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COMMITTEE ON ETHICS

Perkins
Coie

Karl J. Sandstrom
Brian G. Svoboda
PHONE: (202) 654-6202
FAX: (202) 654-9144
EMAIL: KSandstrom@perkinscoie.com
BSvoboda@perkinscoie.com

700 Thirteenth Street, N.W., Suite 600
Washington, D.C. 20005-3960
PHONE: 202.654.6200
FAX: 202.654.6211
www.perkinscoie.com

September 17, 2012

Daniel A. Schwager, Esq.
Chief Counsel and Staff Director
United States House of Representatives
Committee on Ethics
1015 Longworth House Office Building
Washington, DC 20515

Dear Mr. Schwager:

We are counsel to Representative Silvestre Reyes. We appreciate the opportunity to respond to the Report and Findings regarding Mr. Reyes that the Office of Congressional Ethics ("OCE") transmitted to the Committee on Ethics. Thank you also for providing us with a copy of the Findings, which we requested from OCE, but which OCE would not provide us.

INTRODUCTION

Mr. Reyes was elected to the House in 1996. He will leave Congress in January, having been defeated in the primary election after redistricting. OCE wrongly referred two allegations against Mr. Reyes to the Committee for further investigation. It based its review and referral not on any substantial evidence, but rather on a single, conclusory news article that was traceable to his primary opponent and written toward the end of the campaign. This article, especially taken in its context, provided no reasonable basis to believe that Mr. Reyes violated any law or standard of conduct, nor does it support referral to the Committee. OCE erred in referring this matter.

OCE repeatedly erred in its dealings with Mr. Reyes. He sought to explain to OCE why the article's claims were not supported, but to no avail. He repeatedly asked for the evidence against him that would support the matter's continued pursuit, so that he could respond, but OCE refused to provide it. It appears now that there was no such evidence: OCE's Findings are based entirely on twenty-five pages from Mr. Reyes's publicly filed Federal Election Commission ("FEC") reports. Finally, after Mr. Reyes objected to this process, OCE drew a prohibited negative

04031-0001/LEGAL24666025.1

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DALLAS · DENVER · LOS ANGELES · MADISON · NEW YORK
PALO ALTO · PHOENIX · PORTLAND · SAN DIEGO · SAN FRANCISCO · SEATTLE · SHANGHAI · WASHINGTON, D.C.

Perkins Coie LLP

inference against him for his supposed lack of cooperation, thereby creating the false—and impermissible—impression that the allegations had weight. Having served as a law enforcement officer for over twenty-six years, Mr. Reyes has been affronted by the lack of care and responsiveness shown by OCE throughout this review. OCE's initial correspondence even misspelled his name as "Sylvestre."

The true facts demonstrate that Mr. Reyes violated no law, rule or standard of conduct, and that the Committee should dismiss this matter. On the very eve of Mr. Reyes's departure from the Congress, the Committee should take care not to release a flawed report and findings that would otherwise be the last word on almost forty-six years of public service.

FACTUAL BACKGROUND

In the spring of 2012, Mr. Reyes was engaged in a competitive primary battle with Robert O'Rourke, also a Democratic candidate for the United States House of Representatives for the Sixteenth District of Texas. The O'Rourke campaign pored through Mr. Reyes's publicly accessible FEC reports and identified disbursements which, they contended, represented prohibited personal use of campaign funds under FEC and House rules. The O'Rourke campaign identified these disbursements to a local newspaper, the *El Paso Times*, which reported them in a story on May 13, 2012. Specifically, the article questioned whether Mr. Reyes held campaign meetings in the Members Dining Room, as several disbursements for meals were reported as made for "campaign meetings." It also questioned whether Mr. Reyes converted campaign funds to personal use through disbursements made in connection with a campaign office that was maintained in his daughter's home.

Mr. Reyes explained in the article that the meals were officially connected and had been miscoded by his campaign treasurer. Mr. Reyes responded further that campaign funds were used to improve his campaign office, which he kept in his daughter's home in order to reduce costs. While the newspaper termed the disbursements for the campaign office as "apparent violations," a former FEC spokesman, the Center for Responsive Politics' Bob Biersack, was more guarded in his comments to the paper, which quoted him as saying, in some cases, "there's no blanket 'yes, you can,' or 'no, you can't.'""¹

Ten days later, on May 23, 2012, OCE initiated a preliminary review of Mr. Reyes's conduct. Its allegations were identical to those raised in the article. Given the timing, similarity in content, and lack of any corroborating allegations or evidence, OCE's review was plainly based on the lone, negative article.

¹ Chris Roberts, *16th Congressional district race: Rep. Silvestre Reyes records tie expenses to daughter's home in D.C.*, EL PASO TIMES, May 13, 2012, available at, http://www.elpasotimes.com/news/ci_20611875/reyes-shows-expenses-tied-daughters-home-d-c.

LEGAL ARGUMENT

The OCE report makes two separate allegations, neither of which is supported by evidence. First, it alleges that Mr. Reyes may have held campaign meetings on House property. Second, it alleges that Mr. Reyes may have impermissibly used campaign funds to pay for certain expenses related to his daughter's residence. As demonstrated below, neither of these allegations has merit.

