

**111TH CONGRESS, 2nd SESSION
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT**

**IN THE MATTER OF ALLEGATIONS RELATING
TO THE USE OF PER DIEM ON OFFICIAL TRIPS**

STAFF REPORT

December 30, 2010

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I. INTRODUCTION

On July 30, 2010, the Office of Congressional Ethics (OCE) forwarded to the Committee on Standards of Official Conduct (Standards Committee) reports and findings in involving the alleged improper retention of excess per diem funds by six current Members of the House during officially-connected travel. Those matters pertain to Representatives Robert Aderholt, G.K. Butterfield, Eliot Engel, Alcee Hastings, Solomon Ortiz, and Joe Wilson. The OCE findings concluded that each of the six Members, during different trips that occurred in years 2008 through 2010, were provided with per diem funds in excess of what was required for each of the identified trips. OCE's findings for each member noted that its conclusions were based, in part, on assumptions made about the trips and corresponding estimates of possible per diem expenses. OCE also noted that it had been unable to obtain certain information before the scheduled end of its review period for each matter. Accordingly, OCE recommended that the Committee further review the allegations regarding each Member.

On August 6, 2010, the Standards Committee provided each of the six Members with OCE's respective Reports and Findings related to them and offered each the opportunity to respond to OCE's allegations. The attorney for Representative Aderholt submitted a response on behalf of Representative Aderholt on September 17, 2010.¹ Attorneys for Representative Engel submitted a response on behalf of Representative Engel on September 23, 2010.² Representative Hastings submitted a response on September 21, 2010.³ Representative Ortiz submitted a response on September 13,

¹ Representative Aderholt adopted the response on September 16, 2010. Representative Aderholt's response to OCE's allegations against him in OCE's Report and Findings can be found at Appendix G.

² Representative Engel formally adopted the response on September 15, 2010. Representative Engel's response to OCE's allegations against him in OCE's Report and Findings can be found at Appendix H.

³ Representative Hastings' response to OCE's allegations against him in OCE's Report and Findings can be found at Appendix I.

2010.⁴ Representative Wilson's attorneys submitted a response on behalf of Representative Wilson on September 15, 2010.⁵

The Chair and Ranking Republican Member of the Committee initiated an investigation pursuant to Committee rule 18(a) into the six matters referred by OCE. On November 15, 2010, the Chair and Ranking Republican Member of the Standards Committee issued a public statement announcing they had jointly decided to extend the Committee's consideration of OCE's transmittals regarding these six matters for a 45-day period.⁶

This report summarizes the conclusions of the Committee's nonpartisan, professional staff regarding the six matters forwarded by OCE. Committee staff have concluded that the evidence presently before the Committee does not support a determination that any House Member or employee violated any law, regulation, rule, or other applicable standard of conduct.

Accordingly, the staff recommendation is that the Committee close its investigation in the above-captioned matters and dismiss or take no further action regarding each of the six matters OCE referred to the Standards Committee.

II. FINDINGS AND CONCLUSIONS

As a result of its review of OCE's six separate Reports and Findings, and additional investigative activity by the Committee, the Committee staff reached the following findings and conclusions.

OCE concluded that each of the six Members received per diem for their officially-connected travel as part of various Congressional Delegations (CODELs) authorized by their committees.⁷ The conclusions by OCE are based on a press article published in the *Wall Street Journal* on March 2, 2010,⁸ in which these members were quoted concerning their use of some per diem funds to purchase gifts, buy meals for others, or supplement their own expenses, as well as the itineraries for various trips attended by the six Members. The OCE referrals concluded that certain meals for the trips reviewed were "hosted," and thus paid for by another source, and that therefore any per diem allotted for those specific meals should have been repaid to the government.⁹ The OCE referrals did not explain how OCE reached the conclusion that Members actually participated in the "hosted" meals, or that the "hosted" meals were actually paid for by someone other than the respective Members. OCE acknowledges in each of the

⁴ Representative Ortiz's response to OCE's allegations against him in OCE's Report and Findings can be found at Appendix J.

⁵ Representative Wilson formally adopted the response on September 15, 2010. Representative Wilson's response to OCE's allegations against him in OCE's Report and Findings can be found at Appendix K.

⁶ House Rule XI, clause 3(b)(8)(A), and Standards Committee Rules 17A(b)(1), 17A(c)(1), and 17A9j).

⁷ See Appendices A-F.

⁸ Brody Mullins & T.W. Farnam, *Lawmakers Keep the Change*, *Wall St. J.*, Mar. 2, 2010, available at <http://online.wsj.com/article/SB10001424052748703429304575095592193574752.html>.

⁹ See Appendices A-F.

referrals of the six matters that it could not determine the exact amount of any of the Members' meal and incidental expenses and therefore decided to estimate the amounts.¹⁰

OCE determined that some meals were "hosted" as indicated in its findings because the itineraries did not specifically state the meals were "at leisure" or provide some other indication that the Members would be paying for them on their own.¹¹ If a particular meal was listed on an itinerary as a "lunch" or "dinner," OCE assumed that the meal was "hosted."

For example, according to the OCE findings for Representative Hastings, OCE identified a breakfast on April 14, 2008, as being "hosted" in a table entitled "Codel Hastings to Denmark (April 12 to April 15, 2008)."¹² However, upon reviewing the itinerary for the trip, there is no reference for a breakfast on that date.¹³ OCE also identified as "hosted" a dinner held on April 13, 2010, during the same trip.¹⁴ The itinerary for the trip does identify a dinner on April 13, 2010, hosted by Mr. Troels Christensen, the Head of the Danish Delegation, at the Restaurant Bastionen+Løven.¹⁵

While it is possible to assume that the language would support a conclusion that the dinner was "hosted," and therefore that per diem would not be authorized for that meal, this assumption is not supported by any evidence that the meal was actually paid for by anyone other than the Members who attended. There is also no evidence that Representative Hastings attended or ate at the dinner. Committee counsel contacted Fred Turner, Chief of Staff to the Commission on Security and Cooperation in Europe (Helsinki Commission), who accompanied Representative Hastings on this, and many other foreign trips. Mr. Turner specifically recalled going to the dinner with Representative Hastings, but told Committee counsel that neither he nor Representative Hastings stayed at the dinner or ate there. Representative Hastings had other business to attend to and made an appearance at the dinner. Mr. Turner stated that Representative Hastings frequently did not attend the scheduled meals because of other responsibilities and would usually dine elsewhere using his per diem.

Other meals identified by OCE as "hosted" are identified in the attachments for each Member along with the information from the itinerary for that particular event and any information provided by the staff who accompanied Representative Hastings.¹⁶ Many of the meals identified as "hosted" in the OCE table do not show a corresponding reference in the itineraries for the specific trip that supports a conclusion the particular meal was paid for by a person other than the Member involved.¹⁷ OCE noted in each of the six referred matters that their conclusion that meals were hosted is based on their

¹⁰ See Appendix A at page 11, ¶¶ 41-44. See also, Appendix B at 10-11, ¶¶ 40-43; Appendix C at 9-10, ¶¶ 39-42; Appendix D at 11, ¶¶ 45-48; Appendix E at 10-11, ¶¶ 38-41; and, Appendix F at 10, ¶¶ 41-44.

¹¹ OCE response to Committee staff questions on Dec. 1, 2010.

¹² See Appendix D.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ See Appendix D, attachments 1 through 6.

¹⁷ See Appendices A-F.

review of the itineraries.¹⁸ For example, in paragraph 64 of the OCE referral related to Representative Hastings, the referral states, “According to the CODEL itinerary, at least two meals appear to have been provided at no cost to the Representative who attended the CODEL.”¹⁹ The table appearing below this statement identifies four different meals as being hosted, two lunches and two dinners.²⁰ However, the itinerary for the trip, CODEL Hastings to Denmark, Russia, Finland and Austria, May 23 to May 31, 2008, describes the first lunch as a “working lunch” and the second lunch as “Lunch with Sauli Niinisto.”²¹ Neither of the two entries on the itinerary indicated the lunches were hosted or paid for by anyone other than Representative Hastings. There is also no evidence that Representative Hastings attended the working lunch.

The itinerary descriptions related to the two dinners described the first dinner as an “Informal dinner with Spencer, Joao Soares, and David,” and the second as an “Informal dinner at the Palais Couburg Bistro... (David, Winsome, Mischa and Alex).”²² Neither of the dinner references indicated the meals were hosted. The second dinner entry was a dinner with members of Representative Hastings’ staff on the Helsinki Commission.²³

While there do appear to be some meals that were offered to Representative Hastings during his numerous trips, such as breakfast being included in the room rate for some hotels,²⁴ there is insufficient evidence to determine that Representative Hastings took advantage of these meals. Mr. Turner told Standards Committee counsel that Representative Hastings rarely ate at the scheduled events, but more often made an appearance before leaving for other business and would have normally eaten later on his own or with staff.

Other meals that were identified as “hosted” by OCE appear in the respective itineraries to be receptions, not meals.²⁵ Mr. Turner and other members of Representative Hastings’ Helsinki Commission staff who accompanied him on several trips, as well as an Air Force official who served as the escort officer for several trips, indicated that receptions were typically limited to drinks and finger foods. Representative Hastings would generally make an appearance at the scheduled receptions and then leave to have dinner elsewhere.²⁶ They stated that it was also not unusual for Representative Hastings to have commitments other than those listed on the itineraries or to not eat at the scheduled events.²⁷

¹⁸ *Id.*

¹⁹ *See* Appendix D at 14.

²⁰ *See* Appendix D.

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

The referrals from OCE regarding Representatives Aderholt, Engel, Ortiz, Butterfield, and Wilson are very similar to the referral regarding Representative Hastings. They reach similar conclusions, also relying on comparable assumptions and estimates by OCE.²⁸

In the referral regarding Representative Aderholt, OCE concluded that Representative Aderholt received excess per diem from four trips between June 2008 and February 2010.²⁹ As with the OCE referral regarding Representative Hastings, discussed above, OCE concluded, based only upon a review of the itineraries for each of the trips, that Representative Aderholt received 43 meals that were “hosted.” OCE determined that if an itinerary indicated a meal, unless the itinerary specifically stated that the meal was “at leisure” or otherwise indicated that the Member was responsible for paying, the meal was “hosted.” A review of the itineraries only supports a conclusion that, at most, 11 meals were “hosted” based on language in the itineraries indicating the meals were hosted by someone other than the Member. Additionally, there are no indications that Representative Aderholt attended any of the “hosted” meals.

In the referral regarding Representative Engel, OCE concluded that Representative Engel received excess per diem from seven trips taken between June 2008 and February 2010.³⁰ OCE concluded, based on the itineraries and some additional records regarding expenses, that Representative Engel received 18 “hosted” meals during his seven trips.³¹ A review of the itineraries and other documentation by Committee counsel did not find sufficient evidence to support OCE’s conclusion. From the records provided by OCE, it appears that Representative Engel may have received six meals that were “hosted” during all of his trips.³² This conclusion is also based on a review of the itineraries. There is no evidence that Representative Engel actually ate at or attended the meals that were identified as “hosted” on the itineraries. Representative Engel stated in his adopted response to the Committee that he typically received inadequate per diem to cover the actual expenses of the trips.³³

In the referral regarding Representative Butterfield, OCE concluded that Representative Butterfield received excess per diem from four trips he participated in between June 2008 and August 2009.³⁴ OCE concluded, based on the itineraries and some additional records regarding expenses, that Representative Butterfield received 40 “hosted” meals during his seven trips.³⁵ A review of the itineraries and other documentation by Committee counsel did not find sufficient evidence to support OCE’s conclusion. From the information provided by OCE, it appears that Representative Butterfield may have received twelve meals that were “hosted” during all of his trips. This conclusion is also based on a review of the itineraries. There is no evidence that

²⁸ *Id.*

²⁹ *See* Appendix A.

³⁰ *See* Appendix C.

³¹ *Id.*

³² *Id.*

³³ *See* Appendix H.

³⁴ *See* Appendix B.

³⁵ *Id.*

Representative Butterfield actually ate at or attended the meals that were identified as “hosted” on the itineraries.

In the referral regarding Representative Ortiz, OCE concluded that Representative Ortiz received excess per diem from three trips he participated in between January 2009 and July 2009.³⁶ OCE concluded, based on the itineraries and some additional records regarding expenses, that Representative Ortiz received 21 “hosted” meals during his three trips.³⁷ A review of the itineraries and other documentation by Committee counsel did not find sufficient evidence to support OCE’s conclusion. From the information provided by OCE, it appears that Representative Ortiz may have received six meals that were “hosted” during all of his trips.³⁸ This conclusion is also based on a review of the itineraries. There is no evidence that Representative Ortiz actually ate at or attended the meals that were identified as “hosted” on the itineraries.

In the referral regarding Representative Wilson, OCE concluded that Representative Wilson received excess per diem from three trips he participated in between February 2009 and August 2009.³⁹ OCE concluded, based on the itineraries and some additional records regarding expenses, that Representative Wilson received sixteen “hosted” meals during his three trips.⁴⁰ A review of the itineraries and other documentation by Committee counsel did not find sufficient evidence to support OCE’s conclusion. From the information provided by OCE, it appears that Representative Wilson may have received six meals that were “hosted” during all of his trips.⁴¹ This conclusion is also based on a review of the itineraries. There is no evidence that Representative Wilson actually ate at or attended the meals that were identified as “hosted” on the itineraries.

Additionally, Representative Wilson indicted during his interview with the *Wall Street Journal* that he may have used per diem to purchase tokens of appreciation for the air crew or staff that supported him on the trips.⁴² However, in his response to the Committee, his counsel indicated that he would receive per diem in local currencies and still have personal currency in U.S. funds.⁴³ While he may have used foreign currency to pay for the tokens, he would use his personal funds to pay for the meals or other authorized expenses. Representative Wilson’s response also indicated that OCE never asked him how many of the meals OCE concluded were “hosted” he actually attended or may have contributed to.⁴⁴

³⁶ See Appendix E.

³⁷ *Id.*

³⁸ *Id.*

³⁹ See Appendix F.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Brody Mullins & T.W. Farnam, *Lawmakers Keep the Change*, *Wall St. J.*, Mar. 2, 2010, available at <http://online.wsj.com/article/SB10001424052748703429304575095592193574752.html>.

⁴³ See Appendix K.

⁴⁴ *Id.*

Committee staff sought and received additional information from Air Force officials regarding these and similar trips.⁴⁵ Lt. Col. Timothy Thurston, a Legislative Liaison Officer, explained that Members and staff receive per diem once they arrive in country, and there is no per diem provided for the trips from and returning to the United States, so meals are covered by the Air Force.⁴⁶ Once they arrive in country, Members and staff are responsible for reimbursing the Air Force for any meals provided on flights in country.⁴⁷ Lt. Col. Thurston also explained that when the Members and staff on a particular trip attended a dinner function at a restaurant, the Air Force escort would pay the bill and bill each of the attendees later.⁴⁸ Because these meals were reimbursed out of the Members' per diem, no records are required to be kept of the meal or payment.⁴⁹ Lt. Col. Thurston further explained that the escort officers create the itineraries and that the fact an itinerary listed a meal was only for scheduling purposes and did not indicate the meal was being paid for by anyone other than the attendee.⁵⁰

Lt. Col. Thurston further explained that the only meals not paid for by the attendees were those hosted by the Ambassador or local government officials. However, he explained that events identified as receptions were not meals, but are typically limited to drinks and hors d'oeuvres. He explained it was not uncommon for attendees to attend a reception and then eat a meal later. Lt. Col. Thurston added that he has travelled as an escort officer during such trips and rarely had enough per diem to cover his own expenses.

Additionally, OCE acknowledges in each of the referrals that it could not determine the exact amount of per diem that a Member would have received that would have been excess.⁵¹ OCE relied only on estimates based on its review of the trip itineraries and presumed that per diem would not have been allowed for those meals that were not clearly indicated to be the responsibility of the Member.⁵² In those instances, OCE considered the rate of per diem for those particular meals to have been excess. For example, OCE stated in its findings regarding Representative Hastings, "Based on the information before the OCE, the exact amount of [Representative Hastings'] meal and incidental expenses for each CODEL is unknown. 46. Consequently, the OCE must use an estimate of expenses to determine whether it appears that Representative Hastings retained excess per diem that was more than a *de minimis* amount."⁵³

Based on OCE's own acknowledgements in each of the six referrals, the Committee concludes that there is insufficient evidence to determine with any degree of certainty that any one of the Members were provided an amount of per diem that was not necessary for their respective trips. While OCE also relies on statements to the press and

⁴⁵ Committee counsel informal telephonic interview of Lt. Col. Timothy Thurston, USAF (Nov. 29, 2010).

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ See Appendices A-F.

⁵² OCE response to Committee staff questions on Dec. 1, 2010.

⁵³ See Appendix D.

to OCE by the Members that they have purchased meals or gifts for foreign officials, staff or aircrew members who supported the trip, a use of per diem that the Committee would agree would not be appropriate, there is no evidence that per diem was actually used for such expenses, or that the amount of per diem if used was not *de minimis*.

The U.S. Department of State provided OCE with a copy of the *Official Foreign Travel Guide for the U.S. Congress*, a publication made available to Members and congressional staff. The guide provides information about per diem which is consistent with executive branch travel rules. In the questions and answers section of the guide, the first question and answer appear as indicated below:

Q. What do I do if I received more travel funds than I need?

A. It depends. If you travelled on a per diem allowance (the set rates) you may keep any “excess” funds, although your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel, Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.⁵⁴

On May 13, 2010, Speaker Nancy Pelosi sent a memo (May 13 memo) to Representative Ike Skelton, Chairman of the House Committee on Armed Services, regarding travel.⁵⁵ The memo discusses the rules regarding the authorization by chairs of committees for travel. The memo discusses several rules including the making of airline reservations, approval of the travel, travel by accompanying spouses, and per diem.⁵⁶ The memo states, “Any per diem provided to members or staff is intended to be extended only for official purposes related to the trip. Excess funds are to be returned to the Treasury.”⁵⁷ The memo further states, “Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem.”⁵⁸ OCE relies on this memo in each of its referrals by stating, “By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem

⁵⁴ U.S. Department of State, Bureau of Legislative Affairs, *Official Foreign Travel Guide for the U. S. Congress*, at 29.

⁵⁵ See Appendix A, Exhibit 1.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

provided to members or staff is intended to be extended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”⁵⁹

The May 13 memo, which was issued well after the trips at issue in the six OCE referrals, was distributed in recognition of confusion about the nature of the per diem requirements, and was intended to clarify those requirements. However, even the May 13 memo is not clear as to what constitutes “excess” per diem. It states that the per diem is only to be used for “official purposes related to the trip.” It does not say only for meals and incidental expenses for the traveler. The memo appears to support the conclusion reached by Members that they were authorized to pay for the meals of foreign leaders because those meals would be officially connected to the trip.

