

Committee on Standards Weekly Summary Report

(July 27-31, 2009)

Schedule of Upcoming Committee Activities

Monday, August 3rd	10:00 am Staff Briefing – Office of Cong. Gregg Harper, 307 CHOB (Carol Dixon will do briefing) 2:00 pm Todd and Blake 3:00 pm Staff Meeting
Tuesday, August 4th	10:00 am Staff Interview of Damon Nelson Re: PMA 2:30 pm Rangel Subcommittee Staff Meeting
Wednesday, August 5th	3:00 pm Staff Attorneys Meeting
Thursday, August 6th	Cliff/Tonia travel to New York – (Rangel Investigative Subcommittee Field Trip)
Friday, August 7th	

Administrative Items

Travel

Travel requests IN - 22

Travel letters OUT - 17

Travel requests PENDING - 9

Travel requests OUT FOR SIGNATURE - 27

Advisory Opinions

Advisory opinion requests IN - 7

Advisory opinion requests OUT - 7

Advisory opinion requests PENDING - 5

Advisory opinion requests OUT FOR SIGNATURE - 22

Financial Disclosures

2008 FDs RECEIVED: Members: 419 Staff: 2,046 Candidate: 295

2008 FDs SIGNED-OFF: Members: 297 Staff: 84 Candidate: 0

2008 FDs PENDING FILING: Members: 21 Staff: 272 Candidate: 130

2008 FDs PENDING AMENDMENT Members: 41 Staff: 900 Candidate: 12

Financial Disclosure Issues of Significance

Stan Simpson

Meetings/Briefings

I had no meetings or briefings during the past week.

Phone calls & E-mails

I have handled numerous phone calls and e-mails this past week which were generally related to providing information to Members, staff and candidates about FD reporting requirements, due dates, etc.

Significant Issues

Rep. Rangel's attorney sent me draft amendments to his FDs for calendar years 1998 through 2007, as well as his draft 2008 FD, for pre-screening. In the course of my review, I found 8-10 small errors that require correction/clarification. Overall, however, the drafts appear in good shape. I have also reviewed the delinquent FDs of Rep. Rangel's staffer Jim Capel. They are also appear to be in good order. Mr. Capel has now filed all delinquent FDs and paid late filing fees associated with each report.

Action Items

I am meeting with the chief of staff for Rep. Wasserman-Shultz Friday morning (7/31) to discuss the Member's draft 2008 FD.

We need to determine how we are going to respond to Rep. Rangel's request for pre-screening of draft amendments and annual FD in light of the pending investigation which encompasses his 2006-07 FDs.

We continued to review Member FDs. To date, 297 Member FDs have been approved. There are 21 FDs outstanding due to extensions, 41 are pending amendments, and the remaining FDs have been through the first review and have been found to contain errors. We continue to contact these Members to solicit clarifying information and/or amendments to their FDs. All Member FDs are currently accounted for, *i.e.*, all Members who have not yet filed FDs have been granted extensions and are within their timeframes.

Deborah Peay Bethea

Meetings/Briefings

None to-date

Phone calls & E-mails

- Retrieved about 25 final files for Detailee review
- Prepared files & filed about 50 CC files for the 2010 primaries / elections
- Reviewed about 20 CC files for the 2010 primaries / elections
- Answered about 5 calls from CCs regarding reporting requirements

Suggestions

- Consider establishing and funding an 18 month or 2 year formal training program (e.g., Administrative Staff) to improve workforce performance or as part of an overall professional development program related to the mission and strategic objectives/goals of the Committee. This should be considered to build upon the skills and strengths of the staff and implemented to maintain a talented, diverse, and versatile workforce.
- Consider succession planning going forward by ensuring that all key positions and/or tasks have updated policies and procedures on hand.

Action Items

- Discuss and determine the handling of remaining archive files (about 30 boxes) stored at the Ford House office building that were initially planned to be completed by December 2009.