A. Mr. Reyes did not hold campaign meetings on House property.

In its referral, OCE alleges that Mr. Reyes "may have held campaign meetings on House property." In support of this allegation, OCE notes that, in late 2011, the Reyes Committee made five reimbursements to Mr. Reyes for expenses incurred at the House of Representatives, with "campaign meeting" listed as the purpose of the disbursements. As Mr. Reyes maintained in his multiple communications with OCE, this allegation is categorically false. The fact that disbursements list "campaign meeting" as their purpose results from the particular system that Mr. Reyes's campaign treasurer used for approving receipts and coding disbursements.

After nearly sixteen years in the House of Representatives, Mr. Reyes understands that House buildings, rooms, and offices may not be used for the conduct of campaign or political activities and that this prohibition covers a wide swath of behavior from fundraising to campaign strategy meetings. He is equally aware, however, that there is no prohibition against paying for officially connected meetings in the Members Dining Room out of campaign funds and that, in fact, such activity is quite common.² The disbursements in question here were of the latter type—meals that were officially connected but paid for out of campaign funds.

As detailed in the attached affidavit of Mr. Reyes's campaign treasurer, Ronald E. Pate, Mr. Reyes's campaign has had procedures in place to ensure that all of its disbursements are for officially connected or campaign related expenses and therefore constitute proper uses of campaign funds. Under these procedures, Mr. Reyes and his staff members submit receipts for campaign and officeholder expenses to Mr. Pate. After reviewing each expense, Mr. Pate decides whether it may be approved for reimbursement. If an expense is approved, Mr. Pate then decides how it should be reported to the FEC. Mr. Pate generally classifies disbursements from

² On a cursory review of disbursements by the candidate committees for Members of the House of Representatives, we found scores of instances of disbursements for officially connected meetings in the House dining room from the current election cycle alone. The Committee may generate such a list itself at the FEC's website, at <http://www.fec.gov/download.shtml>.

the campaign account for meetings as "campaign meetings," regardless of whether they are campaign related or officially connected.³

During late 2011, Mr. Pate used the term "campaign meeting" to describe meetings or meals paid for out of campaign funds. The term did not reflect the actual activity which occurred at the meals. The decision to code officeholder and campaign meals paid out of campaign funds uniformly as "campaign meals" was entirely Mr. Pate's. It was not a decision about which Mr. Reyes was aware until these allegations were made in his campaign.

The five disbursements listed in the OCE report were all for officially connected activity:

1. The disbursement for \$59.50 on July 21, 2011 paid for a scheduled lunch with Iram Ali, a former Intelligence Committee staff member, to discuss official business on June 1, 2011.⁴
2. The disbursement for \$136.75 on August 23, 2011 paid for two lunches. One was with Lydia de la Vina de Foley, Executive Director of the Congressional Club to discuss the designation of the Congressional Club as a historic structure on July 28, 2011.⁵ The other was an unscheduled lunch to discuss official business with Members on July 19, 2011.⁶
3. The disbursement for \$100.75 on September 23, 2011 paid for an unscheduled lunch with Members to discuss official business after a Congressional Hispanic Caucus Institute ("CHCI") meeting on September 13, 2011.⁷
4. The disbursement for \$72.80 on October 28, 2011 paid for an unscheduled lunch to discuss official business with Members on October 4, 2011.⁸
5. The disbursement for \$99.91 on December 21, 2011 paid for an unscheduled lunch to discuss official business with Members on November 18, 2011.⁹ This disbursement also covered another reimbursement that was not related to the Members Dining Room.¹⁰

⁴ See Exhibit B for lunch receipt and Mr. Reyes's June 1 schedule.

⁵ See Exhibit C for lunch receipt and Mr. Reyes's July 28 schedule.

⁶ See Exhibit D for lunch receipt and Mr. Reyes's July 19 schedule.

⁷ See Exhibit E for lunch receipt and Mr. Reyes's September 13 schedule.

⁸ See Exhibit F for lunch receipt and Mr. Reyes's October 4 schedule.

⁹ See Exhibit G for lunch receipt and Mr. Reyes's November 18 schedule.

¹⁰ See Exhibit H for lunch receipt.

Especially outrageous, and offensive to Mr. Reyes as a former law enforcement officer, was OCE's entirely unsupported assertion that he may have violated 18 U.S.C. § 607, which prohibits the solicitation of campaign funds in public space. Even if it had been proper for OCE to disregard Mr. Reyes's explanation about the reporting of the disbursements, and to conclude instead that they represented prohibited political activity, the findings present no facts whatsoever to suggest that Mr. Reyes made any solicitation of funds in connection with any of the meetings in question. The OCE findings do not even attempt to present circumstantial evidence of any prohibited fundraising.

B. Mr. Reyes did not convert campaign funds to personal use.

The FEC's former spokesman, Mr. Biersack, was appropriately guarded when asked by the *El Paso Times* whether Mr. Reyes's spending qualified as prohibited personal use. Yet OCE showed no such caution. OCE took its mandate to review "any alleged violation by a Member, officer, or employee of the House of any law, rule [or] ... regulation"¹¹ as an invitation to interpret FEC rules, reducing an extraordinarily complex area of these same rules to a footnote discussion.¹²

Omitted in OCE's discussion, but well established under FEC regulations and precedent, is that campaigns have "wide discretion" in determining how to spend campaign funds,¹³ and that funds may be used "to defray expenses in connection with a campaign for federal office,"¹⁴ "to defray any ordinary and necessary expenses incurred in connection with the recipient's duties as a holder of federal office,"¹⁵ and "for any other lawful purpose" besides personal use.¹⁶ Personal use is defined as "any use of funds in a campaign account . . . to fulfill a commitment, obligation, or expense of any person that would exist irrespective of the candidate's campaign or duties as a federal officeholder."¹⁷ The FEC has also created a list of expenses that constitute *per se* personal use that should not be reimbursed by a campaign under the "assum[ption] that, in the

¹¹ H. Res. 895, 110th Cong. § 1(c)(1)(A).