In light of the foregoing, the Committee staff recommend that the Committee close its investigation in the above-captioned matters and dismiss or take no further action regarding each of the six matters OCE referred to the Standards Committee.

⁵⁹ *Id.*

APPENDIX A

Board
David Skaggs, Chair Porter Goss, Co-Chair
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Karan English William Frenzel
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COMMITTEE ON STANDARDS

Congress of the United States
House of Representatives

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July 30, 2010

Honorable Zoe Lofgren, Chair
Honorable Ben Chandler
Honorable G. K. Butterfield
Honorable Kathy Castor
Honorable Peter Welch
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Honorable Jo Bonner, Ranking Member
Honorable Mike Conaway
Honorable Charlie Dent
Honorable Gregg Harper
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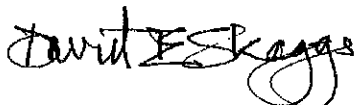
Re: Review No. 10-5477 (Representative Robert Aderholt)
REFERRAL

Dear Chair Lofgren, Ranking Member Bonner and Members of the Committee on Standards of Official Conduct:

We write to notify you of the transmittal of a report recommending further review and findings (collectively "the referral") in Review No. 10-5477, concerning Representative Robert Aderholt. We have also included supporting documentation. The entire referral and supporting documentation have been delivered to the Offices of the Committee on Standards of Official Conduct where it is available for your review.

If you would like to receive a copy of the Board's referral and supporting documents or have any questions regarding it, our staff is available at your convenience.

Sincerely yours,



David E. Skaggs



Porter J. Goss

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 10-5477

The Board of the Office of Congressional Ethics (the “Board”), by a vote of no less than four members, on July 23, 2010, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Robert B. Aderholt

NATURE OF THE ALLEGED VIOLATION: In 2009, Representative Robert B. Aderholt participated in a Congressional Delegation to Bosnia-Herzegovina, Belarus, Lithuania, and Greece. During the trip, he received a travel per diem for meals and incidental expenses with an approximate value of \$941.00. A public statement attributed to Representative Aderholt indicated that he may have retained excess per diem allocated for meals and incidental expenses. In addition, these public statements indicate that he may have retained per diem during other trips.

If Representative Aderholt’s actual meal and incidental expenses for foreign travel were less than the per diem received and he did not return the excess per diem, he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.

RECOMMENDATION: The Board recommends that the Committee on Standards of Official Conduct further Review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-5477

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-5477

On July 23, 2010, the Board of the Office of Congressional Ethics (the “Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.¹ By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”²
2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics (“OCE”) that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.³

¹ Rules of the House of Representatives, 111th Cong. Rule X, Clause 8, adopted under H. Res. 5, 111th Cong. (January 6, 2009).

² Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10-5477_002).

³ Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager (“CSCE Office Manager MOI”) (Exhibit 2 at 10-5477_006); Memorandum of Interview of House Committee on Foreign Affairs Travel Coordinator (Exhibit 3 at 10-5477_009); and Memorandum of Interview of House Armed Services Committee Travel Coordinator (Exhibit 4 at 10-5477_014).

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3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.
4. Representative Aderholt acknowledged publically before the commencement of the OCE's Review that he did not return per diem. During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals, indicating that he had excess per diem.⁴

A. Summary of Allegations

5. Based on the information presented before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative Robert B. Aderholt may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2, by retaining excess per diem when his actual meal and incidental expenses were less than the per diem that he received during various Congressional Delegation trips ("CODELS").

B. Jurisdictional Statement

6. The allegations that were the subject of this Review concern Representative Aderholt, a Member of the United State House of Representatives from the 4th District of Alabama. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. Therefore, the conduct under Review occurred after March 11, 2008.

C. Procedural History

7. The OCE received a written request for a preliminary Review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010. The preliminary Review was scheduled to end on May 13, 2010.

⁴ Memorandum of Interview of Representative Robert Aderholt, June 23, 2010 ("Aderholt MOI") (Exhibit 5 at 10-5477_018); Brody Mullins & T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.* March 2, 2010 (Exhibit 6 at 10-5477_023).

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8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.⁵ The second-phase Review was scheduled to end on June 28, 2010.
9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.⁶
10. Representative Aderholt submitted a written statement to the Board, under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 21, 2010.⁷
11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.
12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 30, 2010.

D. Summary of Investigative Activity

13. The OCE requested documentary and testimonial information from the following sources:
 - (1) Representative Aderholt;
 - (2) Commission on Security and Cooperation in Europe ("CSCE");
 - (3) CSCE Office Manager;
 - (4) House Committee on Foreign Affairs;
 - (5) House Committee on Foreign Affairs Travel Coordinator;
 - (6) House Committee on Armed Services;
 - (7) House Committee on Armed Services Travel Coordinator;
 - (8) Bureau of Legislative Affairs of the United States Department of State; and
 - (9) United States Air Force Congressional Liaison Office.

⁵ According to the Resolution, the Board must vote on whether to conduct a second-phase Review in a matter before the expiration of the 30-day preliminary Review. If the Board votes for a second-phase, the second-phase begins when the preliminary Review ends. The second-phase Review does not begin on the date of the Board vote.

⁶ *Id.* at § 1(c)(2)(A)(ii) (2008).

⁷ Letter from Representative Robert B. Aderholt to Leo Wise, dated July 21, 2010 (Exhibit 7 at 10-5477_025-026).

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II. THERE IS SUBSTANTIAL REASON TO BELIEVE THAT REPRESENTATIVE ADERHOLT RECEIVED PER DIEM IN EXCESS OF HIS ACTUAL MEAL AND INCIDENTAL EXPENSES DURING CERTAIN CODELS AND RETAINED THE EXCESS PER DIEM

14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.
15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.
16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of “any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”⁸

A. Applicable Law, Rules, and Standards of Conduct

1. House Rules

17. Pursuant to House Rule 10, clause 8(b):

“The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of---

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.”

18. Pursuant to House Rule 23, clause 2:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.”

19. Pursuant to House Rule 23, clause 1:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House.”

⁸ H. Res. 895, 110th Cong., Section 1(c)(1)(A) (2008) (as amended).

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2. Federal Travel Regulation and Other Guidance

20. *House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95-384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300-304.*
21. *The “per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses.”⁹*
22. *Lodging expenses include “expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate.”¹⁰*
23. *Meal expenses are “expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).”¹¹*
24. *Incidental expenses are “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”¹²*
25. *“Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates.”¹³*
26. *Under the Federal Travel Regulation, the allocation of meals and incidental expenses (“M&IE”) rates that are used in making deductions from the M&IE are as follows: 15%*

⁹ 41 C.F.R. § 300-3.1 (emphasis added).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 8 at 10-5477_046).

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for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was \$100 per day, it was allocated as \$15 is for breakfast, \$25 for lunch, \$40 for dinner, and \$20 for incidental expenses.¹⁴

27. According to *The United States Department of State Bureau of Legislative Affairs Official Foreign Travel Guide published for the U.S. Congress, Members are advised the following:*

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

28. *The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained.¹⁵*

B. Representative Aderholt Made Public Statements Indicating That He May Have Retained Excess Per Diem

29. On March 2, 2010, the *Wall Street Journal* published an article entitled "Lawmakers Keep the Change."¹⁶

30. Statements attributed to Representative Aderholt in the article indicated that he may have retained excess per diem that he received during CODELs.

31. According to the article: "One lawmaker on the trip, Rep. Robert Aderholt (R. Ala.) said he didn't return cash. 'I don't keep up with it penny for penny,' he said."¹⁷

32. As described below, in his interview with the OCE, Representative Aderholt reiterated that he did not return per diem nor did he monitor precisely how it was spent.¹⁸

¹⁴ 41 C.F.R. § 301, Appendix B.

¹⁵ House Rule 10, clause 8.

¹⁶ Brody Mullins & T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.*, March 2, 2010 (Exhibit 6 at 10-5477_023).

¹⁷ *Id.*

¹⁸ Aderholt MOI (Exhibit 5 at 10-5477_018-019).

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C. Representative Aderholt's Use of Per Diem for Expenses Other Than Meals and Incidentals Provides Substantial Reason to Believe That He Had Excess Per Diem and He Did Not Return Excess Per Diem

33. Representative Aderholt told the OCE that he:
- a. does not recall receiving any instructions about restrictions on the use of per diem during CODELs;¹⁹
 - b. believed that per diem could be used for any expenses incurred during the CODELs;²⁰ and
 - c. perceived the consequence of such expenditures was that he had less per diem to spend on his lodging, meals, and incidental expenses.²¹
34. Representative Aderholt used the per diem for expenses other than lodging, meals, and incidentals.
35. Specifically, he used the per diem for gifts for family members, such as leather goods, t-shirts, dolls, and post cards.²²
36. In addition, Representative Aderholt's wife attended certain CODELs and he appears to have allocated per diem to pay for meal and other expenses incurred on her behalf. In particular, he received several bills from military escorts for meal and other expenses incurred on his behalf and on behalf of his wife, which he paid using the per diem from the trip after returning from the relevant CODEL.²³
37. Spouses of Representatives may travel on CODELs, but must travel at no expense to the government.²⁴
38. Representative Aderholt's use of the per diem for purposes other than his personal meals and incidental expenses suggests that his actual meal and incidental expenses were less than the per diem that he received.
39. As a result, there is substantial reason to believe that Representative Aderholt had excess per diem for certain CODELs.

¹⁹ *Id.* at 10-5477_018.

²⁰ *Id.* at 10-5477_017.

²¹ *Id.* at 10-5477_018.

²² *Id.*

²³ *Id.* at 10-5477_019.

²⁴ Letter from the Speaker of the House to the Secretary of State dated March 5, 2008 (Exhibit 9 at 10-5477_049).

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D. Estimates of Representative Aderholt's Meal and Incidental Expenses Provide Substantial Reason to Believe That His Excess Per Diem Was More than a *De Minimis* Amount for Certain CODELs

40. Representative Aderholt told the OCE that he did not keep a complete record of expenses that he incurred on CODELs that he attended during the time period from March 2008 to May 2010.²⁵
41. Based on the information before the OCE, the exact amount of his meal and incidental expenses for each CODEL is unknown.
42. Consequently, the OCE must use an estimate of expenses to determine whether it appears that Representative Aderholt retained excess per diem that was more than a *de minimis* amount.
43. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.
44. If an estimate is not used, a House Member or staff could impede the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.
45. Representative Aderholt's description of his typical meal and incidental expenses provides the basis for estimating his expenses.
46. Representative Aderholt's meals during CODELs fall into the following three categories:
 - a. meals that were provided to him at no charge. These meals include working lunches, and official dinners that were hosted as part of the official events of the CODELs;²⁶
 - b. meals that were paid for by military personnel escorting the CODEL whom Representative Aderholt later reimbursed. Multiple Members of Congress and staff attended these meals and a military escort (*e.g.*, U.S. Air Force official) paid for the dinner on behalf of all participants and then sent an invoice to each person for their portion of the bill. The invoice also includes in-flight meals provided during travel on military aircraft, which are typically less than \$10 each; and
 - c. meals that Representative Aderholt directly paid for himself. He explained that such meals occurred but were unusual.²⁷

²⁵ Aderholt MOI (Exhibit 5 at 10-5477_018).

²⁶ *Id.*

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47. As a result, the invoice received from the military escorts for each CODEL provided an estimate of the majority of meal expenses incurred by Representative Aderholt.
48. With respect to incidental expenses, Representative Aderholt told the OCE that he used per diem for taxis, however, most ground transportation was provided at no cost to him. He also used the per diem for tips and dry cleaning.²⁸

E. Representative Aderholt Did Not Return Any Excess Per Diem for Meals and Incidental Expenses

49. Representative Aderholt is not aware of any instance of him returning excess per diem to the U.S. Treasury prior to this Review.²⁹
50. He does not recall receiving any guidance from anyone concerning the return of excess per diem.³⁰
51. Procedures were in place at the time of Representative Aderholt's travel for him to return any excess per diem.
52. The relevant CODELs that Representative Aderholt attended were all organized by the Commission on Security and Cooperation in Europe ("CSCE"), except for CODEL Inhofe.
53. The Office Manager of the CSCE is responsible for reporting the amount per diem that Members received and recording any excess per diem that Members of Congress or staff returned. He told the OCE that he had received excess per diem from Representatives and staff for various CODELs, which was returned to him by checks made payable to the U.S. Treasury.³¹
54. The Office Manager forwards the checks to a specific person at the U.S. Department of State who is responsible for receiving returns of excess per diem.
55. There is substantial reason to believe that Representative Aderholt had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.

²⁷ *Id.*

²⁸ *Id.*

²⁹ Letter from Representative Aderholt to Leo Wise, dated July 21, 2010 (Exhibit 7 at 10-5477_026). During this Review, Representative Aderholt provided the OCE with a bill for meal expenses that he received from a military escort following CODEL Inhofe in December 2008. The bill indicates that he has a balance of \$120.82 of per diem remaining after his meal expenses and that this amount is owed to the U.S. Treasury. Representative Aderholt could not find a record of him returning this amount to the U.S. Treasury, but he submitted a check in this amount to the U.S. Treasury on July 20, 2010.

³⁰ Aderholt MOI (Exhibit 5 at 10-5477_018).

³¹ CSCE Office Manager MOI (Exhibit 2 at 10-5477_005).

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56. Although, the available evidence does not establish the exact amount of actual expenses for Representative Aderholt’s CODELs, after estimating meal and incidental expenses, there is substantial reason to believe that Representative Aderholt retained excess per diem from the following CODELs:

SUMMARY OF ESTIMATED EXCESS PER DIEM				
CODEL	DATE	M&IE Per Diem³²	Estimated Expenses³³	Estimated Excess Per Diem
CODEL Hastings to the United Kingdom, Kazakhstan, Pakistan, and Italy	Jun 27 to Jul 3, 2008	\$1,108.00	≅ \$629.00	≅ \$459.00
CODEL Inhofe to Africa, Afghanistan, and the United Kingdom	Dec 2 to Dec 7, 2008	\$435.00	≅ \$329.00	≅ \$106.00
CODEL Cardin to Bosnia, Lithuania, and Belarus	Jun 26 to Jul 3, 2009	\$941.00	≅ \$428.00	≅ \$513.00
CODEL Cardin to Morocco, Spain, and Austria	Feb 12 to Feb 20, 2010	\$1,280.00	≅ \$775.00	≅ \$505.00
Total		\$3,764.00	≅ \$2,161.00	≅ \$1,583.00

1. CODEL Hastings

57. During CODEL Hastings to the United Kingdom, Kazakhstan, Pakistan, and Italy, Representative Aderholt received enhanced per diem for meals and incidental expenses in the amount of \$1,108.00.³⁴

58. According to the CODEL itinerary, at least five meals appear to have been provided at no cost to Representatives who attended the CODEL.³⁵

³² M&IE Per Diem calculated using travel itineraries; the monthly per diem rates established by the Office of Allowances, United States Department of State; and where applicable, travel vouchers and travel authorization letters.

³³ Estimated expenses were calculated using the “Allocation of M&IE Rates to be Used in Making Deductions from the M&IE Allowance,” which lists the amount of per diem expected to be allocated for breakfast, lunch, dinner, and incidentals. 41 C.F.R. ch. 301 App. B.

³⁴ See Letter from the Speaker of the House to the Secretary of State dated March 5, 2008 (Exhibit 9 at 10-5477_049); Itinerary for CODEL Hastings (June 28 to July 3, 2008) (Exhibit 10 at 10-5477_051-059); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp> .

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59. Representative Aderholt's meal and incidental expenses that were incurred are estimated on the Federal Travel Regulation allocation formula.³⁶

60. The estimated amount of meals and incidental expenses is \$649.00.

61. Accordingly, the estimated excess per diem is \$459.00.

CODEL HASTINGS TO THE UNITED KINGDOM, KAZAKHSTAN, PAKISTAN, AND ITALY							
(JUNE 27 TO JULY 3, 2008)							
Meals & Incidentals	Jun 27	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast	≅ \$35	≅ \$24	Hosted	Hosted	Hosted	≅ \$19	\$0.00
Lunch	≅ \$58	≅ \$39	≅ \$39	Hosted	Hosted	≅ \$32	
Dinner	≅ \$92	≅ \$63	Hosted	Hosted	Hosted	≅ \$52	
Incidentals	≅ \$46	≅ \$31	≅ \$31	≅ \$31	≅ \$31	≅ \$26	\$0.00
M&IE Received							\$1,108.00
Estimated for Additional M&IE							≅ \$649.00
Estimated Excess Per Diem							≅ \$459.00

62. There is substantial reason to believe that Representative Aderholt had excess per diem that he did not return to the U.S. Treasury.

2. CODEL Inhofe

63. During CODEL Inhofe to Africa, Afghanistan, and the United Kingdom, Representative Aderholt received an enhanced per diem for meals and incidental expenses in the amount of \$435.00.³⁷

64. According to an expense sheet that the military escort (U.S. Air Force) provided, three meals were provided at no cost to Representative Aderholt.³⁸

³⁵ Itinerary for CODEL Hastings (June 28 to July 3, 2008) (Exhibit 10 at 10-5477_051-059).

³⁶ See 41 C.F.R. ch. 301, App. B.

³⁷ Itinerary for CODEL Inhofe (December 2 to December 7, 2008) (Exhibit 11 at 10-5477_061-064); and Expense Sheet to Representative Aderholt for CODEL Inhofe (Exhibit 12 at 10-5477_066).

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65. The military escort, sent the expense sheet to Representative Aderholt for the remaining meals. The total meal expense is \$314.18.

Expense Sheet	
<u>Per Diem</u>	
Nigeria	- \$132
Ethiopia (includes UK)	- \$303
Total Per Diem	- \$435
<u>Itinerary</u>	
<u>2 Dec - Enroute</u>	
- Lunch (aircraft)	: \$7.85
<u>3 Dec - Nigeria</u>	
- Breakfast (aircraft)	: \$7.85
- Lunch (hotel-Nigeria)	: \$24.84
- Dinner (hotel-Nigeria)	: \$ No charge
<u>4 Dec - Nigeria / Rwanda / Ethiopia</u>	
- Breakfast (aircraft)	: \$7.85
- Lunch (aircraft)	: \$7.85
- Dinner (hotel-Ethiopia)	: \$85.50
<u>5 Dec - Ethiopia / Uganda / Qatar</u>	
- Breakfast (hotel-Ethiopia)	: \$23.50
- Lunch (aircraft)	: \$7.85
- Snack (Uganda)	: \$50.00
- Dinner (aircraft)	: \$7.85
<u>6 Dec - Qatar / Afghanistan / Kuwait / UK</u>	
- Breakfast (Al Udeid)	: \$ No charge
- Lunch (aircraft)	: \$ No charge
- Dinner (aircraft)	: \$7.85
<u>7 Dec - UK / DC</u>	
- Lodging (Mildenhall)	: \$48.25
- Breakfast (Mildenhall)	: \$11.44
- Lunch (aircraft)	: \$7.85
- Dinner (aircraft)	: \$7.85
<u>Expenses</u>	
Nigeria	: \$56.24
Ethiopia	: \$174.70
United Kingdom	: \$83.24
Total	: \$314.18
Owe to AF: \$205.18 - \$18.00 (owed back by AF) = \$187.18	
Owe to US Treasury: \$120.82	

66. The amount of per diem for meals and incidental expenses remaining after the meal expenses is \$120.82.

67. The Air Force expense sheet indicates that the excess per diem of \$120.82 is owed to the U.S. Treasury. Representative Aderholt is uncertain if he paid the excess per diem to the U.S. Treasury, but he searched and did not produce any record for a U.S. Treasury

³⁸ Expense Sheet to Representative Aderholt for CODEL Inhofe (Exhibit 12 at 10-5477_066).

