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## United States Senate

SELECT COMMITTEE ON ETHICS  
HART SENATE OFFICE BUILDING, ROOM 220  
SECOND AND CONSTITUTION AVENUE, NE  
WASHINGTON, DC 20510-6425

June 2, 2014

Mr. David Roemer  
345 Webster Avenue, Apt 4-O  
Brooklyn, NY 11230

Dear Mr. Roemer:

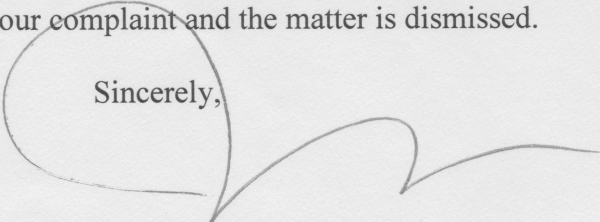
The Committee has received your letter concerning your request for assistance from Senator Gillibrand's office regarding an article about evolution published by the *American Journal of Physics*.

Senate Resolution 338, Section 2(a)(1), which sets forth the jurisdiction of the Select Committee on Ethics, vests in the Committee the authority to "receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto..."

The Committee has previously addressed complaints concerning the way a Member carries out his or her responsibilities. In the absence of evidence of improper conduct or violation of rule or law, it is each Member's prerogative to determine how those responsibilities will be conducted. A Member's votes, legislative actions, views, opinions, public statements, handling of constituent service requests, associations, or choice of appearances are the kinds of matters which the Committee has previously considered to be within the discretion of each Member and which will generally not be reviewed or commented upon by the Committee. As the Committee has noted on numerous occasions in this regard, the final judgment with respect to such matters is reserved for a Member's constituents and voters.

Based upon a review of the information which you have provided, and in view of the Committee's decisions respecting such matters, the Committee has concluded that no further action is appropriate with respect to your complaint and the matter is dismissed.

Sincerely,

  
John C. Sassaman  
Chief Counsel and Staff Director

JCS:arb