

109TH CONGRESS  
2D SESSION

# H. RES. 852

Expressing the sense of the House that Members of Congress are not immune from having their offices searched.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2006

Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. LEACH, Mrs. MYRICK, Mr. BASS, Mr. PORTER, Mr. SIMMONS, Mrs. MUSGRAVE, Mr. FITZPATRICK of Pennsylvania, Mr. WILSON of South Carolina, Mr. DENT, Ms. HARRIS, Mrs. KELLY, Mrs. MILLER of Michigan, Mr. SHAYS, Mr. KELLER, Mr. HEFLEY, Mr. MICA, and Mr. HAYWORTH) submitted the following resolution; which was referred to the Committee on the Judiciary

---

## RESOLUTION

Expressing the sense of the House that Members of Congress are not immune from having their offices searched.

Whereas Members of Congress are not above the law;

Whereas Members of Congress have a public trust to uphold;

Whereas Members of Congress are elected to represent the interests of their constituents, not to protect their own interests;

Whereas only certain legislative activities are protected from interference by the Speech or Debate Clause of the United States Constitution; and

Whereas the courts have ruled that the Speech or Debate Clause does not shield Members from investigation of and prosecution for criminal activity: Now, therefore, be it

1       *Resolved*, That it is the sense of the House that if  
2 there is an ongoing criminal investigation into a Member  
3 of Congress, then that Member's congressional office may  
4 be subject to searches and seizures by appropriate execu-  
5 tive branch officials in possession of a valid court order.

○