¹² See OCE Findings at 8 n.9. While House Rule 23, clause 6 separately prohibits the personal use of campaign funds, the OCE findings rely almost entirely on FEC rules and advisory opinions. See OCE Findings at 8. In resolving this matter, the Committee should weigh carefully whether the OCE resolution is meant to provide a parallel process for the interpretation and enforcement of the federal campaign finance laws, which could have significant consequences for the volume and nature of matters referred to the Committee by OCE.

¹³ E.g., Adv. Op. 2011-02, at 3 (Brown)

¹⁴ 11 C.F.R. § 113.2.

¹⁵ *Id.* § 113.2(a).

¹⁶ *Id.* § 113.2(a)(6).

¹⁷ *Id.* § 113.1(g).

indicated circumstances, these expenses would exist irrespective of the candidate's campaign or duties as a Federal officerholder."¹⁸

This list of *per se* personal use expenses includes, *inter alia*, "mortgage, rent, or utility payments for any part of any personal residence of the candidate or a member of the candidate's family."¹⁹ In its Explanation and Justification, the FEC interpreted the "mortgage, rent, or utility payments" as follows, to allow for situations like Mr. Reyes's:

It is important to note that [the inclusion of "mortgage, rent, and utilities" on the *per se* list of expenses] does not prohibit the campaign from using a portion of the candidate's personal residence for campaign purposes. It merely limits the committee's ability to pay rent for such a use. The candidate retains the option of using his or her personal residence in the campaign, so long as it is done at no cost to the committee. . . .

Nor should this rule be read to prohibit a campaign committee from paying the cost of long distance telephone calls associated with the campaign, even if those calls are made on a telephone located in a personal residence of the candidate or a member of the candidate's family. Since these calls are separately itemized on the residential telephone bill, they can easily be attributed to the campaign without raising allocation issues.²⁰

The FEC does not mention Internet charges in its Explanation and Justification, which was issued before the Internet was in common public use. The FEC's logic with regard to long-distance telephone calls, however, applies equally to Internet services, insofar as they can be correctly attributed entirely to the campaign.

Here, in keeping with the prohibition on payments for rent and utilities, the Reyes campaign made no payments to Rebecca Reyes to rent that portion of her property that was used as a campaign office. Mr. Reyes, rather, personally paid to rent the space.²¹ Although the Committee did make certain payments for communications services, it did only after separating out those portions of the bill that would have existed were it not for the campaign, in keeping with the FEC's guidance in the Explanation and Justification.

¹⁸ 60 Fed. Reg. 7862, 7864 (Feb. 9, 1995).

¹⁹ 11 C.F.R. § 113.1(g)(1)(i)(E)(1).

²⁰ 60 Fed. Reg. at 7864.

²¹ Ultimately, Mr. Reyes personally paid the committee's utility bills as well. The Reyes Committee reimbursed Mr. Reyes for disbursements made to Potomac Electric on January 4, 2008, December 19, 2008, and February 12, 2010. Mr. Reyes, however, subsequently reimbursed the campaign for these disbursements. See Exhibit I for check.

Specifically, the campaign made the following disbursements after allocating those portions of the expense that would have existed were it not for the campaign:

- Disbursements for Dish Network on Jan. 4, 2008, Dec. 19, 2008, and Feb. 12, 2010
- Disbursements for AOL Services on Jan. 4, 2008, Dec. 19, 2008, and Feb. 12, 2010
- Disbursements for Southern Bell on Jan. 4, 2008, Dec. 19, 2008, and Feb. 12, 2010
- Disbursement for DirectTV on October 18, 2010
- Disbursement for Verizon Wireless on February 24, 2010

The Reyes campaign also made certain other non-rent expenditures to improve its campaign office. These expenditures would not have been necessary irrespective of the campaign and were therefore allowable campaign expenditures under FEC rules.²² Specifically, the campaign paid to install shelving to house its records, reimbursing Mr. Reyes for disbursements made to Home Depot on April 19, 2010 and June 18, 2010. It paid an outside vendor to rid the area of pests in order to protect its campaign records and make the space usable as an office, making disbursements to Orkin Pest Control on March 17, 2009, May 13, 2009, and June 16, 2009. It made a disbursement for a computer for its campaign office to Dell Computer on January 4, 2008. Finally, it made an expenditure for a television so that office personnel could stay abreast of rapidly changing news. It made this expenditure to Walmart Stores on July 21, 2011.²³

C. OCE exceeded its authority in making the instant referral.

Under OCE's own rules, it "shall refer a matter to the Standards Committee for further review if it determines there is a *substantial reason* to believe the allegations based on all the information then known to the Board."²⁴ A "*substantial reason* to believe exists where there is such relevant evidence a reasonable mind might accept as adequate to support a conclusion."²⁵

