ADOPTED BY THE COMMITTEE ON ETHICS ON OCTOBER 30, 2013

113TH CONGRESS, 1st SESSION
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ETHICS

IN THE MATTERS OF ALLEGATIONS RELATING TO TRAVEL TO TAIWAN BY REPRESENTATIVES WILLIAM OWENS AND PETER ROSKAM IN 2011

November 15, 2013

FMC

Mr. CONAWAY from the Committee on Ethics submitted the following

REPORT

COMMITTEE ON ETHICS

K. Michael Conaway, Texas
Chairman

Charles W. Dent, Pennsylvania
Patrick Meehan, Pennsylvania
Trey Gowdy, South Carolina
Susan W. Brooks, Indiana

Linda T. Sánchez, California
Ranking Member

Pedro R. Pierluisi, Puerto Rico
Michael E. Capuano, Massachusetts
Yvette D. Clarke, New York
Ted Deutch, Florida

REPORT STAFF

Thomas A. Rust, *Interim Chief Counsel/Staff Director*
Jackie M. Barber, *Counsel to the Chairman*
Daniel J. Taylor, *Counsel to the Ranking Member*

Clifford C. Stoddard, Jr., *Senior Counsel*
Brittany M. Bohren, *Investigative Clerk*

K. Michael Conaway, Texas
Chairman
Linda T. Sánchez, California
Ranking Member

Charles W. Dent, Pennsylvania
Patrick Meehan, Pennsylvania
Trey Gowdy, South Carolina
Susan W. Brooks, Indiana

Pedro R. Pierluisi, Puerto Rico
Michael E. Capuano, Massachusetts
Yvette D. Clarke, New York
Ted Deutch, Florida

ONE HUNDRED THIRTEENTH CONGRESS

U.S. House of Representatives

COMMITTEE ON ETHICS

Daniel A. Schwager
Staff Director and Chief Counsel

Joanne White
Administrative Staff Director

Jackie M. Barber
Counsel to the Chairman

Daniel J. Taylor
Counsel to the Ranking Member

1015 Longworth House Office Building
Washington, D.C. 20515–6328
Telephone: (202) 225–7103
Facsimile: (202) 225–7392

November 15, 2013

The Honorable Karen L. Haas
Clerk, U.S. House of Representatives
Washington, DC 20515

Dear Ms. Haas:

Pursuant to clauses 3(a)(2) and 3(b) of rule XI of the Rules of the House of Representatives, we herewith transmit the attached report, "In the Matters of Allegations Relating to Travel to Taiwan by Representatives William Owens and Peter Roskam In 2011."

Sincerely,

K. Michael Conaway
Chairman

Linda T. Sánchez
Ranking Member

CONTENTS

I. INTRODUCTION 1

II. HOUSE RULES, LAWS, REGULATIONS, OR OTHER STANDARDS OF CONDUCT 3

III. FACTUAL BACKGROUND 6

IV. ANALYSIS 18

V. CONCLUSION 20

VI. STATEMENT UNDER RULE XIII, CLAUSE 3(c) OF THE RULES OF THE HOUSE OF REPRESENTATIVES 22

APPENDIX A: REPORT AND FINDINGS OF THE OFFICE OF CONGRESSIONAL ETHICS RELATED TO REPRESENTATIVE WILLIAM OWENS (Review No. 12-8236)

APPENDIX B: REPORT AND FINDINGS OF THE OFFICE OF CONGRESSIONAL ETHICS RELATING TO REPRESENTATIVE ROSKAM (Review No. 13-9784)

APPENDIX C: REPRESENTATIVE OWENS' RESPONSE TO THE REPORT AND FINDINGS OF THE OFFICE OF CONGRESSIONAL ETHICS (Review No. 12-8236)

APPENDIX D: REPRESENTATIVE ROSKAM'S RESPONSE TO THE REPORT AND FINDINGS OF THE OFFICE OF CONGRESSIONAL ETHICS (Review No: 13-9784)

113TH CONGRESS, 1ST SESSION
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ETHICS

IN THE MATTERS OF ALLEGATIONS RELATING TO TRAVEL TO TAIWAN BY REPRESENTATIVES WILLIAM OWENS AND PETER ROSKAM IN 2011

November 15, 2013

Mr. CONAWAY from the Committee on Ethics submitted the following

REPORT

I. INTRODUCTION

In 2011, the Taipei Economic and Cultural Representative Office (TECRO), the representative of the Government of Taiwan in the United States, extended invitations to Representatives Bill Owens and Peter Roskam to travel to Taiwan as part of approved programs under the Mutual Educational and Cultural Exchange Act (MECEA). After TECRO extended the initial invitations, it was decided that the trips should be conducted under the House's privately-sponsored travel rules and not MECEA. Shortly thereafter, the Chinese Culture University (CCU), a private university, agreed to sponsor separate trips for both Members and their wives. In this way, each Member's trip was changed from a MECEA program to travel subject to the House's officially-connected, privately-sponsored travel rules. Despite the change in the nature of the trips, TECRO – now apparently assisting CCU in TECRO's capacity as the representative of the Government of Taiwan – remained involved in the planning and conduct of the trip.

It is not improper for a private entity in a foreign country to rely on their government's representative in Washington to assist them in communicating with the House of Representatives and this Committee, particularly where significant time differences and language barriers may exist. Therefore, the simple request for the Committee to work with TECRO did not, at that time, raise any particular red flags.

Following the change in the nature of the trip, both Members sought and received approval from the Committee on Ethics (Committee) for themselves and their wives to participate in these privately-sponsored trips to Taiwan sponsored by CCU. However, it was not clear to the Committee at that time that the trips had initially been planned and organized under the MECEA programs. It was only after the conclusion of the trip that the Committee became aware of this fact.

The change from a MECEA program to a privately-sponsored trip was potentially problematic. The late change in the nature of the trips, without a significant change in the itinerary or involvement of the original sponsor, suggested that CCU may not have been a proper sponsor as defined under the privately-sponsored travel rules. Under the rules, sponsors must be involved in the planning and organizing of a trip. So called "money-only" sponsors are not permitted.

Additionally, in the case of Representative Owens, Park Strategies, LLC was involved at various stages of the trip. At the time, Park Strategies was a registered foreign agent of TECRO. Lobbyists and foreign agents may assist with organizing MECEA trips. However, under the House's privately-sponsored travel rules, lobbyists and foreign agents may only have *de minimis* involvement in the planning, organization, request, or arrangement of a one-day privately-sponsored travel and may have no involvement in multi-day trips. After the trip was changed to privately-sponsored travel, Park Strategies reduced its involvement in the trip, but not sufficiently to comply with the privately-sponsored travel rules. In any event, the trip that they helped to plan, organize, request, and arrange as a MECEA trip was in fact the same trip that CCU was brought on to sponsor, with only minor variations. Shortly after these allegations became public, and before the Committee or the Office of Congressional Ethics initiated its review of the matter, Representative Owens personally paid back the costs of the trip.

