eventually destroy one Democratic Speaker, Representative James Wright of Texas and one Republican Speaker, Representative Newt Gingrich of Georgia. During the 104th Congress, virtually every member of the Republican and Democratic leadership of the House had an ethics complaint filed against them.

As a result of broad dissatisfaction on both sides of the aisle regarding the Gingrich matter, the 1997 task force made positive recommendations that were adopted by the House. As a result both parties disavowed the “politics of scandal,” with the result that between 1997 and 2004, only one ethics complaint was filed against a House member, down from a peak of over 26 filed between the Wright case in 1989 and 1996. In 2004, a

complaint was filed against the majority leader, Representative DeLay, and in my opinion, the political use of the ethics process by both parties began again.

Some commentators have called the period between 1997 and 2004 an "ethics truce." I don't believe that is the proper term because the Ethics Committee was clearly engaged in aggressive investigation of misconduct during this time period, with many of the investigations self-initiated by the committee. During this period the Ethics Committee, while the House was under Republican control, followed the facts, investigated both Republicans and Democrats. For instance, the Ethics Committee conducted a thorough and exhaustive investigation of Representative Jay Kim of California during 1997 and 1998. While Representative Kim pleaded guilty to three misdemeanors in court regarding violations of Federal campaign laws, the investigative subcommittee charged him with numerous additional charges, including false statements, improper gifts, improper financial disclosure and an attempt to improperly influence a witness.

In the investigation against another Republican, Representative E.G. "Bud" Shuster, while the complaint had been filed in 1996, the Ethics Committee again conducted an exhaustive 4-year investigation into this powerful committee chairman, often working directly with the Department of Justice, which resulted in Representative Shuster being cited for "serious official misconduct."

A third investigation, involving Democratic Representative CORRINE BROWN of Florida, which was self-initiated by the committee, did not result in any charges, but the committee noted her actions demonstrated poor judgment and "created substantial concerns regarding. . . appearance of impropriety and the reputation of the House."

Also during the period of so-called "truce," the Ethics Committee self-initiated a second investigation against a Democrat, Representative Earl Hilliard of Alabama, in 1999. In 2001, Representative Hilliard admitted "serious official misconduct."

In 2001, the committee received the one complaint filed against a Member during this period. On July 16, 2001, Representative Peter Deutsch of Florida filed a complaint against Representative STEVE BUYER of Indiana, alleging improper use of official resources for political purposes. The committee unanimously dismissed the complaint on August 1, 2001.

On April 11, 2001, Representative James Traficant of Ohio was convicted in Federal court of conspiracy to violate Federal bribery and gratuities statutes, receipt of an illegal gratuity, obstruction of justice, defrauding the Government, racketeering and tax evasion. The committee self-initiated an investigation and after a 3-day public hearing, recommended expulsion. On July 24, 2002, the House voted to expel Representative Traficant. The peer review process contemplated by the Constitution was truly in play during this process, as a very close friend of Representative Traficant served on the Ethics Committee during this period and felt duty-bound to cast a vote to expel his friend. This member, a former county prosecutor and defense counsel, while voting to expel Representative Traficant, ensured the committee held meticulously to its rules and afforded the respondent every ounce of due process mandated by the com-

mittee's procedures. Another peer of Representative Traficant from Ohio, a former judge and county prosecutor, also judged her colleague in this process. The committee was ably served during this process by the experience of another member, who tried numerous death-penalty cases before coming to Congress.

Another matter investigated by the committee during this period was the investigation into allegation of bribery during the 2003 Medicare Prescription Drug Act. The committee also self-initiated this investigation. During this investigation the committee deposed the Speaker of the House, the House Majority Leader, the chairman of the Ways and Means Committee and numerous other senior Members of the House. The investigation ultimately resulted in the admonishment of three Republican Members, Representative Tom DeLay, Representative CANDACE MILLER of Michigan and Representative Nick Smith of Michigan on September 30, 2004. It is important to note that the committee admonished Representative Smith for public statements that threatened to impugn the integrity of the House and for failure to cooperate with the committee investigation.

In summary, during the period of so-called truce, the committee self-initiated serious investigations. To me, this demonstrates not a truce, but a return to a committee dedicated to the investigation of serious matters in a non-partisan way. As an additional note, during the 108th Congress, the committee noted it either commenced or carried over 10 investigations from the 107th Congress.

From 1997, when I served my first term until 2004 while serving my last, we as a committee gave mostly unanimous or overwhelmingly bipartisan conclusions. The committee worked. Deadlock never reared its ugly head. Partisanship was left at the door. And careful deliberation carried us to our conclusions.

