Mr. Speaker, we are here today to consider and vote on four articles of impeachment against United States District Judge G. Thomas Porteous. Thanks go to Congressman SCHIFF and Congressman Goodlatte for the way they have worked together in conducting the Impeachment Task Force’s very thorough inquiry into a number of serious allegations involving Judge Porteous. They have set an outstanding example of how an inquiry like this can in fact be conducted in a bipartisan manner.

The Constitution grants the House of Representatives the sole power to impeach a sitting Federal judge. This is a very serious power which Congress does not take lightly. Impeachment by the House constitutes one of the few checks on the judiciary and is to be used only in instances when a judge betrays his office or proves unfit to hold that position of trust. In fact, only 14 Federal judges have been impeached by the House in our entire Nation’s history, with four of these occurring in the past 24 years.

After an extensive investigation and a series of hearings by the Impeachment Task Force, clear and convincing evidence has been developed involving a number of different actions by Judge Porteous that make him unfit to serve as a Federal judge. The report, which accompanies the articles of impeachment, sets forth in detail the various incidents of improper conduct by Judge Porteous.

Though judges rule on the law, they are not above the law. To preserve equality and fairness in our constitutional democracy, we must protect the integrity of the courts. It is clear that Judge Porteous’ actions are a violation of the American people’s trust and a threat to the integrity of the Federal bench. The American people deserve better from their Federal judges.

Mr. Speaker, today we again find ourselves in the regrettable circumstance where we must act to remove a Federal judge from the bench.
The task before us is not one that we would welcome, however it is an important responsibility entrusted to us by the Founders and one that we cannot shrink from.

Unlike elected officials who may be removed periodically by the voters or serve a term that comes to an end, the Founding Fathers provided only one extraordinary method of removing a Federal judge, that of impeachment, which has only been used 14 times in our Nation’s history. Regrettably, the matter before us today warrants its use once again.

The House of Representatives directed the House Judiciary Committee Task Force on Judicial Impeachment to inquire into whether Judge Porteous of the Eastern District of Louisiana should be impeached. As Chair of the task force, I would like to report on our work and provide the Members of the House with a procedural history of our work and provide the Members of the House with a procedural history of the matter, as well as an overview of the relevant facts.

I want to thank each of the members of the task force that worked on the matter, and in particular the ranking member, BOB GOODLATTE, for his extraordiary work. Together we have tried to ensure that we proceed in a fair, open, and deliberate manner, and this has been done in a bipartisan, real-ly nonpartisan, basis.

G. Thomas Porteous, Jr., was appointed to the Federal bench in 1994 and has served in the New Orleans Courthouse in the Eastern District of Louisiana. After a multiyear FBI and Federal grand jury investigation, the Department of Justice in May 2007 submitted a complaint referring allegations of judicial misconduct.

The complaint noted that the department had determined not to seek criminal prosecution, but the complaint stated that the investigation uncovered evidence of pervasive misconduct and evidence that Judge Porteous had violated Federal and State criminal laws controlling canons of judicial conduct, rules of professional responsibility, and conducted himself in a manner antithetical to the constitutional standard of good behavior required of all Federal judges.

After an extensive disciplinary proceeding in the Fifth Circuit Court of Appeals, at which Judge Porteous, representing himself, made statements, cross-examined witnesses, and called witnesses on his own behalf, the Judicial Conference of the United States voted unanimously to refer this matter to the House of Representatives based on substantial evidence of conduct that individually and collectively violated Federal and State criminal laws. The Fifth Circuit also moved to take the maximum disciplinary action allowed by law against Judge Porteous, suspending him for 2 years or until Congress takes final action on the impeachment proceedings.

As a part our initial investigation, Impeachment Task Force staff inter-viewed over 65 individuals, deposed about 25 witnesses under oath, obtained documents from various sources, including from witnesses, the 24th Judicial Court in Jefferson Parish, and the Department of Justice.

After the initial investigatory phase, the task force conducted extensive evidentiary hearings over 5 days in November and December of 2009 in order to determine whether Judge Porteous’ conduct provides a sufficient basis for impeachment and to develop a record upon which the Members of the House would be able to adopt articles of impeachment.

Our first hearing focused on allegations of misconduct in relation to Judge Porteous presiding over the case In re: Liljeberg Enterprises, Inc. The record reflects that Judge Porteous was engaged in a corrupt kickback scheme with the law firm of Amato & Creely, that he failed to disclose his relationship with the firm, and that he denied a motion to recuse himself from the case, despite the firm’s representation of one of the parties. The kickback scheme involved appointing Mr. Creely as a curator, with fees amounting to approximately $40,000 paid to the Amato & Creely firm, approximately half of which was then paid back to Judge Porteous. Judge Porteous made intentionally misleading statements at the recusal hearing intended to minimize the extent of his personal relationship with the firm.

