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The Honorable Charles Dent
Chairman
House Ethics Committee
1015 Longworth HOB
Washington, DC 20515

The Honorable Linda Sanchez
Ranking Member
House Ethics Committee
1015 Longworth HOB
Washington, DC 20515

The Honorable David Skaggs
Co-Chair
Office of Congressional Ethics
H2-895
Washington, DC 20515

The Honorable Judy Biggert
Co-Chair
Office of Congressional Ethics
H2-895
Washington, DC 20515

Dear Representatives Dent and Sanchez and Co-Chairs Skaggs and Biggert:

Last month, we urged you to undertake a review of House ethics rules and to recommend ways to strengthen House ethics rules and guidance for Members involving legislative actions in which he or she has a pecuniary interest. As we noted in the letter, current rules and guidance are insufficient to protect against conflicts of interest and often lead to questions about Members' motivations in taking action on matters in which they have a financial interest. That these questions continue to arise due to inadequate rules and guidance does a disservice to the Members and the institution.

As the recent article from StatNews, [Investments give lawmakers personal stake in biotech, health care](#) demonstrates, questions continue to arise about recusal and legislative "advocacy" by Members.

As we noted in our November letter, House Rule 3, states that "every Member... shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question." That appears to be where most Members stop in determining whether to recuse themselves from voting or taking action on a matter directly affecting their financial status. They appear to be unaware that the *House Ethics Manual (Manual)* goes on to differentiate between voting and other legislative "advocacy" actions such as "sponsoring legislation, advocating or participating in an action by a House committee, or contacting an executive branch agency." The *Manual* also states that prior to undertaking such non-vote advocacy implicating financial interests, a Member should clear it with the Ethics Committee.

Because there is no existing process that publicly discloses whether a Member has indeed undertaken this obligation as outlined in the *Manual*, the public is left to reasonably question the motives of Members who advocate on matters so closely related to their financial holdings.

For this and other reasons, a joint Task Force of the Ethics Committee and the Office of Congressional Ethics (OCE) should be established to review the current practices and guidance, and then publicly recommend changes in House rules and procedures to clarify when Members should recuse themselves from not only voting but also other legislative activities in order to protect against conflicts of interest. That strengthened process should also include a public notification aspect to ensure public confidence that a Member is not using his or her official position to further personal interests.

The House will be better served by providing Members with clearer, stronger guidance on taking official actions on matters in which they have a pecuniary interest.

Thank you for your consideration. We look forward to hearing your response.

Sincerely,



J. Gerald Hebert
Executive Director



Meredith McGehee
Policy Director