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payment. As a result of this Review, Representative Aderholt submitted a check in the amount of \$120.82 to the U.S. Treasury on July 20, 2010.³⁹

68. Representative Aderholt may have incurred incidental expenses in addition to those in the Air Force expenses sheet. These expenses can be estimated based on the Federal Travel Regulation allocation formula.⁴⁰

69. The estimated amount of additional incidental expenses is \$63.00

70. Accordingly, the estimated excess per diem is \$106.00. The OCE Board acknowledges that this estimated amount of excess per diem is lower than the \$120.82 that the military escort indicated is excess per diem, as the OCE's estimate accounts for incidental expenses that the military escort did not include.

CODEL INHOFE TO AFRICA, AFGHANISTAN, AND THE UNITED KINGDOM							
(DECEMBER 1 TO DECEMBER 7, 2008)							
Meals & Incidentals	Dec 1	Dec 2	Dec 3	Dec 4	Dec 5	Dec 6	Dec 7
Breakfast		\$7.85 In flight	Billed	Billed	Billed	Hosted	Billed
Lunch		Billed	Billed	Billed	Billed	Hosted	Billed
Dinner	\$7.85 In flight	Hosted	Hosted	Billed	Billed	Billed	Billed
Incidentals	\$0.00	≅ \$26	\$0.00	≅ \$16	\$0.00	≅ \$23	\$0.00
M&IE Received							\$435.00
Billed Meals ⁴¹							\$265.93
Estimated for Additional M&IE							≅ \$63.00
Estimated Excess Per Diem							≅ \$106.00

³⁹ Letter from Representative Aderholt to Leo Wise, dated July 21, 2010 (Exhibit 7 at 10-5477_025-026).

⁴⁰ See 41 C.F.R. ch. 301, App. B.

⁴¹ Estimate does not include costs for trip supplies, hospitality rooms, tips, refreshments, and transaction fees that may have been covered by the military at no cost to the Member.

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71. There is substantial reason to believe that Representative Aderholt had excess per diem for CODEL Inhofe that he did not return to the U.S. Treasury.

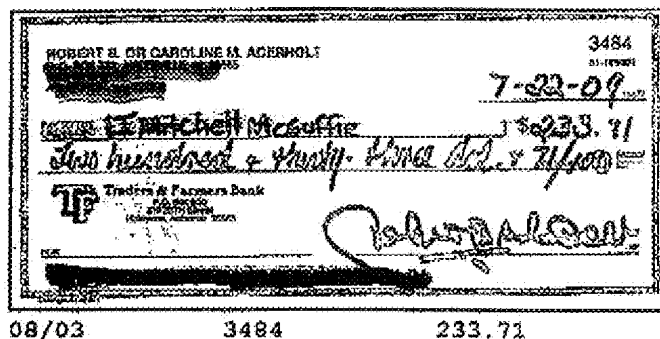
3. CODEL Cardin (2009)

72. During CODEL Cardin to Bosnia, Lithuania, and Belarus, Representative Aderholt received an enhanced per diem for meals and incidental expenses in the amount of \$941.00.⁴²

73. Representative Aderholt's wife attended the CODEL. Per diem is only for a Representative's personal lodging, meals, and incidental expenses and cannot be used for expenses incurred on behalf of a Representative's spouse.

74. According to the itinerary for CODEL Cardin, at least fourteen meals appear to have been provided at no cost to Representatives who attended the eight-day trip.⁴³

75. Following the CODEL, Representative Aderholt owed the military escort \$233.71 for meals and other expenses that were incurred on behalf of Representative Aderholt and his wife.⁴⁴ A check in that amount from his personal bank account was sent to the escort, Lt. Mitchell McGuffie, dated July 22, 2009.



76. Representative Aderholt does not know the amount of expenses included within the \$233.71 that were incurred on behalf of his wife. Based on expenses for his wife for CODEL Cardin (2010) below, a reasonable estimate is that half of these expenses were for her, *i.e.*, \$116.86.

77. Representative Aderholt may have incurred meal and incidental expenses in addition to those owed to the military escort. These expenses are estimated on the Federal Travel

⁴² See Letter from the Speaker of the House to the Secretary of State dated June 19, 2009 (Exhibit 13 at 10-5477_068-069; Itinerary for CODEL Cardin (June 26 to July 3, 2009) (Exhibit 14 at 10-5477_071-079); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp> .

⁴³ Itinerary for CODEL Cardin (June 26 to July 3, 2009) (Exhibit 14 at 10-5477_071-079).

⁴⁴ Aderholt MOI (Exhibit 5 at 10-5477_019).

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Regulation allocation formula⁴⁵ and the schedule for meals on the travel itinerary that appear to have been provided at no cost to Representatives traveling on the CODEL.

78. The estimated amount of additional meal and incidental expenses is \$311.00.

79. Accordingly, the estimated excess per diem is \$513.00.

CODEL CARDIN TO BOSNIA, LITHUANIA, AND BELARUS								
(JUNE 26 TO JULY 3, 2009)								
Meals & Incidentals	Jun 26	Jun 27	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast		\$7.75 In flight	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted
Lunch		≅ \$35.00	Hosted	Hosted	Hosted	Hosted	Hosted	\$7.75 In flight
Dinner	\$7.75 In flight	≅ \$57.00	≅ \$64.00	Hosted	Hosted	Billed	Hosted	\$7.75 In flight
Incidentals	≅ \$0.00	≅ \$28.00	≅ \$32.00	≅ \$32.00	≅ \$32.00	≅ \$32.00	≅ \$32.00	\$0.00
M&IE Received								\$941.00
Billed Meals ⁴⁶								\$116.86
Estimated for Additional M&IE								≅ \$311.00
Estimated Excess Per Diem								≅ \$513.00

80. There is substantial reason to believe that Representative Aderholt had excess per diem for CODEL Cardin that he did not return to the U.S. Treasury.

4. CODEL Cardin (2010)

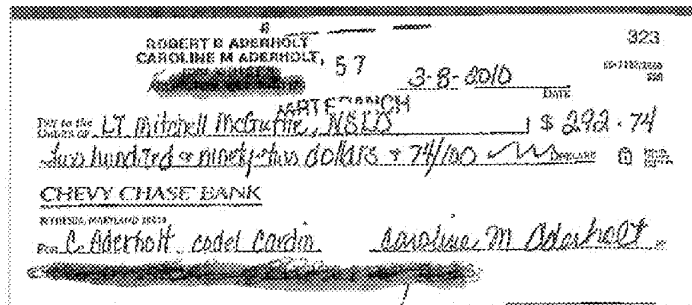
81. During CODEL Cardin to Morocco, Spain, and Austria, Representative Aderholt received per diem for meals and incidental expenses in the amount of \$1,280.00.⁴⁷

⁴⁵ See 41 C.F.R. ch. 301, App. B.

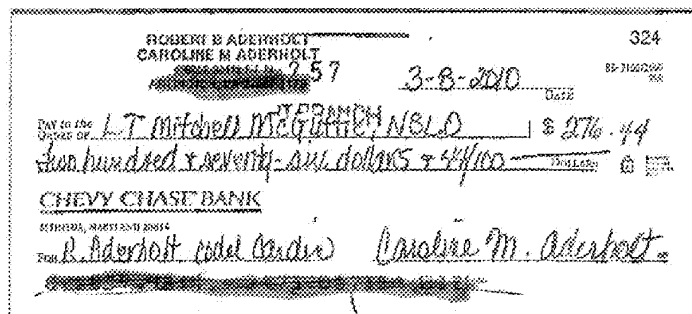
⁴⁶ Estimate does not include costs for trip supplies, hospitality rooms, tips, refreshments, and transaction fees that may have been covered by the military at no cost to the Member.

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82. Representative Aderholt's wife attended the CODEL. Per diem is only for a Representative's personal lodging, meals, and incidental expenses and cannot be used for expenses incurred on behalf of a Representative's spouse.
83. According to the itinerary for CODEL Cardin, at least thirteen meals appear to have been provided at no cost to Representatives who attended the nine-day trip.
84. Following the CODEL, Representative Aderholt owed the military escort \$569.18 for meal and other expenses that were incurred on behalf of Representative Aderholt and his wife. Two checks from his personal bank account were sent to the escort, Lt. Mitchell McGuffie, both dated March 8, 2010.
85. One check was in the amount of \$292.74, and the memo line reads "C. Aderholt Codel Cardin."⁴⁸



86. The second check was in the amount of \$276.44, and the memo line reads "R. Aderholt Codel Cardin."⁴⁹



87. Representative Aderholt told the OCE that he believes the separate checks may be for expenses incurred on behalf of his wife who attended the trip (Caroline Aderholt) and expenses incurred on his behalf.⁵⁰

⁴⁷ See Itinerary for CODEL Cardin (February 12 to February 20, 2010) (Exhibit 17 at 10-5477_083-091); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp> .

⁴⁸ Check from Robert B. Aderholt and Caroline M. Aderholt to Lt. Mitchell McGuffie in the amount of \$292.74, dated March 8, 2010 (Exhibit 17 at 10-5477_094).

⁴⁹ Check from Robert B. Aderholt and Caroline M. Aderholt to Lt. Mitchell McGuffie in the amount of \$276.44, dated March 8, 2010 (Exhibit 17 at 10-5477_093).

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88. Representative Aderholt may have incurred meal and incidental expenses in addition to those owed to the military escort. These expenses are estimated on the Federal Travel Regulation allocation formula⁵¹ and the schedule for meals on the travel itinerary that appear to have been provided at no cost to the Representative.

89. The estimated amount of additional meal and incidental expenses is \$499.00

90. Accordingly, the estimated excess per diem is \$505.00.

CODEL CARDIN TO MOROCCO, SPAIN AND AUSTRIA									
(FEBRUARY 12 TO FEBRUARY 20, 2010)									
Meals & Incidentals	Feb 12	Feb 13	Feb 14	Feb 15	Feb 16	Feb 17	Feb 18	Feb 19	Feb 20
Breakfast		≅ \$24	Hosted	Hosted	≅ \$24	≅ \$33	Hosted	Hosted	Hosted
Lunch		≅ \$40	≅ \$37	Hosted	Hosted	Hosted	Hosted	Hosted	
Dinner	Hosted	Hosted	Hosted	Hosted	Hosted	≅ \$87	Hosted	Hosted	
Incidentals	\$0.00	≅ \$32	≅ \$29	≅ \$32	≅ \$32	≅ \$43	≅ \$43	≅ \$43	\$0.00
M&IE Received									\$1,280.00
Billed Meals ⁵²									\$276.44
Estimated for Additional M&IE									≅ \$499.00
Estimated Excess Per Diem									≅ \$505.00

91. There is substantial reason to believe that Representative Aderholt had excess per diem for CODEL Cardin that he did not return to the U.S. Treasury.

III. CONCLUSION

92. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and

⁵⁰ Aderholt MOI (Exhibit 5 at 10-5477_019).

⁵¹ See 41 C.F.R. § 301, Appendix B.

⁵² Estimate does not include costs for trip supplies, hospitality rooms, tips, refreshments, and transaction fees that may have been covered by the military at no cost to the Member

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staff may receive reimbursement for expenses that is *the lesser of*: (1) the applicable per diem; or (2) actual expenses.

93. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S. Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.
94. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Aderholt's public statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.⁵³
95. Based on the information available to the OCE during this Review, Representative Aderholt's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELs: CODEL Inhofe; CODEL Wasserman Schultz; CODEL Cardin (2009); and CODEL Cardin (2010).
96. Based on the information available to the OCE during this Review, Representative Aderholt did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.
97. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Aderholt.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

98. The OCE requested information from the U.S. Department of State concerning letters of authorization for certain CODELs and records of Representative Aderholt returning excess per diem. The U.S. Department of State was cooperative with retrieving the information but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.
99. The OCE requested information from the U.S. Air Force Congressional Liaison Office concerning meal and other expenses incurred on behalf of Representative Aderholt and reimbursed by Representative Aderholt. The U.S. Air Force Congressional Liaison Office was cooperative with discussing the information with OCE staff but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

⁵³ House Ethics Manual (2008) at 12.

EXHIBIT 1

May 13, 2010

The Honorable Ike Skelton, Chairman
House Committee on Armed Services
2121 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman:

Following our recent conversation at the Chairmen's meeting, I would like to provide you with the following restatement of rules concerning the authorization by Chairmen of travel by Members and staff:

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;
- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;
- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;
- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;
- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;
- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.
- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.
- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;
- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;
- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;
- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and
- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

Please contact the Office of Interparliamentary Affairs at ext. 6-1766 with any questions or concerns. The staff is available to provide guidance regarding travel matters.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Commission on Security and Cooperation in Europe Office Manager
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 3, 2010
LOCATION: Office of Congressional Ethics
425 3rd Street, SW
Washington, DC 20515
TIME: 3:30 p.m. to 4:10 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Marlene M. Kaufman, General Counsel, Commission on Security and
Cooperation in Europe

SUMMARY: The Commission on Security and Cooperation in Europe (“CSCE”) Office Manager was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the CSCE Office Manager (the “witness”) and he consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.
3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELs. Information in these reports included the House Members who traveled, dates of travel, and countries visited.
4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.
5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

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6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.
7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELs”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.
8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.
9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.
10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.
11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.
12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

I certify that this memorandum contains all pertinent matter discussed with the witness on June 3, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Foreign Affairs Travel Coordinator
REVIEW No.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 2, 2010
LOCATION: 2170 Rayburn HOB
Washington, DC 20515
TIME: 2:00 p.m. to 2:45 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Daniel Silverberg, Senior Deputy Counsel, House Committee on Foreign
Affairs

SUMMARY: The Travel Coordinator for the House Committee on Foreign Affairs (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.
3. Prior to her employment with the Committee, she was an intern with the Committee.
4. As Travel Coordinator, she is a liaison between the United States Department of State (“State Department”) Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.
5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.
6. Prior to Speaker Nancy Pelosi’s restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

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7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.
8. The witness based her understanding of the use of per diem on information that the State Department published on its website.
9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.
10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.
11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.
12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.
13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.
14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.
15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.
16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10% of the time.

This memorandum was prepared on June 9, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 2, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 2, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Armed Services Travel Coordinator
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 8, 2010
LOCATION: 2117A Rayburn HOB
Washington, DC 20515
TIME: 11:00 a.m. to 11:40 (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Paul Lewis, General Counsel, House Committee on Armed Services

SUMMARY: The House Committee on Armed Services Travel Coordinator (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been a Professional Staff member with the Committee since February of 2005.
3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.
4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.
5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.
6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.
7. She keeps everything related to travel in individual files.

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8. She vets all trips, determining the purpose of the trip and who will be traveling.
9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.
10. Travel must be bi-partisan.
11. The authorization letters are signed by the Chair of the Committee.
12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.
13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.
14. Members must sign for the per diem. Receipts for per diem are required to be turned in to her at the end of the trip.
15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.
16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.
17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like “herding cats”.
18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.
19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.
20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.
21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.
22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.
23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

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24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define “incidentals” to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.
27. She requested that any unused per diem be attributed to the country for which the per diem was issued.
28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.
32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by “word-of-mouth” to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald’s.
38. All trips to areas of operation are unique.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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40. The reports she creates that are required to be filed with the Clerk are broken down by Member.

41. If any per diem is returned, she makes a copy of the check and includes it in her files.

This memorandum was prepared on July 19, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 8, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 8, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 5

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Representative Robert B. Aderholt
REVIEW No.: 10-5477
DATE: June 23, 2010
LOCATION: 1433 Longworth HOB
Washington, DC 20515
TIME: 2:50 p.m. to 3:40 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Mark Bushing (Rep. Aderholt's Chief of Staff)

SUMMARY: Representative Robert B. Aderholt is a Member of the United States House of Representatives and represents the 2nd District of Alabama. He was interviewed pursuant to Review No. 10-5477. The OCE requested an interview with Representative Aderholt on June 23, 2010, and he consented to an interview. Representative Aderholt made the following statements in response to our questioning:

1. Representative Aderholt was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. In general, he received per diem upon arrival in a foreign city. He received the per diem in the "control room" of the hotel when he arrives.
3. He signed receipts when he was given per diem, but he did not believe that he kept a copy of the receipts.
4. It was his understanding that the per diem was to be used for whatever expenses he incurred during the trip.
5. On some of the CODELs that he attended, his lodging expenses were paid directly by the U.S. Embassy. On other CODELs, he paid the hotels with the per diem himself.
6. When the lodging was not paid by the U.S. Embassy, Representative Aderholt charged the hotel expenses to his personal credit card. He preferred to use his personal bank card instead of cash because his bank provided him with certain points based on his use of the card.

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7. He used the local currency of the per diem to purchase souvenirs, such as t-shirts for his son. He also purchased post cards, a doll, wallet, and leather goods.
8. He does not purchase souvenirs for staff or constituents.
9. He believed that it was appropriate when he purchased souvenirs with per diem because he would use his personal money to pay for his lodging or meals if he did not have enough per diem due to the souvenir expense.
10. He also used the per diem to pay for ground transportation expenses, such as taxis. However, most of the ground transportation was provided at no expense to him.
11. Generally, during the CODELs he attended meals with the delegation where the military escort pays for the meal directly and then sends a bill to each attendee for their portion of the bill after the CODELs.
12. When Representative Aderholt received bills from military escorts he paid the escorts with personal checks.
13. On occasions where a military escort did not pay for the meal, Representative Aderholt used his personal credit card to pay for meal expenses.
14. He notes that it was unusual to have a meal that he paid for directly himself. Meals were usually either paid by the military escort or provided as part of the CODELs official business, such as working meals.
15. The majority of the meals where he incurred any expense were the meals where he reimbursed the military escort.
16. Other expenses where he used per diem include tips and dry cleaning expenses.
17. He does not keep track of his use of per diem penny for penny. Instead, he recognizes that he was ultimately responsible for paying for his lodging, meals, and incidental expenses if he used the per diem for other expenses.
18. At the end of a CODEL, Representative Aderholt usually had most of the per diem in the local currency because he covers most of his expenses with his personal credit card. Then, He converts the local currency into U.S. dollars.
19. He does not recall receiving any instruction about restrictions on the use of per diem. He was never asked for receipts for his expenses.