Here, OCE developed no independent evidence to support the allegations against Mr. Reyes. It relied entirely on entries in Mr. Reyes's publicly available FEC reports. When Mr. Reyes informed OCE that the entries were the result of his treasurer's particular coding protocol, and did not actually support a claim of prohibited use of official space, OCE disregarded his

²² 11 C.F.R. § 113.1(g)(1)(ii); Adv. Op. 2011-05 (Terry) (allowing a campaign committee to pay for upgrades to a home security system because the need for such a system would not have existed irrespective of the campaign); Adv. Op. 1993-01 (Burton) (allowing Rep. Burton to use campaign funds to pay to rent a shed built with personal funds on his personal property, in which to store campaign materials).

²³ The Reyes campaign also made a disbursement for building maintenance to Lowe's on April 19, 2010. Although this disbursement would not have existed were it not for the campaign and was therefore allowable under § 113.1(g)(1)(ii), Mr. Reyes subsequently personally reimbursed the campaign for the disbursement. See Exhibit J for check.

²⁴ Office of Congressional Ethics, Rule 9(A) (emphasis in original).

²⁵ *Id.*

response, without developing any further contrary information. And when Mr. Reyes explained why the disbursements with respect to his campaign office were not personal use, OCE disregarded that explanation also, again without developing any contrary information. OCE's unsupported conclusions cannot constitute a reasonable basis to believe the allegations against Mr. Reyes,²⁶ let alone probable cause to initiate a second-phase review or a substantial reason to believe the allegations, especially where Mr. Reyes has offered consistent and reasonable explanations.

OCE attempts to buttress its non-findings with a "negative inference" that it claims it may draw from Mr. Reyes's "refusal to cooperate." Yet OCE has no authority to draw such an inference. Its authorizing resolution expressly prohibits "any conclusions regarding the validity of allegations or the guilt or innocence of the individual. . . ."²⁷ Even if OCE could draw such an inference, it would not be appropriate here, as Mr. Reyes tried throughout the investigation to provide OCE with the information necessary to resolve it, meeting with OCE investigative counsel and submitting three thorough responses to its inquiries. OCE branded Mr. Reyes as "noncooperative" because he would not, in response to OCE's sweeping requests, submit to a fishing expedition that was unsupported by any disclosed, credible, factual predicate.

This is not the first time OCE has breached its authorizing resolution by drawing a prohibited conclusion of guilt, prejudicing the rights of the Member involved.²⁸ Here, however, the result is especially unjust. Mr. Reyes will leave the Congress in less than four months, creating the possibility that OCE's Report and Findings will be the un rebutted last word on his career. The Committee has acknowledged that there are "strong arguments against release of OCE's Report and Findings" when the rules are violated to the Member's detriment.²⁹ These same arguments are present here. They are made even stronger when OCE, having violated its rules, can engineer the public release of flawed findings, with only a limited opportunity for scrutiny or rebuttal.

²⁶ See H.R. Res. 895, 110th Cong., § 1(c)(2)(F); Office of Congressional Ethics Rule 7(A) ("The Board shall authorize a preliminary review of an allegation when it determines there is a *reasonable basis* to believe the allegation based on all the information then known to the Board.") (emphasis in original).

²⁷ H.R. Res. 895, 110th Cong., § 1(c)(2)(C)(i)(II)(bb)).

²⁸ See, e.g., H. Rep. 111-320 (2009) (In re Rep. Sam Graves)

²⁹ *Id.* at 29-30.

Daniel A. Schwager, Esq.
September 17, 2012
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There is no substantial reason to believe that Mr. Reyes has engaged in any wrongdoing. We respectfully request, therefore, that you promptly dismiss this matter.

Very truly yours,

Handwritten signatures of Karl J. Sandstrom and Brian G. Svoboda. The signature on the left is a stylized 'K' with a horizontal line underneath. The signature on the right is a cursive 'B' followed by a long horizontal line.

Karl J. Sandstrom
Brian G. Svoboda

Exhibit A

AFFIDAVIT

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF EL PASO §

BEFORE ME, the undersigned authority, on this date personally appeared RONALD E. PATE, who, after being by me duly sworn on his oath deposed as follows:

1. "My name is RONALD E. PATE. I am over eighteen years of age and reside in El Paso County, Texas. I am fully competent to make this Affidavit and this Affidavit is made upon my personal knowledge.

2. "I am a certified public accountant and a partner in the firm of Pate & Appleby, LLP. My firm is located at 1011 Montana, El Paso, Texas 79902, and I may be reached by telephone at 915-532-██████ or by Email at ██████@pateappleby.com.

3. "I have been the treasurer for Congressman Silvestre Reyes' campaign since he first announced his intentions to run for Congress for the 16th Congressional District of Texas in 1995. Congressman Reyes was successful in his campaign and began his service in Congress in 1996.

4. "As his treasurer, I assist his campaign with financial matters including reporting campaign donations and expenditures. My office physically prepares the reports required by the Federal Elections Commission (FEC).

5. "Congressman Reyes' campaign committee is known as the Reyes Committee, Inc. ("Campaign Committee"). My office interacts with the Campaign Committee to process and report campaign donations and expenditures. This includes the reimbursement of expenses to Congressman Reyes when an expense is campaign related.

