

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: This is to inform you that I am resigning my position as Clerk of the House effective midnight on February 14, 2007. Thank you for the honor of nominating me to serve in the position of Clerk of the House in the 110th Congress.

It has been an honor to serve the House of Representatives and to work with so many dedicated individuals. I will especially miss those hardworking men and women in the Office of the Clerk. Our Nation is a stronger place because of their efforts.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE
OFFICER, HOUSE OF REPRESENTATIVES,

Washington, DC, February 6, 2007.

Hon. NANCY PELOSI, M.C.,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: This is to inform you that I am resigning my position as Chief Administrative Officer of the House of Representatives effective at midnight on February 14, 2007. Thank you for the honor of nominating me to serve in the position of Chief Administrative Officer in the 110th Congress.

Sincerely,

JAY EAGEN,
Chief Administrative Officer.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING OFFICERS OF THE HOUSE OF REPRESENTATIVES

Mr. HOYER. Mr. Speaker, I offer a privileged resolution (H. Res. 129) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 129

Resolved, That Lorraine C. Miller of the State of Texas, be, and is hereby, chosen Clerk of the House of Representatives, effective February 15, 2007; and

That Daniel P. Beard of the State of Maryland be, and is hereby, chosen Chief Administrative Officer of the House of Representatives, effective February 15, 2007.

Mr. HOYER. Mr. Speaker, I would like to have an opportunity to speak on the resolution before its immediate adoption.

The SPEAKER pro tempore. The Chair will distribute the time.

The gentleman from Maryland (Mr. HOYER) and the gentleman from Michigan (Mr. EHLERS) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, we will not take, certainly, the hour that is allotted; but I first of all want to say something about the two individuals who have just resigned their appointments as Clerk and as Chief Administrative Officer of the House of Representatives.

Mr. Speaker, I had the opportunity to serve from 1987 to 2000 on the House Administration Committee and worked with my friend, Mr. EHLERS, Mr. THOMAS, and others. I was a member of the House Administration Committee on which Vic Fazio, our former colleague from California, was the ranking member. He and Mr. THOMAS came together and selected Jay Eagen to be the Chief Administrative Officer.

I think it would be inappropriate if I did not rise and congratulate Mr. Eagen on the job that he has done. I believe that Jay Eagen has brought a degree of professional management to this House of Representatives, which has been a credit to the institution and a credit to all of the Members, and a credit, I might say, to my colleagues on the Republican side, to the Republican leadership on this issue, and I congratulate them for that.

Mr. Eagen is someone who has worked on this Hill for many years. He will be leaving the Hill and leaving this city and moving his family to the west, and we wish him the very, very best.

Mr. Speaker, Karen Haas, who has been the Clerk and who submitted her resignation is, as well, someone who has worked for this institution, cares deeply about the House, and has comported herself, although for a relatively short period of time as the Clerk of our House, in a way that brought honor to the Office of Clerk and brought credit to the House of Representatives.

I know from my perspective personally and from Speaker PELOSI, and I both want to, on behalf of our caucus, extend to them our deepest thanks and gratitude for the service that they have rendered to the House of Representatives and to our country. Both of them, I know, have very exciting things to come. They are both young, they both have much to offer, and we wish them the very best.

Mr. Speaker, I will reserve the balance of my comments on Ms. Miller and Mr. Beard and would certainly yield now to Mr. EHLERS, who may also want to say something.

Mr. EHLERS. Mr. Speaker, I would join my colleague from Maryland in commending Jay Eagen and Karen Haas for the tremendous job they have done, and, before Karen, Jeff Trandahl, who served temporarily as CAO during the bridge time before the selection of Mr. Eagen, and who also served as the Clerk of the House very ably.

They both, Jay Eagen and Karen Haas, have done a great job in that office. The House has run very, very well as a result, and I commend them and wish them well in the future. I am cer-

tain that they have bright futures based on the excellent work that they did here.

