

Rule 7(g) of the Rules of the Committee on Standards of Official Conduct, a statement of the Chair and Ranking Republican Member regarding H. Res. 1193, H. Res. 1220, H. Res. 1255, and H. Res. 1287.

The House has referred H. Res. 1193, H. Res. 1220, H. Res. 1255, and H. Res. 1287 to the Committee for its consideration. We acknowledge the referral of those resolutions. If adopted, the resolutions would have required the Committee to report to the House regarding aspects of its investigation "In the Matter of Allegations Relating to the Lobbying Activities of Paul Magliocchetti and Associates Group, Inc. (PMA)." Although the resolutions were not adopted, we are responding to expand further upon the Committee's previous public statements regarding its investigation in this matter.

The outside Office of Congressional Ethics, OCE, after investigation, concluded that matters for five Members regarding the PMA matter should be dismissed. After review, the Committee concurred with the outside ethics office. The Committee concluded that the matters of two other Members should also be dismissed because the facts regarding those Members' actions were not different from those of the five Members for whom both the Committee and OCE concluded dismissal was appropriate. The Committee's action to date does not preclude future Committee action related to these matters should new information warranting action become available.

The Committee publicly released a 305-page report that discusses the scope of the Committee's work in the PMA matter, as well as the basis for the Committee's bipartisan and unanimous conclusions. This report is available to the House and the public on the Committee's Web site, at <http://ethics.house.gov/>. As noted in that report, the Committee's investigation during a nine-month period included extensive document reviews and interviews with numerous witnesses. As a result of its own investigation and OCE's seven separate reports and findings, the Committee—whose Members include equal numbers of Democrats and Republicans—unanimously determined that the evidence presently before the Committee merited dismissal of all seven matters.

The information reviewed by the Committee included statements from all seven Members. Summaries of interviews with five Members were included in OCE's findings, which the Committee chose to publish. Since the Committee agreed with OCE's recommendation that those five matters should be dismissed, the Committee was not required to publish any statement or OCE's reports and findings in those matters, but did so because of the unique circumstances of this matter and in the interests of public disclosure and transparency.

In addition, the Committee sought statements from Representatives TIAHRT and VIS-CLOSKY to respond specifically to allegations about their conduct. Both Members provided the Committee with statements through counsel, and the Members certified under penalty of perjury to the truth of those statements. Both statements are available, in their entirety, in the Committee's public report. Based in part on those statements, the Committee found no evidence to conclude that the facts regarding Representatives TIAHRT and VIS-CLOSKY differed substantially from the facts regarding the

other five Members—for whom both the Committee and OCE recommended dismissal. Accordingly, the Committee concluded that the matters of the two other Members should also be dismissed.

In reaching its unanimous conclusion, the Committee relied not only on the findings provided by OCE, but its own investigation. During the course of its investigation in this matter, the Committee's staff reviewed close to one-quarter of a million pages of documents. The Committee investigation covered more than 40 companies with ties to PMA. OCE's findings included summaries of interviews with five Members' offices. The Committee investigation included interviews with 33 Members' offices. The Committee investigation involved interviews with chiefs of staff, military legislative aides, other Members' staff, and Appropriations Committee staff. In reaching its conclusions, the Committee relied on the totality of this large magnitude of information.

As in other investigations, although the Committee has discussed in general terms the scope of its investigation, it did not address more specific details of various investigative steps taken by the Committee. To do so would compromise the investigative capabilities of the Committee in this and future matters by chilling voluntary cooperation. Requiring the disclosure of the details of any investigative body's activities would damage its ability to conduct its activities. Ethics investigations, in particular, rely not only upon subpoenas, but upon voluntary cooperation. Success in such an investigation usually comes because people connected to the matter choose to cooperate with the investigators and volunteer information. In many cases, their decision to cooperate is based, in part, on their belief that their identity or the details of their cooperation will not be publicly disclosed.

Moreover, disclosing specific investigative steps taken in the PMA matter could compromise any ongoing criminal investigations; harm the ability of the Committee to investigate any additional allegations of wrongdoing in this or related matters; discourage those who might bring credible allegations to the Committee in the future from doing so; and chill the voluntary cooperation of those called before the Committee in various investigations.

Prior to the House referral of the resolutions to the Committee, on February 26, 2010, the Committee unanimously voted to release a public report in the PMA matter. By a unanimous and bipartisan vote, the Committee concluded that, based upon the totality of current information gathered during a nine-month investigation, no House Member or employee violated provisions of the Code of Official Conduct or laws, rules, regulations, or other standards of conduct applicable to his or her conduct in the performance of his or her duties or the discharge of his or her responsibilities relating to proposed appropriations requests and activities of PMA.

In addition, we note that policy decisions—whether about the current appropriations process, including earmarks, or about the campaign finance system—are not within the jurisdiction of the Committee. Whether these policies should be changed is a subject that should be taken up in the appropriate venue.

The task before the Committee in the PMA matter was to determine whether House Members and staff complied with the current law

and House rules. In a unanimous and bipartisan manner, the Committee concluded the evidence presently before the Committee merited dismissal of all seven matters. The Committee's action to date does not preclude future Committee action related to these matters should new information warranting action become available.

HONORING JAMES E. LYNCH AND
CARLION J. ELDRIDGE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 2010

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Illustrious Potentate Noble James E. Lynch and Illustrious Commandress Daughter Carlion J. Eldridge as they are honored at the 2nd Annual Oman Temple/Oman Court Unity Ball on Saturday, May 1st in Saginaw Michigan.

James E. Lynch Graduated from Sophia High School in Sophia, West Virginia in 1966. He worked for General Motors Buick Motor Division for 39 years as a production worker. Married to the late Crystal Mae Johnson for 34 years, they had four children: Dawn, Felicia, Cassandra and James; and seven grandchildren. James has served as Junior Warden of the John W. Stevenson Lodge Number 56, as a member of the Saginaw Valley Consistory Number 71, and Illustrious Potentate of Oman Temple Number 72 for the year 2010.

Carlion J. Eldridge completed Charles Stewart Mott College Nursing Program and currently works at Maplewood Manor in Clio, Michigan serving the elderly. She is married to James F. Eldridge and their children are: Portia, David, Jamille, Isaac, Laetrille, Lakshea, Lovell, and Victor. The Oman Temple Number 72 has bestowed the title of Illustrious Commandress Daughter on her for this year.

Madam Speaker, I ask the House of Representatives to rise with me and applaud the charity, enthusiasm and dedication of these two individuals. I pray their year of service to Oman Temple is a tremendous success.

IN RECOGNITION OF CAPTAIN ROBERT R. O'BRIEN JR., COMMANDER OF THE UNITED STATES COAST GUARD SECTOR NEW YORK

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 2010

Mr. NADLER of New York. Madam Speaker, I rise today to recognize and commend Captain Robert R. O'Brien Jr., Commander of the United States Coast Guard Sector New York, on his 40 years of distinguished service.

After leaving a Roman Catholic seminary in 1970, Captain O'Brien chose to enlist in the United States Coast Guard. While enlisted, he served on the USCGC Laurel before joining Group Fort Macon as a small boat coxswain. In 1976, he was assigned as Officer-in-Charge of the USCGC Blackberry at Oak Island, North Carolina. Upon his promotion to Chief Boatswain's Mate in 1979, he was transferred to