

110TH CONGRESS
2D SESSION

H. RES. 1460

Raising a question of the privileges of the House.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2008

Mr. BOEHNER submitted the following resolution; which was laid on the table

RESOLUTION

Raising a question of the privileges of the House.

Whereas the gentleman from New York, Charles B. Rangel, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives;

Whereas the Committee on Ways and Means has jurisdiction over the United States Tax Code;

Whereas The New York Times reported on September 5, 2008, that, “Representative Charles B. Rangel has earned more than \$75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his Federal or State tax returns, according to a lawyer for the congressman and documents from the resort”;

Whereas in an article in the September 5, 2008, edition of The New York Times, his attorney confirmed that Rep-

representative Rangel's annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa;

Whereas The New York Times reported on September 6, 2008, that, "Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel's lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel.";

Whereas clause 5(a)(2)(A) of Rule 25 of the Rules of the House defines a gift as, "* * * a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value" and prohibits the acceptance of such gifts except in limited circumstances;

Whereas Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban;

Whereas Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and Federal law;

Whereas Roll Call newspaper reported on September 15, 2008, that, "The inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings.";

Whereas Representative Rangel’s failure to report the aforementioned gifts and income on Federal, State and local tax returns is a violation of the tax laws of those jurisdictions;

Whereas disclosure of these improper acts follows an announcement on July 31, 2008, by the House Committee on Standards of Official Conduct that it is reviewing unrelated allegations that Representative Rangel has violated House gift rules, financial disclosure regulations and rules barring the use of official resources to solicit funds for private ventures;

Whereas an editorial in The New York Times on September 15, 2008, stated, “Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated.”;

Whereas clause 1 of rule XXXIII of the Rules of the House of Representatives provides, “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”; and

Whereas on May 24, 2006, Speaker Nancy Pelosi cited “high ethical standards” in a letter to Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson: Now, therefore, be it

1 *Resolved*, That—

2 (1) pursuant to its authority under clause

3 3(a)(2) of House Rule XI, the Committee on Stand-

1 ards of Official Conduct, within 10 days of adoption
2 of this resolution, shall establish an Investigative
3 Subcommittee in the matter of Representative
4 Charles B. Rangel or report to the House the rea-
5 sons for its failure to do so; and

6 (2) upon adoption of this resolution and pend-
7 ing completion of the aforementioned investigation,
8 Representative Rangel is hereby removed as chair-
9 man of the Committee on Ways and Means.

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