6. "In accordance with FEC rules and regulations, Congressman Reyes is reimbursed for expenses paid by him that are campaign related. Some of these expenses are incurred in Washington, D.C., some in the home district of El Paso and others during the Congressman's travels throughout the country. It is Congressman Reyes' practice to periodically provide my office with receipts of campaign related expenses that the Congressman incurred and for which he was entitled to reimbursement. He provides my office with campaign related receipts. We were often provided with these receipts by a member of his campaign staff.

7. "Once we receive receipts and a request for reimbursement, my office reviews them so as to issue a reimbursement but also so that they could be itemized for reporting to the FEC. A member of my staff reviews the receipts and categorize them by vendor, purpose of the expenditure, and any information required to be reported by the FEC. I review the reports before the FEC filings. As permitted by law, a reimbursement check for the campaign related expense is issued to Congressman Reyes when appropriate.

8. "For the period beginning 2008, I was assisted in this process by a bookkeeper in my office by the name of Terry Anaya. Ms. Anaya is employed by my firm, she processes the receipts and requests for reimbursement to make sure that there was sufficient information for the FEC reporting. I review her work and review the FEC filings before they were actually reported. If a matter is routine, Congressman Reyes is not involved.

9. "Meals reimbursed by the Campaign Committee are reflected in the reports as "campaign meetings". The use of the term was for coding purposes to reflect that the expenditures were paid by the Campaign Committee.

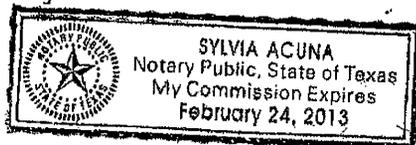
10. "Recently, I became aware that the reports filed with the FEC reflect that certain meals reimbursed by the Campaign Committee were at the U.S. House of Representatives Members Dining Room in 2011. The meetings for these meals were not for the purposes of raising campaign contributions nor discussing campaign activities. The meals were associated with his official duties as a member of Congress. The use of the term was for coding purposes to reflect that the expenditures were paid by the Campaign Committee but the use of the term does not reflect that the actual purpose or activity at the meals. The decision to code those entries in this manner was my office's decision, not Congressman Reyes'.

FURTHER AFFIANT SAYETH NAUGHT.

Ronald E. Pate, CPA
RONALD E. PATE, CPA

SUBSCRIBED AND SWORN TO before me, this 13 day of September, 2012,
to certify which witness my hand and official seal.

[Seal]



Sylvia Acuna
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Exhibit B

29

**** MEMBERS DINING ROOM ****

672 SUSANA

61/1

CHK 274 DIST 4

JUN03 11:12:20PM

MEMBERS DINING

1 BUILD YOUR OWN	8.95
1 CLUB	8.95
1 CGBB	10.95
1 SOUP/SALAD/SAND	12.95
3 ICED TEA	5.85
1 COFFEE	2.25

1:01 TOTAL DUE 49.90

TIP 10.00

TOTAL 59.90

STATE PIN

DISTRICT

PRINT NAME

SIGNATURE

WEDNESDAY, JUNE 1, 2011

8:00AM - 9:00AM

**BOLD PAC breakfast. Presenter: Mantech
International Corp.**

Loc: Tortilla Coast

Staff: sreyes

9:00AM - 10:00AM

Dem Caucus Meeting.

Loc: HVC-215

Staff: sreyes

10:00AM

House Meets - for Morning Hour.

10:00AM - 12:00PM

**HVAC Full Committee hearing - Putting America's
Veterans Back to Work.**

Loc: 334 Cannon

Staff: sreyes, itorres

11:00AM - 12:30PM

FYI

**Monthly blogger row/open house, to talk with bloggers
and progressive media. Bloggers will be seated around
the room and Members can stop by to talk to them for
about 10 min.**

Loc: H-139

Staff: sreyes, vperez

12:00PM

House Meets - for Legislative Business.

12:00PM - 1:00PM

Lunch with Iram Ali.

Loc: Members Dining Room

Staff: sreyes, pbrody

1:00PM - 2:00PM

Texas Delegation Lunch.

Loc: H-139

Staff: sreyes

2:00PM - 3:15PM

Call time

3:30PM - 3:55PM

Meeting wit LTG Robling, to brief CSR on USMC aviation issues.

Loc: 2210 Rayburn

Staff: sreyes, Jmerberg

5:00PM - 6:00PM

Meeting with WH Senior Staff on Immigration.

Members Only. Topic: CHC's thoughts on how we should move forward on the three items the President said he would work with us.

Loc: 234 Cannon

Staff: sreyes

5:30PM - 7:30PM

FYI

Reception - Summer Picnic with Rep. Grace

Napolitano.

Loc: 434 New Jersey Ave SE

Staff: sreyes

5:30PM

FYI only:

Reception and Twilight Tattoo saluting Hispanic Leaders Serving our Nation: Justice Sonia Sotomayor, Sec. Of Labor Hilda Solis, American Ambassador to El Salvador Mari Carmen Aponte, and BGCamille Nichols, US Army. Hosted by Under Sec of the Army and Mrs. Joseph W. Westphal.