Investigative Issues of Significance

	Member/Employee	Description	Status	Attorney Assigned
Committee Initiated Investigations	Rep. Alan Mollohan	FD disclosure issues; earmarks and contributions; personal financial success; loan from former staffer/now Foundation exec.	DOJ requested that the Committee not move forward at this time, and the Committee requested that the request be put in writing and also requested an update from DOJ. 7/2/- RBC spoke to DOJ re written response.	Kenyen Brown, Stan Simpson
	Rep. Gary Miller	Profits on real estate investments potentially tied to official acts; loans from campaign contributor and business partner used for real estate investing.	Chair and Ranking authorized further investigative action. Peg preparing plan and file for transfer to Donald (arriving 7/27)	Donald Sherman
	In the Matter of the Coconut Road Earmark	Alleged misconduct related to highway earmark in Florida. (Coconut Road)	Rep. Connie Mack response to request for information expected August 28, 2009. Letter sent from Blake (cc: C/RM) to Rep. Mack accepting revised timeframe.	Ken Kellner, Peg Perl
	Rep. Charles Rangel	<ol style="list-style-type: none"> 1. Alleged solicitation using official resources and related issues. 2. Rent-controlled apartment(s) 3. Tax filing errors regarding Dominican Republic villa 	RBC spoke to atty. re proffer on 7/20. Discussions ongoing. Prepare for upcoming testimony and meetings. Formal interview scheduled on July 30th. Prepare binders for the Subcommittee members to take with them during recess. Capel will be permitted to review his transcript on July 29, 2009.	Clifford Stoddard, Ken Kellner, Tonia Smith
	Rep. Silvestre Reyes	Alleged contact with ICE re kidnapped relative	Staff reviewing and preparing memo with recommendations.	Ken Kellner
	Rep Linda Sanchez Rep Loretta Sanchez	Shared transferred staff from one office to other after embezzlement.	Meeting between Committee counsel and counsel for these Members occurred on June 1. Counsel for Members submitted submitting letter with additional information on June 19. Former staff member Caroline Valdez pleaded guilty on May 18 to felony embezzlement of official funds of Rep. Loretta Sanchez. Staff has drafted closeout letters for consideration by Chair and Ranking Member (expected to circulate on July 10).	Ken Kellner
	Homeland Security Staffer (Veronique Pluviose-Fenton)	Staff person dismissed from position following raising concerns about certain requests made by lobbyist.	Staff will prepare summary memorandum.	Ken Kellner

Committee Initiated Investigations	Rep. Tom Feeney	Ongoing criminal investigation request made during 110 th Congress for access to confidential Committee information.	In an opinion issued on June 23, 2009, the United States Court of Appeals held that former Representative Feeney's statements to the Committee are protected by the Speech or Debate Clause of the Constitution. The Court's opinion in this under seal matter was unsealed on July 9, 2009. A copy of the opinion will be circulated to all Committee staff.	Ken Kellner
	Rep. Jane Harman	On June 9, 2009, Committee authorized subpoena to US Department of Justice, FBI, and National Security Agency for certain intercepted communications.	On June 9, 2009, Committee authorized subpoena to US Department of Justice, FBI, and National Security Agency for certain intercepted communications. On or about June 26, 2009, it was reported in the news media that Rep. Harman was not under DOJ investigation. 7/20 - RBC spoke again to DOJ. They would like written, high-level call before subpoenas issued.	Blake Chisam
	PMA	Improper campaign contributions to members of Congress.	Re-contacted DOJ to follow-up informally re thoughts on potential interference issues. Note: H. Res. 500	Blake Chisam, Cliff Stoddard, Frank Davies
	Rep. Luis Gutierrez		Preliminary fact-gathering.	Cliff Stoddard, Frank Davies
	Jennice Fuentes	Outside earned income/honorarium		Donald Sherman
	Richard Butcher (Rep. Diane Watson staffer)	Misappropriation of MRA funds	Sent initial memo and recommendations to the Chair and Ranking Member. Will contact Richard Butcher to set up an informal interview. He will be taken off payroll as of August 1, 2009.	Tonia Smith
	Rep. Keith Ellison	FD issues on Hajj trip approved by Committee.	Drafting letter re amendment	Blake Chisam, Carol Dixon, Stan Simpson
Committee Initiated and Referred by OCE	Rep. Laura Richardson	Financial disclosure related issues resulting from loan defaults/foreclosures.	Letter transmitted requested Member obtain information from her lender to submit to the Committee. Her attorney is still working on obtaining the requested information. The Chief Counsel spoke with her attorney, Brian Svoboda, 7/15/09. Issues in difficulty of getting information after WAMU/JPMC merger.	Kenyen Brown