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20. For the CODEL to Bosnia, Lithuania, and Belarus that he attend from June 26 to July 3, 2009, he reimbursed the military escort with a personal check (RBA005) for meal expenses incurred on his behalf and on behalf of his wife, who attended the trip.
21. Representative Aderholt received invoices from military escorts in various forms, including email and letter.
22. Representative Aderholt explained that the "Expense Sheet" (RBA049) for CODEL Inhofe that he produced was created by the U.S. Air Force. Although the expense sheet indicates that \$120.82 of unused per diem was owed to the U.S. Treasury, he is not sure if he paid this amount. He explained to the OCE that he will search his records for such payment.
23. For CODEL Wasserman Shultz to Egypt, Israel, Turkey, United Kingdom, and Iceland from December 31, 2009, to January 10, 2010, he had a check from his personal account payable to the military escort in the amount of \$1,066.54. (RBA008).
24. He believed that this payment was for meal expenses and admission fees to tourist sites. Representative Aderholt's wife attended the CODEL. He does not know what portion of the amount of the \$1,066.54 was for his wife's expenses.
25. When he returned to the U.S. with the per diem that had been converted to U.S. dollars, he did not personally deposit it into a bank account. His wife handled the banking and he is not certain what happened with the money.
26. For the CODEL to Morocco, Spain, and Austria from February 12 to February 20, 2010, two checks from his personal account were given to the military escort. The witness is not certain why two checks were written but he explained that it could be one check for his expense and one for his wife's expenses.

This memorandum was prepared on July 22, 2010, based on the notes that the OCE staff prepared during the interview with Representative Aderholt on June 23, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Aderholt on June 23, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 6

THE RESOURCES
YOU NEED

ETF
RESEARCH

ETF
TOOLS

ETF
REPORT
CARDS

ETF
EVENT
INSIGHTS

TALK TO
CHUCK

charlesSCHWAB

Investors should
consider carefully
the risks
associated with the
purchase,
including
investment
objectives, risks,
charges and

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THE WALL STREET JOURNAL

WSJ.com

POLITICS | MARCH 2, 2010

Lawmakers Keep the Change

Cash Left Over From Official Trips Overseas Is Often Used for Personal Expenses

By BRODY MULLINS And T.W. FARNAM

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.



[View Full Image](#)

Associated Press

From left, Reps. Alcee Hastings, Eliot Engel and Solomon P. Ortiz, and U.S. Ambassador William Brownfield, in Rio Negro, Colombia, in 2008.

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

"If that was the policy, you could never get many members traveling," said Rep. Solomon Ortiz, a Texas Democrat. Mr. Ortiz said he had never returned any money.

"There's a tacit understanding that if lawmakers don't spend the money, they get to keep it," said Rep. Sue Kelly, a New York Republican who was defeated in 2006.

Former Rep. Tom Davis, a Virginia Republican, said lawmakers often used leftover money "for shopping or to buy souvenirs to bring back to constituents. That's fairly standard."

Rep. Joe Wilson (R., S.C.) said he once bought marble goblets in the Kabul airport as gifts for constituents. Rep. Mark Souder (R., Ind.) said he dipped into his funds to buy a \$200 painting of an estuary in Turkey, which hung in his office for a while and was now in his house.

Lawmakers who said they sometimes keep excess funds said the amounts were small. "I won't deny that sometimes I have a little left, but it's not much—maybe 80, 90, or 100 dollars," said Rep. G.K. Butterfield (D., N.C.).

Congress has no system for tracking how the cash payments, called per diems, are being spent. Lawmakers aren't required to keep receipts and there are no public records.

In the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips, according to congressional travel records.

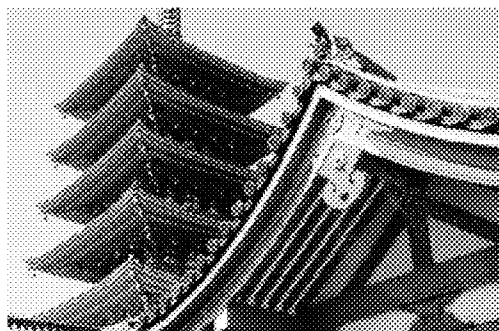
House lawmakers received between \$375,000 and \$625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

"You are all concerned about nickels and dimes, and I'm not," said Rep. Alcee Hastings (D., Fla.). "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt—I don't speak Kazakh."

In a subsequent interview, Mr. Hastings said he had time to gather receipts, but didn't.

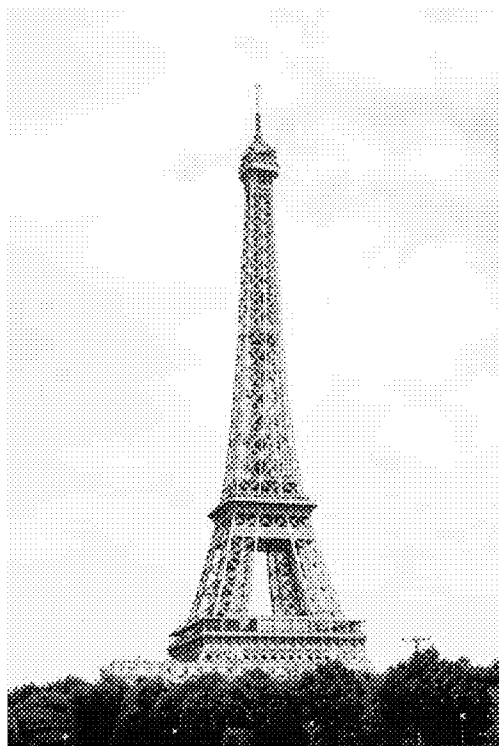
Travel Allowances for Selected Cities

Tokyo: \$214 a Day



Zuma Press

Paris: \$178 a Day



Bloomberg News

London: \$114 a Day

Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said.

"I'm a generous spirit and a courteous spirit," Mr. Hastings said. "I stand accused."

Some lawmakers are assiduous about returning surplus cash. Sen. Arlen Specter, a Pennsylvania Democrat, has returned to the U.S. Treasury about \$8,500 of the \$25,000 he was given for 11 trips since August 2005, according to documents provided by his office.

The per diem program is administered by the State Department. According to department officials and publications, when lawmakers arrive in a foreign country, U.S. government officials give them an envelope with cash in the local currency. The total stipend is set by the State Department based on surveys of local prices. It is meant to cover three meals and incidental expenses, which federal travel regulations say include transportation and tips for baggage handling and other services.

The amounts range from \$28 a day in Kabul to more than \$250 a day in Awashima, Japan.

When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

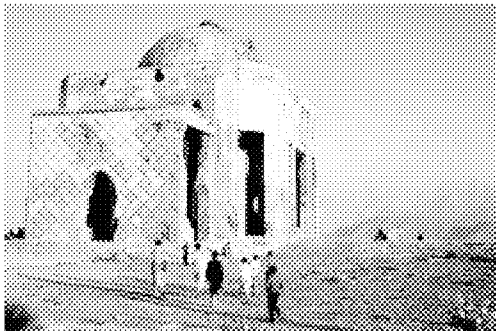
Many of the lawmakers' daily expenses are picked up by U.S. embassies, foreign governments or military liaisons, according to travel documents and interviews.

House and Senate rules say per diems can be used only for legitimate travel expenses. Any leftover money must be returned. The cash is for lawmakers, not their spouses.



Zuma Press

Kabul: \$28 a Day



Getty Images

Lawmakers can request an extra \$50 a day if they believe the allowance is insufficient.

"The extra money and the plus-ups are really for the spouses," said Mr. Souder, the Indiana Republican.

Last summer, a dozen lawmakers of both parties flew to Lithuania to a conference of the Helsinki Commission, an independent U.S. government agency made up of members of Congress and others that was born during the Cold War to promote democracy, security and human rights. The lawmakers were given \$941 each in local currency to cover expenses for the six-day trip, said one attendee, Sen. Richard Durbin (D., Ill.).

When they got home, Mr. Durbin returned \$401.08 to the Treasury, according to documents provided by his office. Sen. Benjamin Cardin (D., Md.) returned \$86. No one else returned any money, according to travel records for the trip and interviews with the lawmakers.

One lawmaker on the trip, Rep. Robert Aderholt (R., Ala.) said he didn't return cash. "I don't keep up with it penny for penny," he said.

Mr. Butterfield said he didn't recall if he had any leftover funds, and that he sometimes kept the extra cash.

Sen. Tom Coburn (R., Okla.) said he once tried to return surplus cash to the State Department, but "they wouldn't take it. They said, 'We don't have a way to handle that.'" Mr. Coburn said he sent a personal check to the U.S. Treasury.

Write to Brody Mullins at brody.mullins@wsj.com and T.W. Farnam at timothy.farnam@wsj.com

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EXHIBIT 7

ROBERT B. ADERHOLT

5th District, Alabama

1433 Longworth House Office Building
Washington, DC 20515
Telephone: (202) 225-4878

Web Page: www.house.gov/aderholt



COMMITTEE ON APPROPRIATIONS

Ranking Member
Legislative Branch

Chairman: Luther Brown

COMMITTEE ON THE BUDGET

The 111th Congress
U.S. House of Representatives

July 21, 2010

Mr. Leo Wise
Staff Director and Chief Counsel
The Office of Congressional Ethics
U. S. House of Representatives
Washington, DC 20515

Dear Mr. Wise:

Thank you for the opportunity to respond by letter to the Board regarding the current inquiry.

In summary, as you know on June 23, 2010, I met with OCE Investigative Counsel Kendrick Payne and OCE Counsel Elizabeth Horton where I explained that I have never participated in an official Congressional Delegation trips (CODEL) where instructions were given to keep receipt of expenses or any instruction for particular accounting for the expenses that are incurred during the course of a CODEL. As I mentioned to them, some expenses are not known and some expenses are not billed until sometimes several weeks after the CODEL has returned.

The impression was given on these CODELs that the per diem was provided to cover various expenses that are incurred during the CODEL including various meals and room charges. Moreover, it was my understanding that the per diem was allotted to each member based on the expenses that one would incur in a given city or locale. Accompanying my letter of May 12th, I provided all the documentation available after an exhaustive search for expenses related to CODELs dating back to March 2008. I was unable to locate any record of unused per diem throughout this search. Again, there was no instruction that records of exact exchanges of money should be kept during the course of the CODEL. Furthermore, any statements I have received wherein I owed any amounts for a meal or any other charge, I paid personally by check upon receiving notice from the military escort.

At the meeting with Investigative Counsel and Counsel of the OCE, I explained to the best of my ability the information provided to OCE on May 12th. At that meeting, one documented item was discussed and that was the amount of \$120.82 owed to the U.S. Treasury from CODEL Inhofe in December of 2009.

247 Camp Street Building
1710 Alabama Avenue
Jackson, AL 39201
Telephone: (205) 221-2810

205 Fourth Avenue NE
Suite 104
Columbus, AL 36802
Telephone: (205) 738-6643

107 Federal Building
600 Broad Street
Gadsden, AL 36801
Telephone: (205) 546-0201

Madison County Courthouse
P.O. Box 828
Gadsden, AL 36802
Telephone: (205) 520-4200

10-5477_025

Therefore, since I have been unable to locate any documentation that this amount was ever paid, and in an abundance of caution, I submitted a check in the amount of \$120.82 to the U.S. Treasury on July 20, 2010.

I have sought to cooperate fully with the OCE, and appreciate your careful attention to this matter. As always if there is more information that is needed or sought, please don't hesitate to call upon me.

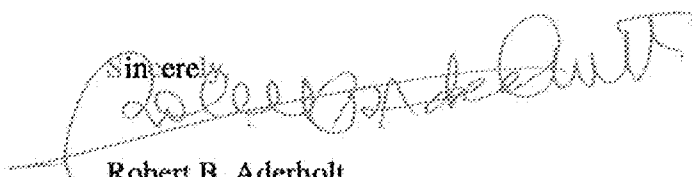
Sincerely,

Robert B. Aderholt
Member of Congress

EXHIBIT 8



OFFICIAL FOREIGN TRAVEL GUIDE FOR THE U.S. CONGRESS



UNITED STATES DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS

Table of Contents

	Pages
A Congressional Guide for Official Foreign Travel	7 -9
B Fiscal Information Sheet	11 - 13
C Sample Authorization Letters (State and DOD)	15 - 16
D Foreign Travel Data Sheet	17 - 18
E Questions and Answers	19

A
B
C
D
E

**OFFICIAL FOREIGN TRAVEL GUIDE
BY THE DEPARTMENT OF STATE
FOR THE U.S. CONGRESS**

This guide is provided to support official foreign travel by Members of Congress and their staff. It describes the support available from the Department of State for official travel and how this support can be requested. We hope this package will assist you through the process.

TAB

A	Congressional Guide for Official Foreign Travel	Describes the support available from the State Department and the procedures to obtain this support.
B	Fiscal Information Sheet	Explains per diem rates, transportation and other expenses, and how the funding is handled domestically and overseas.
C	Sample Authorization Letters	Illustrates appropriate letters and what information needs to be included; supplies the legal authority to expend USG funds.
D	Foreign Travel Data Sheet	Solicits information needed by the State Department to ensure a successful trip.
E	Questions and Answers	Responds to frequently asked questions.

Although travel plans are often understandably subject to change, early notice of travel needs greatly enhances our capacity to provide assistance. Therefore, a signed letter of authorization, itinerary, desired agenda, and meeting requests should be provided to the Department of State's Congressional Travel Office at least two (2) weeks before the planned departure whenever possible. This timely notification will allow us to instruct U.S. missions abroad regarding program, administrative, and logistical requirements, and to receive their country clearance, threat assessment, and suggestions for the trip.

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

A

B

C

D

E



CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

Effective and expeditious support for congressional travel abroad requires that both the travel authorization and background information reach the Department of State promptly. Whenever possible, a copy of the signed Letter of Authorization should be faxed to the Department of State's Congressional Travel Office (CTO) -- fax number 202-203-7700 -- at least two (2) weeks before the planned departure or sooner if possible; scanned and emailed copies of the authorization letter are also acceptable. The CTO will arrange for subsequent messenger pick-up of the original letter(s) from the authorizer(s). Additionally, please e-mail an itinerary, desired agenda and any meeting requests for Codels or Staffdels to: H_CTO@state.gov. Revisions to any of the above information should be faxed or e-mailed promptly.

Once the CTO receives notification of a trip, several things will happen. First, a domestic travel coordinator and a travel specialist will be assigned to the trip. These professionals will provide points of contact in the embassy, and assist with logistical arrangements, scheduling and briefings. There are many components to a successful trip so please contact us via phone, fax or email very early in the planning process, so that we can provide the best assistance possible.

Department of Defense (DOD) transportation and support must be requested separately by letter to the Secretary of Defense. For your convenience, a DOD-approved sample letter is enclosed in this package (TAB C).

1. LETTERS OF AUTHORIZATION

Letters of Authorization constitute legal authority for the State Department to expend or disburse U.S. Government funds in support of official foreign travel by Members of Congress or congressional staff. The fiscal information under TAB B lists the types of expenditures that can be authorized for specific trips and gives guidance as to how authorization for such expenditures should be formulated. The full extent and range of support desired should be delineated as clearly as possible in the authorizing letter. Letters of authorization are signed by one of the following officials:

SENATE

Majority Leader
Minority Leader
President Pro Tempore
Full Committee Chairman
•for Member or employee of
the Committee or employee
of Committee Member

HOUSE

Speaker of the House
Full Committee Chairman
•for Member or employee of the
Committee

JOINT COMMITTEE CHAIR

• for Member or employee of the Joint Committee

Letters must list by name all persons being authorized to receive USG-funded support. Members or staff traveling with a committee with which they have no association must be authorized separately by either the Leadership or the Chairman of a committee with which they are associated. (See sample authorization letters TAB C.)

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

In the letter of authorization, please define the objectives of travel, identifying where possible specific program requests at each stop. When appointments with specific individuals are desired, it would be helpful to indicate the topics to be addressed. If any activities have already been arranged directly with local organizations or persons, please provide scheduling data so that other events can be arranged around them. Embassy/Consulate briefings are highly recommended prior to meetings with host country government officials. Briefings by Department officials prior to departure from the United States are also available and can be very useful.

3. LIST OF TRAVEL PARTICIPANTS

The following are travel participants that are normally authorized under letters of authorization:

- Members of Congress (please include state and party affiliation)
- Spouses/family members (please include first names)
- Staff members (with titles)
- Executive branch/private sector invitees (with titles)
- DOD escorts (with rank and titles)

4. TRAVEL AND ITINERARY

Please book all airline reservations with the Combined Airline Ticket Office (CATO) to expedite ticketing and delivery of prepaid tickets to the Hill. The Department cannot pre-pay airline tickets which are booked with private travel agents.

When booking, you should inform CATO that the tickets will be pre-paid by the Department of State. CATO offices are located on Capitol Hill (Senate Russell Building, Room B24 and House Longworth Building, Room B22) as well as in Rosslyn, Virginia. CATO's reservation number is 703-522-2286.

5. PASSPORT AND VISA INFORMATION

Travelers must have valid passports for all overseas travel. Please ensure that your passport is current and valid for at least six months beyond the travel dates. Official passports are available at no charge and are issued for the purpose of conducting official business abroad. The Department of State strongly encourages both Members and staff to obtain official passports. Blue "Tourist" passports should be used only for tourism, but may be used if the traveler does not possess an official passport.

Some countries require visas. It is the responsibility of the traveling party to obtain ALL necessary visas. For assistance with visa issues please contact the Special Issuance Agency at 202-955-0198.

Travelers should coordinate passport/visa requirements directly with Passport Services well in advance of the trip. Travelers may call Passport Services at 202-955-0200. For information regarding visa requirements travelers may call 202-955-0198. Sometimes passport data will be required by foreign posts. In those cases CTO will contact you for you passport details.

For delegations with DOD escorts, the escorts collect the passports, obtain visas, and send data to appropriate foreign posts.

A variety of information including current travel warnings, passport forms, visa requirements, country background notes, adoption issues, exchange rates and more can be viewed at www.state.gov/travel.

FISCAL INFORMATION SHEET

B

C

D

E



FISCAL INFORMATION SHEET

By longstanding agreement, funds for official foreign travel are administered by the Department of State on behalf of the U.S. Congress. Upon receipt of written authorization from appropriate congressional offices, obligations and disbursements will be charged against specific congressional travel accounts held by the U.S. Treasury. The disbursements, which are permitted under PL 95-384, The International Security Assistance Act of 1978, fall into three distinct categories: Per Diem, Transportation (international and/or local), and Other Official Expenses. Each must be specifically authorized in order for expenditures within that category to be incurred. Under PL 95-384, all expenses charged by the traveler, the delegation, and the Department of State to the fund cite must be reported by the traveler/delegation to the authorizing committee upon return.