I also would like to comment about the appointments that have been made. The new appointment for the Clerk, Ms. Miller, from everything I see, is an outstanding appointment. We recognize that as traditionally the appointment of the Speaker and can be made solely by the Speaker and has been in the past.

I look forward to good things from her. She is obviously very capable, has an outstanding record in working in the House, the Senate, and various other places. I look forward to good work from her.

In regard to the selected candidate for Chief Administrative Officer for the House, Mr. Beard, I do not object to his appointment. He is, I think, of relatively good background and should be able to manage the job, at least I seriously hope so.

But I have serious concerns about the lack of transparency and the selection process that resulted in his appointment. Just to give a better history, when I first arrived here, it was shortly before the Republicans took over the majority, and there had been considerable confusion in the House. We had the bank scandal, the post office scandal and so forth. A position was created, I forget the precise title, but something along the line of the director of the nonlegislative and financial functions of the House of Representatives.

The Speaker at that time, who was a Democrat, since they were in the majority, appointed a person to fill that post. It was General Wishart, I believe, and he resigned after several months saying basically he could not do the job, given the parameters that were imposed upon it.

When the Republicans took over the House of Representatives, they also appointed, and it was largely a Speaker's appointment at that time, appointed someone to serve as the Chief Administrative Officer of the House. That position was created and described by the new majority.

Mr. Faulkner had a good resume and had a lot of good ideas, but, frankly, did not really meet the needs that we had for that position at that time. We then decided, and I believe Mr. HOYER was on the committee at the same time with me, and we simply decided that we had to make this as nonpartisan a position as possible.

So we formed a group, two Republicans, two Democrats, and they conducted a nationwide search with a search firm to find the best person for the Chief Administrative Officer position.

They ended up selecting someone from the House of Representatives, someone who was familiar with it, but also someone with extensive administrative background who did a tremendous job of operating this institution since that time.

The main point I want to make is a process was set up that was bipartisan. It resulted in an excellent appointment, and I believe we should use that same process again.

In fact, I felt so strongly about it, I sent a letter to the Speaker last week pointing out that we should use that same process again. Barely was the letter delivered that she announced publicly that she had selected a new CAO, without using that process at all, without input from the minority party. Simply, we had the courtesy of chatting with the new appointee, but nothing to say in the appointment or whether or not that person should have the appointment.

I have met with him; I recognize he has considerable administrative ability. He has been around a long time, but I am very concerned because we did not use the same process. I think this new appointee is going to owe his allegiance to only one person, that is the Speaker of the House, and I don't believe that is the best way to operate the House of Representatives.

At the same time, should anything deleterious or improper happen, we recognize where the responsibility for that will lie, because it will be with the person who made the appointment.

But I have firsthand knowledge, having served on the House Administration Committee now for over 12 years, firsthand knowledge of the important role the Chief Administrative Officer plays in the House operations, and it is an extremely important job.

This is a complex organization on the Hill, over 10,000 employees. The position has many responsibilities that are of significant consequence to the House of Representatives.

While the proper administration of the House is ultimately the responsibility of the majority, the successful operation of the House is most certainly not a partisan manner.

Republicans and Democrats alike maintain a shared investment in preserving and building upon the professional improvements made by the House Chief Administrative Officer over the last 12 years.

In 1997, as I mentioned, the last occasion a new CAO was appointed, a search committee was constituted that, as I said, required a unanimous decision from all search committee members in order to select a candidate for the position of Chief Administrative Officer.

That last provision, I think, is very important, to ensure that it was not a partisan position required that both Republicans and both Democrats had to vote to select the final candidate for the position.

At that time, our current House majority leader, my colleague from Maryland, stated that the formulation of a search committee comprised of the leaders of both parties "was done to assure that we would have a bipartisan agreement on an administrator for the business of the House."