The record also reflects that Judge Porteous engaged in corrupt conduct after the bench trial and while the case was under advisement by soliciting and accepting things of value from attorneys at the firm, including $2,000 in cash. This corrupt relationship and his conduct as a Federal judge have brought disrepute and demonstrated that he is unfit for office. Our investigation uncovered evidence that his solicitation and acceptance of things from Creely & Amato were not isolated events limited to two attorneys, but a pattern of using his perch on the Federal bench to extract and to receive things of value from attorneys and parties in front of him.

Our second hearing focused on allegations that Judge Porteous repeatedly made false and misleading statements, including the concealment of debts, under oath and in disregard of a bankruptcy court’s orders. The record reflects that as a Federal judge he knowingly made false material statements to the FBI in an effort to conceal his financial affairs and his gambling.

Our third hearing focused on allegations that Judge Porteous engaged in a corrupt relationship with bondsman Louis Marcotte and his sister Lori. The record reflects that Judge Porteous solicited and received numerous things of value, including meals, trips, home and car repairs, for his personal use and benefit while at the same time taking official actions on behalf of the Marcottes. This included setting, reducing, and splitting bonds for the Marcottes while on the State bench, and improperly setting aside or causing the dismissal of proceedings for two Marcotte employees.

Judge Porteous used the power and prestige of his office to assist the Marcottes in forming relationships with other State judicial officers and Federal judges. Judge Porteous also knew that Louis Marcotte made false statements to the FBI in an effort to assist his appointments to the Federal bench.

At our fourth and final hearing, we received testimony from a panel of constitutional scholars on whether Judge Porteous’ conduct renders him unfit to hold office, and provided a sufficient basis for impeachment. The record reflects that Judge Porteous knowingly made false material statements about his past to both the U.S. Senate and the FBI in connection with his nomination to the Federal bench in order to conceal corrupt relationships.

In addition, Judge Porteous knew that another individual made false statements to the FBI in an effort to assist his appointment to the Federal bench. Judge Porteous’ failure to disclose this corrupt relationship deprived the U.S. Senate and the public of the information that would have had a material impact on his confirmation.

Our panel of experts testified that such behavior clearly constitutes impeachable conduct.

I’d like to note that the task force invited Judge Porteous to testify, but he declined our offer. In addition, the task force afforded the opportunity for Judge Porteous and his counsel to request that the task force hear from a witness or witnesses that they wish to call. Judge Porteous’ counsel informed the task force that they did not wish to avail themselves of that opportunity.

The task force permitted Judge Porteous’ counsel to participate in our hearings on behalf of his client, and he was permitted to question the witnesses. This was an extraordinary prerogative that was granted to counsel.

Our proceeding today does not constitute a trial, as the constitutional
power to try impeachment resides in the Senate. Rather, the House’s role is to inquire whether Judge Porteous’ conduct provides a sufficient basis for impeachment. According to leading commentators and historical precedent on this issue, there are two broad categories that have been recognized as justifying impeachment: serious abuse of power, and conduct that demonstrates that an official is “unworthy to fill” the office that he or she holds.

After concluding that the full record establishes that Judge Porteous should be impeached for high crimes and misdemeanors, the Impeachment Task Force met in late January and unanimously voted in favor of recommending four Articles of Impeachment for consideration by the Judiciary Committee. On January 27, the House Judiciary Committee voted unanimously in favor of each article and to favorably report H. Res. 1031 to the full House. A 135-page report has been filed detailing the inquiry for Members of the House.

Mr. Speaker, Judge Porteous engaged in a pattern of conduct that is incompatible with the trust and confidence placed in him as a Federal judge. His longstanding pattern of corrupt conduct, so utterly lacking in honesty or integrity, demonstrates his unfitness to serve as a U.S. District Court judge. His material false statements about his past, testimony presented to both the Senate and to the FBI in order to obtain his Federal office, deprived the Senate and the public of information that would have had a material impact on his confirmation. Accordingly, I urge the House to approve the Articles of Impeachment included in House Resolution 1031.

Mr. SMITH of Texas. Mr. Speaker, I yield 7 minutes to the ranking member of the Impeachment Task Force, the gentleman from Virginia (Mr. GOODLATTE.).

Mr. GOODLATTE. I want to thank our ranking member, the gentleman from Texas, for yielding me time and for his active engagement in support of moving this process forward.

Mr. Speaker, Article III of the Constitution provides that Federal judges are appointed for life and that they “shall hold their offices during good behavior.” Indeed, the Framers new that a court system free of political motivations was necessary to the fair resolution of disputes and the fair administration of our laws. However, the Framers were also pragmatists and had the foresight to include checks against the abuse of the independence and power that come with a judicial appointment.