This was true even with the diverse nature of the committee's membership. While I served on the committee the chairmen were from Utah, Texas and Colorado and the ranking minority members were from California and West Virginia. Members of the committee were from Ohio, Washington, Arkansas, Illinois, Minnesota, Arizona, Michigan, Pennsylvania, Missouri, Texas and California. We had lawyers, non-lawyers, former judges, former prosecutors, former defense counsels, businessmen, big-city members and members from rural America. We also had liberals and conservatives. Still, almost every decision was unanimous and every decision was non-partisan.

This past Congress was noted for scandal, further emphasizing the need for a strong ethics process in the House. While ultimately the criminal justice system and the voters addressed most of these cases, the lack of a functioning Ethics Committee during most of this Congress was glaring. At a time when Representative Tom DeLay of Texas was indicted and Representatives Duke Cunningham of California and Bob Ney of Ohio were convicted of bribery, the Ethics Committee was not functioning. This was also the period of the Abramoff scandal and the search warrant of Representative William Jefferson of Louisiana's office. Only at the end of the Congress was the committee able to effectively investigate allegations involving former Representative Mark Foley of Florida. An ongoing inves-

tigative subcommittee inquiry into Representative JIM McDERMOTT of Washington was also continued during the Congress but no result has been reached.

Finally, this past Congress lost credibility by failing to adopt significant ethics reform. The ethics and lobbying reform package proposed by the House leadership was so weak that I actually voted against it, believing it was designed to make people believe we were doing something when we really were not. Denying former Members access to the House gym and the House floor did not address the real ethical issues confronting the 109th Congress.

The Senate did little better. I believe the public took note of this failure.

H.R. 4975, the legislation narrowly adopted by the House, while addressing lobbying reform, did not go far enough, and was silent on reforming the rules that govern the ethics process in the House itself. We had a serious opportunity to implement comprehensive ethics reform in the House, but we did not take advantage of it.

The importance the new Congress places on ethics will define its character. Congress has the duty to protect the integrity of the institution and within that duty, every member must hold himself accountable for his own actions as well as those of our colleagues. I also recommend that once members on the Ethics Committee are appointed, the leadership should stay out of the ethics process.

I further urge the new Congress to use a different process than used in January 2005 to adopt the new ethics rules for the House. We have done a great disservice to ourselves by injecting partisanship in the ethics process and the consequences of that vote show in the form of stalemate during most of the last Congress. It is my hope that a real analysis of the rules is undertaken when deciding on changes.

Based on my experience on the Ethics Committee, I, along with Representative HULSHOF, have suggested reforms to the House ethics procedure that were not included in H.R. 4975. Our bill, H.R. 4988, did three things the passed legislation does not. Our proposal gave the Ethics Committee broader subpoena power during informal investigations, which is when the key decision is made whether to fully investigate a potential violation. Our bill would strengthen the independence of the chairman and ranking member by giving them presumptive 6-year terms like other chairmen. And our bill would strengthen the independence of the Ethics Committee staff by making this a career office, like the Parliamentarians office, yet with the accountability all staff should have.

The House should also consider the earmark reform adopted late in the 109th Congress. We need more accountability and transparency in the appropriations process.

Another unnecessary and unfortunate act by leadership during this past Congress was the replacement of two very good members of the committee before the end of their terms. One of them had chaired an investigative subcommittee that recommended the admonishment of Representative Tom DeLay, the majority leader, and both had participated in subsequent committee admonishments of Representative DeLay. This gave the appearance and in my opinion, the reality of retribution. They, I believe, were being punished for doing the right thing.

The third unnecessary and unfortunate act in the past Congress was to weaken the independence and nonpartisanship of the Ethics Committee staff. One of the reforms instituted in 1997 was the requirement that the committee staff be assembled and retained as a professional, nonpartisan staff. From 1997 through 2005, the committee started the process of developing an independent, career staff. Many of the staff hired during that period of time were hired from off the Hill, including several with backgrounds at the Department of Justice, the U.S. Attorney's office for the District of Columbia, the Federal Election Commission, the District of Columbia Bar Association, and related agencies. While the staff of the committee has to have a strong understanding of how Congress works, I think it was a good tradition to include on the staff non-political career attorneys who are able to step back from the intense political nature most congressional staff bring to their positions. In February 2005, the incoming chairman removed the committee's chief counsel and a member of the nonpartisan investigative staff. These actions, in my opinion violated the spirit and tradition of the Ethics Committee's charge to assemble staff in a professional and nonpartisan way. I hope the incoming leadership of the committee sees fit to return to the tradition of an independent and nonpartisan staff.