Mr. HOYER also stated that what this House needs is a bipartisan and effectively nonpartisan way to assure ourselves and the American people that the business of the House, the paying of our bills, the managing of our information systems, all of that which has nothing to do with the formulation of the policy, but everything to do with the effective management of the people's House, is being done in a proper fashion.

Now, I am not quoting this to throw the words in Mr. HOYER's face. That is not my intent at all. It is simply my intent to show how at that time we worked very hard to get a bipartisan agreement. That bipartisan agreement, which Mr. HOYER spoke of, resulted in the appointment of Jay Eagen, our current Chief Administrative Officer, who has served us so well for a number of years.

Under Mr. Eagen's tenure, just as an example, the House has achieved eight consecutive clean opinions from independent auditors, an impressive result by any measure. This should be contrasted with the result when the Republicans first took office, we asked for an independent outside audit, and the auditors came back and said the books are such a mess, we cannot even audit them; you will have to construct an entire new financial management system.

I was pleased that since I had helped develop the computer system that I was able to help develop a system that was appropriate for that task. I think all of this together has led to the clean audits that we have had for a number of years.

I certainly support the comments that Mr. HOYER made some years ago. They were very appropriate. They described the procedure accurately; and his points, as he made them, I totally agree that the appointment of a post was such a significant impact to this institution, we should be able to put aside our party affiliations and work together to find a suitable candidate.

I wish I could make a comparable statement today. I wish that such a bipartisan process had been followed this time. Instead, I am left only to express my sincere disappointment that it did not take place.

Let me make it clear, the qualifications of Mr. Beard are not under attack; but the process that Speaker PELOSI administered to make this appointment is. I think we should have had the same process, and I am disappointed that the Speaker chose not to do that.

Without a fair, open and competitive process, there simply is no way to determine whether the selection is in the best interest of the House, and the complete absence of transparency is cause for alarm for those who value the integrity of this institution.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. I will tell my friend, I don't have any other speakers on this side. Do you have a speaker?

Mr. EHLERS. Yes, I have several.

Mr. Speaker, I yield 5 minutes to the gentleman from California, a newly appointed member of the Committee on House Administration, the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Mr. Speaker, I would like to echo the words of those who have spoken the words about the job that Jay Eagen and Karen Haas have done. They have served this body well. They have done us honor by their service. I am sure they will continue with honorable service in the future.

When I returned to the House of Representatives after being away for 16 years, I observed that there were some things that were better about this House and some things that were worse about this House.

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I noted that there was always a partisanship in this House, but there appeared to be a harder edge to that partisanship. And one of the things that struck me was that we needed to be around here more often. That is why I, frankly, am one of those on this side of the aisle that believes that attempting to go to a 5-day workweek not only is good in terms of the product that we will put out eventually, when we actually do go to 5-day workweeks, but the interchange and the interplay and the opportunity for Members to deal with one another and get to know one another I think may very well take the hard edge off the partisanship that is always going to be a part of the House when you have strong feelings argued by Members on both sides.

At the same time, I must say it is a disappointment, as a Member of the House Administration Committee, to see the manner in which the decision was made to choose a Chief Administrative Officer.

When I served here before, there is no doubt that the administration of this place was in a mess. You could ask questions and get no answers. You could attempt to try and decipher how this place was organized, and you could not find out. You would ask questions, and you would get a wink and a nod and a sense of don't ask, don't tell. You would try and find, for legitimate reasons, information; and you would find that either that was not made available to you or that it could not be made available to you.

And since that time, primarily I believe because of the institution of the position of Chief Administrative Officer and the organization that flow from that, it has changed. So I was trying to look back at the experience of the House to see how this was made and how the decision was made to fill that position.

When I discovered that both the Republican and the Democratic sides had come together stressing bipartisanship,

making a national search, attempting to try and find the best possible person for the job but, above that, requiring unanimous support from both sides of the aisle, it seemed to me that that was an encouraging step towards righting a wrong that existed in this House.