Article 1, Section 2, Clause 5 of the Constitution grants the House of Representatives the sole power of impeachment. This is a very serious punctum that should be undertaken lightly. Indeed, it is a rare and solemn occasion when the House of Representative must vote on Articles of Impeachment against a Federal judge. Today’s vote will mark only the second time in over 200 years that this has occurred. However, when the evidence emerges that an individual is abusing his judicial office for his own advantage, the integrity of our judicial system becomes compromised. The House of Representatives has the duty to investigate the matter and take the appropriate actions to end the abuse and restore confidence in the judicial system.

On June 17, 2009, the Judicial Conference of the United States certified to the House of Representatives that “consideration of impeachment of U.S. District Judge G. Thomas Porteous may be warranted.” This certification was the culmination of an investigation and formal complaint by the Department of Justice, an investigation and final report by a special investigatory committee appointed by the Fifth Judicial Circuit, and consideration and vote by the Judicial Council of the Judicial Conference of the United States.

In September 2008, the House passed a resolution instructing the Judiciary Committee to further investigate whether Judge Porteous should be impeached. The Task Force on Judicial Impeachment was then created by the House Judiciary Committee to further investigate the matter. The task force conducted an exhaustive investigation, working with law enforcement and judicial officials, conducting numerous interviews, receipt of depositions from key witnesses, gathering evidence and transcripts from previous investigations, and conducting congressional hearings. Those efforts have uncovered a large amount of information, including much new evidence that was not uncovered in previous investigations.

The evidence shows that, among other instances of misconduct, while on the Federal bench, Judge Porteous refused to recuse himself from a Federal case he was previously engaged in a corrupt kickback scheme with the attorneys representing the defense; that he later took thousands of dollars in cash from those same attorneys while the case was still pending; that he took gifts from a bail bondsman in exchange for granting favorable bond rates for him and then improperly expunged the records of two of the bail bondsman’s employees, one after Porteous was confirmed by the Senate to a federal judgeship; and used his influence as a Federal judge to help the Marcottes establish beneficial relationships with State court judges; that he lied to a bankruptcy court when he filed for bankruptcy and then violated a bankruptcy court order mandating that he not incur further debt; and that he made materially false statements to the U.S. Senate and the FBI during his confirmation process.

Based on the evidence gathered on January 21, 2010, I joined with Chairman CONyers, Ranking Member SMITH and Task Force Chairman SCHIFF to introduce House Resolution 1031, which contains four separate Articles of Impeachment against Judge Porteous. The details of these Articles have been discussed already today. It is important to note that every member of the Task Force on Judicial Impeachment joined as an original cosponsor of these articles. Furthermore, the Articles of Impeachment were reported from the Judiciary Committee with a unanimous vote of 24-0, a very rare occurrence. It is my strong recommendation that the Members of the House now vote favorably report all four of these Articles of Impeachment against Judge Porteous.

It is also important to note that during the task force investigation Judge Porteous was invited to come testify, but declined this invitation. His attorney was also invited to attend the hearings, was given the privilege of asking questions of the witnesses at the hearings, and was offered the opportunity to bring forth witnesses on behalf of Judge Porteous. I would like to take this opportunity to thank ADAM SCHIFF, the chairman of the Task Force on Judicial Impeachment, for his leadership in this effort, along with all of the Members of the Task Force on both sides of the aisle. A ranking member of the impeachment Task Force, I appreciate the fact that this effort was undertaken in a nonpartisan fashion.

I would like to thank the task force staff on both sides of the aisle and Branden Ritchie, legislative counsel in my office, for their dedicated and invaluable work on this matter.

I would like to also thank Chairman CONYERS and Ranking Member SMITH for their comprehensive, yet expeditious, consideration of these Articles of Impeachment in the full Judiciary Committee. I’d also like to extend additional thanks to the gentleman from Wisconsin (Mr. SENSENBRENNER), who’s the only Member who participated in the last series of impeachment of Federal judges back in the 1980s. His experience and knowledge has been invaluable as well.

I urge my colleagues in the House, not in a bipartisan manner, but in a nonpartisan manner, to join in supporting all four of these Articles of Impeachment and send this measure to the United States Senate for trial.

Mr. CONYERS. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Texas has 15 minutes. The gentleman from Texas has 22 minutes.

Mr. CONYERS. I yield such time as she may consume to a member of the committee, the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, this is indeed a sad day and a solemn day. As indicated by my colleagues on the floor of the House, however, it is an obligation of this body. I’d like to acknowledge the chairman of the Impeachment Task Force, Congressman SCHIFF, for his leadership,
but also for his balance and tempera-
ment in a very serious challenge that we have in providing the guideposts and the moral guideposts for a number of tough issues that deal with our Fed-
eral Judiciary and a number of other instances where impeachment is in fact the area and pattern continued, and the Con-
stitution. I’d like to acknowledge the ranking member, Mr. GOODLATTE; the chairman of the full committee, Mr. CONYERS; and the ranking member, Mr. SMITH.