Beginning in the last Congress, the Committee undertook reviews of these two trips. The Office of Congressional Ethics (OCE) also reviewed the trips. On August 30, 2012, the OCE referred a report and findings to the Committee regarding Representative Owens' trip. In its referral, the OCE recommended further review of the allegation that Representative Owens accepted travel expenses from an impermissible source. On February 6, 2013, the Committee published the OCE's report and findings regarding Representative Owens as required by House Rule and continued its review of the allegations. On June 13, 2013, the OCE referred a report and findings to the Committee regarding Representative Roskam's trip. In its referral, the OCE recommended further review of the allegation that Representative Roskam accepted travel expenses from an impermissible source. On September 11, 2013, the Committee published the OCE's report and findings regarding Representative Roskam as required by House Rule and continued its review of the allegations.

The Committee has completed its review of the allegations and unanimously concluded the following:

1. The presently-available evidence is inconclusive as to whether CCU was a proper sponsor for the trips. Both Representatives Owens and Roskam, as well as Park Strategies, fully cooperated with the Committee's investigation. Unfortunately, neither TECRO nor CCU agreed to cooperate with the Committee. Both entities possess information that is material to the Committee's investigation. However, both entities are also outside of the Committee's power to compel testimony.

2. Representative Owens or his staff repeatedly sought guidance from the Committee regarding the trip to Taiwan. The presently-available evidence shows that Park Strategies was involved in a more than *de minimis* manner in the planning, organizing, requesting, and arranging of his trip, and that they remained involved in the trip, even after it changed from a MECEA program to privately-sponsored travel. Representative Owens should have known that the trip was not a proper privately-sponsored trip because of the lobbying firm's continued involvement, which the Committee was unaware of. For this reason, the payments by CCU for Representative Owens' travel expenses were improper. When a Member or employee receives an impermissible gift, one appropriate remedy is repaying the market value of the gift. As noted previously, Representative Owens has already refunded the costs of his trip.

3. As always, the Committee can only approve privately sponsored travel when the sponsors cooperate with the Committee's oversight responsibilities. If a sponsor or its agent refuses to cooperate, the Committee will have no choice but to deny approval of a trip. However, the Committee has no jurisdiction over the MECEA programs and, therefore, any determinations regarding MECEA travel is a matter for the State Department to decide. Members are simply urged to exercise extreme caution when the nature or sponsor of a trip changes or is uncertain in any way. Indeed, the Committee notes that there are several different types of permissible official and officially-connected travel, each governed by a different set of rules and requirements. The differences between these types of travel can be confusing, and which set of rules apply to any particular trip may be not be clear, particularly when outside groups are involved. Members and staff are encouraged to not necessarily rely on sponsors' claims regarding compliance with the ethics rules, but instead to contact the Committee with all questions about such travel.

The Committee's review was incomplete because the information necessary to conduct a complete review was outside of the Committee's reach. Therefore, because Representative Owens has voluntarily remedied the impermissible gift and there is insufficient evidence to show that Representative Roskam's travel was improper, and after careful consideration, the Committee has unanimously voted to close the matter referred by the OCE; and agreed to end its review of this matter with the publication of this Report.

II. HOUSE RULES, LAWS, REGULATIONS, OR OTHER STANDARDS OF CONDUCT

A. House Rule XXV, clause 5

House Rule XXV, clause 5 (the Gift Rule), permits Members and staff to accept unsolicited travel expenses paid for by a private source under certain circumstances and

only after pre-approval by the Committee.[1] In 2007, the House Rules were amended to require House Members and employees to seek prior written approval of the Committee before accepting travel paid for by a private source, and the Committee adopted regulations to implement this new requirement. Pursuant to those rules and regulations, the Committee has conducted a thorough review of each proposed privately-sponsored trip. Committee staff recommends changes where necessary to bring trips into compliance with relevant laws, rules, or regulations and, on occasion, informs House Members and employees that a proposed trip is not permissible.

A private sponsor is required to complete a Private Sponsor Travel Certification Form (Sponsor Form) and must certify that the information on the form is true, complete, and correct to the best of their knowledge. The Committee relies on the representations made on the travel forms as certified by the trip sponsor. The Committee recognizes both the significant benefit the public receives when their Representatives and their Representatives' staff receive hands-on education and experience, as well as the mandate that outside groups be appropriately limited in what gifts and support they are allowed to provide to Members of Congress and congressional staff.

The House Rules provide that if the traveler receives advance authorization from the Committee, the necessary travel costs "shall be considered a reimbursement to the House and not a gift prohibited by" the Gift Rule.[2] One of the restrictions to the acceptance of such travel is that federally-registered lobbyists or registered foreign agents are banned from being involved in the planning, organizing, requesting, or arranging of most trips.[3] Additionally, travel paid for by private sponsors who retain or employ lobbyists or foreign agents is limited to one day of officially-connected activity.[4]

A further factor the Committee considers when reviewing requests from Members and staff to accept privately sponsored travel is the source of funding for the trip. The *House Ethics Manual* states that

> Expenses may only be accepted from an entity or entities that have a significant role in organizing and conducting a trip, and that also have a clear and defined organizational interest in the purpose of the trip or location being visited. Expenses may not be accepted from a source that has merely donated monetary or in-kind support to the trip but does not have a significant role in organizing and conducting the trip.[5]

---

[1] House Rule XXV, clause 5(d)(2); *see also, House Ethics Manual (2008)* at 89. *N.B.,* the guidance in the *House Ethics Manual* applied to the trips under review in this report. However, that guidance was superseded when the Committee adopted new travel regulations at the end of the 112th Congress.
[2] House Rule XXV, clause 5(b)(1)(A) and (C).
[3] House Rule XXV, clause 5(c)(2); *see also, House Ethics Manual (2008)* at 89.
[4] House Rule XXV, clause 5(b)(1)(C)(ii). *See also, House Ethics Manual (2008)* at 89.
[5] *See Ethics Manual* at 97.