And that is why, even though I do not know Mr. Beard, and I will take on its face the recommendations that have been made on the other side about Mr. Beard, it is a missed opportunity we had in this House to manifest an effort in one of the legitimate areas where bipartisanship should reign, that is, in filling the position of someone who is to be the chief administrator of this body. It is a sorely missed opportunity.

I know that we should not be complaining about process, and people are tired about complaining about process, and I am tired about hearing the complaints about process. But this was a unique opportunity for us to work together, not as Democrats or Republicans but Members of the House of Representatives who have respect for this institution, who understand the necessity of having this place run at that level on a businesslike basis so that every Member can feel that the person who filled that job was chosen by the entire membership and that no one has to feel that they have allegiance only to one side.

It is very difficult in this place, because of the way it is organized, for us to find that sort of sweet spot, if you will, in the activities in which we are involved. This was one of those chances, and I am very sorry that we rejected the experience and the precedent of the recent past in making this selection.

I join the gentleman from Maryland and others in hoping that Mr. Beard will do an excellent job. It is in the interests of all of us that he does an excellent job. My only point is this was a tremendous opportunity for us to remove partisanship, to work together, as the gentleman suggested a number of years ago when the selection of Mr. Eagen was made.

My only hope is that this does not suggest how things will be done in the future when there is abundant reason for us to work together as Members of the House rather than as Democrats and Republicans.

Mr. Speaker, with that, I congratulate Mr. Beard on his selection. I hope he will do the best for us, as Mr. Eagen has done. I only lament the fact that we had an opportunity that we missed.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the comments. I appreciated my comments when I made them. I still want you to know that I appreciate them, and I think that is a good practice.

I had the opportunity of sitting down with Mr. Beard just a few days ago, essentially, almost verbatim, in terms of how I believe he ought to operate his office in the sense that this is a busi-

ness office, this is not a partisan office. Hopefully, he will respond to doing what is in the best business management practice, best practices as well as his own judgment without respect to party or partisanship. I would hope that that would happen. I expect it to happen.

But I appreciate the comments that have been made.

I want to say that, also, I am strongly in support of Lorraine Miller. This is a historic appointment, first African American to serve as an officer of the House, not just as Clerk of the House but as an officer of the House.

Lorraine Miller has served for three Speakers now. She served President Clinton in the White House. She is president of the NAACP in Washington, D.C. She is an extraordinarily knowledgeable, able individual; and she will be a tremendous asset to this institution and I think will send a very strong and powerful message to all of America about inclusion, as the election of our Speaker did.

Mr. Beard, as some of you know, has more than three decades of experience in policy and executive management, including senior positions in the House of Representatives, the United States Senate, the White House and the Interior Department, as well as the Library of Congress. Obviously, he has a long, distinguished career in management and, as such, is a professional appointment.

Again, I appreciate the comments that have been made. Mr. Speaker, I strongly support the nomination of both, because I believe both will serve this institution in a professional manner that brings credit on their offices and on this institution.

Mr. Speaker, I ask unanimous consent that Mr. CLYBURN be able to manage the balance of time available to me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Maryland for his comments.

I would also echo his comments about Mrs. Miller. I was astounded at her resume. In fact, I would love to have a resume that complete myself. She has served government in so many different agencies and in so many different ways that I am certain that she will perform very, very well as the Clerk of the House.

Mr. Speaker, I yield 3 minutes to Mr. MCCARTHY of California, a brand new member of the Committee on House Administration but one with considerable experience on it because of his previous work as a staff member for the Honorable Bill Thomas, who chaired the committee.

Mr. MCCARTHY of California. I thank the gentleman for yielding.

Mr. Speaker, I rise today actually for two reasons, to congratulate Mrs. Miller, rightfully so. She was selected,

rightfully so, that the Speaker was able to appoint her. But today I actually rise in disappointment, disappointed in this resolution.