This is an instance where you would have hoped that we would have had a different outcome. But as my col-
leagues have so articulately expressed, there was a long pattern that many of us found very disturbing. Judge Thom-
As Porteous seemingly began these ac-
tions without reproach while he was a State district judge, soliciting and ac-
ccepting cash and other things of value from attorneys practicing before him, and failing to recuse himself from a prominent case in which those attor-
neys were involved.

□ 115

As a State judge, he repeatedly ac-
cepted things of value from bail bonds-
man in exchange for setting bonds at
levels to increase profits for the bail bondsman and, after becoming a Fed-
eral judge, assisting them in forming corrupt relationships with other State judges.

As a Federal judge, he fraudulently con-
cealed his personal bankruptcy, in-
come, assets, gambling activities, gam-
bling debts, and in violation of court
order, incurring additional gambling
debt while his bankruptcy proceeding was pending.

He fraudulently concealed, in his FBI background check and on his Senate ques-
tionnaire, the corrupt relationships with attorneys and bail bonds-
man.

I think it is worth noting that Judge Porteous began his career as a State court judge, but because of the conceal-
ment of these activities, he was then nominated to the Federal bench. In the essence of being nominated, let me be very clear, one could have personally taken one’s self out of the running for a bench as high as and as sacred as a Fed-
eral Judiciary. That is a lifetime ap-
pointment, but at no time during the time that his nomination was put be-
fore the President of the United States, the United States Senate, did Judge Porteous think that his previous be-
havior did not warrant him ascending to the Federal bench. That saddens me. Maybe we need to look more at coun-
seling individuals who are seeking or have the opportunity to be nominated to these high offices. Maybe they need that to understand the flaws or failures in their character or performance.

Again, fraudulently concealing in his FBI background check and on his Sen-
ate questionnaire the corrupt relations-
ships with the attorneys and bail bonds-
man, evidence that the commit-
tee was able to see when questions were asked whether there was anything in your background that would warrant you not being able to be appointed to the Federal bench, this judge did not answer truthfully.

The Department of Justice at-
tempts to recommend and their com-
plaint indicated that the instances of
Judge Porteous’ dishonesty in his own sworn statements and court filings, his decade-long course of conduct in solic-
itng and accepting streams of pay-
ments and gifts from litigants and law-
yers with him, and his repeated failure to disclose those deal-
ings to interested parties and the court all render him unfit as an Article III judge, that is, a Federal judge.

Although the Department did not seek criminal charges for reasons that involve partly the statute of limita-
tions, their complaint indicated that his actions would render him unfit as an Article III judge. The Fifth Circuit also moved to take the maximum dis-
ciplinary action allowed by law against Judge Porteous, suspending him for 2 years or until Congress takes final ac-
ction on the impeachment proceedings.

Unfortunately and sadly, that day has come, and as we had asked, through the task force, for the oppor-
tunity for Judge Porteous to have due process, and that is to give him the oppor-
tunity to speak before the task force and, the alternative, to allow wit-
nesses to come on his behalf, none of that was accepted. So today I rise on the floor of the House to accept the findings of our task force and the vote of our committee in full and ask this body to address the concern by sending this to the United States Senate for hearings on impeachment. This is a resolution to suggest that the Articles of Impeachment should be passed to the United States Senate under our constitutional process.

Again, this is a sad day and a solemn day. Porteous, who indicates that his be-
havior of an individual who has achieved one of the highest offices in the land, that is, of the Article III courts, judge for life on the Federal bench, deserves, if you will, to be rec-
ommended for impeachment.

I ask for a vote of “yes” on the reso-
lution.

Mr. Speaker, I rise in support of H. Res 1031, a resolution setting forth four Articles of Impeachment against G. Thomas Porteous, Jr., judge of the U.S. District Court for the Eastern District of Louisiana, for high crimes and misdemeanors. I would like to thank our Judiciary Chairman C ONYERS for shepherding this bill through the Judiciary Committee so that justice can be served.

The Judiciary Committee was charged with determining whether federal Judge Thomas Porteous should be impeached for the fol-
lowing: soliciting and accepting cash and other things of value from attorneys practicing be-
fore him and failing to recuse himself from a prominent case in which those attorneys were involved, repeatedly accept-
ing things of value from bail bondsman in ex-
change for setting bonds at levels to increase profits for the bail bondsman and, after be-
coming a federal judge, assisting them in forming corrupt relationships with other State judges; as a federal judge, fraudulently con-
cealing, in his personal bankruptcy, income, assets, gambling activities, and gambling debts and, in violation of court order, incurring additional gambling debt while his bankruptcy proceeding was pending, in his FBI background check and on his Senate questionnaire, the corrupt relationships with the attorneys and bail bondsman.

