

House Republicans Vote to Gut Ethics Watchdog and open the Door to More Corruption

The finger has been removed from the button of ethics scrutiny



A wealthy businessman with myriad potential conflicts of interest is preparing to move into the White House, so now scrutiny to ethic breaches are removed.

Rep. Bob Goodlatte's amendment has depowered the Office of Congressional Ethics, leaving it far less effective or functional than it was before.

Opening the door to corruption, like never before.

WASHINGTON — Republicans now control both houses of Congress and where a wealthy businessman with myriad potential conflicts of interest is preparing to move into the White House, so now scrutiny to ethic breaches are removed.

As one of their first actions in the new Congress, House Republicans significantly changed the Office of Congressional Ethics, removing the entity's independence, barring it from investigating anonymous complaints and even changing the group's name.

Less than 24 hours before the House convenes and votes on its rules for the 115th Congress, Republicans adopted an amendment Monday night, 119 to 74, from Judiciary Chairman Bob Goodlatte (R-Va.) that would fundamentally change the OCE. The independent ethics board investigates complaints against members and issues reports to the Ethics Committee.

Specifically, the amendment would place the OCE under the “oversight” of the lenient Ethics Committee and rename it the Office of Congressional Complaint Review. The new group would no longer be able to release information to the public, employ anyone “for a position involving communications with the public,” or directly contact law enforcement without approval. It would also be prohibited from investigating anonymous complaints.

Minority Leader Nancy Pelosi (D-Calif.) said the change would “functionally destroy” the office.

“Republicans claim they want to ‘drain the swamp,’ but the night before the new Congress gets sworn in, the House GOP has eliminated the only independent ethics oversight of their actions,” Pelosi said. “Evidently, ethics are the first casualty of the new Republican Congress.”

Republicans themselves defended the changes Monday night as necessary adjustments to protect members from political witch hunts.

“Now you can’t make a false accusation,” Rep. Paul Gosar (R-Ariz.) told The Huffington Post. “Now you can answer back to the people that make accusations against you. This has been flawed from the very get-go.”

The vote took place in secret, by anonymous ballot and behind closed doors, so it’s not possible to know which representatives approved of the measure. But a number of Republicans take issue with OCE investigating anonymous tips and have been looking for a way to ensure that accusers of wrongdoing must attach their name to a complaint.

“It needs to be aired in the public,” Rep. Tom Rice (R-S.C.) said.

Asked if that would deter people from making complaints, Rice agreed it was a “double-edged sword,” but said it was “too easy to put forth baseless claims with no responsibility.”

The effect, of course, of eliminating OCE's ability to issue reports is that ethics complaints won't be aired in public. The Ethics Committee has generally slapped members on the wrist for violations of rules, or simply shrugged them off.

The Office of Congressional Ethics, which was established in early 2008 after a number of scandals — including the Jack Abramoff controversy of exchanging gifts and donations for votes — issues public reports of potential wrongdoing with a recommendation to the Ethics Committee on whether to investigate further. This system has allowed the public a view into some investigations that the Ethics Committee later says are not worthy of reprimand — a common conclusion from a panel that often operates on a partisan doctrine of mutually assured destruction.

But the whole idea of the OCE was to remove politics from ethics investigations.

However, for Rep. Ryan Zinke (R-Mont.) — Trump's pick to be interior secretary — one of the advantages of functionally handling ethics investigations inside the Ethics Committee is that Republicans and Democrats would be in the fold.

“When ethics are involved, I think it's always helpful to have both sides,” he said. “So it can't be skewed one way or the other based on politics.”

One of Trump's major pledges is to “drain the swamp,” but ethics groups were having a hard time seeing how removing the independence of an ethics watchdog that has provided aggressive oversight and detailed reports of potential wrongdoing was in keeping with that pledge.

“This is a shameful move by House Republicans that'll weaken ethics oversight and make members less accountable for their actions,” said Adam Smith of the liberal advocacy group Every Voice.

Daniel Schuman, the policy director of the activist organization Demand Progress, also had stern words.

“With today’s action — taken behind closed doors and with no opportunity for public debate — the House now rolls back the clock to an era of corruption and decay. We will all be the worse for it,” Schuman said.

As Schuman points out, another puzzling aspect of the rules change is the short notice. Republicans are fundamentally changing an ethics agency just hours before a vote, while hardly anyone in the public is watching. The rules Republicans are adopting require legislation to be posted for three days so that members and the public have a chance to read the measures and voice their input.

Asked if they felt these changes were in contravention to the very rules they were adopting, Republicans shrugged off those concerns.

Gosar said the public would find out, and asked what was wrong with making the changes quickly. Reminded that it was a federal holiday — and that it was nearly 8 p.m. — Gosar saw no problem. “The thing about it is, is that it tells us we’re ready to do business and get it done,” he said. Rice seemed to concede the point — “I guess technically you could say that” — but didn’t seem to have a real problem with it.



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