

APPENDIX B

CLARK HILL

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September 12, 2019

Committee on Ethics
U.S. House of Representatives
1015 Longworth House Office Building
Washington, DC 20515

Re: Documents in Response to August 16, 2019 Letter

Committee on Ethics,

In response to your letter to the Honorable Bill Huizenga dated August 16, 2019, please find enclosed all previous correspondence between counsel and the Office of Congressional Ethics (“OCE”), including all documents previously produced to OCE. There were three separate rounds of document production to OCE, and the enclosed documents are separated by each production.

If you have any questions, please do not hesitate to contact us directly at (202) 572-8663.

Respectfully submitted,



Charles R. Spies
Sloane S. Carlough



Congress of the United States
House of Representatives
Washington, DC 20515-2202

September 12, 2019

Committee on Ethics
U.S. House of Representatives
1015 Longworth House Office Building
Washington, DC 20515

Dear Colleagues:

I write as you consider the Office of Congressional Ethics (“OCE”) referral (the “Referral”) from that office’s months’ long inquiry into multiple years of my congressional campaign and office activity. I have carefully reviewed the Referral, and while I believe it identifies certain technical shortcomings in my campaign’s reimbursement policies that I have subsequently addressed, the Referral does not identify any reasonable basis to open a further investigation and expend further resources pursuing this matter. For the reasons discussed below, I respectfully request that the Committee decline to do so.

As you are aware, the Referral focuses on three areas: 1) personal use of campaign funds by my congressional campaign, 2) improper recordkeeping or outlays by official congressional office staffers who also volunteer or have official positions on my congressional campaign, and 3) improper use of official office funds. As to the third issue, the OCE Board unanimously and correctly voted to dismiss the allegation.

In regard to the first allegation, I continue to believe that all funds disbursed by my campaign were for campaign purposes or official duties related to my congressional office, and therefore are permissible under federal law and House Rules. The campaign events OCE scrutinized were annual events attended by numerous Members, their staffs, and families. As I stated in my interview, these events are family oriented, and my family serves an active role in my campaign. Although these events may have aspects of them that are “fun” and often occur at “fun” places, they are campaign events that are important to my and other Members’ campaigns because they allow us to interact with supporters, stakeholders, and their families. Importantly, the Federal Election Commission analyzed these exact allegations, declined to pursue them, and unanimously voted to close the file.

There is nothing in the record to indicate that my family, or the families of my campaign staff, did not perform campaign work or serve a bona fide campaign purpose while attending these events. To the contrary, the record clearly reflects that families are included on these trips to encourage attendance by and interaction with stakeholders. Under federal law, candidates and officeholders have broad discretion to determine how their campaign funds will be spent. Additionally, FEC guidance states that costs for entertainment can be paid with campaign funds

if the entertainment is associated with campaign activity. Accordingly, because I have determined, under the broad discretion provided to me under federal law, that attendance by my family and staffs' families serves a bona fide campaign purpose, the use of campaign funds for these events was permissible. That should be sufficient to end the inquiry into this allegation.

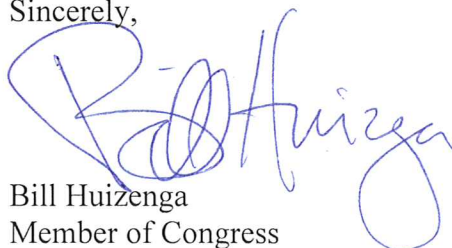
In regard to recordkeeping and outlays, as a result of OCE's investigation I have worked with a new compliance professional and counsel to implement new policies to prevent any even incidental future violations. While I believe that these minor mistakes cited by OCE would be uncovered in any congressional campaign that is the subject of a months' long inquiry involving at least four OCE staffers, cross-country interviews, and the production of hundreds of emails and other documents, I take them very seriously and am committed to ensuring they do not occur again in the future. As explained during the investigation, in the past year my campaign has hired a professional compliance firm to ensure that receipts, expenditures, and reimbursements are properly reported and accounted for. While I believe that any improper outlays were good-faith mistakes that were ultimately fully reimbursed to each staffer, a new (and better) campaign finance and ethics education program for my campaign will prevent any future violations.

As you are aware, OCE investigations are extremely burdensome on a Member's campaign and official office resources. The OCE inquiry that led to the present Referral has already required almost fifty thousand dollars in legal fees, and countless staff hours. Despite no obligation to do so, and despite the Federal Election Commission declining to pursue an investigation into substantially the same allegations, I have been fully cooperative throughout the entire process. I have not knowingly withheld any relevant information.

As indicated in the Referral, 15 of the 19 sources OCE sought information from cooperated in the investigation. The record is sufficiently complete for the Committee to review each allegation and reach the appropriate conclusion. My campaign has produced hundreds of documents, sat for numerous interviews, and otherwise did everything OCE asked. Expending additional resources to further investigate this matter would serve no purpose as there is nothing left to uncover. Accordingly, I respectfully request that the Committee decline to open an additional investigation into this matter, and I welcome any remedial recommendations from the Committee to ensure full and complete compliance in the future.

Thank you for your consideration.

Sincerely,

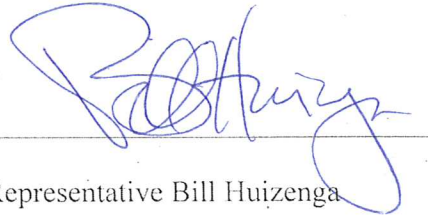


Bill Huizenga
Member of Congress

Declaration

I, Representative Bill Huizenga, declare (certify, verify, or state) under penalty of perjury that the response and factual assertions contained in the attached letter dated 11/12, 2019, relating to my response to the August 16, 2019, Committee on Ethics letter, are true and correct.

Signature:



Name:

Representative Bill Huizenga

Date:

11/12, 2019