

111TH CONGRESS
2D SESSION

H. RES. 1249

Raising a question of the privileges of the House.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2010

Mr. BOEHNER submitted the following resolution

APRIL 14, 2010

By motion of the House, referred to the Committee on Standards of Official
Conduct

RESOLUTION

Raising a question of the privileges of the House.

Whereas, on March 4, 2010, the Committee on Standards of Official Conduct issued the following public statement, “The Committee, pursuant to rule 18(a), is investigating and gathering additional information concerning matters related to allegations involving Representative Massa”;

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

Whereas, in the days following Representative Massa’s resignation, numerous confusing and conflicting media reports that House Democratic leaders knew about, and may have failed to handle appropriately, allegations that Representative Massa was sexually harassing his own em-

ployees 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, on March 11, 2010, the House of Representatives voted 402–1 to refer to the Standards Committee House Resolution 1164. The resolution would have directed the Committee on Standards of Official Conduct to “investigate fully, pursuant to clause 3(a)(2) of House rule XI, which 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”;

Whereas, House Resolution 1164 also stated, “Within ten days following the 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 final day of that period the reasons for its failure to do so”;

Whereas, thirty-four days have passed since the House vote on the resolution that, had it passed, would have required the Standards Committee to create an investigative subcommittee. Nevertheless, during that time, the committee has failed to establish an investigative subcommittee and has issued no public announcements indicating its intention to do so;

Whereas, during the past thirty-four days, numerous news reports have made public additional disturbing information about Mr. Massa’s actions and his staff’s attempts to

bring their concerns about Mr. Massa's conduct to the attention of Democratic leadership;

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

Whereas, as recently as this morning, The Washington Post published an article on its Web site and on page three of that newspaper headlined "Staffers' Accounts Paint More Detailed, Troubling Picture of Massa's Office";

Whereas, the same Washington Post article also contained the following sub-headline: "Workers Felt Helpless";

Whereas, in the wake of the aforementioned media accounts and a 402–1 vote by the House that should have signaled to the committee the seriousness of this matter, the continued failure by the Committee on Standards of Official Conduct to establish an investigative subcommittee has held the committee and the full House to public ridicule;

Whereas, clause one of rule XXIII of the Rules of the House of Representatives, titled "Code of Conduct" states "A Member, Delegate, Resident Commission, officer, or employee of the House shall conduct himself 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;

1 Therefore, be it resolved,

2 (1) the Committee on Standards of Official

3 Conduct is directed to investigate fully, pursuant to

1 clause 3(a)(2) of House rule XI, which House
2 Democratic leaders and members of their respective
3 staffs had knowledge prior to March 3, 2010, of the
4 aforementioned allegations concerning Mr. Massa,
5 and what actions each leader and staffer having any
6 such knowledge took after learning of the allega-
7 tions;

8 (2) within ten days following adoption of this
9 resolution, and pursuant to Committee on Standards
10 of Official Conduct rule 19, the committee shall es-
11 tablish an investigative subcommittee in the afore-
12 mentioned matter, or report to the House no later
13 than the final day of that period the reasons for its
14 failure to do so;

15 (3) all Members, officers and staff are in-
16 structed to cooperate fully in the committee's inves-
17 tigation and to preserve all records, electronic or
18 otherwise, that may bear on the subject of this in-
19 vestigation;

20 (4) the Chief Administrative Officer shall imme-
21 diately take all steps necessary to secure and prevent
22 the alteration or deletion of any e-mails, text mes-
23 sages, voicemails and other electronic records resi-
24 dent on House equipment that have been sent or re-
25 ceived by the Members and staff who are the sub-

1 jects of the investigation authorized under this reso-
2 lution until advised by the Committee on Standards
3 of Official Conduct that it has no need of any por-
4 tion of said records; and

5 (5) the Committee shall issue a final report of
6 its findings and recommendations in this matter no
7 later than July 31, 2010.

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