Notice Received from the OCE	Preliminary Review	Rep. C.W. Bill Young	Accepting contributions or other items of value from PMA's PAC in exchange for an official act	Included in Committee investigations.	Blake Chisam, Clifford Stoddard, Frank Davies
		Rep. Peter Visclosky	Accepting contributions or other items of value from PMA's PAC in exchange for an official act.	Included in Committee investigations.	Blake Chisam
		Rep. Todd Tiahrt	Accepting contributions or other items of value from PMA's PAC in exchange for an official act.	Included in Committee investigations.	Blake Chisam
		Rep. Norman Dicks	Accepting contributions or other items of value from PMA's PAC in exchange for an official act.	Included in Committee investigations.	Blake Chisam
		Rep. Marcy Kaptur	Accepting contributions or other items of value from PMA's PAC in exchange for an official act.	Included in Committee investigations.	Blake Chisam
		Rep. John Murtha	Accepting contributions or other items of value from PMA's PAC in exchange for an official act.	Included in Committee investigations.	Blake Chisam
		Rep. James Moran	Accepting contributions or other items of value from PMA's PAC in exchange for an official act.	Included in Committee investigations.	Blake Chisam
		Rep. Edolphus Towns	Allegations that Rep. Towns received a Maryland homestead tax credit after October 2007 and as a result violated Maryland state law and House Rule 23.	Preliminary fact-gathering. Expecting OCE notice of termination.	Peg Perl

		Rep. Eliot Engel	Allegations that Rep. Engel received a Maryland homestead tax credit after October 2007 and as a result violated Maryland state law and House Rule 23.	Preliminary fact-gathering. Expecting OCE notice of termination.	Peg Perl
		Rep. Doris Matsui	Allegations that Rep. Matsui received a Maryland homestead tax credit after October 2007 and as a result violated Maryland state law and House Rule 23.	Preliminary fact-gathering. Expecting OCE notice of termination.	Peg Perl
		Rep. Sanford Bishop	Allegations that Rep. Bishop may hold a financial interest in requested earmarks for the Muscogee County Junior Marshal Program.	Preliminary fact-gathering.	Tonia Smith
	Second-Phase	Rep. Jesse Jackson, Jr.	Allegation of alleged impermissible gratuity to Gov. Blagojevich in return for political favor – i.e. vacant Illinois Senate seat.	Blake spoke with Gary Shapiro, First U.S. Assistant Attorney for the Northern District of Illinois. Note: OCE review termination: 6/12/09	Tonia Smith
		Rep. Maxine Waters	Conflict of interest regarding meeting centering on OneUnited bank in which her husband owns stock.	Awaiting further instructions. Note: OCE review termination: 6/12/09	Tonia Smith
		Rep. Joe Barton	Corporations with business before the Energy and Commerce Committee, of which Rep. Barton is a member, made donations to the Joe Barton Foundation or to third parties in the name of the Joe Barton Foundation.	Preliminary fact-gathering. Note: OCE review termination: 8/18/09	Clifford Stoddard
		Rep. Pete Stark	Allegations that Rep. Matsui received a Maryland homestead tax credit after October 2007 and as a result violated Maryland state law and House Rule 23.	Counsel has conducted preliminary legal research regarding the Maryland tax credit and reviewed press clips regarding Rep. Stark. Counsel will draft background memo if OCE referral is not a recommendation to dismiss. Note: OCE review termination: 8/12/09	Peg Perl
		Rep. Sam Graves	Conflict of interest with witness at Small Business Committee hearing.	Initial draft memo for Committee was submitted and reviewed by Committee Chief Counsel. Revisions were made to the Committee memo. Board meeting 7/24. Note: OCE review termination: 6/15/09	Kenyen Brown

Referred by the OCE	Referred	Del. Donna Christensen	Attended trip with improper sponsors that were not disclosed on pre-trip/post-travel disclosures.	Staff prepared summary memorandum, and Investigative Subcommittee held an organizational meeting on 7/9/09. Subcommittee approved staff recommendations for investigative actions.	Clifford Stoddard Ken Kellner
		Rep. Carolyn C. Kilpatrick	Attended trip with improper sponsors that were not disclosed on pre-trip/post-travel disclosures.	Staff prepared summary memorandum, and Investigative Subcommittee held an organizational meeting on 7/9/09. Subcommittee approved staff recommendations for investigative actions. Her attorneys are requesting an interview before the August recess.	Clifford Stoddard Ken Kellner
		Rep. Donald Payne	Attended trip with improper sponsors that were not disclosed on pre-trip/post-travel disclosures.	Staff prepared summary memorandum, and Investigative Subcommittee held an organizational meeting on 7/9/09. Subcommittee approved staff recommendations for investigative actions.	Clifford Stoddard Ken Kellner
		Rep. Charles Rangel	Attended trip with improper sponsors that were not disclosed on pre-trip/post-travel disclosures.	Staff prepared summary memorandum, and Investigative Subcommittee held an organizational meeting on 7/9/09. Subcommittee approved staff recommendations for investigative actions.	Clifford Stoddard Ken Kellner
		Rep. Bennie Thompson	Attended trip with improper sponsors that were not disclosed on pre-trip/post-travel disclosures.	Staff prepared summary memorandum, and Investigative Subcommittee held an organizational meeting on 7/9/09. Subcommittee approved staff recommendations for investigative actions.	Clifford Stoddard Ken Kellner
Inspector General	Grant Scherling & Dennis Leber(CAO Employees)	Allegations of improper conduct.	Memorandum summarizing allegations transmitted to Chair and Ranking Member. Staff reviewing comments received from Committee Chair.	Ken Kellner	
	Rep. Heath Shuler	Preferential treatment in Tennessee Valley Authority's "Maintain and Gain" program.	Preparing recommendations.	Ken Kellner	