Turning to reform proposals again, one idea that is repeatedly suggested by many is the concept of an ethics commission or an ethics counsel. Some describe the office as an independent office of public integrity. As noted by Ornstein and Mann in their book, "The Broken Branch," the ethics bills passed in 2006 failed to include adequate enforcement mechanisms. These proposals are one way to fill this gap. Another way, is to strengthen the Ethics Committee itself. Under these proposals an outside group of non-members, most likely former members or retired judges or other "wise men" of some sort, would either make recommendations to the Ethics Committee or actually conduct investigations for the Ethics Committee. Certainly the names mentioned for these positions are the sort of people who would be fair and nonpartisan. Similar procedures are used by the House of Commons in London and by the Kentucky and Florida legislatures here in the United States. I have given this concept great thought. While I believe there is some merit to having a system where conduct is judged by officials who are removed from the political process, thus removing the temptation of partisanship from the ethics process, I am not convinced we need to do this. While peer review is extraordinarily difficult, in fact one of the most difficult duties I faced as a Member of Congress, I think only an internal policing system using fellow members judging the ethical conduct of members of the House is important. I believe this for two reasons. First, the Constitution requires it. Second, I believe it is important for fellow members to decide whether House rules have been violated and whether a specific act of conduct is appropriate or not. The Justice Department is the external mechanism when laws have been broken.

The source of the power of the committee to recommend and the House to impose sanctions on the conduct of members is in the Constitution, which provides that each House may "punish its Members for disorderly behavior, and, with the concurrence of two thirds,

expel a Member." Art. I, §5, cl. 2. Unless the Constitution is altered, I can see no way Congress can place this responsibility on other shoulders.

The key provision in the Code of Official Conduct adopted by the House in 1968, is House Rule 23, clause 1. It states, "a Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives." Combined with House Rule 23, clause 2, which mandates Members to "adhere to the spirit and letter of the Rules of the House," these two rules have the practical effect of allowing Members to judge using the current standards of the House. While subjective, the standard is certainly one that every member should be able to meet. It needs to be subjective because what the House considers to be inappropriate conduct changes over time. For example, in the 1980's two Members were censored for sexual conduct with pages. I believe that a Member found to have committed the same conduct in the current Congress would be expelled.

Another component of standards of conduct used to judge Members is the appearance standard that has been used by the Ethics Committee with increasing frequency in recent Congresses. Based on rule 23, clause 1 and other standards of conduct, the committee has long cautioned members "to avoid situations in which even an inference might be drawn suggesting improper action." The primary concern regarding the appearance of misconduct is that it undermines public confidence in the integrity of the House. The committee has specifically endorsed a rule by the Senate Select Committee on Ethics directing that Senators should avoid the appearance that campaign contributors receive special access and instructed that members of the House should adhere to the same rule with regard of official access. In 1989, the Bipartisan Task Force on Ethics articulated the concern that gifts to Members may create an appearance of impropriety that may undermine the public's faith in government. The Ethics Committee has cited this concern in both the Ethics Manual and its Gift and Travel Booklet and members were publicly sanctioned or cautioned under this standard in 2004, 2000, 1996, and 1995. Any judgment of a Member under the appearance standard can only be done by another Member of the House. It would not be fair or right to have outsiders, even former members, judging a current Member for the appearance of their actions.

Finally, as Senator Douglas stated so long ago, and many colleagues and commentators have echoed since, we must clean up campaign financing. Thus, I introduced a bill in this Congress to ban leadership PACs. Watching our prospective committee leaders scramble for money in order to buy their positions demeans all of us. Fundraising is also nearly a full time job for many members of both parties. Lobbyists, the backbone of the process, are even tired of the obligation, the requirement, of giving, giving, giving to the politicians. The question of impropriety can not help but be raised when the amount of money solicited and poured into other's campaigns determines whether a Member attains a leadership position or committee chairmanship. Money cannot be the price of admission into leadership.

In concluding, I want to thank the Members of the House of Representative who served

with me on the Ethics Committee while I was chairman. These include Representatives DOC HASTINGS of Washington, JUDY BIGGERT of Illinois, Representative HULSHOF, Representative LATOURETTE, former Representative Rob Portman of Ohio, former Representative Asa Hutchinson of Arkansas, Representative TUBBS JONES, Representative GENE GREEN of Texas, Representative LUCILLE ROYBALL ALLARD of California, Representative MIKE DOYLE of Pennsylvania, Representative MARTIN SABO of Minnesota, and Representative ED PASTOR of Arizona. In particular I want to thank Representative ZOE LOFGREN of California, who served as the ranking minority on the Shuster investigative subcommittee and came back to serve on the investigative subcommittee for Representative Traficant. Finally, I must thank the two distinguished ranking minority members I served with, Representative HOWARD BERMAN of California and Representative ALAN MOLLOHAN of West Virginia. Each served with honor during difficult times and each never acted or mentioned a partisan issue to me while we were involved in committee matters.