Loc: Rotunda of the National War College and Fort McNair

Staff: sreyes

6:30PM - 8:00PM

Thank you reception in honor of the success of the 2011 First Lady's Luncheon.

Loc: Florida House, 1 Second St. NE

Staff: sreyes, creyes

10:00PM

On-camera interview - with Greta Van Susteren.

Loc: 400 N. Capitol St.

Staff: sreyes, vperez

Exhibit C

5

MEMBERS DINING ROOM
CHK: 1830
E: 4071
MER: 619 Patricia
: JUL 28 '71 12:56 PM
TYPE: MASTERCARD
: XXXXXXXXXXXXXXX552
DATE: XX/XX
CODE: 788833
mem 120916614407
SYNDRE REYES

44.10

8.00

~~SATURE~~
FREE TO PAY THE ABOVE CHARGES
ACCORDANCE WITH THE CREDIT
CARD ISSUERS AGREEMENT.

THURSDAY, JULY 28, 2011

Mrs. Reyes

9:00AM - Pick up at Capitol South

10:00AM - Historical Landmark Review Board,

444 4th St NW

9:00AM

Joint Whip/Caucus Meeting. Speakers: Alliance for American Manufacturing and the Mellman Group.

Topic: Update on Make it in America Agenda.

Breakfast will be served.

Loc: HVC-215

Staff: sreyes

9:30AM - 10:30AM

HVAC Subcommittee on Health Markup on pending legislation.

Loc: 340 Cannon

Staff: sreyes, ltorres

9:30AM - 10:30AM

Tactical Air and Land Forces Subcommittee will receive a TS/SCI Counter-IED Afghanistan Update briefing from representatives of the Joint Improvised Explosive Device Defeat Organization and Office of the Secretary of Defense ISR Task Force. 9 c staff may attend.

Loc: 2118 Rayburn

Staff: sreyes, jmerberg

10:30AM - 11:30AM

Office Time - for Administrative Business.

11:30AM - 1:00PM

CHC Meeting and lunch.

Loc: HC-8

Staff: sreyes

2:00PM

Meeting - with George E. McCubbin III, President, National Border Patrol Council. You requested a meeting with him after meeting with Jim Stack, President of Local 1929, and he told you that the Nat'l Border Patrol Council is under new leadership.

Loc: 2210 Rayburn

Contact: George McCubbin, (623) 444-██████████ c (619) 985-██████████

Staff: sreyes, ltorres

2:30PM - 3:00PM

Redistricting meeting with Marc Elias, re: the DC cases.

Loc: Dem Club

Staff: sreyes

3:00PM

Meeting - with Gen. Dick Cody (ret.), re: border security.

Loc: 2210 Rayburn

Staff: sreyes, itorres

3:30PM

Meeting - with representatives from Bosch Healthcare, a national leader in telehealth and remote care technology that serves veterans in El Paso. They would like to discuss what they do and the role they play in improving the care and quality of life for veterans while simultaneously reducing cost. Attending: Marie Mann, Nurse, Chief Clinical Officer, Bosch Healthcare; Cathy Gordon, Former Navy nurse, current Sales Director for Bosch; and Larry Werner and Eric Brown, consultants, mCapitol management.

Loc: 2210 Rayburn

Contact: Eric Brown, (202) 585-██████████ or

eric.brown@mcapitol.com

Staff: sreyes, jagullar

4:00PM - Day/time Tentative

Phone call - with Cpl. Emanuel Rodriguez. He was wounded in Saingon, Helmut Province, Afghanistan on July 29, 2010 and has had 4 surgeries on his left foot, which was shattered. He is in the Naval Medical Center in San Diego.

He went to Burges and graduated from NMSU before joining the Marine Corps. Ralph met his Mom, Mrs. Rodriguez, who lives in El Paso.

Loc: 2210 Rayburn

Contact: Sgt. Aguirre, (619) 578-██████████ Cpl Rdgz (915)

667-██████████ (reception is spotty) 619-532-██████████

Staff: sreyes

Exhibit D



MEMBERS DINING NO. 0000

619

57

MEMBERS DINING

1	SM. SOUP DU JOUR	7.95
1	CAESAR SALAD	5.50
1	SM. BEAN SOUP	2.95
1	SOUP/SLO/SAND	12.95
4	ICED TEA	7.80
2	BP. TUESDAY	22.50
1	CORDON BLUE	16.00

CHARGE TIP 14.00

FREEDONPAY 84.65

---619 CLOSED JUL 19 01:23PM---



TUESDAY, JULY 19, 2011

8:30AM - 9:30AM

FYI

Drug Court Rally. Attending: Trey Anastasio, lead singer of Phish; actors Melissa Fitzgerald, Harry Lennix, Matthew Perry, and Martin Sheen.

Loc: Upper Senate Park

Staff: sreyes

9:00AM

Caucus Meeting - Dem Caucus Meeting. Topic: Debt Limit and Messaging. Speaker: Doug Hattaway, Hattaway Communications.

Loc: HVC-215

Staff: sreyes

11:30AM

Meeting - with Judge Maclas, A.J. (a student from McArthur Middle School, going to Silva Magnet) and his teacher Gloria. A.J. and another student from San Elizario wrote essays on bullying for the annual 'Do the Write Thing' essay contest. The student from San Elizario was not able to travel, but her teacher, Brenda, will attend.