Investigative Issues of Significance

Frank Davies

Meetings/Briefings

Phone Calls & E-mails

7/27: exchanged emails, one phone conversation with Stephen Cordi, deputy CFO of DC city government on Rangel homestead exemption

7/28: email exchange, phone conversation with Robert McKeon, deputy chief counsel of DC office of tax and revenue, on homestead issue

7/29: Several email exchanges with McKeon

Significant Issues

Ellison trip: Researched hajj trip, contributed to committee letter on his financial disclosure

Rangel homestead exemption: Researched property history with DC officials, property data; confer with Tonia, Donald on memo

PMA cases: Review with Blake, Cliff, plan next steps

Defense spending: Research Flake amendments, check PMA connections, write background memo on investigation

Action Items

Peg Perl

Meetings/Briefings

Wednesday, July 29 – I met with Donald to transfer the Gary Miller investigative file and provide the background of the investigation to date. I plan to remain available to answer questions as needed as Donald moves forward with that investigation.

Phone Calls & E-mails

2008 & 2009 Training compliance – I revised the email from Blake to be sent to all chiefs of staff and ethics compliance officers and coordinated with Paulicia to have the email sent out this week. Also, I've been working with Blake to coordinate monthly closed ethics training sessions for employees who did not comply with the 2008 ethics training requirement to remedy that missed training.

Significant Issues

Legal Expense Trusts – This week I reviewed the 2009 second quarter report filed by Rep. Jim McDermott and there were no problems or issues detected. Rep. McDermott also filed amendments to his 2008 first and second quarter reports to add and revise information for certain donors whose multiple donations were not properly aggregated in the original reports last year. These amendments were the result of an audit by the LET trustee after I contacted Rep. McDermott's staff to point out inconsistencies in the reporting of LET donations between Rep. McDermott's 2008 Financial Disclosure Statement and his 2008 LET reports.

Pink Sheet–I made revisions to the jointly – sponsored constituent service event pink sheet based on Blake's edits and returned it to him for further review.

Phone Calls – (1) I received numerous calls on Tuesday, July 28, from Mark Johnson in Rep. Bruce Braley's office. His questions were all centered around a hypothetical scenario where a Member might send out an email to individuals outside of the district urging them to contact their Member and tell the Member to vote "no" on the particular amendment. I told him such an email would not be permissible under our Committee's prohibition on Members conducting and assisting outside lobbying of Congress, and that such an email would not probably also violate Franking regulations. The numerous calls included push-back from Mark with him arguing that "just an email" (albeit from the house.gov account) was not using official House resources and was not subject to the Franking regulations. I repeatedly told him to check with Franking before sending any such emails. Mark also asked me about the procedure for obtaining a Committee AO and implied that they might write in for further guidance. Based on conversations with Carol and Blake, it appears that the emails were already sent out and other Members in the Iowa delegation were the targets of the lobbying effort.

(2) On Wednesday, July 29, I spoke with Jennice, Chief of Staff to Rep. Gutierrez, about a weekly radio show that Rep. Gutierrez would like to start co-hosting in his district. She stated that ClearChannel had suggested the idea that Rep. Gutierrez could co-host a show every Sunday on a local station in his district. Jennice knew that Rep. Gutierrez could not be paid for such a show, but wanted to know if there was anything else she should ask as they are about to have a close-to-final meeting with ClearChannel so they can start the show during August recess. As summarized in a lengthier email to Blake, I advised her that there were a number of restrictions on a Member hosting a radio show, including that no official House resources (including staff) be used and that no promotion of House events or district office services could be done by the Member during the show. She was generally surprised at those restrictions. I told her that the Member should write in for an AO based on the specific proposal from him and ClearChannel to receive proper guidance on the restrictions that would apply. Legal Expense Trusts – This week I reviewed the 2009 second quarter report filed by Rep. Jim McDermott and there were no problems or issues detected. Rep. McDermott also filed amendments to his 2008 first and second quarter reports to add and revise information for certain donors whose multiple donations were not properly aggregated in the original reports last year. These amendments were the result of an audit by the LET trustee after I contacted Rep. McDermott's staff to point out inconsistencies in the reporting of LET donations between Rep. McDermott's 2008 Financial Disclosure Statement and his 2008 LET reports.

