

Chairman K. Michael Conaway

Committee on Ethics

Testimony before the Committee on House Administration

March 6, 2013

Good afternoon Chairman Miller, Ranking Member Brady, and members of the Committee. Thank you for inviting Ranking Member Sánchez and me to share our assessment of where the Committee stands, and where it can go depending on the difficult determinations your Committee is making. While we cannot get into the details of our work, most of which is confidential by House Rule, we'll be as frank as we can.

While I'm the new Chairman, this is my fifth year serving on the Committee. I've lived through tough times and tougher times on this Committee, participating in the difficult tasks of our investigative subcommittees. I deeply appreciate the seriousness that my colleagues, Republicans and Democrats, bring to our responsibilities. Our work is vital, even if service on the Ethics Committee is not always a cherished assignment.

I also bring to this job my experience as a CPA and as the former Chairman of Texas' audit board, the Texas State Board of Public Accountancy. As the Chair of TSBPA, I oversaw a review of some of the most serious financial mismanagement and accounting misconduct the country has seen.

The Committee's work and financial needs are commonly divided into three main functions. These are advice and education, financial disclosure review, and investigation and adjudication. Advice and education, and financial disclosure review are primarily customer service efforts. Members and staff seek out the committee staffs' council and guidance to avoid running afoul of the rules. Our staff works every day to provide our customers with accurate and consistent answers in a timely manner. Our investigation and adjudication work is qualitatively different. In addition to accuracy and promptness, we strive for integrity, discretion, fairness in process, and a complete understanding of the facts.

I am proud of our staff. I believe that they have some of the most difficult jobs on Capitol Hill and they manage the many pressures of their positions with the utmost professionalism. They are dedicated public servants who are zealously nonpartisan. They work tirelessly to protect Members and staff from making missteps and, in those rare occasions when an ethical question does arise, they work methodically to determine the facts and to protect the rights of the individual under investigation the reputation of this cherished institution.

I began my tenure as chairman demanding that all of the offices of the committee consider timeliness as a top priority in all of their work. I know that when the Committee is asked for advice, or approval, or when they tell a Member or an employee that their conduct has come under review, there is a heavy burden weighing on those Members or staff. Our staff is committed to keeping those burdens in mind.

The other side of that coin, however, is that we also have to act responsibly and carefully. It helps no one if we toss out hasty and inconsistent advice, or when we miss critical questions or red flags when we prescreen a financial disclosure statement. And finally, whether we clear somebody of false allegations, or whether we recommend sanctions to the House, if we haven't done a complete, thorough and detailed analysis of the evidence that either supports or contradicts an allegation, then we are doing a disservice to the integrity of the House and failing in our responsibility to the American people.

As I learned in my time overseeing accounting misconduct in Texas, credible, responsible, and fair counseling and investigations are labor intensive. It is clear that we have an increasing caseload in all three functions, as the Ranking Member will describe in her comments. We are also seeing more and more lawyering in our investigative matters, which is, of course, a respondent's right, but it also increases the length of the investigative process, and places additional burdens on our staff. Our skilled and committed professional staff is at the edge of what they can accomplish at current levels.

Already, the Committee is taking years to resolve investigations, which should be concluded in a much shorter time. Lengthy delays are a disservice to the Members and staff under investigation and harm the integrity of the committee's adjudicatory process. Providing timely responses to inquiries and expedient resolutions to investigations will continue to be a challenge over the next year without additional staff attorneys.

Fortunately, the Committee's FY2012 budget is sufficient to meet these needs. Because of the careful planning that your Committee helped us with over the past two years, we will have the resources that we need, without any further budget increases. Ranking Member Sánchez and I, along with our staff, have developed a plan that assumes level funding in FY13 and factors in potential sequestration cuts, but still allows the Committee to finally move past the backlog of cases that have accumulated.

I believe that the hard work of the past two years has laid the foundation for an Ethics Committee that can correct the problems of the past and is prepared to meet the new challenges facing us. With the continued support of the members of this Committee, the Ethics Committee's productivity and promptness will be dramatically improved.

Thank you for this time, and I look forward to your questions.