When a Member or employee receives a gift that is unacceptable under the Gift Rule, and for which a gift waiver is not available, the recipient generally must either return the gift or pay the market value of the gift.[6] With regard to travel, when the Committee approves Members and staff to take privately-sponsored travel that is later determined to be impermissible, a variety of remedies may be appropriate. When neither the Committee nor the traveler had any reason to know of the factors that made the trip impermissible, and the violation was only of House rules, then reimbursement may not be necessary.[7] However when either the violation is of a statute or constitutional provision beyond the jurisdiction of the Committee, or when the Member or staff had reason to know of the impermissible factors and did not bring them to the attention of the Committee, then reimbursement or disgorgement of the cost of the trip or the specific impermissible reimbursements may be necessary to remedy the violation.[8]

B. Gifts from Foreign Governments

Article 1, Section 9, Clause 8 of the United States Constitution, commonly referred to as the Emoluments Clause, prohibits federal government officials, including House Members and employees, from accepting "any present . . . of any kind whatever, from any . . . foreign State," without the consent of Congress. Congress has consented through the vehicles of the Foreign Gifts and Decorations Act (FGDA)[9] and Mutual Educational and Cultural Exchange Act (MECEA).[10] A Member, officer, or employee may accept travel expenses from a unit of foreign government only under one of these two statutory grants of authority. Any gift permitted by these statutes is also permitted by the House gift rule.[11]

With respect to travel, the FGDA allows House Members and employees to accept travel paid for by a foreign government only if the travel takes place entirely outside the United States. Such travel must also be consistent with the interests of the United States and must be permitted under FGDA regulations issued by the Ethics Committee.[12]

MECEA, on the other hand, authorizes the Secretary of State to approve cultural exchange programs that finance "visits and interchanges between the United States and other countries of leaders, experts in fields of specialized knowledge or skill, and other influential or distinguished persons . . . ."[13] However, the statute expressly states that:

---

[6] *House Ethics Manual (2008)* at 73.
[7] *See* Report of the Committee on Ethics, *In the Matter of Allegations Relating to Staff Travel Provided by the Turkish Coalition of America in August 2008*, available at www.ethics.house.gov.
[8] *See* Report of the Committee on Ethics, *In the Matter of the Investigation into Officially Connected Travel of House Members to Attend the Carib News Foundation Multinational Business Conferences in 2007 and 2008,* available at www.ethics.house.gov (Carib News).
[9] 5 U.S.C. § 7342.
[10] 22 U.S.C. §§ 2451 *et seq.*
[11] House Rule XXV, clause 5(a)(3)(N).
[12] *House Ethics Manual* at 109.
[13] 22 U.S.C. § 2452(a)(2)(i).

> [T]he Congress does not consent to the acceptance by any Federal employee of any portion of any such grant or other form of assistance which provides assistance with respect to any expenses incurred by or for any member of the family or household of such Federal employee.[14]

Travel subject to an approved MECEA program is not subject to Committee pre-approval. However, all expenses must be paid by the foreign government host of the MECEA trip and none may be paid by any private source.[15]

It is the responsibility of a House Member or employee who accepts an invitation to travel to a foreign country to confirm that the expenses for travel to and from the United States are not paid by a foreign government unless the trip is consistent with an approved MECEA program. To that end, the *House Ethics Manual* advises House Members and employees traveling on MECEA programs to ask for a copy of the letter from the State Department approving the program.[16]

III. FACTUAL BACKGROUND

A. Travel by Representative Owens

1. Invitation to Travel to Taiwan from TECRO

During August 2011, Sean King, Vice President of Park Strategies, LLC, a lobbying firm, contacted Jon Boughtin, Senior Legislative Assistant to Representative Owens, to discuss the possibility of Representative Owens traveling to Taiwan. Park Strategies represented TECRO as a registered foreign agent. TECRO had an interest in Members of Congress visiting Taiwan. Representative Owens' office began considering the travel proposal but did not commit at the time. Mr. King continued to contact Mr. Boughtin about the travel invitation into the fall.

According to the OCE Report and Findings, Representative Owens told the OCE that the first time his traveling to Taiwan was mentioned was in July 2011 during "an introductory meeting with representatives from the Taiwan government."[17] Representative Owens told the OCE that he had no further discussions about traveling to Taiwan until the fall of 2011 when he had a conversation with another Member about the possibility of traveling to Taiwan together.[18] He recalled his having conversations with Park Strategies about traveling to Taiwan.[19] Representative Owens told the OCE that it was explained that the trip was related to the "Marcy Project" near his congressional district.[20] Representative Owens explained to the OCE that the Marcy Project was, at the

---

[14] 22 U.S.C. § 2458a(1).
[15] *House Ethics Manual* at 110-111.
[16] *Id.* at 111.
[17] *See* Appendix A, OCE Findings, Review No: 12-8236, Exhibit 2, page 1.
[18] *Id.*
[19] *Id.*
[20] *Id.*

time, attempting to recruit the Taiwan Semiconductor Manufacturing Company (TSMC) to open a facility in Madison County, New York, near Representative Owens' congressional district.[21]

Representative Owens also told the OCE that he believed he had a telephone conversation with former Senator Alphonse D'Amato, the Founder and Managing Director of Park Strategies, LLC, on October 6, 2011, during which Senator D'Amato inquired if he had any interest in going to Taiwan to meet with TSMC.[22] Representative Owens told the OCE that after reviewing his calendar about the telephone call he believed Senator D'Amato's firm represented Madison County in New York.[23] Representative Owens was interested in the travel because Madison County would benefit from TSMC opening a facility there and would create jobs for Representative Owens' constituents.[24]

According to Mr. Boughtin, Representative Owens became very interested in the prospect of TSMC opening such a facility and this resulted in his accepting the invitation from Park Strategies on behalf of TECRO to travel to Taiwan.

At some point Mr. Boughtin contacted the Committee to ascertain if such a trip was permissible and was advised by Committee staff of the different ways in which a Member or employee may be permitted to travel. It was during this communication that Mr. Boughtin first learned of the MECEA program. On October 20, 2011, Mr. King sent Mr. Boughtin an email describing a trip recently completed by another Congressman as an example of a trip that could be taken by Representative Owens.[25] On October 26, 2011, Mr. Boughtin emailed Mr. King and asked him if the trip would be covered under the MECEA program. Mr. King replied "yes." Mr. Boughtin told the Committee that because of the TSMC issue, Representative Owens decided to accept the invitation and was planning on traveling to Taiwan later in the year. Mr. Boughtin told the Committee that the TSMC issue was the driving force in Representative Owens deciding to travel to Taiwan.

2. *Invitation to Travel to Taiwan from CCU*

Mr. King told the Committee that sometime between November 15 and 21, 2011, the idea of Mrs. Owens traveling with Representative Owens was brought up. Mr. King told the Committee that he knew the travel would have to be handled through a different process if Mrs. Owens traveled as well. At some point Mr. Boughtin inquired of the Committee if a personal friend of Representative Owens could pay for Mrs. Owens to travel along with her husband. He recalled that either Representative Owens or his Chief of Staff, Bradley Katz, asked him to research the question. Since Representative Owens

---

[21] *Id.*
[22] *Id.*
[23] *Id.*
[24] *Id.*
[25] Based on public disclosures, this trip appears to have been conducted pursuant to MECEA.

was traveling under MECEA, Mr. Boughtin was instructed to discuss Mrs. Owens' travel with the State Department.