Loc: 2210 Rayburn

Staff: sreyes, Itorres

12:00PM

House Meets - for Legislative Business.

12:00PM - 1:00PM

Personal - lunch time.

3:00PM

Meeting - with Judge Robert Anchondo, Judge Patrick Garcia, and Ms. Maggie Morales, Director for the West Texas Community Supervision and Corrections Department. They are in DC to attend the NADCP's 17th Annual Drug Court Training Conference. Guillermo Valenzuela will be accompanying the group.

Loc: 2210 Rayburn

Staff: sreyes, Itorres

Exhibit E

**** MEMBERS DINING ROOM ****

619 Patricia 2

52/1 CHK 2204 GST 4
SEP13'11 2:33PM

MEMBERS DINING

2 ICED TEA	3.90
1 CLUB	8.95
2 SUB SIDE SALAD	5.90
3 CRAB CAKES	65.00

CHARGE TIP	16.00
FREEDOMPAY TIP	100.75

----619 CLOSED SEP13 03:04PM----

TUESDAY, SEPTEMBER 13, 2011

9:00AM - 10:45AM

FYI

Morning Plenary - Keeping the Promise: Prevention First for a Healthy Latino Community.

Loc: Convention Center

Staff: sreyes

9:30AM (CSR to attend until 9:45AM)

HVAC Full Committee - Veterans Employment Summit.

Loc: 334 Cannon

Staff: sreyes, droman

10:00AM - 10:15AM

Meet SFC Leroy Patriy, the most recent recipient of the Medal of Honor. He is from New Mexico.

Loc: 2210 Rayburn

Contact: Malcom, Army Liaison, (202) 685-██████████

Staff: sreyes, jmerberg, droman

10:00AM - 12:00PM

FYI

HASC Full Committee hearing - The Future of National Defense and the U.S. Military Ten Years after 9/11: Perspectives from Outside Experts.

Open.

Loc: 2118 Rayburn

Staff: sreyes

10:15AM

Depart for Convention Center.

11:00AM - 12:30PM

CHCI Panel: Transformation of Hispanics in Communications/Diversity in Corporate America.

(Reps. Baca and Reyes)

Loc: Convention Center, Room 145B

Staff: sreyes, staff

12:30PM - 2:30PM

FYI

Closing Luncheon - Education. Keeping the Promise of Education.

Loc: Convention Center, Room 146A,B,C

Staff: sreyes

1:00PM

Dem Caucus Meeting. Special guest: Professor Joseph E. Stiglitz, Former Chmn, Council of Economic Advisors.

Loc: HVC-215

Staff: sreyes

4:00PM - 6:30PM

FYI

Reception - 'Celebrando Trabajo y Cultura', hosted by Secretary of Labor Hilda Solis, to commemorate Hispanic Heritage Month. Senior Administration officials will be in attendance.

Loc: US Dept. Of Labor Rooftop Terrace, 200

Constitution Ave NW

Staff: sreyes

4:30PM

Briefing by Ambassador Marc Grossman, Special Representative for Afghanistan and Pakistan. Also attending: Deputy SRAP Dan Feldman and Legislative Advisor Lauren Freese.

Contact: Donna DeJhan, (202) 647- [REDACTED]

[REDACTED]@state.gov

Loc: 2210 Rayburn

Staff: sreyes, Itorres, Jmerberg

5:00PM - 6:30PM

FYI

Members-Only reception - to celebrate the 25th Anniversary of the Thelonious Monk Institute of Jazz. Guests include Aretha Franklin, Herbie Hancock, and others.

Loc: S-207, the Mansfield Room

Staff: sreyes

6:30PM - 7:30PM

CHCI Board of Directors Networking Reception.

Loc: Warner Theater (Rooftop), 13th and E Streets, NW

Staff: sreyes, creyes

7:30PM - 9:30PM

Reyes of Comedy.

Loc: Warner Theater, 13th and E St. NW

Staff: sreyes, creyes

9:30PM - 10:30PM

FYI

Reyes of Comedy After Party.

Loc: Warner Theater Rooftop

Staff: sreyes, creyes

Exhibit F

TUESDAY, OCTOBER 4, 2011

9:00AM

Dem Caucus Meeting.

Loc: HVC-215

Staff: sreyes

9:30AM

FYI

Meeting - with members of the Association for Quality Imaging, about the sustainable growth rate and ways to improve the Medicare program.

Loc: 2210 Rayburn

Contact: Allison Fox, (202) 997-██████████

Staff: jaguller

10:00AM - 12:00PM

HASC Full Committee hearing on the Future of National Defense and the U.S. Military Ten Years after 9/11: Perspectives from Former Service Chiefs and Vice Chiefs. Witnesses: TBA. Open.

Loc: 2118 Rayburn

Staff: sreyes, jmerberg

11:00AM

Phone call - TX Dem Delegation call with Renea Hicks, on the latest development on Redistricting.

Call-in number: (424) 203-██████████ Passcode ██████████

Staff: sreyes

12:00PM - 1:00PM

Border Members meeting with Juarez Competitiva.

Loc: 1416 Longworth

Staff: sreyes, itorres, sgonzalez

1:00PM - 1:30PM

Personal - lunch time.