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Action Items

Tonia Smith**Meetings/Briefings**

- July 29th: Permitted Jim Capel to review his previous testimony before the Rangel Subcommittee.
- July 30th: Conducted formal interview.
- July 30th: Rangel Subcommittee Meeting

Phone Calls & E-mails

- Spoke and sent an email to Steven Rangel regarding a question he had about a question that was asked to him by one of the Subcommittee Members. At this time, Steven Rangel does not wish to clarify his statement.
- Spoke and sent an email to Abdul Henderson, Rep. Diane Watson's CoS, regarding the allegations concerning former CoS, Richard Butcher.

Significant Issues

- Prepared talking points for Rep. Bonner to speak with Rep. Bill Posey.
- Sent initial memo and recommendations to the Chair and Ranking Member. Contacted Richard Butcher to set up an informal interview. Mr. Butcher would not agree to informal interview at this time, instead he took my contact information. I will follow-up with a letter. He will be removed from the office payroll as of August 1, 2009.

Action Items

- Prepare for Rep. Rangel's interview.
- Draft report during August recess.
- Prepare to travel to New York Housing Court.
- Continue informal fact gathering regarding the allegations involving Rep. Sanford Bishop.

Clifford Stoddard

Meetings/Briefings

7/27/09: Staff meeting
7/28/09: Full Committee meeting
7/30/09: Attorney staff meeting
7/30/09: Carib News Subcommittee meeting (moved to 8:30 a.m., 7/31/09)
7/30/09: Rangel Subcommittee meeting and interview of Jim Capel
7/31/09: new employee ethics briefing

Phone Calls & E-mails

7/27/09: Telephoned Damon Nelson to arrange interview
7/27/09: Emailed Dawn Mobley to arrange interview
7/28/09: telephone and left voice mail for Bill O'Reilly to arrange interview
7/28/09: Contacted John Sassaman to arrange interview- awaiting for him to provide time for 8/8/09

Significant Issues

7/24/09: Subpoena served via fax to Karl Rodney. Original mailed on 7/27/09
7/29/09: researched earmarks on Rep. Flake Amendments
7/30/09: email to Blake regarding Flake Amendments
7/30/09: prepared press statement regarding "present" vote

Action Items

- Memo re: reliance on Counsel - completed.
- Contact Member offices who were approved but didn't file post- travel disclosures to determine if they did – in progress
- Waiting for response from Kilpatrick and Davis
- Coordinate Members schedules for Subcommittee interviews
- Review PMA Lobbying contributions – Working on excel spreadsheet and access data base to use for analysis - complete
- Research Complaint re: Bachmann census comments – in progress

Advice and Education Issues of Significance

Kenyen Brown

Meetings/Briefings

Phone Calls, E-mails, Travel, Advisory Opinions

Correspondence

Phone calls received 21
E-mails received 3

Travel

Requests IN 0
Requests OUT 0
Requests PENDING 0
Requests OUT FOR SIGNATURE 0
Requests REVIEWED 43 travel requests this week and forwarded them on to Committee's Chief Counsel.

Advisory Opinions

Requests IN 4
Requests OUT 4
Requests PENDING 0
Requests OUT FOR SIGNATURE 1
Requests REVIEWED 7 advisory opinions this week and forwarded them on to the Committee's Chief Counsel.

Financial Disclosure

Number of financial disclosures reviewed 7

Significant Issues

- I fielded phone calls and e-mail of the "normal variety" this week which posed no unique issues.

Action Items

- The normal processing of advisory opinions and travel approval letters.

Carol Dixon

Meetings/Briefings

- With Ken Kellner, met with Argentinean congresswoman regarding Standards Committee structure and operations (Paula María Betrol-congressman; Luciano Tanto Clement – Secretary of Argentine embassy; María Baron – director of NGO Directorio Legislativo)

Phone Calls, E-mails, Travel, Advisory Opinions

Correspondence

Phone calls received 78 (approx; TH-WED)

E-mails received 11

Travel

Requests IN 2

Requests OUT 3

Requests PENDING 1

Requests OUT FOR SIGNATURE 1

Advisory Opinions

Requests IN 0

Requests OUT 0

Requests PENDING 4

Requests OUT FOR SIGNATURE 3

Financial Disclosure

Number of financial disclosures reviewed 0

Significant Issues

A & E calls of note:

- Eric from Loeb'sack's office called to see if there was a rules violation for a Member to send emails to individuals outside of his district asking them recipient to contact his/her own Member to ask for a certain vote on a pending bill (Loeb'sack had received one of these calls). I told him it sounded like it might violate both the Franking rules and the rule that Members should not be providing guidance on how to lobby Congress. A couple of days later, Peg got a call from Braley's office, which apparently had made the calls. Her advice was consistent with mine, but apparently some of the Members who received the resulting calls are not pleased.
- With Susan, made proposed edits to the Traveler & Trip Sponsor forms, as part of the Committee's overall look at revising the travel process. (Changes included adding more explicit § 1001 certification).
- Reviewed one FGDA gift form from the Speaker.

Action Items

- 2 pink sheets to be drafted: (1) revised version of one on contacting private parties on behalf of constituents; (2) implications of legal same-sex marriages under gift rules. Will be researching new White House guidance regarding federal employees, as well as pre-existing CRS report.
- Draft pink sheet or others guidance on international travel funded by a private foundation? Notify travelers about potential tax consequences of private foundation trips that were taken in the past and approved by the Committee?

Susan Olson**Meetings/Briefings**

None

Phone Calls, E-mails, Travel, Advisory Opinions**Correspondence**

Phone calls received 81 as of noon, Thursday, July 30

E-mails received 8 as of noon, Thursday, July 30

Travel

Requests IN 33

Requests OUT 14

Requests PENDING 10

Requests OUT FOR SIGNATURE 26

Advisory Opinions

Requests IN 5

Requests OUT 1

Requests PENDING 9

Requests OUT FOR SIGNATURE 0

Financial Disclosure

Number of financial disclosures reviewed 0

Significant Issues

July 24 phone call with Betsy for Cong Kilpatrick -- Is Member permitted to use her MRA to arrange flights to district with a stopover in another Member's district: staff-level advice is that the use of the MRA is within the jurisdiction of the House Administration Committee; therefore, it should be contacted about the MRA matter.

July 27 phone call with Eric for Cong Loeb sack – Is Member permitted to use the MRA/Frank to send mailings outside of district: staff-level advice is that the use of the MRA is within the jurisdiction of the House Administration Committee and the use of the Frank is within the jurisdiction of the Franking Commission; therefore, those entities should be contacted about MRA and Franking matters.

July 27 phone call with Tory Jessup for Cong Watt – Is Member permitted to accept offer of free attendance from the National Black Theater to its National Black Theater Festival, at which Cong Watt has been asked to speak: staff-level advice was to discuss the requirements for the both the charity fundraising event exception and the widely attended event exception to the House gift rule.

July 28 phone call with Michael for Cong John Lewis – Is Member permitted to accept trip under MECEA from Norwegian Government that would involve only Cong Lewis: staff-level advice is that MECEA travel requirements and restrictions are within the jurisdiction of the State Department; therefore, referred him to Erik N. Anderson; Chief, Exchange Coordination; U.S. Department of State at 202-453-8836.

July 28 phone call with Karen for Cong Titus – Is Member permitted to use her MRA to pay for travel back to her district when the trip ends with a campaign fundraiser: staff-level advice is that the use of the MRA is within the jurisdiction of the House Administration Committee; therefore, it should be contacted about the MRA matter.

July 28 phone call with Kelly for Cong Wu – Is Member permitted to set-up a temporary PayPal account solely for purpose of collecting payments from participants for cost of

lunch at Member-sponsored conference in district, at which a lunch session is planned: staff-level, advice is that pages 343 to 344 of House Ethics Manual provides for the establishment of a non-interest bearing checking account for such a purpose. Thus, under that guidance the set-up of a PayPal account appears to also be permitted. However, also suggested that since House resources will be used to set-up and main such a temporary PayPal account, Kelly should also contact the House Administration Committee.

July 28 phone call with Cathleen for Cong Himes – Is Member permitted to use official House stationery for a letter of support for a local candidate: staff-level, advice is “No.” Referred her to page 125, of the House Ethics Manual (specifically noted Example 1), whereby Member must use personal stationary or campaign stationery for such candidate support letters and Member is prohibited from using any House resources, including the Frank, for such letters.

July 29 phone call with Mary for Cong Chris Smith – Is Member permitted to have his campaign refer to congressional office requests about the Member’s vote on “cap and trade” to the congressional office if the campaign office received the request along with a campaign contribution: staff-level advice is “Yes.” Referred her to guidance on page 133 of the House Ethics Manual, which permits such referrals at campaign expense from the campaign to the congressional office of legislative issues.