As a federal judge, Judge Thomas Porteous’s number one debt under oath that he is sworn to is to ensure that the laws of the land under the United States Constitution are protected and supported. The Justice Department investigated whether or not Judge Porteous broke his oath. In May 2007, the Department of Justice and the Fed-
eral Bureau of Investigation completed a multi-
year criminal investigation of Judge Porteous and submitted a formal complaint of judicial misconduct to the U.S. Court of Appeals for the Fifth Circuit.

Although the Department decided not to seek criminal charges for reasons including statute of limitations issues and other factors impacting prosecution, the complaint stated that the investigation uncovered evidence that “indicates that Judge Porteous may have vio-
nated federal and state criminal laws, control-
ling canons of judicial ethics, rules of profes-
sional responsibility, and conducted himself in a manner antithetical to the constitutional standard of good behavior required of all fed-
eral judges.” The complaint concluded that “the instances of Judge Porteous’s dishonesty and improper behavior as a federal judge, assisting them in his own sworn statements and court filings, his decade-long course of conduct in soliciting and accepting a stream of payments and gifts from litigants and lawyers with matters before him, and his repeated failures to disclose those dealings to interested parties and the Court all render him unfit as an Article III judge.”

Mr. Speaker, there was also an investigation by the Fifth Circuit. The Fifth Circuit appointed a Special Investigatory Committee to inves-
tigate the allegations. Hearings were held at which Judge Porteous, representing himself, made statements, cross-examined witnesses, and called witnesses on his own behalf. Based on the Special Committee’s report con-
cluding that Judge Porteous had engaged in conduct which might constitute grounds for im-
peachment, the Judicial Conference voted unanimously to certify the matter to the U.S. House of Representatives, based on substan-
tial evidence that Judge Porteous had repeat-
edly committed perjury, willfully and systemati-
cally concealed information from litigants and the public, violated several criminal statutes and ethical canons, and made false represent-
ations with the intent to defraud.

The Fifth Circuit also moved to take the maximum disciplinary action allowed by law against Judge Porteous, suspending him for two years or “until Congress takes final action on the impeachment proceeding.”

As Members of the House Judiciary Im-
peachment Task Force, my colleagues were directed by the House to determine whether there was sufficient evidence to impeach Judge Porteous for the alleged crimes for which he was being charged. As part of the initial investigation, our staff interviewed over 65 individuals, deposed approximately 25 wit-
nesses under oath, and obtained documents
from various sources, including from witnesses, the 24th Judicial Court in Jefferson Parish, Louisiana, and the Department of Justice.

After the initial investigatory phase, the task force held four separate hearings over five days in November and December 2009 in order to determine whether Judge Porteous’s conduct provides a sufficient basis for impeachment and to develop a record upon which to recommend whether to adopt Articles of Impeachment.

The first task force hearing focused on allegations of misconduct in relation to Judge Porteous presiding over the case In re: Liljeberg Enterprises, Inc. The record reflects that Judge Porteous was engaged in a corrupt kickback scheme with the law firm of Amato & Creely, that he failed to disclose his relationship with the firm, and that he denied a motion to recuse himself from the case despite the firm’s representation of one of the parties. The kickback scheme involved appointing Mr. Creely as a curator in hundreds of cases, with fees amounting to approximately $40,000 paid to the Amato & Creely firm, approximately half of which was paid back to Judge Porteous.

Judge Porteous made intentionally misleading statements at the recusal hearing, intended to minimize the extent of this personal relationship with the firm. The record also reflects that Judge Porteous engaged in corrupt conduct after the bench trial and while the case was under advisement, by soliciting and accepting things of value from attorneys at the firm, including $2,000 in cash. This corrupt relationship and his conduct as a federal judge have brought his court into scandal and discredit and demonstrate that he is unfit for office.

The second task force hearing focused on allegations that Judge Porteous repeatedly made false and misleading statements, including the concealment of debts, under oath and in disregard of a bankruptcy court’s orders. The record reflects that as a federal judge, he knowingly and intentionally made material false statements and representations under penalty of perjury and repeatedly violated a court order in his case. This included using a false name and post office box to conceal his identity as a debtor in the case; concealing assets, such as payments to certain vendors, and gambling losses and debts; and incurring new debts while the case was pending in violation of the court’s order.

The third task force hearing focused on allegations that Judge Porteous engaged in a corrupt relationship with bail bondsmen Louis Marcotte and his sister Lori. The record reflects that this corrupt relationship, Judge Porteous solicited and accepted numerous things of value, including meals, trips, and home and car repairs, for his personal use and benefit, while at the same time taking official actions to improperly benefit the Marcottes. This included setting, reducing, and splitting bonds for the Marcottes while on the State bench, and improperly setting aside or expunging felony convictions for two Marcotte employees. Judge Porteous also used the power and prestige of his office to assist the Marcottes in forming relationships with State judicial officials and others. Judge Porteous also knew and understood that Louis Marcotte made false statements to the FBI in an effort to assist his appointment to the federal bench.
Judge Porteous made false and misleading statements under the penalty of perjury with regard to his debts and bankruptcy proceedings. He misrepresented his name on court filings and used a post office box to conceal his identity. He also attempted to conceal assets by violating court rules.