I also want to thank the fine professional staff of the Ethics Committee. Starting with Joanne White, our administrative assistant who insured the committee functioned so efficiently; other assistants Christine Stevens, Sean Kelley, Preston Johnson, Peter Johnson, and Amelia Snider; our counsels Kenneth Kellner, Bernadette Sargeant, John Sassaman, Reed Slack, Susan Pohl, Stacey Duffey, Peter van Hartesfeldt, Susan Alcey, and Carol Dixon. Special thanks goes to Representative BERMAN's counsel Bari Schwartz and Representative MOLLOHAN's assistant, Colleen McCarty. The committee was further assisted by two distinguished chief counsels during this period, Robert Walker and John Vargo. Finally, I want to thank my two counsel's while I was chairman, Virginia Johnson and Paul Lewis. Rob Walker and Virginia Johnson provided vital support and assistance during the Traficant matter and John Vargo and Paul Lewis did the same during the complaint filed against Representative DeLay at the end of my tenure.

When I began my service in this House 20 years ago, I never thought I would serve on the Ethics Committee. I certainly never thought I would serve as its chairman. Yet, I now believe it is my duty to speak to you one last time regarding ethics. Ethics advice in this House must be fair, impartial, and nonpartisan. Ethics reform in this House must be fair, impartial, and bipartisan. Ethics enforcement in this House must be fair, impartial and bipartisan. The leadership of both parties should keep their hands off the ethics process once the rules are adopted and the members are assigned to the Ethics Committee. I hope a strong ethics reform package is passed on the first day of this new Congress. But we must do more. I urge the next Congress on the first day to also establish a bipartisan task force to draw on proposals adopted on that first day but to do more and to do better. The work of the 1997 Bipartisan Ethics Reform Task Force is instructive on how major changes in the ethics rule should be made. The task force labored on its recommendations for 4 months, taking testimony from House Members and outside experts in public hearings as well as executive session. It is evident from the task force's final report that it spent hours and days in studying, discussing

and voting upon a variety of rules changes. With so much at stake in the ethics rules for both individual Members and the House as an institution, such open, careful consideration of rules changes is absolutely necessary.

John Barry, the author of "The Ambition and Power," about ethics investigation of Representative Wright, described our Capital as the grandest building in this Nation. I believe our grandest building should also be a cathedral. A cathedral of integrity. Senator Douglas urged each member of Congress to consider the need for a deeper set of moral values. I ask each of my colleagues and the incoming Members of the House to consider the same.

HONORING THE SERVICE AND
RETIREMENT OF MIKE LYNCH

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2006

Mr. GORDON. Mr. Speaker, I rise today to recognize a valued staff member—Mike Lynch—who retired this month from the House Science Committee. As one of our Committee Counsels, Mike's legal and parliamentary expertise touched many offices and issue areas during his tenure.

He was a dedicated and long-serving House staffer. Prior to joining the Committee, Mike served in the U. S. House of Representatives from 1977–1994 in several counsel positions. Most notably, he was the Staff Director and Chief Counsel to the Subcommittee on Accounts of the Committee on House Administration from 1985–1993. In each position, Mike honed his legislative skills to become a respected and much sought after Committee Counsel.

As the Science Committee Democrats' principal liaison with the Parliamentarian, Rules Committee and Leadership on parliamentary and legislative process issues, Mike's role was an important one. His mastery of the rules and procedures of the House and his advice to Members and staff on legal and legislative issues before the Committee were vital. No one worked harder than Mike did to protect the prerogatives of Members, the Committee and the Congress.

He loved this institution and that love was evident in his work each and every day. Without fail, his careful analysis of legal issues and sound judgment in rendering opinions and advice resulted in astute answers for the Committee. He also took great pride in mentoring junior Committee counsels and in explaining the intricacies of Committee procedure.

Mike will be missed by many, but we all understand that his retirement now clears his calendar for his other great passions in life—travel and sports, particularly rooting for Notre Dame and the New York Yankees.

The Science Committee's Members and staff wish him well as he moves on to new endeavors and a relaxing retirement. Thank you, Mike, for your many years of dedicated and loyal service.

19TH ANNUAL WORLD AIDS DAY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2006

Ms. WOOLSEY. Mr. Speaker, on December 1, communities around the world came together to remember AIDS' more than 25 million victims and to renew our commitment to the 40 million people currently living with HIV/AIDS.