July 29 phone call with Cong Stupak – Will the Committee provide an Advisory Opinion about whether the M&M Area Community Foundation charity fundraising event is subject to the Lobbying Disclosure Act (LDA). (Note: The Foundation sent a letter of request for an AO to the Clerk of the House, but in direct conversations between the Member and the Clerk, Cong Stupak was told that the Clerk’s Office does not provide advisory opinions.): staff-level advice is that the Committee does not have jurisdiction over the LDA; therefore, the Committee cannot provide an AO relative to the LDA. However, Cong Stupak indicated that he will send the letter sent to the House Clerk by the M&M Area Community Foundation to the Committee as he would like a written response regarding the lack of jurisdiction. ACTION: On July 30, Committee received letter from Cong Stupak. Request was discussed at attorney’s meeting with Blake -- decision was to draft a letter under Blake’s signature with listed copies to the Chair and Ranking for review by the Chair and Ranking, which simply states that the LDA is not within the jurisdiction of the Committee.

Action Items

None

Peg Perl**Meetings/Briefings**

Tuesday, July 28 – At the monthly Committee meeting, I presented the proposed new form and process for Members who are practicing medicine to comply with their annual reporting requirement and answered questions from Committee Members on the Committee’s policy regarding Members receiving payments for medicine.

Phone Calls, E-mails, Travel, Advisory Opinions**Correspondence**

Phone calls received 65

E-mails received 22

Travel

Requests IN 0

Requests OUT 0

Requests PENDING 0

Requests OUT FOR SIGNATURE 0

Advisory Opinions

Requests IN 1

Requests OUT 1

Requests PENDING 6

Requests OUT FOR SIGNATURE 2

Financial Disclosure

Number of financial disclosures reviewed 0

Significant Issues**Action Items**

Tonia Smith**Meetings/Briefings**

- Met with Rachelle Mobley from the House Learning Center regarding automating how we track our training. Ms. Mobley will provide a demonstration of their new tracking program on August 12th.

Phone Calls, E-mails, Travel, Advisory Opinions**Correspondence**

Phone calls received 46

E-mails received 23

Travel

Requests IN 0

Requests OUT 0

Requests PENDING 0

Requests OUT FOR SIGNATURE 0

Advisory Opinions

Requests IN 1

Requests OUT 0

Requests PENDING 1

Requests OUT FOR SIGNATURE 0

Financial Disclosure

Number of financial disclosures reviewed 0

Significant Issues

- Wednesday, June 29th : Spoke with Ed Cassidy from Minority Leader's Office regarding a Member and staffer going to a private ranch for a fact-finding trip. Mr. Cassidy inquired if the Member and Staffer could accept horseback rides and lunch during this site visit. He explained that the horseback rides were necessary to get to one side of the ranch to other. Yes, the Member and staffer may accept under the meal incident to a site visit exception.

Action Items

Press Clippings

[Earmarks of Committee Members Probing Defense Earmarks Questioned](#) – (Washington Post) Members of the House ethics committee, who are investigating a pattern of lawmakers steering federal funds to generous defense contractors, are all set to have their pet military projects funded by the same committee whose activities they are probing.

[Pete Sessions's blimp flies into storm](#) – (Politico) Rep. [Pete Sessions](#) — the chief of the Republicans' campaign arm in the House — says on his website that earmarks have become “a symbol of a broken Washington to the American people.” Yet in 2008, Sessions himself steered a \$1.6 million [earmark](#) for dirigible research to an Illinois company whose president acknowledges having no experience in government contracting, let alone in building blimps.

[House Seems To Be Set on Pork-Padded Defense Bill](#) – (Washington Post) The Democratic-controlled House is poised to give the Pentagon dozens of new ships, planes, helicopters and armored vehicles that Defense Secretary Robert M. Gates says the military does not need to fund next year, acting in many cases in response to defense industry pressures and campaign contributions under an approach he has decried as "business as usual" and vowed to help end.

[ABA panel to focus on corruption problem](#) – (Chicago Tribune) The American Bar Association is opening its annual meeting in [Chicago](#) and one of the first panels is focusing on a problem that's plagued not only Chicago but the rest of Illinois as well -- corruption in government. [Abner Mikva is on the panel.]

[Bloggers file ethics complaint against Bachmann](#) – (Minneapolis Post) Several Minnesota bloggers have filed an ethics complaint with the House Ethics Office requesting an investigation into whether Rep. Michele Bachmann, R-Minn., has violated House franking rules regarding email usage.

