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In House Ethics Battles, a Partywide Threat

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WASHINGTON — By defiantly pushing for full-fledged ethics trials, Representatives [Charles B. Rangel](#) and [Maxine Waters](#) are raising the prospect of a spectacle focusing on Congressional corruption this fall, just as Democrats are fighting to hold on to their majority in an election already defined by distrust of Washington.

Neither lawmaker, both Democrats, faces electoral jeopardy. Mr. Rangel, who was charged on Thursday by the House ethics committee with 13 violations, including failing to pay taxes on rental income from his Dominican villa, represents a safe district in Harlem. Ms. Waters, who is accused of using her office to help a bank in which her husband owned stock request bailout money, has a similarly secure seat in Los Angeles.

But the tenacity of Mr. Rangel, a 20-term veteran, and Ms. Waters, in her 10th term, in fighting the accusations, puts the interests of these two veteran members of the [Congressional Black Caucus](#) at odds with those of their party leaders, particularly the House speaker, [Nancy Pelosi](#), who famously promised to “drain the swamp” and run “the most ethical Congress in history.” The trials threaten to tarnish Democrats as they try to turn the midterm elections into a choice between keeping them in power or returning to Bush-era policies.

The trials would also stand to remind voters that Democrats, who in recent years extended their reach into the traditionally Republican turf of the rural West and South, are still anchored by an urban, liberal base and led by entrenched veteran lawmakers from big cities.

And the cases could feed racial strains both inside the Democratic caucus, where black members are asking why so many investigations seem to be aimed at them, and out among voters, especially in rural and white districts where many conservative Democrats face tight races.

Representative James E. Clyburn, Democrat of South Carolina and the House whip, defended the two lawmakers' rights to a trial, but said it was inevitable that some political opponents would try to turn the ethics questions into a race issue. "Those Tea Party people that showed up at the health care debate, they will not hesitate for one moment to racialize something," said Mr. Clyburn, a member of the Congressional Black Caucus. "They did, and they will."

Full trials would give Mr. Rangel and Ms. Waters the chance to fully answer the charges, Mr. Clyburn said. "There was a lapse this year as it relates to Charlie," he said. "Even by his own word, he said, 'I was in fact sloppy.'"

Between recent changes in the ethics rules and a contentious political climate, Mr. Clyburn said, lawmakers were vulnerable to allegations that proved baseless or reflected an inadvertent misstep. "Just because these accusations are made, doesn't actually mean there is anything there that the public ought to be concerned about," he said.

Mr. Clyburn said there was a lesson to be learned from the case of [Shirley Sherrod](#), the Agriculture Department official who was dismissed after being wrongly accused of racism based on an incomplete video clip. "If you saw what went out initially, you got one impression," he said. "When you got time to put the whole thing in proper perspective, you got the opposite impression."

But some Democratic incumbents in swing districts are already moving to distance themselves from the ethical troubles of their colleagues.

Representative Michael Arcuri, a Democrat from upstate New York, has urged Mr. Rangel to resign. “Congressman Rangel should think about stepping down, because this situation is beginning to affect our ability to govern,” he said. An aide noted that months ago, Mr. Arcuri had returned campaign contributions from Mr. Rangel.

Representative John Yarmuth of Kentucky, who was elected president of the Democrats’ 2006 freshman class — known as the “majority makers” because they catapulted the party to power — also said Mr. Rangel should quit.

“If the charges are factually true, and I have no reason to believe that they’re not, then he should leave,” Mr. Yarmuth told The Louisville Courier-Journal.

“I know his lawyers put out a document contesting the truthfulness of all charges,” he said. “But we’ve heard Charlie in the Ways and Means Committee, and he’s addressed these charges. He never denied they happened. He always has an explanation. You can excuse one or two, but not 13.”

President Obama also seemed to be ushering Mr. Rangel out the door when he expressed a hope this weekend that Mr. Rangel, the dean of the New York delegation, be allowed “to end his career with dignity.”

Democratic leaders in Congress and White House officials say they intend to emphasize that the ethics process is functioning well, compared with when Republicans and Democrats had, for years, an unspoken “truce” that protected both parties from investigation and reprimand.

“The ethics process is working,” said the House majority leader, **Steny H. Hoyer**, Democrat of Maryland. “I think we have taken a lot of steps which have made this a much more transparent Congress. Is it a perfect Congress? No. As long as you have human beings holding your jobs, some are going to mess up. And that’s the way it is.”

Mr. Rangel and Ms. Waters could still agree to accept some form of disciplinary reproach and avoid a

trial — an outcome privately encouraged by some party leaders.

Republican leaders, for their part, have kept the debate squarely on corruption.

“Nancy Pelosi said four years ago that it was time to drain the swamp,” the House minority leader, [John A. Boehner](#) of Ohio, said on “Fox News Sunday.” “But the fact is she has not kept her promise. The swamp is alive and well.”

Ken Spain, a spokesman for the National Republican Congressional Committee, called the cases against Mr. Rangel and Ms. Waters “symptoms of a larger disease in Washington, which is why the elections in November will serve as a referendum not only on President Obama’s failed policies, but the failed leadership of the Democrat-led Congress.”

But as the party in charge, Democrats have the most to lose. Stuart Rothenberg, a nonpartisan analyst of Congressional races, said the potential ethics trials would come at a terrible time politically for Democrats and would saddle them with another liability headed into an already difficult November.

“It feeds cynicism and plays into people’s conceptions that everybody on Capitol Hill is taking care of themselves and it is a bunch of insiders run amok,” he said. “It feeds the anti-Washington sentiment.”

Unlike Mr. Rangel, who has admitted making mistakes, Ms. Waters adamantly denies the accusations against her, saying she helped a trade association, not just OneUnited, the bank in which her husband owned stock. Ms. Waters says she expects to be fully exonerated.

Mr. Rangel’s more nuanced defense, in which he said some of his actions were common among other lawmakers, could fuel further cynicism about Congress. He is charged with, in part, using his office to solicit donations, including from registered lobbyists whose corporations had business before Congress.

In his defense, Mr. Rangel’s lawyers pointed to the McConnell Center for Political Leadership at the [University of Louisville](#), named for the Senate Republican leader, [Mitch McConnell](#) of Kentucky.

The lawyers noted that lawmakers from both parties, including Mr. McConnell and [Robert C. Byrd](#), a Democratic senator from West Virginia who died in June, had raised money from corporate donors for academic centers named after them.

Mr. McConnell, speaking on “Fox News Sunday,” dismissed the comparison. “A totally different situation,” he said. “This is a scholarship program for young people in Kentucky. They benefited from it, not me.” He added, “It’s a pure charitable activity.”



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