1. PER DIEM

Under Public Law 95-384, congressional travelers abroad receive local currency for per diem in amounts not to exceed the maximum per diem allowed by law. The authority for establishing per diem rates is found in Chapter 57 of Title 5 of the U.S. Code and set forth as the Federal Travel Regulation at 41 CFR Ch. 300-304.

Per diem payments are made directly to authorized individuals (Members and staff) to cover the cost of lodging, meals and incidental expenses (M&IE) while traveling abroad. The U.S. Government does not pay the expenses of accompanying spouses. Upon arrival in a foreign country, per diem normally is disbursed by the Embassy or Consulate for each night spent in country. Payment is made in local currency unless U.S. dollars are required by hotels or such payment has been specifically requested prior to departure from the U.S. Upon departure from the country, arrangements can be made for travelers to convert unused per diem into U.S. dollars. Per diem which for any reason has not been received abroad may be claimed in U.S. dollars after the traveler's return and upon presentation of hotel receipts to the Department of State, Bureau of Legislative Affairs, Congressional Travel Office.

In the event that no-cost lodging is provided, (e.g. the traveler stays in Government facilities or as a private guest), the traveler is allowed the applicable meals and incidental expenses (M&IE) rate. Note that this guidance is consistent with changes in the Federal Travel Regulation

- **FOREIGN PER DIEM RATE:** Per diem consists of two components: the lodging rate and M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates. This type of per diem payment is called an allowance. Allowances are provided in full and require no accounting. Foreign per diem rates are available on the State Department's website at: www.state.gov/m/als/prd.html.

• **ENHANCED PER DIEM RATE:** The committee may authorize enhanced per diem to offset exceptionally high costs associated with price increases that can be found in certain locations. Unless a specific dollar enhancement is authorized (e.g. \$75 USD or \$100 USD), the default enhancement is an additional \$50 USD above per diem.

• **ACTUAL EXPENSE BASIS:** Per Diem can be calculated by adding the expenses of up to 300% of the applicable per diem rate. This rate may be authorized for lodging, M&IE, or both, when actual expenses exceed the established per diem rate. There is no authority to exceed this 300% ceiling. **To avoid problems caused by unexpected devaluation of the US dollar, the following language may be used in authorization letters: "actual lodging is authorized."**

• **ACCOUNTING:** If an individual is traveling on an enhanced per diem or actual expense basis, he or she must itemize all expenses, including meals, and account for unused per diem funds. In situations where only lodging or M&IE is on an actual expense basis, only that portion need be itemized. Itemization requires the traveler to write down specific expenses but does not require receipts. Upon completion of the trip, the authorizing committee requires travelers to reconcile their actual expenditures with the expenditures authorized prior to travel. Consistent with congressional rules and regulations, this reporting (and reconciliation when required) should be submitted to the congressional office that authorized the travel.

Posts may pay for hotel charges directly if arrangements with the Embassy/Consulate staff are made beforehand. In this case, posts will be directed to disburse M&IE only.

As the purpose of the per diem enhancement and/or the payment of actual lodging expenses is to offset unexpectedly high costs found in certain locations, if a traveler receives either of these authorizations reimbursements for any additional lodging or M&IE costs are not authorized.

2. TRANSPORTATION

When international travel is authorized, travelers make their own reservations through CATO (see item 4 of previous chapter, "Travel and Itinerary"). The Department arranges for prepayment of the tickets, which the authorizing committee makes available to the traveler. This arrangement requires that the Department be notified of the carriers used, the class of service, and the precise itinerary. For transoceanic flights, U.S. flag carriers must be used (PL 94-624, Fly America Act) **unless** the authorization letter has specified otherwise based on a determination that no U.S. flag carriers are available. **Use of charter aircraft is an extraordinary expense and must be specified in the authorization letter.**

Authorized **local transportation** within a foreign country is normally arranged by either the Embassy, the Consulate or paid personally by the traveler. Local transportation costs may include trains, ferries, rental car/van/bus (with or without driver), taxis, public transport, as well as overtime for drivers of U.S. Government vehicles. In many cities, staff delegations are encouraged to use taxis or public transportation and claim reimbursement. Upon presentation of receipts, the Congressional Travel Office will reimburse travelers for local transportation after their return to Washington, DC.

3. OTHER OFFICIAL EXPENSES

Other official expenses authorized for Codels and some Staffdeils include rental of control rooms, hospitality suites, special telephone lines, cell phones, copier/fax machines, wreaths and flowers for representational purposes, purchase of stationery supplies, interpreters, and employee overtime at posts.

If specified in the authorization letter, certain extraordinary or unusual expenses may be paid such as representation expenses, conference fees, media events, meeting hall rental, and travel and per diem expenses incurred by Post Personnel traveling outside of their duty station in support of Codel travel. These expenses, including any cancellation fees incurred, will be charged to the delegation fund cite and must be reported under PL 95-384.

4. TRAVEL ADVANCES IN U.S. DOLLARS

The Department will provide a U.S. dollar advance where hotels require payment in hard currency and the U.S. mission overseas has insufficient dollars to pay travelers. However, arrangements can also be made for U.S. dollar disbursements overseas where missions have access to U.S. dollars.

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

Unused per diem funds may be returned to the State Department by personal check made payable to the U.S. Treasury or Treasurer of the United States. The Department **cannot accept foreign currency in Washington**. The Department will reimburse travelers for out-of-pocket expenses previously authorized upon submission of receipts and a letter/memorandum from the authorizing committee. Unused airline tickets paid for by the U.S. Government must be returned to the Department of State, Congressional Travel Office for credit.

6. REPORTING REQUIREMENTS

PL 95-384 stipulates that travelers and delegations are responsible for reporting all expenses to the authorizer within 30 days of the completion of travel. Although the Department will assist travelers and delegations in obtaining the necessary financial information from foreign posts, PL 95-384 assigns none of the formal reporting responsibilities to the Department of State.

SAMPLE AUTHORIZATION LETTERS

C

D

E



SAMPLE LETTER OF AUTHORIZATION (State)

The Honorable
(insert name)
Secretary of State
Washington, DC 20520

Dear (Mr. or Madam) Secretary:

This letter is to authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose).

It is requested that the use of local currencies for per diem, transportation, including local transportation, and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a).

Commercial and/or military transportation are authorized where appropriate, as is the use of non-U.S. air carriers. Airfare is authorized up to business class if needed.

We appreciate your assistance with this request. If there are any questions regarding this trip, please contact (name of staff point of contact) at (telephone number).

Sincerely,

(Name)

(Title)

Additionally, if any of the conditions below apply, please add the appropriate sentence:

- Enhanced per diem of \$50.00 is authorized.
- Actual lodging costs are authorized.
- Due to heightened security concerns, the cost of a security detail is also authorized.
- Spouses are authorized to travel for protocol purposes at no cost to the U.S. Government.
- Costs associated with Post personnel traveling outside of their duty station in support of the delegation are authorized.
- Charter aircraft are authorized.
- Representational funds are authorized.

SAMPLE AUTHORIZATION LETTER (DOD)

The Honorable
(insert name)
Secretary of Defense
Washington, D.C. 20301

Dear (Mr. or Madam) Secretary:

I hereby authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose). **If applicable:** Spouses are authorized to accompany the delegation for reasons of protocol at no expense to the U.S. Government.

It would be appreciated if the Department of Defense could furnish such assistance as may be required, including transportation, to facilitate this trip. It would also be appreciated if the Department of the (Air Force, Army, Navy, Marine Corps) be assigned to escort the delegation/Member.

The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108

Sincerely,

(Name)

(Title)

FOREIGN TRAVEL DATA SHEET



D
E

FOREIGN TRAVEL DATA SHEET

The following is a review of what the Department will require either in the authorization letter or other communication in order to initiate your country clearance cable with our foreign posts. It is also a reminder of the requirements for foreign travel.

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

What is the purpose of the visit in general? More specifically, what objectives does the delegation/traveler wish to accomplish? Please provide specific meeting requests if they are known. If the delegation/traveler is attending a specific meeting or has an agenda already prearranged, please advise us so that the post can schedule around it.

2. PARTICIPANTS (in protocol order) Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY Commercial
Military Air
Charter

PLEASE BOOK COMMERCIAL RESERVATIONS WITH THE COMBINED AIRLINE TICKET OFFICE (CATO) AT 703-522-2286 TO FACILITATE TICKETING.

4. PASSPORTS AND VISAS In most cases a valid passport and, in some cases, valid visas will be required. Visa requirements differ depending on the type of passport used. Call 202-955-0200 for passport requirements or 202-955-0198 for visa requirements. First Call may assist with passport issues. Please contact them at 202-225-8000.

TYPES OF PASSPORTS: Official (red; no fee, 5-year passport).
Tourist (blue; fee charged, 10-year passport).

IT IS THE RESPONSIBILITY OF THE TRAVELING PARTY TO OBTAIN THE NECESSARY VISAS. IF USING A TOURIST PASSPORT, THE TRAVELER IS RESPONSIBLE FOR ALL PASSPORT and VISA FEES.

5. SECURITY CLEARANCES
(staff only)

Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.

6. ACCOMODATIONS

Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate.

Hotel preferences/city
Delegation rooms (total number of singles/doubles)
Support Rooms

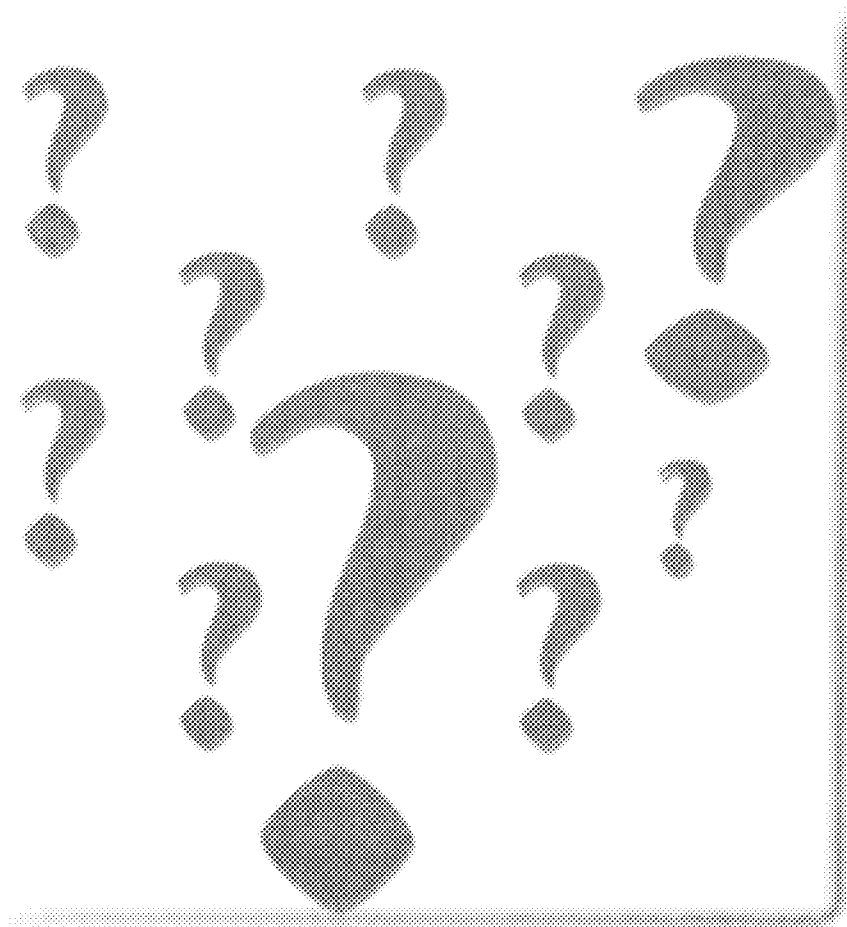
7. LOCAL TRANSPORTATION

Number of Sedans (with driver or self-drive)
Number of Buses (or passenger amount)
Number of Minivans (or passenger amount)
Number of other vehicles, if any
Public transportation (cabs, buses, trains, ferries).

8. POINTS OF CONTACT FOR TRIP

Name
Phone Number

QUESTIONS AND ANSWERS



E

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

Q What do I do if I incur lodging expenses over 300% of the per diem rate?

A When you reconcile your travel expenses with the congressional authorizing committees, you will not be reimbursed for the excess of per diem expenses over the 300% maximum, or over the (lower) rate that was authorized.

Q Will I be given a travel advance in U.S. dollars or in foreign (local) currency?

A Congressional travelers will be given local currency when they arrive at the foreign post.

If the Congressional travelers are journeying to a foreign country that uses U.S. dollars, the advance in U.S. dollars will be given at post. Only in those cases where the post does not have sufficient U.S. dollars on hand will special arrangements be made to issue an advance in Washington D.C.

Q Will the Department book travel reservations for the Members and staff?

A The Department does not book reservations; rather, reservations should be made directly through CATO, which has locations on the Hill and in Rosslyn, Virginia.

Q Will the travel expenses of spouses be covered?

A No, current law prohibits the US Government from assuming the travel expenses of spouses, dependents or other non-official traveling companions.

Q Will the Department of State assist in obtaining visas?

A Assistance may be obtained by contacting the appropriate country desk officer.

Acronyms used in this Travel Guide:

CTO	Congressional Travel Office---Bureau of Legislative Affairs, Department of State
DOD	Department of Defense
DEPARTMENT	Department of State
MEMBER	Member of Congress
CATO	Combined Airline Ticket Office
M & IE	Meals and Incidental Expenses
FTR	Federal Travel Regulations
CODEL	Congressional Delegation
STAFFDEL	Staff Delegation
USG	United States Government
P.L.	Public Law
USC	United States Code

EXHIBIT 9



Nancy Pelosi
Speaker of the House

March 5, 2008

The Honorable Condoleezza Rice
Secretary
U.S. Department of State
Washington, DC 20520

Dear Madam Secretary:

This letter will authorize the Honorable Alice Hastings, Chairman of the Commission on Security and Cooperation in Europe (CSCE), to lead a delegation of Members and staff to Kazakhstan during the approximate period of June 26 -- July 3, 2008. The purpose of the trip is to attend the 17th Annual Session of the Organization for Security and Cooperation in Europe (OSCE PA). For protocol purposes only, spouses may travel at no cost to the government.

It is requested that local currencies for the maximum per diem allowance be made available at the enhanced rate of an additional \$50. Actual lodging costs are authorized if necessary. In addition, funds should also be made available for air and local transportation. Commercial air transportation (if needed) will be made on American flag carriers, subject to availability, in business class. Authorization for the expenditure of funds should be made in accordance with Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384.

Thank you in advance for your prompt attention to this matter.

Sincerely,

NANCY PELOSI
Speaker of the House

cc: The Honorable Lorraine C. Miller, Clerk
U.S. House of Representatives

EXHIBIT 10

U.S. CONGRESSIONAL DELEGATION (CODEL HASTINGS)
LONDON, UNITED KINGDOM: ASTANA, KAZAKHISTAN: ISLAMABAD, PAKISTAN: VENICE, ITALY
JUNE 26, 2008 - JULY 3, 2008

Thursday, June 26, 2008

Member and Spouse Attire: Travel Casual

- 2:45 PM Baggage call
 - Recommend comfortable clothes on the plane
 - Pack an overnight bag to take off at the first stop
- 3:15 PM Baggage call ends
 - Bring luggage to the Rayburn Horseshoe
 - Blue-tagged bags will NOT be accessible in-flight
- 4:30 PM Meet at the Rayburn Horseshoe
- 4:45 PM Depart the Rayburn Horseshoe for Andrews AFB
 - Transportation: USAF vehicle
 - 1 hour 15 min en-route
- 6:00 PM Depart Andrews AFB for London, United Kingdom (Standstead Airport)
 - 7 hours 15 min en-route
 - Dinner/Breakfast served en-route
 - Set watches ahead 5 hours (+5)

Friday, June 27, 2008

Member and Spouse Attire: Travel Casual

- 6:15 AM Arrive London, United Kingdom
 - Recommend comfortable clothes
 - Only overnight bag comes off at this stop
 - 6:25 AM Depart airport for Hyatt Regency London - The Churchill
 - 2 hrs en-route
 - 8:25 AM Arrive Hyatt Regency London - The Churchill
 - Proceed to Delegation Room
 - Room keys disbursed
 - Currency Exchange available
- Dinner at leisure

RON London, United Kingdom

Saturday, June 28, 2008

Members and Spouses Attire: Travel Casual

- 6:30 AM Delegation Room Opens
 - Reverse Currency Exchange available
 - Please pay any incidental room charges (i.e. phone, movie room service, etc.)
 - Breakfast included in the room rate
 - Light snacks and coffee available in the Delegation room
- 7:15 AM Meet in Delegation Room
 - Attire: Travel Casual
- 7:30 AM Depart Hyatt Regency London
 - 1.5 hrs en-route

- The Churchill for airport

- 9:00 AM Depart London, United Kingdom
for Astana, Kazakhstan
- 5 hours 50 min en-route
 - Lunch/Heavy Snack served en-route
 - Set watches ahead 5 hours (+5)
- 7:50 PM Arrive Astana, Kazakhstan
Met by: Thomas Tanner -- Control Officer
- 8:00 PM Depart airport for Radisson SAS Hotel
- 40 min en-route
- 8:40 PM Arrive Radisson SAS Hotel
- Proceed to Delegation Room
 - Room keys disbursed
 - Currency Exchange available

Dinner at leisure

RON Astana, Kazakhstan

Sunday, June 29, 2008

Members Attire: Business

Spouses Attire: Business Casual

- 7:30 AM Delegation Room Opens
- Breakfast included in room rate (avail in lobby)
- 8:15 AM Meeting with USOSCE DCM Kyle Scott
in Delegation Room
- Amb. Ordway country team briefing
- 9:00 AM Meeting of the Standing Committee
- Chairman Hastings
 - Sen. Cardin
 - Rep. Solis
 - Rep. Smith
- Accompanying Persons depart Codel
 - Sary Arka 4 -- 2nd floor

Events for Accompanying Persons

Attire: Business Casual

- 9:15 AM Meet in Delegation Room
- 9:30 AM Depart Hotel for Presidential
Cultural Center/Pyramid (30 minutes en-route)
- 10:00 AM Tour of Presidential Cultural Center/Pyramid
- 11:00 AM Depart for Tiflis Restaurant (30 minutes en-route)
- 11:30 AM Lunch at Tiflis Restaurant
- 1:00 PM Depart Tiflis Restaurant for

Hotel (30 minutes en-route)

11:15 AM Depart Hotel for DCM's Residence

- 15 min en-route

11:30 AM Coffee with Civil Society at DCM's Residence
Civil Society: Evgeniy Zhovtis -- Director of Kazakhstan
Human Rights Bureau, Ninel Fokina -- Director of
Kazakhstan Helsinki Committee