While it’s sad to say these actions almost seemed innocuous compared to his other actions and corrupt relationships, our task force spent a day focusing our attention on Judge Porteous’ relationship with a bail bondsman named Louis Marcotte and his sister Lori. This hearing included testimony about the judge soliciting meals and trips like he did with the lawyers but also other things of value, such as auto and home repairs. In return, Judge Porteous assisted the Marcottes.

Judge Porteous had the opportunity to testify before the task force, but he chose not to participate in the proceedings. The entirety of the record by the task force clearly shows a pattern of unethical conduct that is not worthy of a Federal judge. The evidence demonstrates that he clearly abused his office and had complete disregard for the laws that he took an oath to uphold.

I urge my colleagues to join me in voting to impeach Judge G. Thomas Porteous on each of the four Articles of Impeachment.

Mr. CONYERS. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. Scalise), a Member of Congress who has taken an active interest in this case.

Mr. SCALISE. I thank the gentleman from Texas for yielding.

I rise in support of the resolution to impeach U.S. District Judge Thomas Porteous, who is a judge representing the Eastern District of Louisiana. I want to thank Representatives Schiff of California, Goodlatte of Virginia, Chairman Conyers of Michigan, Ranking Member of the Judiciary Committee, and the entire Judiciary Committee and task force for their diligent investigation and for keeping this a priority in your committee.

After I read through all four Articles of Impeachment, it is clear that the task force’s findings warrant Judge Porteous’ removal from the Federal bench. In order to remove the cloud that exists, we need to pass this resolution so the Eastern District of Louisiana can once again provide the citizens a justice system free from corruption.

It is important that we pass this resolution today and that the Senate takes this up in a time frame that doesn’t allow Judge Porteous to return to the bench, as would be the case in September if no further action is taken. Passing this resolution will be yet another shot across the bow and a strong reminder to everyone in public office that corruption in their office is not acceptable and that we will maintain a zero tolerance policy against public corruption at every level of government.

Since Katrina, we’ve been vigilant against corruption at all levels of government in Louisiana. From Members of Congress to our local levee boards, Louisiana is rebuilding the way our government works, and we have made a commitment to upholding a zero tolerance policy against public corruption at every level. This resolution reiterates that our commitment is not just in word but in tough action.

Following Hurricane Katrina, those of us who vowed to rebuild the New Orleans region both structurally and politically showed a picture of how to build the same old broken system that existed before the storm. In fact, we committed to rebuild better. Part of that better New Orleans includes reforming the old, corrupt system of the levees. I believe this might be a part of Louisiana’s past, but it’s no longer acceptable behavior for our future.

I urge my colleagues to pass this resolution and also urge the Senate to move swiftly in carrying out justice. A number of times I have urged Judge Porteous to resign from the bench, and I would still encourage him to do that. But short of that, Senate action in a swift timeframe is necessary. Help us usher in a new day in Louisiana.

Mr. CONYERS. I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. Coble), a distinguished and senior member of the Judiciary Committee.

Mr. COBLE. Mr. Speaker, I thank my friend, the distinguished gentleman from Texas, for yielding.

It has been said time and again today, Mr. Speaker, and I reiterate it, it is, indeed, a sad day today. Hopefully, none of us takes great glee in another’s misfortune, but it appears, regarding the case at hand, we have little or no choice.

The issue of ethics has become a prominent national issue, and the American citizenry justifiably insists as well as demands that high officeholders practice high ethical values. In this case, it appears clear that the judge did, indeed, violate the oath of his office. He violated the trust that the public extended to him. He knew of no greater office than that of a United States Federal judge. People clamor for it. They fight for it, to get on that bench. And once on the bench, I think we are justified in insisting that they comply ethically, not just in word, but in tough action.

The House Judiciary Committee, as you know, is the committee of jurisdiction on impeachment matters. Nothing’s happy about it. Nothing’s gleeful about it, but we discharge our duties.

I thank everyone on the floor for having spoken on this resolution, and I urge its passage.

Mr. CONYERS. I continue to reserve the balance of my time.

Mr. Speaker, today’s vote on the Articles of Impeachment against Judge Porteous is necessary to ensure justice is applied to a corrupt Federal judge. When a judge is given a lifetime appointment, it is a tremendous honor and responsibility. They serve the ideals of justice. But when a judge abuses this authority, they must be held accountable for any violation of those same principles of justice. Congress has an obligation to put an end to Judge Porteous’ abuse of authority and remove him from the bench.