An email from Mr. Boughtin to Representative Owens dated November 14, 2011, noted that he had been working with a Committee attorney on the trip and contained a draft request for an advisory opinion[26] from the Committee regarding whether Representative Owens may accept an unsolicited offer from a personal friend to cover the cost of Mrs. Owens' travel while Representative Owens is on a MECEA trip.

On November 29, 2011, CCU sent an invitation to Representative Owens and his wife to travel to Taiwan from December 27 to 31, 2011, as guests of CCU. There was no evidence presented to the Committee that CCU had contacted Representative Owens or any member of his staff before this invitation was sent.

Representative Owens told the OCE that he understood the role of TECRO was "working to establish the agenda" for the trip and he assumed the government of Taiwan was paying for the trip.[27] He realized that the payment arrangements for the trip had changed once he received the invitation letter from CCU.[28] He did not have any communications with CCU regarding the trip but did recall participating in a lunch during the trip in which four CCU officials attended and that one of the CCU deans attended a dinner the following night hosted by the Taiwan Foreign Minister.[29] Representative Owens was escorted throughout his visit by an official of the Taiwan Ministry of Foreign Affairs (MOFA).

In a written submission to the Committee, Park Strategies told the Committee that, once the decision was made to change the trip to privately-sponsored travel, they were no longer involved in the travel planning, even though they maintained contact with Mr. Boughtin to see how the planning was going. Contrarily, in an interview with the Committee, Mr. King said that he reported to Benson Wang from TECRO that he met with Representative Owens on December 5, 2011, specifically to discuss the trip. Mr. Boughtin remembered Mr. King's visit on December 5, 2011, and stated it was a limited discussion about the trip and the TSMC meeting but that Representative Owens just stopped by to say hello.

3. Itinerary and TSMC

Mr. Boughtin told the Committee that he met frequently with Frank Lee and Mr. Wang to plan the itinerary for the trip. He indicated that early on in the process Representative Owens made it clear that he wanted to visit with TSMC officials while he

---

[26] Owens Production 04-000002. There is no record that the request for the advisory opinion was ever received by the Committee.
[27] *Id.*
[28] *Id.*
[29] *Id.*

was in Taiwan.[30] TECRO officials, through MOFA, were attempting to arrange the meeting between TSMC and Representative Owens, but explained that due to the holidays it may not be possible. According to Mr. Boughtin, Representative Owens made it very clear that the TSMC meeting was the most important part of the trip and that either Representative Owens or Bradley Katz instructed Mr. Boughtin to contact Mr. King and Park Strategies to assist in arranging the meeting. Mr. Boughtin stated that it was known by Representative Owens that Park Strategies had a relationship with TSMC. A review of emails between Mr. Boughtin and Mr. King and Mr. Boughtin and Representative Owens indicated that the TSMC meeting was still in question on December 26, 2011, the day before Representative Owens was to travel to Taiwan. On December 20, 2011, Mr. Boughtin forwarded an email from TECRO official Li-Chih Cheng indicating that her colleague in Taipei was unable to set up the meeting with TSMC. Mr. King responded that he would "see what our Taipei staff can work out, stay tuned."[31]

Mr. Boughtin told the Committee that the meeting with TSMC was very important, as indicated in Representative Owens' email to Mr. Boughtin on December 25, 2011, in which he asks why the meeting with TSMC ("the chip comp") is not on the schedule. After Mr. Boughtin responds that Mr. King is waiting to hear back from TSMC, Representative Owens responds, "Tsmc is really important."[32] When asked if Representative Owens would have cancelled the trip if the TSMC meeting could not be arranged Mr. Boughtin replied that he would not have cancelled it the day before the trip. When asked if Representative Owens would have cancelled the trip if it was known a couple of weeks before the trip that the meeting with TSMC could not be arranged, he responded that it was possible. Mr. Boughtin emphasized that the meeting with TSMC was the reason for Representative Owens taking the trip.

4. Committee Review

On December 7, 2011, Representative Owens' office submitted the travel forms necessary for the Committee to review his travel to Taiwan. On the final version of the Privately Sponsored Travel: Traveler Form (Traveler Form) dated December 16, 2011, Representative Owens' explanation for why the travel was related to his official duties was that he was "interested in engaging a company that has expressed interest in hiring employees in my district. This Taiwanese company stands to benefit my constituents by relocating to a site near my district and I would like to engage them to help promote this opportunity." On the initial version of the Traveler Form dated December 6, 2011, Representative Owens' explanation as to why the travel is related to his official duties was "Opportunity to explore economic development opportunities for upstate New York, as well as defense and security related issues."

---

[30] While Representative Owens did request from the sponsor that they add this meeting to the itinerary, there is no indication that the meeting, which occurred in Taipei on a day that he was already there, added any cost to the trip. Therefore, there is no apparent solicitation issue with this request.
[31] Owens Production at 03-000061.
[32] Owens Production at 02-001128.

The package also included a Sponsor Form which indicates the sponsor for the Taiwan trip from December 27, 2011, through January 1, 2012, was CCU. CCU's organizational interest in sponsoring the trip, entered in question 13 of the Sponsor Form, was "The Chinese Culture University aims to promote international; cultural exchanges in order for it to thrive in a world increasingly engineered by an irresistible thrust towards globalization."

Neither of these forms asks if lobbyists or foreign agents were ever involved in the trip, or if lobbyists or registered foreign agents employed and retained by another party were involved in the trip. Therefore, there were no false representations in the forms that concealed the involvement of Park Strategies. Given the additional information the Committee now has, it is questionable whether CCU fits within the definition of a permissible sponsor under the Committee's travel regulations, but there are no clear or unambiguous false statements on these forms.

Representative Owens or his staff repeatedly sought guidance from the Committee regarding the trip to Taiwan. However, Committee Counsel assigned to the trip who had spoken with Representative Owens' staff about the MECEA trip and whether a personal friend could pay for Mrs. Owens' travel, , did not realize when he happened to be assigned the privately sponsored trip approximately one month later, that this was in essence the same trip with little or no attenuation.[33] All the representations the Committee received from CCU and on the sponsor forms, including that CCU did not retain or employ a registered lobbyist or foreign agent, indicated this was a permissible privately sponsored trip. The Committee was not aware at the time of the role Park Strategies played in the proposed MECEA trip or of the lobbying firm's continued involvement after it became a privately sponsored trip, nor did it have any reason in December 2011 to question whether CCU was a "money only" sponsor.

