

Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dahlkemper
Davis (AL)
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Doggett
Dreier
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallely
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger

NOT VOTING—12

Bachmann
Barrett (SC)
Berry
Brown-Waite,
Ginny

□ 1555

Mr. EHLERS changed his vote from “yea” to “nay.”

Ms. SPEIER changed her vote from “nay” to “yea.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING CHILD ADVOCACY
CENTER MONTH

The SPEAKER. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1313) expressing support for designation of May as “Child Advocacy Center Month” and commending the National Child Advocacy Center in Huntsville, Alabama, on their 25th anniversary in 2010.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Ms. SUTTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 413, noes 0, not voting 20, as follows:

[Roll No. 605]

AYES—413

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccheri
Boehner
Bonner
Bono Mack
Boozman
Boren
Bowwell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke

Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Micaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Molloy
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar

Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascarella
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmuter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner

Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Stutzman
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—20

Bachmann
Barrett (SC)
Berry
Brown-Waite,
Ginny
Buyer
Cleaver
DeFazio

□ 1605

Mr. CONYERS changed his vote from “present” to “aye.”

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

IN THE MATTER OF REPRESENTATIVE CHARLES B. RANGEL OF NEW YORK

Ms. ZOE LOFGREN of California. Mr. Speaker, I call up privileged resolution, H. Res. 1737, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1737

Resolved, That (1) Representative Charles B. Rangel of New York be censured; (2) Representative Charles B. Rangel forthwith present himself in the well of the House for the pronouncement of censure; (3) Representative Charles B. Rangel be censured with the public reading of this resolution by the Speaker; and (4) Representative Rangel pay restitution to the appropriate taxing authorities or the U.S. Treasury for any unpaid estimated taxes outlined in Exhibit 066 on income received from his property in the Dominican Republic and provide proof of payment to the Committee.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 30 minutes to the gentleman from New York (Mr. RANGEL) for purposes of debate only, and I ask unanimous consent that he be permitted to control those 30 minutes.

Of my remaining 30 minutes, I yield 15 minutes to the gentleman from Alabama, the ranking member on the Committee on Standards of Official Conduct, Mr. BONNER, for purposes of debate only, and I ask unanimous consent that he be permitted to control those 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

As the chair of the Committee on Standards of Official Conduct and as chair of the adjudicatory subcommittee in the matter of Mr. RANGEL, I rise in support of the resolution which calls for censure of Representative CHARLES B. RANGEL.

Article I, section 5 of the Constitution provides that "each House may punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member."

In the House, the Committee on Standards of Official Conduct is charged with recommending and enforcing ethical standards that ensure that Members and staff act in a manner befitting that public trust.

It is the role of the committee to review allegations that a Member has violated those standards. In this case, after a lengthy and thorough investigation that spanned more than 2 years and resulted in a 5,000-page report, the committee concluded that this Member violated those standards. We were charged with recommending an appropriate sanction to the House.

The entire report has been available to Members of the House and the public on the committee's Web site. Many

portions of the report have previously been publicly released, some since July.

Here is a brief summary of the findings of that report and why the committee recommended censure.

In this matter, we found that Representative RANGEL engaged in misconduct in four areas.

Mr. RANGEL improperly solicited individuals and entities with businesses and interest before the House to fund the Charles B. Rangel Center for Public Service at City College of New York. He misused official resources to make these solicitations for millions of dollars. He improperly solicited funds from lobbyists.

He failed to file full and complete financial disclosure statements for 10 years.

He accepted a favor or benefit related to his use of a residential, rent-stabilized apartment as a campaign office under circumstances that created an appearance of impropriety.

He failed to report and pay taxes for years on income he received from a property he owns in the Dominican Republic.

We found that Representative RANGEL's conduct in each of those four areas violated laws and regulations, as well as the rules of the House and standards of conduct, namely that he:

Violated the Gift and Solicitation Ban, a statute enacted by Congress in 1989;

Violated clauses 2 and 5 of the Code of Ethics for Government Service;

Violated postal service laws and regulations issued by the Franking Commission;

Violated the rules of this House, including the Code of Conduct;

Violated the Purpose Law, a statute which derives directly from the Constitution;

Violated the Ethics in Government Act; and

Violated the Internal Revenue Code.

A bipartisan majority of his colleagues concluded that 11 of the 13 counts in the Statement of Alleged Violation regarding these areas of his misconduct were proved by clear and convincing evidence.

We found his actions and accumulation of actions "reflected poorly on the institution of the House and, thereby, brought discredit to the House."

□ 1610

Nothing we say or do here today will in any way diminish his service to our country or our gratitude for his service, both in this House and as a hero of the Korean War.

But that service does not excuse the fact that Representative RANGEL violated laws. He violated regulations. He violated the rules of this House. And he violated the standards of conduct.

Because of that misconduct, the nonpartisan committee staff recommended that he be censured, and a bipartisan majority of the committee voted to recommend censure.

The committee also voted to require that he pay restitution to taxing authorities.

Censure is a very serious sanction and one rarely imposed by the House. The decision to recommend that sanction was not reached lightly.

In making its recommendation, the committee considered the aggregation of Representative RANGEL's misconduct. The committee concluded that his violations occurred on a "continuous and prolonged basis" and were "more serious in character, meriting a strong Congressional response rebuking his behavior."

For the violations related to the payment of taxes, the committee considered not only the amount of taxes he failed to pay over many years, but the fact that he served at various times in highly visible and influential positions as both chairman and ranking member of the Ways and Means Committee.

It brought discredit to the House when this Member, with great responsibility for tax policy, did not fully pay his taxes for many years.

Some have questioned whether a recommendation of censure is consistent with the committee's past precedent. It is true that in the committee's roughly 40 years of existence, the House has censured just four Members. But it is also true that for precedent to be followed, a precedent must be set.

We follow precedent, but we also set it. For example, nearly 30 years ago, the committee recommended that two Members be reprimanded for engaging in sexual relations with pages. The House rejected the recommendation and instead censured those two Members. It is possible that if that situation were to occur again today, this House might not feel censure is a severe enough action.

Many of us in this body pledged 4 years ago to create the most honest, most open, and most ethical Congress in history. Censure for this misbehavior is consistent with that pledge.

At the hearing, the nonpartisan committee counsel said clearly that Representative RANGEL's pattern of misconduct appeared to reflect "overzealousness" and "sloppiness." But he also said that did not excuse his misconduct.

In light of those considerations, a bipartisan majority of the committee concluded that it was appropriate to recommend to the House that Representative RANGEL be censured.

Throughout this matter, key decisions were made with bipartisan votes. Not all votes were unanimous, but each was made on the basis of a bipartisan, majority vote.

The purpose of the ethics process is not punishment, but accountability and credibility: accountability for the respondent and credibility for the House itself.

Where a Member has been found by his colleagues to have violated our ethical standards, that Member must be held accountable for his conduct.