I urge my colleagues to vote in favor of each of the four Articles of Impeachment being considered today and to help restore integrity to the Federal bench. I also hope the Senate will act quickly to conduct the trial of Judge Porteous.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to support H. Res. 1031. As Chairman of the Subcommittee on Courts and Competition Policy and a member of the Impeachment Task Force which heard evidence of the unacceptable conduct of Judge Porteous, I continue to feel strongly that the integrity of our judiciary is of the utmost importance. Based on the evidence provided to the Task Force, Judge Porteous violated his responsibilities to uphold the honesty of our judiciary. Congress must vote in favor of this resolution to demonstrate that such conduct cannot and will not be tolerated from our judiciary.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I want to commend my colleagues on both sides of the aisle for the very thoughtful discussion that has gone on around this matter.

I yield back the balance of my time.

The SPEAKER pro tempore. All time having been yielded back, the Chair will divide the question for voting among the four articles of impeachment.

The question is on resolving the first article of impeachment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENDRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on resolving the first article of impeachment will be followed by 5-minute votes, if ordered, on resolving each of the three succeeding articles, and motions to suspend the rules with regard to House Resolution 1107 and House Resolution 1047, if ordered.
The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 18, as follows:

[Roll No. 102]

| Yeas 412—aye | 1157

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (during the vote), Two minutes remain in the vote.

So the first article of impeachment was adopted.

The result of the vote was announced as above recorded.

A reconsideration to be laid on the table.

Stated for:

Ms. SCHAKOWSKY. Mr. Speaker, on rollcall No. 102, had I been present, I would have voted “yea.”

Mr. TONKO. Mr. Speaker, on rollcall No. 102, I was detained with legislative business. Had I been present, I would have voted “yea.”

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 102, had I been present, I would have voted “yea.”

Mr. BILIRIKIS. Mr. Speaker, on rollcall No. 102, had I been present, I would have voted “yea.”

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 102, had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is taken; and the Speaker pro tempore announced that the ayes appeared to have it.
Mr. SENSENIBRENNER. Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. A recorded vote was ordered.

The vote was taken by electronic device, and there were—aye—416, noes 0, not voting 14, as follows:

[Roll No. 104]

AYE—416

Ackerman
Adami
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barber (SC)
Barbour
Bartlett
Barrett
Barton (TX)
Bean
Becerra
Berkeley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blum
Bocchielli
Bonino
Bono
Bouma
Bowser
Bouie
Bowdy
Bradley
Brady (PA)
Brady (TX)
Braley (IA)
Bremer
Brower
Brown
Brown (NC)
Brown (OH)
Brooks
Brenner
Brewer
Bridges
Broun (GA)
Buchanan
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capon
Caputo
Carbone
Carson (IN)
Carter
Cassidy
Castor (FL)
Chatfield
Childers
Chu
Clarke
Cleaver
Clyburn
Cole
Comey
Connors (VA)

NAY—2

Beatty
Brownsberger

NOT VOTING—20

Baldwin
Bilirakis
Brown (SC)
Brown-Waite, Gwen
Butterfield
Buyer

Sires
Pomeroy
Posey

Slaughter, Young (AK)

NOT VOTING—14

Bishop (UT)
Brown (SC)
Brown-Waite, Gwen
Butterfield
Calvert
Camp
Campbell
Cantor
Capon
Caputo
Carbone
Carson (IN)
Carter
Cassidy
Castor (FL)
Chatfield
Childers
Chu
Clarke
Cleaver
Clyburn
Cole
Comey
Connors (VA)

RECORDED VOTE

Mr. SENSENIBRENNER. Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. A recorded vote was ordered.

The vote was taken by electronic device, and there were—aye—416, noes 0, not voting 14, as follows:

[Roll No. 104]

AYE—416

Ackerman
Adami
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barber (SC)
Barbour
Bartlett
Barrett
Barton (TX)
Bean
Becerra
Berkeley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blum
Bocchielli
Bonino
Bono
Bouma
Bowser
Bouie
Bowdy
Bradley
Brady (PA)
Brady (TX)
Braley (IA)
Bremer
Brower
Brown
Brown (NC)
Brown (OH)
Brooks
Brenner
Brewer
Bridges
Broun (GA)
Buchanan
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capon
Caputo
Carbone
Carson (IN)
Carter
Cassidy
Castor (FL)
Chatfield
Childers
Chu
Clarke
Cleaver
Clyburn
Cole
Comey
Connors (VA)

NAY—2

Beatty
Brownsberger

NOT VOTING—20

Baldwin
Bilirakis
Brown (SC)
Brown-Waite, Gwen
Butterfield
Buyer

Sires
Pomeroy
Posey

Slaughter, Young (AK)

NOT VOTING—14

Bishop (UT)
Brown (SC)
Brown-Waite, Gwen
Butterfield
Calvert
Camp
Campbell
Cantor
Capon
Caputo
Carbone
Carson (IN)
Carter
Cassidy
Castor (FL)
Chatfield
Childers
Chu
Clarke
Cleaver
Clyburn
Cole
Comey
Connors (VA)

RECORDED VOTE

Mr. SENSENIBRENNER. Mr. Speaker, I demand a recorded vote.