5. Representative Owens' Travel to Taiwan

Representative Owens went on the trip to Taiwan, which followed the itinerary submitted to the Committee for pre-travel approval. The events listed on the trip itinerary provided to the Committee by Representative Owens for the pre-travel review are not dissimilar to events on other itineraries for privately sponsored travel to Taiwan that have been approved by the Committee. However, it was determined only during this investigation that TECRO, with the assistance of Park Strategies, developed the initial itinerary for the trip and that itinerary, except for the visit to CCU, remained essentially the same when submitted to the Committee.

[33] At any one time, it is not unusual for the Committee to be reviewing separate, unrelated requests for travel to the same country offered by different sponsors. The Committee's staff of advice and education attorneys reviewed over 2,000 requests for privately sponsored travel in 2011, and handled over 20,000 phone calls and emails seeking informal guidance for a wide variety of situations, including the many ways Members and staff can accept travel.

6. *Questions Regarding Funding of the Trip*

The OCE reported interviewing one or more witnesses who claimed that the Taiwan Ministry of Foreign Affairs actually paid for the airfare and hotel of Representative Owens.[34] Notwithstanding this testimony, on numerous prior, similar trips to Taiwan sponsored by private entities, the Committee has inquired and been assured that the private sponsor was paying all expenses out of its general funds, with no grants or reimbursements. These assurances came from the private sponsors for each trip and, with regard to one trip, also from TECRO's representative, Gordon Yang. It also appears that at least some of the information provided to the OCE regarding this question was recanted.

As discussed more fully below, the Committee was unable to receive clarifying information from either TECRO or CCU with regards to the trips taken by Representatives Roskam and Owens. At best, the current evidence regarding whether the Taiwanese government may have funded part or all of these trips is contradictory and therefore inconclusive. While disturbing with regard to the actions of TECRO and the private sponsors, such inconclusive evidence is insufficient to hold either Member accountable for reimbursement on that basis alone.

B. Travel by Representative Roskam

1. *Invitation to Travel to Taiwan from TECRO*

Mike Dankler, Legislative Assistant to Representative Roskam, told the OCE that he has discussed Representative Roskam traveling to Taiwan with officials from TECRO since 2009. On May 13, 2011, Mr. Yang sent a blanket email of which Mr. Dankler was a recipient, inviting various Members of Congress to travel to Taiwan during June or July, 2011. The invitation, shown below, did not invite any particular Members, but made it clear that the invitation was for Members and staff and would be organized under the MECEA program.

[34] *See* Appendix A, Exhibits 17, 18.

From: Gordon C. H. Yang [redacted]@tecro.us]
Sent: Friday, May 13, 2011 10:30 AM
To: [redacted]@tecro.us
Subject: CoDel to Taiwan in June or July

Categories: Schedule Sheet

Dear friends,

How are you? I hope this email finds you all well.

I would like to invite your Congressman or Congresswoman to join the congressional delegation to visit Taiwan during the period either from June 25 to July 2 or the period from July 16 to 23. The specific dates of travel are subject to change to accommodate the individual Member's schedule.

The trip is authorized under the State Department's Mutual Educational and Cultural Exchanges Act(MECEA) and sponsored by the Government of Taiwan. It also follows the most updated ethic rules of both the Senate and the House.

The delegation will be composed of 10-12 House Members and their staff. Each Member can bring one staffer along. The itineray will be arranged to address the Members' interests, providing them with the opportunity to understand more about Taiwan while enhancing the bilateral relations between their respective constituencies and Taiwan.

Please let me know if your boss can attend the CoDel at your early convenience, hopefully by Tuesday, May 31. Please also feel free to contact me (information as below) if you have any question about the trip. I look forward to hearing from you soon. Thank you!

With best regards,

Gordon

Gordon Ching-huei Yang
Executive Officer
Congressional Liaison Division
Taipei Economic and Cultural Representative Office (TECRO) in the United States
4201 Wisconsin Avenue, N.W.
Washington, D.C. 20016-2146
Direct: (202)895-[redacted]
Fax: (202)244-[redacted]
Blackberry: (202)870-[redacted]

2. *Invitation to Travel to Taiwan from CCU*

Shortly after the TECRO extended the invitation to Representative Roskam, the idea of Mrs. Roskam traveling with Representative Roskam was brought up. On May 16, 2011, Mr. Yang sent an email to Mr. Dankler stating, "We welcome Congressman and Mrs. Roskam to visit Taiwan. In that case, we need to go through priovate [sic] sponsor and the House ethics committee for clearance, which require your confirmation to join the trip at least ONE month ahead of its departure . . ."

After receiving Mr. Yang's email, Mr. Dankler sent another email asking if the trip was the same as the one Representative Roskam had been invited to attend earlier by another Member. Mr. Yang, in a response email, confirmed it was the same trip that TECRO worked together with other Members to organize. Mr. Yang told Mr. Dankler

that only one Member and that Member's spouse attended the previous trip during the April recess.[35]

From: Gordon C. H. Yang [redacted]@tecro.us>
Sent: Wednesday, May 25, 2011 5:14 PM
To: Dankler, Mike
Subject: RE: CoDel to Taiwan in June or July

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mike - Yes, this is the same trip. We worked with the [redacted] in March to organize a codel to Taiwan and it came up with only Mr. and Mrs. [redacted] making the trip during April recess. Now we hope to outreach Mr. Roskam and other Members to organize another codel to Taiwan. Please let me know if you have further question and what is the Congressman's thought on it. Thanks and best, Gordon

On Wed, 25 May 2011 16:48:41 -0400, Dankler, Mike wrote
> Gordon,
>
> One other question - I know I have gotten invitations in the past from Rep.
> Dan [redacted] and the [redacted] to go to Taiwan on
> a CoDel. Is this the same trip as those? I just want to confirm. Thanks!
>
> Mike
>

[36]

A review of Committee records disclosed travel to Taiwan taken by that Member in 2011, which was sponsored by Fu Jen Catholic University. Mr. Dankler sent an email to Representative Roskam regarding Mr. Yang's response.

Dankler, Mike

From: Dankler, Mike
Sent: Wednesday, May 25, 2011 6:12 PM
To: [redacted]
Subject: Taiwan

It is the same trip as the [redacted] one. They had tried to do this in April and only [redacted] and his wife ended up going, actually. What it sounds like the Taiwan folks have in mind is you headlining and getting other Members to go – although if the April one only ended up being [redacted] and his wife, you might go no matter how many Members you get to go.

Please let me know what you think. Thanks!