As the Member said, I am a new Member from California. But I am not new to this House. I had the pleasure of serving Mr. Thomas, who had served as the chairman of House Administration in 1995.

I know the work that was done and the respect for this House on both sides of the aisle. I never questioned the respect for this institution on either side. But to go about in bringing an audit to this House I knew the work that needed to be done. I worked as a staffer, and I found out in 1995 when we went to do the first audit, we did not keep enough books to even have an independent audit.

And what has transpired, in the last 8 years, we have had a clean, independent audit. And how were we able to achieve that? This body was able to achieve that by being bipartisan in the selection of the chief administrative officer, and to do this resolution today is actually a step backwards.

Transparency in this House, both sides will agree, is the best thing for the House of Representatives; and my question today is, I do not question the credentials of Mr. Beard. Will he make a great CAO? I do not know, quite frankly, because he has never come before us. We have never had the ability to go for the search, and we have actually done a disjustice to him, because we have gone through to select and not even empower him, when both sides of the aisle could go by and make a selection. That would empower that office in a bipartisan manner, much like we have done in the past.

My biggest disappointment is this side of the aisle was ready to work. I know the ranking member had sent a letter to the new Speaker to ask about doing it just like we did in 1997, where somebody from the Democrats and some from the Republicans got together and agreed unanimously. That is the respect of this office.

On my first day on this floor, I listened intently. I came with no animosity. I came to work together. I came to find common ground. And up in that top, I listened to the Speaker when she said, this is about partnership not partisanship.

But today is a step backwards. This was the opportunity to move forward in a partisanship much like we have done in 1997, much as history has shown. And I will tell you, in the end, the respect for this House has to come from both sides of the aisle that we have, and we have to do it when it comes to the resolution.

Mr. CLYBURN. Mr. Speaker, I, too, wish to offer my congratulations to those who have done so well, Mr. Speaker, Karen Haas and Mr. Jay Eagen in their duties and responsibilities to all of us as Members of this body.

I am a little bit interested in some of the convenient memory that is taking

place here. I happen to recall, Mr. Speaker, that in 1995 we had a CAO appointed; and, of course, I was a member of the bipartisan group that was selected by this body to hire Mr. Eagen. I was one of the ones that interviewed him, as well as others, and was one of the ones that decided to put him in the capacity that he is in.

So I just wanted to say to my friends on the other side that we hired Mr. Eagen to clean up a mess that was not created by those who were in power. It was created by the gentleman who took the office in 1995.

I would want us to be careful about how we recall the history of this, because that is the way all of this developed, and I was on that group that helped to clean it up with the hiring of Mr. Eagen. He has done a professional job. I want to thank him for that.

I, too, have met with Mr. Beard; and I have known Mrs. Lorraine Miller for a long, long time. I think she is an excellent choice. I think she is going to do great work for this institution, and I join with those who see this as a history-making and I think marble-ceiling-shattering appointment.

But when I met with Mr. Beard I said to him that I recognized his professional background. But I also said to him that I had one wish of him, that he carry out his duties and responsibilities in a professional manner. But I said to him when I spoke with him that this is my first elected job. I have been director or manager of something all of my life before coming here.

□ 1430

And one of the things I learned as a manager is that you have to try to balance efficiency and effectiveness. And in order to do the work of this body, I want all of those people who assume positions to be efficient. But I also would like to see the work done be effective. And to do so, we have to, I think, recognize the individual worth that exists in every human being. There are a lot of people working in and around this building who we sometimes don't see, but they come under the purview of the Chief Administrative Officer. So I asked Mr. Beard to remember, as he carried out his duties and responsibilities, that we must always work to balance out efficiency and effectiveness. So I think they will make good additions to the work here in this body, and I want to thank them for being willing to serve and thank the Speaker for making this appointment.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Speaker, I too want to join my colleagues at wishing a fond and reluctant farewell to Jay Eagen and Karen Haas. They have both served this institution with great distinction and reflected well on the institution of the House.