The SPEAKER pro tempore. A recorded vote was ordered.

The vote was taken by electronic device, and there were—aye—416, noes 0, not voting 14, as follows:

[Roll No. 104]
The vote was taken by electronic device, and there were—aye 423, noes 0, not voting 7, as follows:

(Roll No. 105)

AYES—423

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Balduin
Barrett (SC)
Barrasso
Barrow
Bartlett (SC)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bilirakis (FL)
Bilirakis (GA)
Bilirakis (NY)
Bilirakis (PA)
Bilbray
Berman
Berman (NY)
Berman (TX)
Berman (IN)
Bilirakis (FL)
Bilirakis (LA)
Bilirakis (NC)
Bilirakis (NY)
Bilirakis (PA)
Bilirakis (FL)
Bilirakis (GA)

NOT VOTING—7

Build
Boustany
Braun (IN)
Braun
Braun (OH)
Braun (KY)
Braun (AL)
Braun (IA)
Braun (KY)
Braun (TX)
Braun (NY)
Braun (NC)
Braun (NJ)
Braun (CA)
Braun (CT)
Braun (NY)
Braun (CO)
Braun (NY)
Braun (CA)

So the fourth article of impeachment was adopted.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER, Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. Res. 1164

Whereas, on March 8, 2010, Representative Eric Massa resigned from the House;

Whereas, numerous newspapers and other media organizations reported in the days before and after Mr. Massa’s resignation that the Committee on Standards of Official Conduct was investigating allegations that Mr. Massa sexually harassed Members of his congressional staff;

Whereas, on March 3, 2010, Majority Leader Hoyer’s office issued a statement saying “The week of February 8th, a member of Mr. Hoyer’s staff made allegations of misconduct by Mr. Massa. Mr. Massa’s staff brought to the attention of Mr. Hoyer’s office allegations of misconduct that had been made against Mr. Hoyer’s staff allegations of misconduct by Mr. Massa. Mr. Hoyer’s staff immediately informed him of what they had been told”;

Whereas, on Thursday, March 4, Roll Call newspaper reported, “Speaker Nancy Pelosi said she only learned Wednesday of misconduct allegations against freshman Rep. Eric Massa, though her chief of staff had learned of it earlier and decided against briefing her. ‘There had been a rumor, but just that,’ Pelosi told reporters at a news conference. ‘A one-, two-, three-person rumor that had been reported to Mr. Hoyer’s office and reported to my staff which they did not report to me because it was a rumor? This is rumor city. There are rumors.’”;


Whereas, on March 11, 2010, Politico newspaper reported, “Democratic insiders say Pelosi’s office took no action after Racal expressed his concerns about his then-boss in October”;

Whereas, on March 9, 2010, The Corning Leader newspaper reported, “Hoyer said last week he told Massa to inform the House Ethics Committee of the charges within 48 hours. ‘Steny Hoyer has never said a single word to me, never, not once, not a word,’ Massa said Sunday. ‘This is a lie. It is a blatant false statement’”;

Whereas, numerous confusing and conflicting media reports that House Democratic leaders knew about, and may have failed to handle appropriately, allegations that Rep. Eric Massa was sexually harassing his own employees have raised serious and legitimate questions about what Speaker Pelosi as well as other Democratic leaders and their respective staffs were told, and what those individuals did with the information in their possession;

Whereas, the aforementioned media accounts have held the House up to public ridicule;

Whereas, the possibility that House Democratic leaders may have failed to immediately confront Rep. Massa about allegations of sexual harassment may have exposed employees and internal staff of Rep. Massa to continued harassment;

Whereas, clause one of rule XXIII of the Rules of the House of Representatives, titled “Code of Conduct,” states, “The Committee of the Whole House, in its capacity as Delegate, Resident Commission, officer, or employee of the House shall conduct itself at all times in a manner that shall reflect creditably on the House”;

Whereas, the Committee on Standards of Official Conduct is charged under House Rules with enforcing the Code of Conduct:

Resolved:

(1) The Committee on Standards of Official Conduct is directed to investigate fully, pursuant to clause 3(a)(2) of House rule XI, which House Democratic leaders and members of their respective staffs had knowledge prior to March 3, 2010 of the aforementioned allegations concerning Mr. Massa, and what actions each leader and staffer having any such knowledge took after learning of the allegations;

(2) Within ten days following adoption of this resolution, and pursuant to Committee on Standards of Official Conduct rule 19, the committee shall establish an Investigative Subcommittee in the aforementioned matter, or report to the House no later than the first day of that period the reasons for its failure to do so;

(3) All Members and staff are instructed to cooperate fully in the committee’s investigation and to preserve all records, electronic or otherwise, that may bear on the subject of this investigation;

(4) The Chief Administrative Officer shall immediately take all steps necessary to secure and prevent the alteration or deletion