Parties: Azat Party's Bulat Abilov (or his deputy
Tulegen Zhukeyev), OSDP Party's Amirzhan Kosanov,
Alga Party's Yuri Sizov, Ak Zhol's Alikhan Baimenov

Other Groups: Jehovah's Witnesses, Hare Krishnas

1:00 PM Depart DCM's Residence for Hotel

- 15 min en-route

2:15 PM Members and Spouses meet in Delegation Room
- Accompanying Persons rejoin Codel
- **Attire: Business**

2:30 PM Inaugural Plenary Session

- Sary Arka 1 -- Ground floor

- Call to order and remarks by Mr Göran Lenmarker,
President of the OSCE Parliamentary Assembly;

- Address by H.E. Nursultan Nazarbayev,
President of the Republic of Kazakhstan

- Address by H.E. Kassym-Jomart Tokayev,
Speaker of the Senate of the Parliament of the
Republic of Kazakhstan

- Address by H.E. Aslan Mussin,
Speaker of the Mazhilis of the
Parliament of the Republic of Kazakhstan

3:30 PM Meeting with H.E. Nursultan Nazarbayev,
President of the Republic of Kazakhstan

4:00 PM Coffee break

4:30 PM Plenary Session (cont'd)

- Addresses by the Presidents from the invited
Parliamentary Assemblies;

- Address by Mr. Marc Perrin De Brichambaut,
OSCE Secretary General, followed by a
question/answer session;

- Report by Ms Tone Tingsgård, OSCE PA
Special Representative on Gender Issues
followed by a debate;

- Address by Ambassador Knut Vollebaek,
OSCE High Commissioner on National Minorities

- Possible consideration of Supplementary items

7:00 PM Concert followed by a reception hosted by H.E. Nursultan Nazarbayev, President of the Republic of Kazakhstan - Palace of Peace and Unity - *OSCE PA Transportation (20 min en-route)*

RON Astana, Kazakhstan

Monday, June 30, 2008

Members Attire: Business

Spouses Attire: Business Casual

7:00 AM Delegation Room opens - *Breakfast included in room rate (avail in lobby)*

7:00 AM Time reserved for meetings of various groups

8:15 AM Meet in Delegation Room
- Members Attire: Business
- Spouses Attire: Business Casual

Events for Accompanying Persons ***Attire: Business Casual***

8:45 AM Depart Hotel for National Library
(30 minutes en-route)

9:15 AM Guided tour of National Library

10:00 AM Depart National Library for Baiterek
(15 minutes en-route)

10:15 – 11:30 AM Tour of Baiterek & short
driving tour of new administrative center

11:30 AM Travel to DCM's residence
(30 minutes en-route)

12:00 PM Lunch at DCM's residence

1:30 PM Depart DCM's residence for Hotel
(30 minutes en-route)

9:00 - 11:00 AM General Committee on Political
Affairs and Security - *Sary Arka 1 – Ground floor*

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

9:00 - 11:00 AM General Committee on Economic Affairs, - *Sary Arka 4 -- 2nd floor*
Science, Technology and Environment

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

9:40 AM Depart Hotel for Prime Minister - *20 min en-route*
Government Building

10:00 AM Meeting with Prime Minister Massimov

11:00 AM Depart Prime Minister Government - *20 min en-route*
Building for Hotel

11:00 AM Coffee break

11:30 AM - 1:30 PM General Committee on Democracy, - *Sary Arka 1 -- Ground floor*
Human Rights and Humanitarian Questions

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

1:30 PM Lunch

2:15 PM Meet in Delegation room
- *Attire: Casual*

2:30 PM Excursion: Visit to the complex "Map of
Kazakhstan Atameken," concert with national
songs and dances, national games, cuisine and exhibition

5:30 PM Return from excursion

7:15 PM Meet in Delegation room
- *Attire Business Casual*

7:30 PM Reception hosted by H.E. Kassym-Jomart Tokayev,
Speaker of the Senate of the Parliament of the
Republic of Kazakhstan (Reception House "Saltanat Saraiy")

9:00 PM Return Hotel

RON Astana, Kazakhstan

Tuesday, July 1, 2008

Members Attire: Business

Spouses Attire: Business Casual

6:00 AM Delegation Room opens

- Breakfast included in room rate (avail in lobby)

6:45 AM Meet in Delegation Room

- Members Attire: Business

- Spouses Attire: Business Casual

7:00 AM Time reserved for meetings of various groups

Events for Accompanying Persons

Attire: Business Casual (appropriate for religious sites -- long sleeves/pants)

8:30 AM Depart Hotel for SOS Children's Village

9:00 AM Visit SOS Children's Village

10:00 AM Depart Children's Village for Embassy (30 minutes en-route)

10:30 AM View Embassy art and craft fair of local artisans

11:30 AM Depart Embassy for Ali Baba Restaurant
(30 minutes en-route)

12:00 PM Lunch at Ali Baba Restaurant

1:30 PM Depart Ali Baba Restaurant for Orthodox Church
(30 minutes en-route)

2:00 PM Tour of Orthodox Church

2:45 PM Depart Orthodox Church for Central Mosque
(30 minutes en-route)

3:15 PM Tour of Central Mosque (*suggest bringing a scarf for women's head-covering one will be provided if you don't have one*)

4:00 PM Depart Central Mosque for Hotel
(30 minutes en-route)

9:00 - 10:30 AM General Committee on Democracy,
Human Rights and Humanitarian Questions
Consideration of amendments

- Sary Arka 1 -- Ground floor

9:00 - 10:30 AM General Committee on Economic Affairs,
Science, Technology and Environment

- Sary Arka 4 -- 2nd floor

Consideration of amendments

- 10:30 AM US Delegation press conference** - All CODEL member presence requested
- Sary Arka 2 - 2nd floor (30 - 40 min)
- 11:00 AM General Committee on Political Affairs and Security** - Sary Arka 1 -- Ground floor
Consideration of amendments
- 11:30 AM Meeting with State Secretary Oralbay Abdykarimov** - Ak Orda -- lunch at Rixos Hotel
- Attended by Members and Spouses
- 12:45 PM Working Lunch on Gender Issues hosted by the Parliament of Kazakhstan** - Restaurant Capri -- Ground floor in Hotel Radisson SAS
- 2:30 - 4:00 PM General Committee on Economic Affairs, Science, Technology and Environment** - Sary Arka 4 -- 2nd floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 2:30 - 4:00 PM General Committee on Democracy, Human Rights and Humanitarian Questions** - Sary Arka 1 -- Ground floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 4:00 PM Presentation on the 2008 OSCE PA Fall Meetings in Toronto** - Prefunction Area outside Sary Arka 1
- 5:00 - 6:00 PM General Committee on Political Affairs and Security** - Sary Arka 1 -- Ground floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 7:30 - 9:00 PM Reception hosted by H.E. Aslan Mussin, Speaker of Mazhilis of the Parliament of Kazakhstan (Duman Center)**

RON Astana, Kazakhstan

Wednesday, July 2, 2008

Members Attire: Business

Spouses Attire: Business Casual

***- Pack overnight bag for Venice stop.
Leave out comfortable travel clothes for today.***

6:00 AM Delegation Room opens

***- Breakfast included in room rate (avail in lobby)
- Reverse Currency Exchange available
- Please pay any incidental room charges
(i.e. phone, movie room service, etc.)***

6:45 AM Meet in Delegation Room

- Members Attire: Business

- Spouses Attire: Business Casual

7:00 AM Time reserved for meetings of various groups

9:00 AM Please Bring your bags to the delegation room

- 9:00 - 11:00 AM General Committee on Economic Affairs, Science, Technology and Environment Supplementary items; Election of the Committee Officers - *Sary Arka 4 – 2nd floor*
- 9:00 - 11:00 AM General Committee on Democracy, Human Rights and Humanitarian Questions Supplementary items; Election of the Committee Officers - *Sary Arka 1 – Ground floor*
- 11:00 - 11:30 AM Meeting of the Bureau - *Sary Arka 2.2 – Ground floor*
- 11:45 AM Meet in Delegation Room
- *Attire: Travel Casual*
- *Bring any remaining baggage with you at this time as we will not be returning to the hotel*
- 12:00 PM Depart Radisson Hotel for Airport - *40 min en-route*
- 1:00 PM Depart Astana, Kazakhstan for Venice, Italy
- *5 hours 55 minutes en-route*
- *Heavy snack served en-route*
- *Set watches back 4 hours (-4)*
- 2:55 PM Arrive Venice, Italy
- 3:05 PM Depart airport for Westin Europa & Regina Hotel - *30 min en-route*
- 3:35 PM Arrive Hotel
- *Proceed to Delegation Room*
- *Room keys disbursed*
- *Currency Exchange available*
- Dinner at leisure

RON Venice, Italy

Thursday, July 3, 2008

Member and Spouse Attire: Travel Casual
- Recommend comfortable clothes

- 7:00 AM Delegation Room opens
- *Please pay any incidental room charges (i.e. phone, movie room service, etc.)*
Breakfast included in the room rate
- *Light snacks and coffee available in the Delegation room*
- 7:00 AM Please bring luggage to the Delegation room
- 7:45 AM Meet in Delegation Room
- *Attire: Travel Casual*

8:00 AM Depart Hotel for Airport

- 30 min en-route

9:00 AM Depart Venice, Italy for Andrews AFB

- 9 hours 25 minutes en-route

- Lunch/Heavy snack served en-route

- Set watches back 6 hours (-6)

12:25 PM Arrive Andrews AFB


12:45 PM Depart for Rayburn horseshoe

1:30 PM Arrive Rayburn horseshoe

1:40 PM Luggage arrives Rayburn horseshoe

MISSION COMPLETE

EXHIBIT 11

 *CODIP Inhofe – Itinerary*
1-7 Dec, 2008

Africa and CENTCOM Visit

FOR OFFICIAL USE ONLY

Sen Jim Inhofe
CM Robert Aderholt
CM Jerry Moran
CM Jeff Miller
CM Randy Neugebauer
Mark Powers (Sen Inhofe – Africa Advisor)
Anthony Lazarski (Sen Inhofe – MLA)
Col Carlos Hill (Lead/AF escort)
Lt Col Darren Hall (Bag/AF escort)
Maj Will Northington (Doctor)

Sunday, 30 Nov 2008

Begin Anti-Malaria tablet sequence

Monday, 1 Dec 2008 – Dress: Casual/Open Collar

1745 Arrive Rayburn Horseshoe

1755 Depart Rayburn Horseshoe for Andrews AFB

1900 Depart Andrews AFB (dinner served on the aircraft)

Tuesday, 2 Dec 2008 – Dress: Meetings – sports coat and tie / dinner – open collar)

0535 Land at Sal Island, Cape Verde to refuel

0620 Depart Cape Verde (breakfast served on the aircraft)

1240 Arrive Abuja, Nigeria

- Check into hotel

1330 Lunch at hotel

1500 Meetings – Pres Yar'Adua, Min of Def Ahmed, Min of Foreign Affairs Maduekwe

1900 Dinner with Parliament Group (MP Tunde Akogun, Judge Sola Oluwanuga, Mr. Sola Segun)

Wednesday, 3 Dec 2008 – Dress: Meetings – sports coat and tie / dinner – open collar)

** Breakfast at hotel **

0915 Depart Nigeria (lunch served on the aircraft)

1400 Arrive Kigali, Rwanda

- Meetings – Pres Kagame, Chief of Cabinet Charles Murigande, Min of Def Dr. Zac Nsenga, Richard Sezibera (Ambassador at Large)
- Parliament Group

1800 Depart Rwanda (light snack served on the aircraft)

update: 12:57 PM - 11/24/08

RBA 056

10-5477_062

1945 Arrive Entebbe, Uganda

2000 Meeting with Pres Museveni and First Lady Museveni

2100 Dinner at hotel

Thursday, 4 Dec 2008 – Dress: Meetings – sports coat and tie / dinner – open collar)

0800 Parliament Breakfast: Gad Gastura – Former MP, Tim Lwanga – Former Cab Min, Mr. Paulo Kyama

0900 Meetings – Min of Def Kiyonga, Min of Foreign Affairs Kutesa

1100 Depart Uganda

1200 Arrive Nairobi, Kenya

Meetings – Pres Kibaki, VP Steve Musyoka, Prime Min Odinga, Cab Min Sam Poghiso

1630 Depart Kenya

1820 Arrive Addis Ababa, Ethiopia

1830 Depart for US Embassy

1900 Meeting with VADM Moeller, Deputy Commander for Military Operations, AFRICOM

2000 Travel to Hotel and Check in

2030 Dinner at hotel

Friday, 5 Dec 2008 – Dress: Meetings – sports coat and tie / dinner – open collar)

** Breakfast at hotel **

0900 Meetings with Prime Min Meles, First Lady Azeb Mesfin, Min of Def Fergasa, new US John Simon (Ambassador to AU) and Koen Vervaeke (EU Ambassador to AU)

1305 Depart Ethiopia

1405 Arrive Djibouti, Djibouti

1530 Lunch with the troops from AL, FL, KS, OK and TX

1630 JIF Horn of Africa Update – RADM Greene

update: 12:57 PM - 11/24/08

1730 Meeting with Djibouti leadership -- Pres Guelleh, Prime Min Dileita, Min of Def
Ougoureh Kifleh

1805 Depart Djibouti (dinner served on the aircraft)

2030 Arrive Al Udeid Air Base, atar
Check into billeting

Saturday, 6 Dec 2008 -- Dress: Rugged, cold weather casual)

TBD Depart Al Udeid for AOR
• Military briefings / lunch and dinner with troops

TBD Depart AOR for Al Udeid

TBD Arrive Al Udeid

2100 Depart atar

Sunday, 7 Dec 2008 -- Dress: Casual/Open Collar

0110 Arrive RAF Mildenhall, United Kingdom

- Check into billeting on base

1100 Sunday Brunch at Consolidated Club -- base leadership and troops

1230 Depart for Cambridge

1300 Tour University

1610 Depart United Kingdom

1930 Arrive Andrews AFB -- Mission Complete

update: 12:57 PM - 11/24/08

RBA 058

10-5477_064

EXHIBIT 12

Expense Sheet

Per Diem

Nigeria - \$132

Ethiopia (includes UK) - \$303

Total Per Diem - \$435

Itinerary

2 Dec - Enroute

- Lunch (aircraft): \$7.85

3 Dec - Nigeria

- Breakfast (aircraft): \$7.85

- Lunch (hotel-Nigeria): \$24.84

- Dinner (hotel-Nigeria): \$ No charge

4 Dec - Nigeria / Rwanda / Ethiopia

- Breakfast (aircraft): \$7.85

- Lunch (aircraft): \$7.85

- Dinner (hotel-Ethiopia): \$85.50

5 Dec - Ethiopia / Uganda / Qatar

- Breakfast (hotel-Ethiopia): \$23.50

- Lunch (aircraft): \$7.85

- Snack (Uganda): \$50.00

- Dinner (aircraft): \$7.85

6 Dec - Qatar / Afghanistan / Kuwait / UK

- Breakfast (Al Udeid): \$ No charge

- Lunch (aircraft): \$ No charge

- Dinner (aircraft): \$7.85

7 Dec - UK / DC

- Lodging (Mildenhall): \$48.25

- Breakfast (Mildenhall): \$11.44

- Lunch (aircraft): \$7.85

- Dinner (aircraft): \$7.85

Expenses

Nigeria: \$56.24

Ethiopia: \$174.70

United Kingdom: \$83.24

Total: \$314.18

Owe to AF: \$205.18 - \$18.00 (owed back by AF) = \$187.18

Owe to US Treasury: \$120.82

EXHIBIT 13



Nancy Pelosi
Speaker of the House

June 19, 2009

The Honorable Hillary Rodham Clinton
Secretary
U.S. Department of State
Washington, DC 20520

Dear Madam Secretary:

This letter will authorize the Honorable Alcee Hastings, Co-Chairman of the Commission on Security and Cooperation in Europe (CSCE), and a delegation of Members and staff to accompany Codel Cardin to Bosnia-Herzegovina, Belarus, Lithuania and Greece during the approximate period of June 26 – July 3, 2009. The purpose of the trip is to meet with government officials in each country and to attend the 18th Annual Session of the Organization for Security and Cooperation in Europe (OSCE PA). For protocol purposes only, spouses may travel at no cost to the government. The following Members and staff are authorized to travel:

The Honorable Alcee L. Hastings (D-FL), Co-Chairman, CSCE
The Honorable Christopher Smith (R-NJ) and Mrs. Marie Smith
The Honorable Louise Slaughter (D-NY) and Mr. Robert Slaughter
The Honorable Mike McIntyre (D-NC) and Mrs. Dee McIntyre
The Honorable G.K. Butterfield (D-NC)
The Honorable Robert Aderholt (R-AL) and Mrs. Caroline Aderholt
The Honorable Darrell Issa (R-CA) and Mrs. Kathy Issa
The Honorable Lloyd Doggett (D-TX) and Mrs. Libby Doggett
The Honorable Gwen Moore (D-WI)

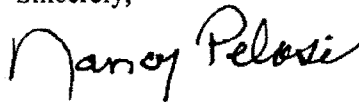
Mr. Fred Turner, Chief of Staff, CSCE
Mr. Bob Hand, Policy Advisor, CSCE
Ms. Shelly Han, Policy Advisor, CSCE
Mr. Ed Joseph, Policy Director, CSCE
Mr. Cliff Bond, Senior Advisor, CSCE
Mr. Alex Johnson, Policy Advisor, CSCE
Mr. Winsome Packer Policy Advisor, CSCE
Mr. Neil Simon, Communications Director, CSCE
Mr. Daniel Redfield, Office Manager, CSCE
Mr. Josh Shapiro, Staff Assistant, CSCE

Please note that Chairman Hastings and Ms. Janice Helwig, Policy Advisor, CSCE, are also authorized to travel to Albania en route to Lithuania.

It is requested that local currencies for the maximum per diem allowance be made available at the enhanced rate of an additional \$50. Actual lodging costs are authorized if necessary. In addition, funds should also be made available for air and local transportation. Commercial air transportation (if needed) will be made on American flag carriers, subject to availability, in business class. Authorization for the expenditure of funds should be made in accordance with Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384.

Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Pelosi".