Mike Dankler
Executive Assistant
Congressman Peter J. Roskam (IL-06)
Chief Deputy Republican Whip
202-225-[redacted]

[37]

Following this email, on May 27, 2011 Mr. Dankler emailed Mr. Yang: "Congressman Roskam's daughter will be teaching English in Taiwan for about 6 months

[35] As that Member is no longer a Member of the House of Representatives, the Committee did not review his travel to Taiwan for potential violations, and makes no findings or conclusions regarding that trip.
[36] THPR_000314.
[37] THPR_000317.

beginning in June and asked if they could adjust the itinerary to include a trip to visit his daughter in Tsaoton, Nantou County, Taiwan."[38] Mr. Yang responded: "Mike - That will be no problem at all. We can make any arrangement to accommodate the Congressman's interests."[39]

Representative Roskam told the OCE he recalled indicating that he wanted to visit his daughter who was teaching in Taiwan at the time and that his wife accompanied him on the trip but did not recall when that was decided.[40] Representative Roskam, through his staff, also indicated that he wanted his daughter to accompany him and his wife in Taipei. While Mr. Yang offered to pay for the expenses of Representative Roskam's daughter, Mr. Dankler, much to his and Representative Roskam's credit, replied that he had checked on that issue with the Ethics Committee and that Representative Roskam was required to and would personally pay for any added expense resulting from his daughter's presence.

Mr. Dankler continued to communicate and meet with Mr. Yang in June 2011. On June 7, 2011, Representative Roskam asked Mr. Dankler to move the dates of the Taiwan trip to July 17 – 23, 2011. Mr. Dankler passed this request on to Mr. Yang and the trip dates were changed. In Mr. Dankler's email to Mr. Yang, Mr. Dankler wrote, "Great news! I just got the green light to move forward with the trip. Whenever you have the ethics paperwork, just let me know."[41]

Mr. Dankler subsequently asked Mr. Yang for an itinerary for the trip. After he received it, Mr. Dankler sent Representative Roskam the following email. Representative Roskam's daughter's name is Gracey.

---

[38] THPR_000319. While Representative Roskam did request from the sponsor that they add this meeting to the itinerary, there is no indication that the meeting, which occurred in a town that other members had travelled to as part of similar trips, added any cost to the trip. Therefore, there is no apparent solicitation issue with this request.
[39] THPR_000323.
[40] *Id.* at 3.
[41] THPR_000373.

From:	Dankler, Mike
Sent:	Tuesday, June 07, 2011 5:07 PM
To:	'Peter Roskam'
Subject:	Taiwan Itinerary
Attachments:	Proposed_Itinerary_07171_072311_1st_version.doc

Just got the proposed itinerary for Taiwan. A couple of quick notes:

- The first two days would be official stuff
- Thursday is when you go to Tsaoton. They have a half hour budgeted for a visit to the school (I think that's probably too short), but basically Thursday and Friday morning would be sort of at your leisure to explore the area – Sun Moon Lake where you'd be staying is supposed to be a very nice resort area – with E & Gracey so they gave you plenty of quality time together (assuming Gracey can get off for it).
- Saturday you go visit Taipei 101 (world's 2nd tallest building) and head back to the states that evening

Mike Dankler
Executive Assistant
Congressman Peter J. Roskam (IL-06)
Chief Deputy Republican Whip
202-225-[redacted]

After this email, there continued to be communication between Mr. Dankler and Mr. Yang about the trip, and Mr. Yang pressed Mr. Dankler to find a couple of other Members who would be interested in going on the trip.

CCU provided a letter dated June 15, 2011, inviting Representative Roskam and his wife to travel to Taiwan in July and then sent a subsequent letter dated September 2, 2011, inviting Representative Roskam and his wife to travel to Taiwan on October 15, 2011. Representative Roskam told the OCE that he did not recall having any discussions with anyone about the source of funding for his trip to Taiwan, and believed that there were two sponsors for the trip, the Government of Taiwan and the Chinese Culture University.[42]

Even after CCU officially became the sponsor on June 15, 2011, all communications regarding the trip were between TECRO and Mr. Dankler. Other than the two general letters of invitation, there were no other communications between Representative Roskam's office and CCU regarding the travel. Both Mr. Dankler and Representative Roskam told the OCE that they had no contact with anyone from CCU other than the time Representative Roskam spent with CCU officials during the actual trip.

In early July 2011 the trip was postponed due to changes in the congressional schedule. Mr. Dankler sent Mr. Yang an email on July 8, 2011, notifying him of the change and the need to postpone the trip. Initially the trip was rescheduled for September 2011 but again was postponed at the request of Representative Roskam until October 15 through 22, 2011. A new letter from CCU dated September 2, 2011, was submitted to the Committee along with the required travel forms. During this time Mr. Dankler continued to communicate with Mr. Yang about the trip while there does not appear to be any communication between Representative Roskam's office and CCU. In fact, on August 5, 2011, Mr. Yang sent the following email indicating that TECRO, and not CCU, was still

[42] See Appendix B, OCE Findings, review No. 13-9784, Exhibit 3 at 2.

the primary entity involved in scheduling the trip. No one at CCU is included on this or any other email discussing the trip.

From: Gordon C. H. Yang <[redacted]@tecro.us>
Sent: Friday, August 05, 2011 6:44 PM
To: Dankler, Mike
Subject: RE: Itinerary

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mike - Is it the Congressman's final decision to change the dates to October? Shall we wait for a while to see how things are developing? However, things might not be getting clearer until the ealy or mid-September. For now, I will contact travel agent to book flights for the new dates and give Taipei a heads-up that the Congressman might change the dates of his visit. On your side, please keep me posted how likely the Congress will cancel the September recess. We'll stay in touch! Thanks and have a good weekend! Gordon

3. *Committee Review*

Prior to participating in the trip Representative Roskam sought and received the Committee's approval of the trip. Following the Committee's privately-sponsored travel regulations, Representative Roskam submitted to the Committee both the Traveler Form and the Sponsor Form. The Sponsor Form, which allegedly was prepared by CCU, was provided to Representative Roskam's office by officials at TECRO. CCU's organizational interest in sponsoring the trip, entered in question 13 of the Sponsor Form, was "The Chinese Culture University pays much attention to international culture exchanges so that it could thrive in a world increasingly engineered by an irresistible thrust towards globalization." In question 8 of the Traveler Form, Representative Roskam explained why his participation in the trip is related to his official duties: "Taiwan is an important trade partner of the US. As a member of the Ways and Means Committee, this trip will further my understanding of the trade relationship and the security issues that affect it." Given the additional information the Committee now has, it is questionable whether CCU fits within the definition of a permissible sponsor under the Committee's travel regulations, but there are no clear or unambiguous false statements on these forms.

