

Wiley Rein Election Law & Government Ethics Practice Attorney Quoted on the Rep. Waters Ethics Investigation

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Election Law attorney Robert Walker was quoted commenting on the stalled ethics investigation of Rep. Maxine Waters (D-CA) in a recent article. The investigation has effectively come to a halt for the past eight months due to internal conflicts and the firing of the lead attorney and an assistant shortly before the case was set to go to trial. Since then, the ethics committee has not offered an explanation on the handling of the investigation. Mr. Walker—former Chief Counsel and Staff Director of both the Senate and House ethics committees—said he "believes the panel owes the public and Waters an explanation but said it would likely be a circumscribed account lest the two attorneys, who have hired their own counsels, take legal action over how their job performance is depicted." "I don't think they will just say, nevermind," he continued. "I think something has to come out—there has to be some explanation...but I don't think you can expect to hear a warts-and-all story about what occurred or a data dump."

Mr. Walker added that "if you're waiting to hear a chapter-and-verse, fly-on-the-wall account of what went on, that's not going to happen unless it's relevant to the defense, in which case, all bets are off." He also said that he doesn't believe the committee will hire a special prosecutor especially in light of the 5% cut the panel, like other committees, incurred once the Republicans took control of the House. "You don't hire a staff like that and then turn around and hire a special prosecutor," Mr. Walker said. "They will likely rely on the new contingent of professional staff having sufficient distance from what

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occurred to make investigative judgments on recommendations to the committee that are sufficiently untainted by the process. I could see arguments the other way, but I don't see them going that route," he concluded.