The 19th annual World AIDS Day was both an opportunity to reflect on the progress we've made combating this illness and a reminder of all of the obstacles we must still overcome. Since 1981, our battle to combat the myths associated with AIDS, the discrimination against people infected with HIV, and the virus and disease themselves have all improved. However, AIDS continues to devastate every region of the world as 6,000 people, half of which are between 15 and 24 years old, become infected with HIV every day.

This year alone, almost 3 million people have died from AIDS, while more than 4 million more were infected with HIV. In Sub-Saharan Africa, 12 million children have been orphaned as a result of AIDS. In California, 56,000 people are currently living with AIDS, making up 14% of our nation's total AIDS population. The AIDS pandemic has become so widespread in our country that it is thought to have killed more than ten times the number of American soldiers killed in Vietnam. We cannot afford to turn a blind eye as this disease takes its toll on the American public.

We must do more to address this global health crisis. Congress must increase its aid for treatment and educational programs to countries burdened by catastrophically high infection rates. The U.S. must support and implement programs that increase the public's knowledge about proper ways to protect against HIV transmission. More people must get tested and more people must receive treatment. Each year World AIDS Day is a wake-up call to the reality that we cannot be complacent with our accomplishments combating AIDS because so much more needs to be done.

That's why I have consistently supported measures to help poor nations get the medicines they need to fight AIDS, and have also joined efforts to fight for more funding for the Global Fund. We work to improve the care available to HIV/AIDS patients while ensuring that socioeconomic status does not limit a person's access to life-saving treatments. Additionally, it is essential that we continue to adequately fund the Ryan White CARE Act, which helps cities, states, and local community-based organizations provide services to HIV-positive individuals who otherwise couldn't afford medication, transportation, food or housing. The time and effort Congress spends on implementing programs that deal with HIV prevention, treatment, education, and support must be in line with the true priorities of the American people. In that respect, we still have a lot of work to do.

Mr. Speaker, I rise today to commemorate World AIDS Day because I believe we must take this opportunity to honor our commitment to those who have struggled with and continue to fight against this destructive disease. As we work to improve HIV/AIDS prevention and

treatment, let us do so with the dedication and the drive that the American public demands of us. As we look forward to the new Congress, let us confront this disease head on, finally putting forward the resources we need to conquer AIDS.

H.R. 1176, NONPROFIT ATHLETIC
ORGANIZATION PROTECTION ACT
OF 2006

SPEECH OF

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 5, 2006

Mr. SHERMAN. Madam Speaker, today H.R. 1176, the Nonprofit Athletic Organization Protection Act of 2006, was brought to the floor on the suspension calendar. The suspension process should only be used for bills that are non-controversial. The Republican leadership has once again abused the suspension calendar in order to limit debate on divisive issues. Accordingly, I will not vote to suspend the rules.

DOWNINGTOWN WEST HIGH
SCHOOL GIRLS SOCCER TEAM
2006 PIAA CHAMPIONS

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2006

Mr. GERLACH. Mr. Speaker, I rise today to honor the Downingtown West High School Girls Soccer Team for their recent 2–0 victory over the Moon Township High School to win their second Girls Soccer PIAA Class AAA Championship in three years. In fact, this was the same score that Downingtown beat Moon Township in 2004 to become Pennsylvania State Champions.

The Downingtown West Whippets were led by five seniors: Colleen Flanagan, Katelyn Capps, Amber Werner, Christine Thurwanger and Sarah Halpin. This group of seniors boasts three District 1 titles and one Ches-Mont League title in four years.

The Whippets played the championship game against Moon Township in Hershey, Pennsylvania, and managed to shut out the opposition with their determined and aggressive play.

Mr. Speaker, I ask that my colleagues join me today in honoring all of the players, coaches, and supporting staff of the 2006 Downingtown West Girls Soccer Team. The skill, hard work, and commitment to excellence by the entire team led to this spectacular athletic achievement. Their display of character and sportsmanship brings honor to Downingtown West High School and the entire community.

The team is comprised of: Katie Bauer, Hallie Berger, Jessica Bourroughs, Rae Bradley, Laura Call, Katelyn Capps, Sarah Cardamone, Bridget Coleman, Christie Coper, Nicole Dankanich, Madison Davenport, Brynn Evans, Emily Fenimore, Colleen Flanagan, Laura Flanagan, Kelsea Fortino, Sarah Halpin, Brittney Hamil, Ashley Harrington, Devan Hibbs, Alyssa Johnson, Michelle LaBricciosa,