The Sponsor Form indicates CCU was the sponsor of the trip. However, Gordon Yang was identified to the Committee by Mr. Dankler as his point of contact for the trip.[43] Committee staff scrutinized the itinerary to make sure that the cultural experiences had a sufficient and permissible officially connected purpose and asked TECRO's representative several questions regarding that part of the trip. The purpose for travelling to Tsaoton Township was described as seeing a small rural county like the heartland of the Midwest and that it has a relationship with his constituents in the U.S. including that teachers were connected with constituents and that Representative Roskam had a

[43] It is not improper for a private entity in a foreign country to rely on their governent's representative in Washington to assist them to communicate with the House of Representatives and this Committee, particularly where significant time difference and language barriers may exist. Therefore the simple request for the Committee to work with TECRO did not, at that time, raise any particular red flags.

particular interest in education. TECRO did mention that Representative Roskam's daughter was also a teacher. Committee Counsel did not understand TECRO's representative to be stating that Representative Roskam's daughter was teaching in Taiwan.

The purposes of visiting the Sun Moon Lake National Scenic Area and its surroundings were described to Committee staff as seeing water conservation work being done there and relations with minority groups, respectively. These are legitimate reasons for private sponsors to include these types of visits on officially connected itineraries if the sponsor so chooses. Indeed, awareness of such issues across the world is an important part of any Member's fact finding to assist them in considering similar or connected issues in their own district and our nation at large. Not only are these legitimate purposes, but another trip sponsored with TECRO's assistance by a different Taiwanese private university in April of 2011, and several earlier trips, had the same visits to Sun Moon Lake National Scenic area on their itinerary, with no known connection to the children of that Member. In fact almost every trip sponsored (nominally at least) by CCU and another private university in Taiwan since 2007 has included a high speed rail journey to an area outside of Taipei, including several to Sun Moon Lake.

Still, the rationale of having "leisure" or "quality time" with one's family in "a very nice resort area" as discussed in the background on the trip is not a permissible officially connected purpose for privately sponsored travel and if Committee staff had been aware of that connection and intent, additional questions would have been asked, at least.[44] The Committee, however, was not aware of that possible piece of the rationale until it reviewed the email described above in the materials provided to the Committee by Representative Roskam as part of this investigation. In the end, Representative Roskam did certify on his post-travel paperwork that he did attend all of the legitimate and regular educational and fact-finding locations on the itinerary, as had Members before him. The mere fact that his wife and daughter were with him does not diminish the value of the fact finding activity or make the activities impermissible.

4. Representative Roskam's Travel to Taiwan

Representative Roskam went on the trip to Taiwan, which followed the itinerary submitted to the Committee for pre-travel approval. As with Representative Owens, the itinerary provided to the Committee by Representative Roskam also included events similar to other privately sponsored travel to Taiwan. Again, the Committee determined only during this investigation that the itinerary appears to have been prepared by TECRO. Representative Roskam told the OCE that he only recalled meeting with CCU officials

[44] If Representative Roskam had simply been left on his own to spend time with his family for two days, Committee staff would have simply advised that such activity was personal and not officially connected. Members may include such personal activity, but must pay lodging, meals, and all other expenses on their own, and if the period of personal travel exceeds official travel, then the traveler must pay half of the roundtrip airfare themselves. However, after inquiring further, it appears that Representative Roskam did always intend to engage in the officially connected activity, but to have his wife and daughter accompany him, as discussed above.

for about three hours on one day of the trip, when he met with the President of CCU and toured the campus and a museum on the campus.[45] Representative Roskam indicated Frank Lee, from TECRO, escorted him and his wife for part of the trip. He added there were "many people" who escorted his party during the trip but did not know if any of them were from CCU.[46]

C. TECRO's and CCU's Refusal to Cooperate

Both CCU and TECRO declined to participate in the OCE's and the Committee's investigations of these matters. On June 30, 2012, CCU sent an email to the OCE in which CCU claimed that it asked for TECRO's assistance in arranging the trips.[47] TECRO declined to participate with the Committee's investigation citing their agreement with the American Institute in Taiwan. The Committee requested CCU's cooperation with its investigation. CCU Director of Public Relations, Hsing-Hsia Yuan responded via email. In his response to the Committee, CCU declined to cooperate with the Committee's investigation noting as part of the reason that they were aware that TECRO would not cooperate with the Committee.

IV. ANALYSIS

1. Money-Only Sponsor

The Committee provides guidance to members and staff related to the acceptance of travel from private sources in the *House Ethics Manual.* One of the factors the Committee considers when reviewing requests from Members and staff to accept privately sponsored travel is the source of funding for the trip. The *Ethics Manual* states that

> Expenses may only be accepted from an entity or entities that have a significant role in organizing and conducting a trip, and that also have a clear and defined organizational interest in the purpose of the trip or location being visited. Expenses may not be accepted from a source that has merely donated monetary or in-kind support to the trip but does not have a significant role in organizing and conducting the trip.[48]

It is clear based on the evidence reviewed by the Committee that both of these trips began as an invitation to participate in travel under the MECEA program from TECRO, the representative of the Government of Taiwan in the United States. At the time of the trips, the Government of Taiwan had an agreement with the State Department to provide such travel under the MECEA program. The Government of Taiwan still has such an agreement. Both Representative Roskam and Representative Owens were invited

---

[45] *Id.* at 4.
[46] *Id.* at 4.
[47] *Id. at Exhibit 20.*
[48] *See Ethics Manual* at 97.

by TECRO officials, and the invitations made it clear that it was the Government of Taiwan, and not any private party, that was making the invitations. While the Committee was aware that TECRO was involved in each trip, the Committee had been given the impression by TECRO and CCU or other Taiwanese sponsors, on numerous occasions, that such assistance was the kind of perfectly appropriate assistance that a nation's embassy, or a state's representative may provide to their citizens who are not physically located in this country and who may have significant communications hurdles.

However, after Committee reviewing these two trips, it appears to the Committee that TECRO and the Ministry of Foreign Affairs remained completely involved in the planning and organization of these trips. CCU's only involvement with the actual itinerary appears to have been meeting with the Members during a few hours of the trips. CCU claims to have been the source of funding for the trip, but due to their refusal to cooperate with the Committee's investigation it is unclear if the funding actually came from CCU. Even if CCU paid for the trips for both Representative Roskam and Representative Owens and their wives, due to their lack of involvement in the planning, organization or even conduct of the trip, CCU's involvement appears to be little more than providing the funding for the trips.