[Towns Mulls Countrywide Probe](#) – (The Hill) The chairman of the House Committee on Oversight and Government Reform is considering an investigation into Countrywide Financial's questionable lending policies. Rep. Edolphus Towns (D-N.Y.) said he'll make an announcement by the end of the week on the possible probe.

[Ethics Will Tinker With Travel Rules](#) – (Roll Call) The House ethics committee plans to tweak the chamber's travel rules to cut down on paperwork two years after the House effectively banned lobbyist-sponsored junkets with stringent restrictions on privately sponsored trips.

[Rep. Richardson's Sacramento home is focus of House ethics probe](#) – (Los Angeles Times) The Office of Congressional Ethics has interviewed an investor who bought the house in foreclosure last year, as well as neighbors. The city declared the structure a public nuisance. (also [Sacramento Bee](#))

[Are Members' Statements to Ethics Committees Protected?](#) – (Roll Call) *Q: I am a staffer for a Member of the House, and we suspect that the ethics committee may want to interview him regarding an ongoing investigation. If the committee does ask to interview our Member, he would really like to cooperate, as he is a strong supporter of its role and we know that he has done nothing wrong. However, our concern is that we would not want to risk that anything he says might be used against him in some other proceeding outside the House. Are communications to the ethics committee protected?*

[Trip to Jackson's funeral spurs funding questions](#) – (The Hill) Rep. Sheila Jackson Lee's (D-Texas) cross-country trip to Los Angeles for Michael Jackson's funeral has come under scrutiny.

[Bill Shows Earmarks Are Alive and Well](#) – (Wall Street Journal) A House panel approved a big Pentagon spending bill this week that included nearly 150 items tucked in by lawmakers on behalf of companies and other entities whose employees donated to their campaigns.

[Murtha Taking Devil May Care Attitude To Corruption Probes](#) – (TPMuckraker) The Feds may be circling uncomfortably close to Rep. John Murtha as they probe kickbacks to defense contractors and possible earmarks-for-campaign-cash deals. But the veteran Democratic power-broker doesn't seem to be sweating it. In fact, he's acting as defiant as ever.

[Lobbyists still buy access](#) – (Leaf-Chronicle of Clarksville, TN) Lobbyists in Washington can get face time with those who write the nation's laws in a way that most Americans may not even be aware. They can make contributions to non-profits connected with members of Congress.

House Ethics Panel Has Opened 15 Cases in 2009 – (CQ Weekly) see attached PDF

[Visclosky Asks to Use Campaign Funds for Staffers' Legal Costs](#) – (Chesterton [IN] Tribune) U.S. Rep. Pete Visclosky, D-1st, has already secured the approval of the Federal Election Commission (FEC) to use campaign funds to pay legal fees and expenses incurred in an ongoing federal investigation reportedly of The PMA Group, a defunct lobbying firm whose associates and clients have donated hundreds of thousands of dollars to Visclosky's campaign committees.

[Morality and Charlie Rangel's Taxes](#) – (Wall Street Journal Editorial) Ever notice that those who endorse high taxes and those who actually pay them aren't the same people? Consider the curious case of Ways and Means Chairman Charlie Rangel, who is leading the charge for a new 5.4-percentage point income tax surcharge and recently called it "the moral thing to do." About his own tax liability he seems less, well, fervent.

Private lives of public officials show they are all too human – (Bloomington Herald-Times) As happens every so often, we have recently been through a spate of embarrassing reports about the lives of prominent public officials. [see attached PDF]

[Whither Ways And Means?](#) – (National Journal) "It was the best of times, it was the worst of times" -- the famous opening line of Charles Dickens's *A Tale of Two Cities* -- has become an apt metaphor for life at 1100 Longworth, the home of the House Ways and Means Committee. [Article includes a few references to the Standards Committee.]

[Inside Washington](#) (see section called "**High and Inside**") – (National Journal) Did you know? It's generally legal for members of Congress and their aides to profit from insider information gleaned during the course of their jobs. The watchdog group Public Citizen is promoting a bill just reintroduced by Reps. Brian Baird, D-Wash., Louise Slaughter, D-N.Y., and Tim Walz, D-Minn., that would prohibit anyone on the Hill from using privileged information obtained through work for personal financial gain. Craig Holman, a government-affairs lobbyist for Public Citizen, thinks that the temptation could grow, especially among congressional staffers. "With the federal government moving in to become, actually, a controlling partner in many of the financial services companies and firms, it just makes it the right opportunity for pushing this bill," Holman says. "It's very likely that we're going to hear various scandals happening, because of this very close relationship between Wall Street and the federal government." A 2004 study by Georgia State University found that senators' investment returns were 25 percent higher on average than those of most investors. --*Gregg Sangillo*