But I rise today to honor Lorraine Miller of Fort Worth, Texas, on her appointment as Clerk of the House of Representatives. Of course, as Clerk of the House of Representatives, Ms. Miller's responsibilities will include but not be limited to the page board, congressional travel reports and disclosure forms, the voting system, oversight of the legislative operation of the House floor. She is well prepared for this. She has worked at the highest levels of government, which have contributed to her leadership abilities and her knowledge of management.

The role of the Clerk is demanding and requires someone with great intellect. Ms. Miller will certainly bring strength and diversity to the Office of Clerk as the first African American woman to hold this top House position.

Ms. Miller first worked for the House of Representatives for U.S. Congressman Jim Wright back in Fort Worth, Texas, when he was majority leader. She moved on to work for then-Speaker Tom Foley, U.S. Congressman JOHN LEWIS, and finally the current speaker, Speaker PELOSI. Ms. Miller also worked as deputy assistant to the president of Legislative Affairs for the House of Representatives during the administration of Bill Clinton. She additionally held positions at the Federal Communications Commission and the Federal Trade Commission.

It is with great honor that I recognize Ms. Lorraine C. Miller for decades of hard work and selfless dedication. I want to join her friends and family, both here in Washington, D.C. and particularly back home in Fort Worth, Texas, where I represent, in congratulating her on this prestigious milestone. She has been an inspiration and a role model to many, and I know she will continue to be a role model to many of the young men and women who will watch her progress with pride here in the House of Representatives. And I, for one, look forward to working with her here in Congress.

Mr. CLYBURN. Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, in that case I will make my final comments. I assume the gentleman from South Carolina is able to close right after that.

Just hearing this debate reminds me again of all the things that happened. And first of all, I have to clarify that Mr. Eagen did not have to clear up a mess left by Mr. Faulkner. Mr. Faulkner may or may not have been the best choice for CAO at the time he took the job, but certainly improved the situation. And I was there. I saw the books as they were, ledger cards made out in pencil with erasures in the ledger book, an erasure of a number filled in with \$2,500,000 just to make the books balance. I have seen those books. I know the facts. It was a mess after 40 years of the rule of one party.

Now, I am not defending or criticizing either General Wishart or Scot Faulkner. They were there. They did

the best job they could in very difficult circumstances. But they were not there very long.

The point is simply that when we followed a good process, when we used a bipartisan process, we appointed someone who has served for a number of years and has served extremely well.

You know as well as I that if you hire a person, that person's loyalty is going to be to you. It is very important that this position be operated in a bipartisan fashion. And since the Speaker has appointed Mr. Beard, no matter how capable he is, no matter how much he tries, he will be suspected of partisanship in his decisions.

Daniel Beard may, in fact, be the right person to lead the CAO organization, and I truly hope that he is. However, given the selection process, there is simply no way of knowing that with any degree of confidence. This appointment could and should have occurred with the full confidence of all Members of the House. Unfortunately, the burden of proof now lies with Mr. Beard and, ultimately, Speaker PELOSI, to ensure that Mr. Beard is able to maintain the level of skill, professionalism and bipartisanship we have come to expect from the House CAO.

Mr. Speaker, I demand a division of the question on the adopting of the resolution.

The SPEAKER pro tempore. The question will be divided.

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

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question on adopting the resolution is divided.

First, the question is on adopting the first portion of the question (relating to the election of Clerk).

The first portion of the question was adopted.

The SPEAKER pro tempore. Now, the question is on adopting the second portion of the question (relating to the election of Chief Administrative Officer).

The second portion of the question was adopted.

A motion to reconsider the adoption of the resolution was laid on the table.

GENERAL LEAVE

Mr. CLYBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 129.

The SPEAKER pro tempore (Mr. TIERNEY). Is there objection to the request of the gentleman from South Carolina?

There was no objection.