Based on the evidence before the Committee, and the fact that both TECRO and CCU refused to cooperate with the Committee's investigation, the Committee cannot determine whether CCU's involvement in both trips was significant enough for CCU to be considered a legitimate sponsor.

At the same time, this is the kind of information the Committee seeks directly from sponsors to carry out its role assigned by House Rules to review and approve requests to accept privately sponsored travel. Indeed, there are several different types of permissible official and officially-connected travel, each governed by a different set of rules and requirements. The differences between these types of travel can be confusing, and which set of rules apply to any particular trip may be not be clear, particularly when outside groups are involved. While the Committee would hope that Members and staff be alert enough to raise any red flags or abnormalities to the Committee, and thus avoid the need for investigations such as these after the fact, without a careful reading of the Committee's manual and travel regulations, the Members and staff are not normally alerted to this issue. For this reason it is not fair to say that the Members in this circumstance had reason to know that CCU might not be a permissible sponsor, particularly given the Committee's own difficulty with reaching a conclusion on the question with the available facts and evidence.

2. Lobbyist Involvement in Travel

During the 110th Congress, the travel provisions of the House gift rule were substantially revised to impose new restrictions and requirements on officially-connected travel paid for by a private source. Included in these changes is House Rule XXV, clause 5(c)(3), which states:

> A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept a reimbursement (including payment in kind) for transportation, lodging, or related expenses for a trip (other than a trip permitted under paragraph (b)(1)(C) of this clause) if such trip is in any part planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal.

While entities that retain or employ a lobbyist or a foreign agent may sponsor one-day trips, the involvement of lobbyists or foreign agents must be *de minimis*, which was defined by the Committee at the time of these trips as "only negligible or otherwise inconsequential in terms of time and expense of the overall planning and purpose of the trip."[49] Lobbyist involvement in planning, organizing, requesting or arranging multiple-day trips is also prohibited.[50] In addition, the Rule does not limit the prohibition on planning, organizing, requesting or arranging only to lobbyists or foreign agents retained by the primary sponsor of the trip. However MECEA trips, which are regulated and overseen by the State Department and not the Committee or the House, do permit the involvement of lobbyists and foreign agents.

The evidence in Mr. Owens' trip demonstrates that registered lobbyists and foreign agents from Park Strategies were intimately involved in planning, organizing, requesting, and arranging the trip. This involvement was most prominent when the trip was still supposed to be conducted pursuant to MECEA. As noted above, at the time this trip was a MECEA trip, such involvement was permitted by the Department of State. However, as discussed elsewhere in this report, the evidence suggests that there was no real attenuation of the organization of the trip when it was altered from a MECEA trip, to a privately sponsored trip. Therefore the work that Park Strategies did to plan, organize, request and arrange the trip as a MECEA trip carried over to the privately-sponsored trip, making the private sponsorship impermissible.[51] Furthermore, despite the testimony of a Park Strategies employee that, in substance, they knew they could not be involved in the planning and organizing of a privately-sponsored trip and therefore stepped back from that role, the evidence indicates that they were still engaged in setting specific meetings on the itinerary, and they were still billing TECRO for their involvement with this trip. For all of these reasons, Mr. Owens' trip was impermissible pursuant to House Rules.

V. CONCLUSION

When the Committee approves and Members and staff attend privately-sponsored travel that is later determined to be impermissible, a variety of remedies may be appropriate. When neither the Committee nor the traveler had any reason to know of the factors that made the trip impermissible, and the violation was only of House rules, then

---

[49] *See House Ethics Manual (2008)*, at 89, 401.
[50] *Id.* at 90.
[51] As with other elements of these trips, the Committee had no knowledge of or reason to suspect Park Strategies' involvement at the time the trip was approved.

reimbursement may not be necessary.[52] However when either the violation is of a statute or constitutional provision beyond the jurisdiction of the Committee, or when the Member or staff had reason to know of the impermissible factors and did not bring them to the attention of the Committee, then reimbursement or disgorgement of the cost of the trip may be necessary to remedy the violation.[53]

Representative Owens or his staff repeatedly sought guidance from the Committee regarding the trip to Taiwan. The presently-available evidence shows that Park Strategies was involved in a more than *de minimis* manner in the planning, organizing, requesting, and arranging of his trip, and that they remained involved in the trip, even after it changed from a MECEA program to privately-sponsored travel. Representative Owens should have known that the trip was not a proper privately-sponsored trip because of the lobbying firm's continued involvement, which the Committee was unaware of. For this reason, the payments by CCU for Representative Owens' travel expenses were improper. When a Member or employee receives an impermissible gift, one appropriate remedy is repaying the market value of the gift. As noted previously, Representative Owens has already refunded the costs of his trip.

Because Representative Owens has voluntarily remedied the impermissible gift and there is insufficient evidence to show that Representative Roskam's travel was improper, the Committee will consider this matter closed.

Finally, both TECRO and CCU were notified that for the Committee to fulfill its responsibilities to review offers of privately-sponsored travel, the Committee must have the cooperation of the sponsors. Both TECRO and CCU declined to provide such cooperation. As always, the Committee can only approve privately sponsored travel when the sponsors cooperate with the Committee's oversight responsibilities. If a sponsor or its agent refuses to cooperate, the Committee will have no choice but to deny approval of a trip. However, the Committee has no jurisdiction over the MECEA programs and, therefore, any determinations regarding MECEA travel is a matter for the State Department to decide. Members are simply urged to exercise extreme caution when the nature or sponsor of a trip changes or is uncertain in any way and to contact the Committee with all questions about such travel.

The Chair is directed, upon providing the notices required pursuant to House Rule XI, clause 3(b)(8)(A), and Committee Rule 17A(a)(2), to file this report with the House, together with copies of the OCE's Reports and Findings in this matter.[54] The filing of this report, along with its publication on the Committee's Web site, shall serve as publication of the OCE's Reports and Findings in these matters, pursuant to House Rule XI, clause 3(b)(8)(A), and Committee Rule 17A(b)(3) and 17A(c)(2).

---

[52] *See* Report of the Committee on Ethics, *In the Matter of Allegations Relating to Staff Travel Provided by the Turkish Coalition of America in August 2008, available* at www.ethics.house.gov.
[53] *See* Report of the Committee on Ethics, *In the Matter of the Investigation into Officially Connected Travel of House Members to Attend the Carib News Foundation Multinational Business Conferences in 2007 and 2008, available* at www.ethics.house.gov.
[54] House Rule XI, clauses 3(a)(2) and 3(b).

VI. STATEMENT UNDER RULE XIII, CLAUSE 3(c) OF THE RULES OF THE HOUSE OF REPRESENTATIVES

The Committee made no special oversight findings in this report. No budget statement is submitted. No funding is authorized by any measure in this report.