NANCY PELOSI
Speaker of the House

cc: The Honorable Lorraine C. Miller, Clerk
U.S. House of Representatives

EXHIBIT 14

Attachment 12

CODEL Cardin

Sarajevo, Bosnia/Herzegovina and Vilnius, Lithuania
26 June – 3 July 2009

Friday 26 June – Washington, DC

Attire: Travel Casual

Forecasted Weather: High-87 Low-73/ Isolated T-Storms

- 1300 Luggage Call
- 1500 Busses depart Capitol Hill en route Andrews Air Force Base
- 1600 Depart Washington DC (Andrews) (GMT -4) via MILAIR en route Sarajevo (GMT +2)
Total Travel Time: 9 hrs 5 min (advance clocks 6 hours)

Saturday, 27 June- Sarajevo

Attire: Travel casual until 1545/ Business after 1545

Forecasted Weather: High-79 Low-55/ 60% chance of showers

- 0705 CODEL arrives Sarajevo Airport via milair
- 0715 Depart Airport en route Hotel
- 0735 Arrive Hotel Europe
-Distribute keys, per diem in local currency
-Continental breakfast buffet in delegation room (juice, coffee, pastry, fruit)
-Down time until lunch
- 1130 Optional opportunity for viewing of Sarajevo Haggadah
- 1200 Lunch options (No-host Lunch)
-3 Restaurant Options
- 1330 Tour old town (AMB will accompany, along with commercial guide)
- 1515 Return to Hotel; down time
- 1545 Depart hotel en route Ambassador's residence
- 1600 Welcome by Amb. English and country team brief
Including: OSCE: CoM Gary Robbins
DCM: Judith Cefkin
POL: Mike Martin
ECON: Frank Ostrander
RAO: Mark Post
DAO: COL Schleicher
AID: David Hallengren
OPA: Janet Miller
- 1700 Discussion with Political Leaders
- 1830 Depart EMR en route Hotel Europe
- 1900 No-host dinner

RON Sarajevo

Sunday, 28 June- Sarajevo/Vilnius

Attire: Business

Forecasted Weather: High-80 Low-55/ 60% chance of showers

0800 Breakfast in Hotel

0930 Religious service options

1000 Accompanying Persons schedule begins, see below

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

Accompanying persons optional schedule

Escort officer: Shelby Legg

1000 Depart Sarajevo ert Jablinica

1130 Arrive Jablanica and Bridge Museum

1230 Depart Bridge museum

1245 Lunch at Orahovica restaurant

1345 Cultural excursion to Konjic, including local woodworking and Ottoman Bridge

1445 Depart Konjic ert Sarajevo

1020 Depart hotel ert Presidency [accompanying person schedule begins, see below]

1030 Arrive Presidency (press spray at top w/ group photo)

1045 Meet with Presidency

1200 Depart Presidency ert UNTTIC Towers

1215 Arrive UNTTIC Towers, Panorama restaurant

1230 Informal lunch with mixed group of university students (Panorama restaurant)
(Press: Photo only off the top)

1400 Depart lunch ert OHR

1415 Meeting with HiRep Inzko (Location: OHR; meeting TBC)
Press spray at top
Deputy HiRep Gregorian also invited

1515 Depart OHR ert Hotel Europe

1530 Press opportunity (Hotel Europe)

1600 BAGGAGE CALL

1615 Return to rooms to freshen up, check out of hotel [accompanying persons rejoin]

Monday, 29 June-Vilnius

Attire: Business

Forecasted Weather: High-75 Low-56/ Sunny w/ 10% chance of showers

- 0700-1000 Breakfast (Hotel Restaurant)
- 0930-1000 Country Team Briefing for Delegation
- 0900 – 1200 **Meeting of the Standing Committee**
- 1200 –1330 Lunch (one of three restaurants near the Ramada)
- 1345-1430 U.S. Delegation meeting with leadership of Jewish Community of Lithuania (Ramada Hotel)
- 14.30 – 16.00 **Inaugural Plenary Session**
(March 11 Hall)
1. Call to order and remarks by the President of the OSCE Parliamentary Assembly
 2. Addresses by host dignitaries
 3. Addresses by Presidents of observer Assemblies
 4. Report by the OSCE Parliamentary Assembly Special Representative on Gender Issues followed by a Debate
- 1445-1615 Tour of Jewish Ghetto, led by WWII partisan Fania Brancovskaya (starts and ends at Ramada Hotel)
- 1600 – 1630 Coffee break
- 1700 Delegation meeting with Kyle Scott, Charge d' Affaires, U.S. Mission to the OSCE
- 16.30 --18.30 **General Committee on Democracy, Human Rights and Humanitarian Questions**
(March 11 Hall)
- Opening remarks by the Chair of the Committee
- Introduction of the Draft Resolution by the Rapporteur
- Debate
- 1900 – 2130 **Concert followed by the reception hosted by the Speaker of the Seimas**
Lithuanian National Opera and Ballet Theatre

Tuesday, 30 June- Vilnius

Attire :Business

Forecasted Weather: High-71 Low-53/ Sunny

- 0700-1000 Breakfast (Hotel Restaurant)

Side-trip to Minsk, Belarus (2+ hour drive each way)

*** There will be no separate schedule for accompanying persons in Minsk*

- 0800 Departure from Vilnius (trip is about 180km; US Embassy Minsk will request escort at least in Belarus; to be accompanied by Charge de Affairs Jonathian Moore)

1130 Meeting with President Lukashenko (Press: Belarus State media can be expected to be shooting photos at the top of the meeting)

1230 Lunch with civil society/political parties at Embassy (U.S. Embassy, chancery conference room)

1430 Brief press availability at Embassy (US Embassy, ICASS conference room)

1500 Depart for 2-3 historical site(s)/Jewish community (exact sites visited will depend on weather conditions);

- Yama Memorial, where 5,000 Jews were massacred in the Minsk ghetto by the Nazis on March 2, 1942.
- Kuropaty – wooded area just outside of Minsk where tens of thousands were executed by the Soviet secret police in the late 1930s.
- Jewish Community Center operated by American Jewish Joint Distribution Committee.

1800 Depart for Vilnius

0700 – 0845 **Time reserved for meetings of various groups**

0900 – 1100 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Opening remarks by the Chair of the Committee

Introduction of the Draft Resolution by the Rapporteur

Debate

0900 – 1100 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Opening remarks by the Chair of the Committee

Introduction of the Draft Resolution by the Rapporteur

Debate

1300 Begin Schedule for Accompanying Persons (those not traveling to Minsk, Belarus)

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

1300-1430 Lunch - Čsarda (Hungarian)

1430-1500 Return to Hotel

1500-1530 Travel to main gate of Seimas

1530-1830 Guided tour of Trakai (OSCE PA/Seimas arranged)

1930-2130 Reception hosted by Lithuanian delegation at Belmontas

1100 – 1130 Coffee break

11.30 – 13.30 **Special Plenary Session**
(March 11 Hall)

1. Call to Order / Mr. João SOARES, President of the OSCE Parliamentary Assembly
2. Remarks by Mr. Vygaudas USACKAS, Foreign Minister, Republic of Lithuania
3. Address by Ms. Theodora BAKOYANNIS, Minister of Foreign Affairs of Greece, Chairperson-in-Office of the OSCE followed by a question and answer session.

1530 – 1830 **Guided Tour to Trakai**

1930 – 2130 **Reception hosted by the Lithuanian Delegation**
Belmontas Entertainment and Recreation Center

Wednesday, 01 July- Vilnius

Attire: Business

Forecasted Weather: High-69 Low-51/ Sunny w/ 10% chance of showers

0700-1000 Breakfast (Hotel Restaurant)

0700 – 0845 **Time reserved for meetings of various groups**

0900 – 1030 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)

Debate (cont'd)

Consideration of amendments

0900 – 1030 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Debate (cont'd)

Consideration of amendments

0900 Begin Schedule for Accompanying Persons

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

0900 Depart hotel for Green House Museum
0920-1020 Green House (Holocaust) Museum

Objective: Visit small museum that provides a description of the Holocaust in Lithuania and major figures in Lithuanian Jewish History. Cost of entry is 5 litas per person. Rachel (Rocha) Konstanian of the Museum has agreed to provide a tour without charge but any support is welcome.

1020-1040 Travel to Gediminas Castle and Museum

1040-1200 Gediminas Castle and Museum

Objective: Visit one of the most noticeable sites in Vilnius; take funicular to up to castle and museum. Funicular charge is 2 litas per person. Entry cost is 5 litas per person.

English speaking guides available for 50 litas for groups of ten or more.

- 1200-1220 Travel to Tores Restaurant in Uzupis
- 1220-1400 Lunch - Tores Restaurant (Lithuanian grill); in outside seating area with good overlook if there is no rain
- 1400-1410 Travel to St. Anne's Church
- 1410-1500 St. Anne's Church
- Objective: Dating from the 15th century, the church was constructed from thirty three different shapes of brick.
- 1500-1510 Travel back to hotel
- 1515-1525 Walk to Gates of Dawn
- 1525-1625 Gates of Dawn
- Objective: View last remaining gate of town fortifications and 17th century image of Virgin Mary.
- 1625-1635 Return to hotel
- 1800 Depart hotel for British Embassy
- 1830-1915 British reception for delegation at British Embassy
- 1915 Depart British Embassy for dinner
- 1945 Delegation dinner for entire group; location to be decided

-
- 1000 U.S. Delegation meeting with the Speaker of Seimas (Parliament) of the Republic of Lithuania (Press: photo only at the top or bottom of meeting)
- 1030 U.S. Delegation meeting with the Head of the Delegation of the OSCE PA Vilija Aleknaite-Abramikiene
- 1030-1130 Press Conference Hall (Press Center in Seimas) reserved for a news conference
- 1100 Press Conference (Press Conference Hall, Seimas Building)
- 1030 - 1100 Coffee break
- 1100 - 1230 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Debate (cont'd)

Consideration of amendments

- 1245 - 1415 **Working Lunch on Gender Issues** (*Seimas Restaurant*)

1430 – 1600 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Consideration of amendments and adoption of Resolution

Supplementary Items

1430 – 1600 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)

Consideration of amendments and adoption of Resolution

Supplementary Items

1500 U.S. Delegation meeting with Minister of Foreign Affairs Vygaudas Usackas (Press: Photo only at top of meeting)

1600 – 1630 Coffee Break

1630 – 1800 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Consideration of amendments and adoption of Resolution

Supplementary Items

1830 Annual UK-US Reception (British Embassy)

1945 CODEL Dinner

Thursday, 02 July- Vilnius

Attire: Business

Forecasted Weather: High-70 Low-53/ 60% chance of showers

0700-1000 Breakfast (Hotel Restaurant)

0700 – 0845 **Time reserved for meetings of various groups**

0900 – 1100 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Supplementary Items

Election of the Committee Officers

0900 – 1100 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)

Supplementary Items

Election of the Committee Officers

1100 – 1130 Coffee break

1100 – 1130 **Meeting of the Bureau** (*Constitution Hall*)

1130 – 1330 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Supplementary Items

Election of the Committee Officers

1140 Begin Schedule for Accompanying Persons

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

- 1140 Depart hotel for Embassy Fourth of July reception at Ambassador's Residence (Entire Delegation)
- 1200-1330 Embassy Fourth of July reception at Ambassador's Residence; lunch will be available (Entire Delegation)
- 1330 Depart for Prezidentura
- 1400-1430 Meet with President Adamkus (Entire Delegation)
- 1430-1500 Travel back to hotel
- 1530-1700 Walk to Amber Museum and Gallery stopping at sites of interest on the return trip
Objective: Visit museum and stop at any other sites of interest.
- 1700-1730 Walk to Hotel
- 1900-2400 Reception hosted by Prime Minister at National Gallery of Art, followed by evening of folklore at Song Festival in Kalnu Park. This will involve bus travel from Song Festival to Kalnu Park. (Entire Delegation)

1200- 1400 U.S Embassy Independence Day Celebration at Ambassador's Residence (Press: open press for b-roll, pull aside interviews; no formal news conference)

1330 U.S. Delegation departs Independence Day for meeting with President

1400 U.S. Delegation Meeting with President Adamkus (Press: photo only at top of meeting)

1330 -- 1500 Lunch break

1500 -- 1800 **Plenary Session (March 11 Hall)**

General debate

1930 -- 2200 **Reception hosted by the Prime Minister at the National Art Gallery**

2200-2400 **An evening of "Modern Folklore" in the framework of the Song Festival (Kalnu Park)**
(Attendees will be required to climb approximately 400 steps to reach the venue)
(Comfortable shoes are recommended)

Friday, 03 July- Vilnius/Washington DC

Attire: Travel Casual for accompanying persons/ business for voting members

Forecasted Weather: Vilnius- High-70 Low-53/ 30% chance of showers

Washington DC- High 86 Low-73/ 10% chance of showers

0700-1000 Breakfast (Hotel Restaurant)
0800 BAGGAGE CALL
0700 -- 0915 **Time reserved for meetings of various groups**
0915 Members depart hotel en route Seimas
0930 – 0945 **Plenary Session (March 11 Hall)**

Election of the Assembly Officers

0930 Accompanying Persons and staff depart Hotel en route Vilnius Airport
0945 Members depart Seimas en route Vilnius Airport
1030 Depart Vilnius en route Washington DC via MILAIR
Flight Time: 9 hr 45 min (retard clocks 7 hours)
1330 Arrive Washington DC

Mission Complete

EXHIBIT 15

EXHIBIT 16

Attachment 17

12 February 2010
Version 13

CODEL Cardin
12-20 February 2010
Morocco, Spain and Austria

Purpose: To meet with local and U.S. Government Officials in Morocco and Spain and to attend the 2010 Organization for Security and Cooperation in Europe (OSCE) Winter Meetings in Vienna.

Sponsor: OSD Committee Letter

Mode of travel: MILAIR (19 Over/ 20 Return)

Delegation (21)

Sen. Ben Cardin (D-MD)
Mrs. Myrna Cardin, Spouse
Sen. Roger Wicker (R-MS)
Mrs. Gayle Wicker, Spouse
Rep. Alcee Hastings (D-FL) (will join CODEL Cardin in Vienna)
Rep Robert Aderholt (R-AL)
Mrs. Caroline Aderholt, Spouse
Rep Laura Richardson (D-CA)
Del. Eni F.H. Faleomavaega (D-American Samoa)
Mrs. Antonina Hunkin, Spouse
Mr. Fred Turner, Chief of Staff, Helsinki Commission
Ms. Debbie Yamada, Staff, Senator Ben Cardin
Ms. Marlene Kaufmann, General Counsel, Helsinki Commission
Mr. Neil Simon, Communications Director, Helsinki Commission
Mr. Alex Johnson, Policy Advisor, Helsinki Commission (will join CODEL Cardin in Vienna)
Mr. Bob Hand, Policy Advisor, Helsinki Commission
Mr. Josh Shapiro, Staff Associate, Helsinki Commission
CAPT C.J. Cassidy, Lead Escort, Navy Senate Liaison Officer
LT Mitch McGuffie, Lead Planner, Navy Senate Liaison Officer
LT David Colberg, Navy House Liaison Officer
Dr. Justin Harder, Office of the Attending Physician

All times local.

Friday, February 12 (Washington DC)

Attire: Travel Casual

Forecasted Weather: Mostly Sunny High 35 Low-25

- 1730 Depart Capitol Hill en route Andrews Air Force Base
- 1830 Depart Washington DC en route Marrakesh, Morocco via MILAIR.
Flight Time: 7hr 10min; advance clocks 5 hours
Dinner served in flight

Saturday, February 13 (Morocco)

Attire: Travel Casual/ Business Dress for Dinner

Forecasted Weather: Showers; High-65 Low-48

- 0645 Arrive Marrakesh
- 0740 Hotel Check-in
- 1000 **Country Team Briefing (Hospitality Suite)**
Ambassador and Mrs. Kaplan
Alison Barkley, Management Counselor
Brian A. Shott, Deputy Political Counselor
Delegation
- 1045 Depart en route to American Corner
- 1100 **American Corner Presentation (Attire: Business Casual)**
Ambassador and Mrs. Kaplan
Delegation
- 1200 Depart en route to **No Host Lunch**
La Table du Marche, L'Oasis, Le Jardin
- 1330 Marrakesh Cultural Enrichment Program
(Casual Attire/Comfortable Walking Shoes)
- 1800 Return to Hotel
- 1930 Depart Hotel en route dinner
- 2000 Dinner hosted by Amb. Serge Berdugo (Attire: Business)

RON Sofitel Marrakesh
Rue Harroun Errachid Quartier de l'hivernage 40000
Marrakesh, Morocco
Tel: (+212)524/425600

Sunday, February 14 (Morocco)

Attire: Casual Business Casual; Business Casual for Amb Dinner

Forecasted Weather: AM Showers; High-67 Low-48

0800 Breakfast

0900 Depart en route to Ait Ourir Library

1000 Peace Corps Youth Development Project (Attire: Business Casual)

1130 Depart location en route hotel

1215 Baggage Call

1230 No Host Lunch
L'Oasis, Le Jardin

1330 Depart en route airport

1400 Depart Marrakesh en route Rabat via MILAIR
Flight Time: 50 min

1450 Arrive Rabat, en route to Golden Tulip Farah

1530 Hotel Check in

1600 Optional: Visit Rue de Consuls (Attire: Casual)

1845 Depart hotel en route Ambassador's Residence (Attire: Business)

1900 Dinner hosted by Ambassador and Mrs. Kaplan

RON Golden Tulip Farah Rabat
Makhlouf10-10.000-Rabat
Tel: +212 537 722155

Monday, February 15 (Morocco/Spain)

Attire: Business

Forecasted Weather: Rabat- Showers High-63 Low-53

Madrid- Scattered Showers High-46 Low-30

0830 Breakfast/Leisure Time

0930 Baggage Call/ Hotel Check-out

Accompanying Persons Schedule:

0945 Depart hotel en route Breast Cancer Awareness Project (TBC)

1100 Depart Location en route Airport

1015 Depart Hotel en route to Ministry of Foreign Affairs

1030 Meeting with MFA Secretary General Youssef Amrani (Attire: Business)

1115 Depart Location en route Airport
Box lunches will be served on plane

1130 Depart Rabat, Morocco en route to Rota, Spain via MILAIR
Flight Time: 1hr 5min, Advance clocks 1 hour

1335 Arrive Rota
Greeted by Spanish Contralmirante Pelluz and CAPT Bill Mosk (NAVSTA
Commanding Officer)

1340 Opportunity for Constituent Photos

1350 Command Brief
Naval Station Rota Brief given by CAPT Bill Mosk
Combined Task Force-68 Brief given by Commodore Beck

1455 Driving tour of Rota

1600 Depart Naval Air Station Rota, Spain en route Madrid
Flight Time: 1hr

1700 Arrive Madrid Torrejon, Proceed to hotel (drive approximately 20 minutes).

1720 Hotel Check-in

1830 Depart hotel for Chief of Mission Residence

1900 Cocktail hosted by Ambassador Solomont, CMR (Attire: Business)

2100 Senator and Mrs. Cardin dinner with FCJE
Location: Hotel Villamagna

RON Hotel Intercontinental Castellana
Address: Paseo de la Castellana, 49
28046 Madrid
Tel: +34-91-700-7300

Tuesday, February 16 (Spain)

Attire: Business

Forecasted Weather: Rain/Snow Showers; High -43 Low-34

0930 Depart hotel.

[Spouses depart hotel at 0930 to attend community service event organized by PAS and CLO and will meet delegation at 1315 at Palacio de Viana.]