1:30PM - 1:45PM

Meeting with John 'Doc' McCauslin, CEO, and Morgan Brown, Director of Military and Govt Relations, Air Force Sergeants Association, to discuss quality of life issues facing our enlisted servicemembers.

Loc: 2210 Rayburn

Contact: Lisa Doner, (301) 899-██████████ x ██████████ c. (202) 365-██████████

Staff: sreyes, jmerberg, droman

Time TBD

Phone call - with William Booth, Washington Post bureau chief in Mexico. He would like to talk to you about the efficacy of the national guard on the border in operation Phalanx, which will be extended to December 2011 and possibly longer. See briefing book for more info.

Loc: 2210 Rayburn
Staff: sreyes, cordaz

Time TBD

Phone call - with Lindsey Bever of the Dallas Morning News, re: why is it important to provide disability compensation for veterans who were exposed to Agent Orange, and the best way to provide this compensation when the country is in a recession.

Loc: 2210 Rayburn
Staff: sreyes, cordaz

3:00PM

FYI

Leader Pelosi and Democratic Steering and Policy Co-Chairs George Miller and Rosa DeLauro will hold a hearing on 'Small Business Entrepreneurs: Engine for American Jobs'.

Loc: HVC-215

Contact/RSVP: Michael Bloom, [REDACTED]

Staff: sreyes

4:00PM

Meeting with Dr. Andrus of PAHO. You were not able to attend their annual awards ceremony on Sept. 26, at which you were recognized for your active and long-standing leadership in health promotion, advocacy and policymaking on the US-MX Border, and your support for mobilizing resources and convening border health leaders during emergency health situations affecting both sides of the border.

Loc: 2210 Rayburn

Contact: Craig Meyers, [REDACTED]@edingtonpeel.com

Staff: sreyes, jagullar

6:45PM

Bus departs Rayburn Horseshoe enroute Leader Pelosi's home. (You can drive if you prefer.)

7:00PM - 9:00PM

Reception - hosted by Leader Pelosi and Members of the Congressional Black Caucus, Congressional Hispanic Caucus, and Congressional Asian Pacific American Caucus.

Loc: 3030 K St. (Georgetown Waterfront)

Staff: sreyes, creyes

Exhibit G

19

*** MEMBERS DINING ROOM ***

622 Chris 2

1 1 / 1 CHK 3555 GST 2
 NOV18'11 1:10PM

MEMBERS DINING

2 ICED TEA	3.90
1 SOUP/SLD/SAND	12.95
SOUP OF THE DAY	
PETITE CHIX	
1 CA ALL	20.95
1 CA DESSERT	4.75

* CHARGE TIP 8.00
FREEDOMPAY TIP 50.55
-----622 CLOSED NOV18 02:10PM-----

Friday, November 18, 2011

8:00AM

WH tour for John Aguilar and his cousin, Missy Miranda. She is John's mom's niece.

Staff: sreyes

9:00AM

House Meets - for Legislative Business.

9:00AM - 10:00AM

Blocked - for phone calls.

Loc: 499 S. Capitol St. SW, Suite 422

Contact: o: (202) 479-██████ c (202) 714-██████

Staff: sreyes

9:00AM

FYI

Dem Caucus Meeting. Topic: Joint Select Committee Update.

Loc: HVC-215

Staff: sreyes

10:00AM - 12:00PM

Meeting - to go over the final details for the Alabama trip, the agenda, and answer any questions.

Loc: 1540-A Longworth

Staff: sreyes

12:00PM - 1:00PM

Personal - lunch time.

1:30PM

Meeting - interview with Karen N. Arenas, a Bill Archer Fellow from El Paso who is interning with the American Bar Association. She would like to interview you for an advocacy class she is taking. The topic is HR 1270, and she also wants to ask you how to successfully advocate for bills you are in favor of.

Loc: 2210 Rayburn

Staff: sreyes, jmerberg

7:00PM - 9:35PM

Travel from DCA to DFW on AA 1913. Conf: ESUFMB

10:15PM - 10:55PM

Travel from DFW to ELP on AA 375.

Exhibit H

34

& & 402 & &

**** Room Service ****

ZOO Crystal

SOUC 11 GRAM

1	FIT FRENCH TOAST	12.00
1	FRENCH TOAST	12.00
2	SIDE BACON	8.00
	MILK	5.00

20% RAISE

9.50 TOTAL DUE

SERVICE CHARGE INCLUDED

ROOM NUMBER

PRINT LAST NAME

SIGNATURE

TOTAL

Exhibit I

SILVESTRE OR CAROLINA REYES

[REDACTED]

Sept. 11, 2012

EL PASO, TX 79922

PAY TO THE ORDER OF

Reyes, Carolina

\$ 1,440.00

One thousand four hundred forty 00/100

DOLLARS

GECU

Greater El Paso Credit Union

705 BOX 24716 EL PASO, TEXAS 79916

[Signature]

[REDACTED]

Exhibit J

SILVESTRE OR CAROLINA REYES

(015585)



6-12-12



EL PASO, TX 79922

DATE

PAY TO THE ORDER OF

Reyes Comm Inc.

\$ 1,283.97/100

Twelve hundred eighty three 97/100

DOLLARS



Security Features. Details on back.



GECU

Gateway El Paso's Credit Union

P.O. BOX 20998 EL PASO, TEXAS 79998

For reimbursement to acct.

[Signature]



Harold Orena