

**TO: Bi-Partisan Committee of Review**

**FROM: Non-Partisan Committee Staff**

**RE: Guidance Materials for November 1, 2007 Meeting**

**DATE: October 30, 2007**

In response to your request of October 22, 2007, attached please find a generic guidance document charting instances of expulsion, censure and reprimand in Congress over the past fifty years. From these charts certain generalities can be gleaned. For example, in almost every instance of expulsion, the elected official was convicted of criminal conduct. Censure has been exercised for both criminal and non-criminal conduct. Finally, reprimand has generally involved non-criminal behavior. Overall, an elected official's public behavior has been the basis for any such form of disciplinary action.

## Expulsion in the United States Congress

FACTS	PUBLIC OR PRIVATE BEHAVIOR	CRIMINAL OR NON-CRIMINAL CONDUCT	CONVICTION OR CHARGE	RECOMMENDATION
<ul style="list-style-type: none"> <li>• Senator convicted of bribery and conspiracy in ABSCAM scandal</li> </ul>	Public	Criminal	Conviction	Expulsion, but Senator resigned before a vote by the full Senate
<ul style="list-style-type: none"> <li>• Senator charged with sexual misconduct and abuse of power</li> </ul>	Private	Non-Criminal <i>Sen. Rick Warren</i>	Charges	Expulsion, but Senator resigned before a vote by the full Senate
<ul style="list-style-type: none"> <li>• Representative was convicted of bribery in connection with the ABSCAM scandal</li> </ul>	Public	Criminal	Conviction	Expulsion by full vote of the House
<ul style="list-style-type: none"> <li>• Representative convicted of conspiracy to violate federal bribery and gratuity statutes, receipt of illegal gratuity, obstruction of justice, defrauding the government, racketeering and tax evasion</li> </ul>	Public	Criminal	Conviction	Expulsion by full vote of the House

<ul style="list-style-type: none"> <li>● Representative convicted of accepting illegal gratuities</li> </ul>	Public	Criminal	Conviction	Expulsion, but Representative resigned before a full vote by the House
<ul style="list-style-type: none"> <li>● Representative was convicted of extortion and tax evasion</li> </ul>	Public	Criminal	Conviction	Expulsion, but Representative resigned before full vote by House

## Censure in the United States Congress

FACTS	PUBLIC OR PRIVATE BEHAVIOR	CRIMINAL OR NON-CRIMINAL CONDUCT	CONVICTION OR CHARGE	RECOMMENDATION
<ul style="list-style-type: none"> <li>• Senator converted campaign funds for personal benefit</li> </ul>	Public	Non-Criminal	N/A	Censure
<ul style="list-style-type: none"> <li>• Senator improperly reported campaign receipts and expenditures</li> </ul>	Public	Non-Criminal	N/A	Censure
<ul style="list-style-type: none"> <li>• Senator accepted outside payments and gifts and improper reimbursement of expenses</li> </ul>	Public	Criminal	Charge	Censure
<ul style="list-style-type: none"> <li>• Representative engaged in mail fraud and false statements</li> </ul>	Public	Criminal	Conviction	Censure
<ul style="list-style-type: none"> <li>• Representative accepted money from person with direct interest in legislation and personally used campaign funds</li> </ul>	Public	Non-Criminal	N/A	Censure

<ul style="list-style-type: none"> <li>● Representative had sexual relationship with house page</li> </ul>	Private	Non-Criminal	N/A	Reprimand, but full House rejected recommendation in favor of Censure
<ul style="list-style-type: none"> <li>● Representative had sexual relationship with house page</li> </ul>	Private	Non-Criminal	N/A	Reprimand, but full House rejected recommendation in favor of Censure

## Reprimand in the United States Congress

<b>FACTS</b>	<b>PUBLIC OR PRIVATE BEHAVIOR</b>	<b>CRIMINAL OR NON-CRIMINAL CONDUCT</b>	<b>CONVICTION OR CHARGE</b>	<b>RECOMMENDATION</b>
<ul style="list-style-type: none"> <li>● Representative improperly failed to disclose finances and violated code of ethics</li> </ul>	Public	Non-Criminal	N/A	Reprimand
<ul style="list-style-type: none"> <li>● Representative made false statements on questionnaire regarding Korean Influence Investigation</li> </ul>	Public	Non-Criminal	N/A	Reprimand
<ul style="list-style-type: none"> <li>● Representative failed to report campaign contribution</li> </ul>	Public	Non-Criminal	N/A	Reprimand
<ul style="list-style-type: none"> <li>● Representative failed to report campaign contribution, converted campaign funds to personal use and made false statements to Standards Committee</li> </ul>		Non-Criminal	N/A	Reprimand
<ul style="list-style-type: none"> <li>● Representative made false financial statements</li> </ul>	Public	Criminal	Convicted	Reprimand

<ul style="list-style-type: none"> <li>● Representative improperly used official resources and violated House rules regarding voting</li> </ul>	Public	Non-Criminal	N/A	Reprimand
<ul style="list-style-type: none"> <li>● Representative accused of using personal residence for prostitution by third parties, improper contact with probation officer on behalf of personal assistant, improper dismissal of assistant's parking tickets and sexual activity in the House gym</li> </ul>	Public and Private	Criminal and Non-Criminal	Charge	Reprimand
<ul style="list-style-type: none"> <li>● Representative improperly used tax-exempt status of foundation in support of college course</li> </ul>	Public	Non-Criminal	N/A	Reprimand