1000 Meeting with Bernardino León, Secretary General of the Presidency of the Government (Press TBD)

1200 Meeting with Minister of Interior Rubalcaba (Press TBD)

1315 Meeting with Secretary of State for Foreign Affairs (Press TBD)

1315 *Tour of the Palacio de Viana for Accompanying Persons.
Mrs. Solomont will join.*

1400 Lunch hosted by Secretary of State for Foreign Affairs for entire delegation.
Mrs. Solomont will join.

1630 Press availability, Embassy MPR

1715 Return to hotel.

1730 Cultural program (optional).

2015 Depart hotel (for those dining at Botin).

2030 Dinner at Botin, Calle Cuchilleros, 17, 91-366-4217.

RON Hotel Intercontinental Castellana
Address: Paseo de la Castellana, 49
28046 Madrid

Tel: +34-91-700-7300

Fax: +34-91-319-5853

Wednesday, February 17 (Spain/Austria)

Attire: Business

Forecasted Weather: Madrid- Showers High-49 Low-38

Vienna- Partly Cloudy High39 Low-28

- 0800 Check-out and baggage call.
- 0830 Depart hotel.
- 0845 Tour of Atocha station.
- 0930 Depart Atocha station.
- 1000 Meeting with Isidro Rodríguez, Managing Director of the Roma Foundation, and tour of the facilities.
- 1100 Depart for Ministry of Foreign Affairs.
- 1200 Meeting with José Riera Siquier, Special Ambassador for the Mediterranean; Enrique Asorey Rey, Special Ambassador for OSCE Affairs; and Fidel Sendagorta, Director General for Mediterranean, Maghreb and the Middle East
- [Boxed lunch on bus.]*
- 1330 Tour Palacio Real.
- 1530 Tour Prado.
- 1730 Depart for Torrejon.
- 1800 Depart Madrid en route Vienna, Austria via MILAIR
Flight Time: 2hr 20min; no time change
Dinner Served in flight
- 2020 Arrive Vienna
Delegation met by Carol Fuller and Winsome Packer
- TBD Arrive Hotel Imperial
Check-in
Currency exchange available

2100 Delegation briefing by OSCE PA Secretary General, Spencer Oliver
Location: Delegation Room

RON Hotel Imperial
Kartner Ring 16
Vienna
Tel: 43-1-501-10-387

Thursday, February 18 (Austria)

Attire: Business

Forecasted Weather: Rain/Snow Showers High-38 Low-32

0800 Breakfast
Location: Imperial Café (Ground Floor)
Note: Breakfast included in room rate

0900-1130 Standing Committee Meeting, Ratsaal (fifth floor), Hofburg
Participants: Chairman Cardin, Co-Chairman Hastings, and
Representative Aderholt only

1120 Depart hotel for Hofburg

1145-1300 Joint Session of the three General Committees, Neuer Saal (2nd floor)
Call to Order by Mr. Joao Soares, President of the OSCE Parliamentary Assembly
(PA) **OPEN PRESS**

- Opening Remarks by the President of the Austrian Nationalrat, Ms. Barbara Prammer
- Address by Mr. Joao Soares, President of the OSCE Parliamentary Assembly
- Address by the OSCE Chairperson-In-Office, Kanat Saudabayev, followed by a question/answer session

1300 Reception offered by the delegation of Kazakhstan
(Location: Hofburg Zeremoniensaal)

1500 Co-Chairman Hastings Meeting with Mediterranean Partners, Room TBD,
Hofburg

1500-1800 General Committee on Political Affairs and Security, Neuer Saal (2nd floor)
Open Press

1500-1800 General Committee on Economic Affairs, Science, Technology and
Environment, Ratsaal (5th floor) **Open Press**

1815 Departure of buses from Hofburg to the Austrian Parliament

1830 Reception offered by the Austrian Parliament (Austrian Nationalrat)

RON Hotel Imperial
Kartner Ring 16
Vienna
Tel: 43-1-501-10-387

Friday, February 19 (Austria)

Attire: Business

Forecasted Weather: Rain/Snow Showers: High-39 Low-32

0730 Breakfast
Location: Café Imperial (Ground Floor)

0840 Depart hotel for Hofburg

0900-1200 General Committee on Democracy, Human Rights and Humanitarian Questions,
Neuer Saal (2nd floor) **Open Press**

1000 Senator and Mrs. Cardin Depart for Centropa Meeting

1015-1115 Senator and Mrs. Cardin Meeting with Centropa and about 50 Holocaust
survivors. Centropa will show a short video. Refreshments will be provided.
Open Press
Location: Cafe Landtmann, Dr. Karl Lueger-Ring 4, A-1010 Wien

1145 Depart Hofburg for Café Central

1200 Lunch
Location: Cafe Central, Herrengasse 14/2, Vienna, Tel: 01-333-76424
Participants: Delegation

1330-1630 Closing Session of the three General Committees (Neuer Saal / 2nd floor)
Open Press

1330-1530 Special Debate on Afghanistan **Open Press**

1530-1630 Address by the OSCE Secretary General, Marc Perrin de Brichambaut, followed
by a question & answer session; **Open Press**

Report by the OSCE PA Special Representative on Gender Issues,
Ms. Tone Tingsgard followed by a debate;

Reports by the Chairs of the three General Committees;

Concluding Remarks by the President of the OSCE PA, Mr. Joao Soares

- 1315 Press Roundtable, Room 201, the Hofburg
- 1530 Delegation Meeting with Russian Delegation, Room 201, the Hofburg
- 1630 Delegation Meeting with the OSCE Secretary General, Marc Perrin de Brichambaut, Room 201, the Hofburg
- 1715-1815 Senator and Mrs. Cardin attend services at the Vienna City Temple.
Location: Seitenstettengasse 4, A-1010 Vienna.
- 1840 Depart hotel for dinner
- 1900 Dinner
Location: Pürstner Wien | 1. Riemergasse 10 | Tel.: 1/512 6357
Participants: Delegation
- RON Hotel Imperial
Kartner Ring 16
Vienna
Tel: 43-1-501-10-387

Saturday, February 20 (Austria/Washington DC)

Attire: Travel Casual

Forecasted Weather: Partly Cloudy high 39 Low-31

- 0630 Currency Exchange Opens
- 0715 Breakfast
Location: Café Imperial (Ground Floor)
- 0715 Baggage Call
- 0820 Depart Hotel Imperial
- 0900 Depart Vienna en route Washington DC via MILAIR
Flight Time: 10 hours; Retard clocks 6 hours
- 1300 Arrive Washington DC

EXHIBIT 17

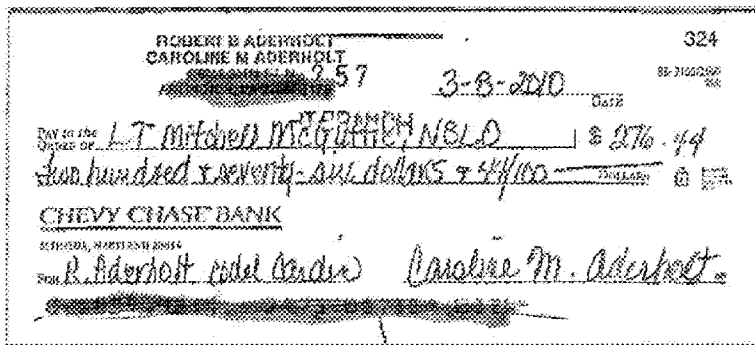


- View Balances
- View Activity
- View Summary
- View e-Statements
- Search and View Checks
- Chevy Chase Rewards
- Quick Balance Summary

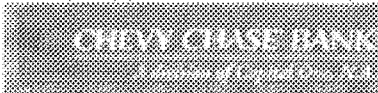
View Check

Caroline Aderholt

Account	Check Number	Amount	Date Posted
Direct Deposit Ckg - 7773206716	324	\$276.44	03/25/2010



Printer Friendly Format

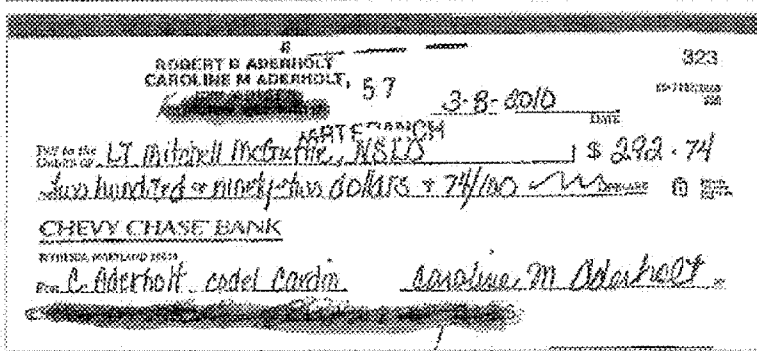


- View Balances
- View Activity
- View Summary
- View e-Statements
- Search and View Checks
- Chevy Chase Rewards
- Quick Balance Summary

View Check

Caroline Aderholt

Account	Check Number	Amount	Date Posted
Direct Deposit Ckg - 7773208716	323	\$292.74	03/25/2010



View Check Print and Mail

History of Transactions

Member Security Features

9 AM

APPENDIX B

Board
David Skaggs, Chair Porter Goss, Co-Chair
Yvonne Burke Jay Eagen
Karan English William Frenzel
Allison Hayward Abner Mikva
Leo J. Wise, Staff Director & Chief Counsel

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Washington, DC 20024

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Congress of the United States
House of Representatives

2010 JUL 30 PM 7:22 OFFICE OF CONGRESSIONAL ETHICS
COMMITTEE ON STANDARDS

(202) 225-9739
(202) 226-0997 (FAX)

Washington, DC 20515

oce.house.gov
oce@mail.house.gov

July 30, 2010

Honorable Zoe Lofgren, Chair
Honorable Ben Chandler
Honorable G. K. Butterfield
Honorable Kathy Castor
Honorable Peter Welch
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Honorable Jo Bonner, Ranking Member
Honorable Mike Conaway
Honorable Charlie Dent
Honorable Gregg Harper
Honorable Michael McCaul
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Re: Review No. 10-6294 (Representative G.K. Butterfield)
REFERRAL

Dear Chair Lofgren, Ranking Member Bonner and Members of the Committee on Standards of Official Conduct:

We write to notify you of the transmittal of a report recommending further review and findings (collectively "the referral") in Review No. 10-6294, concerning Representative G.K. Butterfield. We have also included supporting documentation. The entire referral and supporting documentation have been delivered to the Offices of the Committee on Standards of Official Conduct where it is available for your review.

If you would like to receive a copy of the Board's referral and supporting documents or have any questions regarding it, our staff is available at your convenience.

Sincerely yours,



David E. Skaggs



Porter J. Goss

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 10-6294

The Board of the Office of Congressional Ethics (the “Board”), by a vote of no less than four members, on July 23, 2010, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative G. K. Butterfield

NATURE OF THE ALLEGED VIOLATION: In 2009, Representative G. K. Butterfield participated in a Congressional Delegation to Lithuania. During the trip, he received a travel per diem for meals and incidental expenses with an approximate value of \$800.00. Public statements attributed to Representative Butterfield indicated that he may have retained excess per diem. In addition, these public statements indicate that he may have retained excess per diems on other trips.

If Representative Butterfield’s actual meal and incidental expenses during a CODEL were less than the per diem received and he did not return the excess per diem, he may have violated House Rule 10, clause 8, House Rule 23, clauses 1 and 2.

RECOMMENDATION: The Board recommends that the Committee on Standards of Official Conduct further review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-6294

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-6294

On July 23, 2010, the Board of the Office of Congressional Ethics (the “Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.¹ By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”²
2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics (“OCE”) that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.³

¹ Rules of the House of Representatives, 111th Cong. Rule X, Clause 8, adopted under H. Res. 5, 111th Cong. (January 6, 2009).

² Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10-6294_002).

³ Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager (“CSCE Office Manager MOI”) (Exhibit 2 at 10-5477_006); Memorandum of Interview of House Committee on Foreign Affairs Travel Coordinator (Exhibit 3 at 10-5477_009); and Memorandum of Interview of House Armed Services Committee Travel Coordinator (Exhibit 4 at 10-5477_014).

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3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.
4. Representative Butterfield acknowledged publically before the commencement of the OCE's Review that he did not return excess per diem.⁴ During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals, indicating that he had excess per diem.⁵

A. Summary of Allegations

5. Based on the information before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative G. K. Butterfield may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2, by retaining excess per diem when his actual meal and incidental expenses were less than the per diem that he received during various Congressional Delegation trips ("CODELs").

B. Jurisdictional Statement

6. The allegations that were the subject of this Review concern Representative Butterfield, a Member of the United State House of Representatives from the 1st District of North Carolina. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. Therefore, the conduct under Review occurred after March 11, 2008.

C. Procedural History

7. The OCE received a written request for a preliminary review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010. The preliminary Review was scheduled to end on May 13, 2010.

⁴ Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-6294_017).

⁵ Memorandum of Interview of Representative G. K. Butterfield, June 24, 2010 ("Butterfield MOI") (Exhibit 6 at 10-6294_022).

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8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.⁶ The second-phase Review was scheduled to end on June 28, 2010.
9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.⁷
10. Representative Butterfield submitted a written statement to the Board, under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 19, 2010.⁸
11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.
12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 30, 2010.

D. Summary of Investigative Activity

13. The OCE requested documentary and testimonial information from the following sources:
 - (1) Representative Butterfield;
 - (2) Commission on Security and Cooperation in Europe ("CSCE");
 - (3) CSCE Office Manager;
 - (4) House Committee on Foreign Affairs;
 - (5) House Committee on Foreign Affairs Travel Coordinator;
 - (6) House Committee on Armed Services;
 - (7) House Committee on Armed Services Travel Coordinator;
 - (8) Bureau of Legislative Affairs of the United States Department of State; and
 - (9) United States Air Force Congressional Liaison Office.

⁶ According to the Resolution, the Board must vote on whether to conduct a second-phase review in a matter before the expiration of the 30-day preliminary review. If the Board votes for a second-phase, the second-phase begins when the preliminary review ends. The second-phase review does not begin on the date of the Board vote.

⁷ *Id.* at § 1(c)(2)(A)(ii) (2008).

⁸ Letter from Representative Butterfield to Chairman David Skaggs and Co-Chairman Porter J. Goss, dated July 19, 2010. (Exhibit 7 at 10-6294_026).

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II. THERE IS SUBSTANTIAL REASON TO BELIEVE THAT REPRESENTATIVE BUTTERFIELD RECEIVED PER DIEM IN EXCESS OF HIS ACTUAL MEAL AND INCIDENTAL EXPENSES DURING CERTAIN CODELS AND RETAINED THE EXCESS PER DIEM

14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.
15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.
16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of “any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”⁹

A. Applicable Law, Rules, and Standards of Conduct

1. House Rules

17. Pursuant to House Rule 10, clause 8(b):

“The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of---

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.”

18. Pursuant to House Rule 23, clause 2:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.”

19. Pursuant to House Rule 23, clause 1:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House.”

⁹ H. Res. 895 of the 110th Congress, as amended, Section 1(c)(1)(A).

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2. Federal Travel Regulation and Other Guidance

20. *House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95-384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300-304.*
21. *The “per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses.”¹⁰*
22. *Lodging expenses include “expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate.”¹¹*
23. *Meal expenses are “expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).”¹²*
24. *Incidental expenses are “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”¹³*
25. *“Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates.”¹⁴*
26. *Under the Federal Travel Regulation, the allocation of meals and incidental expenses (“M&IE”) rates that are used in making deductions from the M&IE are as follows: 15%*

¹⁰ 41 C.F.R. § 300-3.1 (emphasis added).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 8 at 10-6294_030).

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for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was \$100 per day, it was allocated as \$15 is for breakfast, \$25 for lunch, \$40 for dinner, and \$20 for incidental expenses.¹⁵

27. According to *The United States Department of State Bureau of Legislative Affairs Official Foreign Travel Guide published for the U.S. Congress, Members are advised the following:*

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any “excess” funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

28. *The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained.¹⁶*

B. Representative Butterfield Made Public Statements Indicating That He May Have Retained Excess Per Diem

29. On March 2, 2010, the *Wall Street Journal* published an article entitled “Lawmakers Keep the Change.”¹⁷

30. Representative Butterfield’s statements in the article indicate that he may have retained excess per diem that he received during the CODELs.

31. According to the article: “Mr. Butterfield said that he didn’t recall if he had any leftover funds, and that he sometimes kept the extra cash.” “I won’t deny that sometimes I have a little left, but it’s not much – maybe 80, 90, or 100 dollars,” said Rep. G. K. Butterfield (D., N.C.)”¹⁸

¹⁵ 41 C.F.R. ch. 301, App. B.

¹⁶ House Rule 10, clause 8.

¹⁷ Brody Mullins and T.W. Farnam, “Lawmakers Keep the Change,” *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-6294_017).

¹⁸ *Id.*

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32. Representative Butterfield told the OCE that these quotes are not completely accurate. He explained that it is accurate that he does not know if he had any “significant” leftover funds. However, he does not recall characterizing such funds as “80, 90, or 100 dollars.”¹⁹

C. Representative Butterfield’s Use of Per Diem for Expenses Other Than Meals and Incidentals Provides Substantial Reason to Believe That He Had Excess Per Diem and He Did Not Return Excess Per Diem

33. Representative Butterfield used per diem for expenses other than his personal lodging, meals, and incidentals.

34. He told the OCE that during CODELs, he has typically attended dinners with Congressional staff, where he and other Members paid for the costs of staff dinners.²⁰

35. He recalls an instance where the bill for a meal was “shockingly” expensive and he suggested that Members cover the costs for staff.²¹

36. He had also purchased gifts and souvenirs with the per diem. He purchased such souvenirs for himself, family, and occasionally staff.²²

37. Representative Butterfield’s use of the per diem for purposes other than his personal meals and incidental expenses suggests that his actual meal and incidental expenses were less than the per diem that he received.

38. As a result, there is substantial reason to believe that Representative Butterfield had excess per diem after certain CODELs.

D. Estimates of Representative Butterfield’s Meal and Incidental Expenses Provide Substantial Reason to Believe That His Excess per Diem Was More Than a *De Minimis* Amount for Certain CODELs

39. Representative Butterfield told the OCE that he did not keep a complete record of expenses that he incurred on CODELs that he attended during the time period from March 2008 to May 2010.²³

40. Based on the information before the OCE, the exact amount of his meal and incidental expenses for each CODEL is unknown.

¹⁹ Butterfield MOI (Exhibit 6 at 10-6294_023)

²⁰ *Id.* at 10-6294_022.

²¹ *Id.*

²² *Id.*

²³ *Id.* at 10-6294_023.

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41. Consequently, the OCE used an estimate of expenses to determine whether it appeared that Representative Butterfield retained excess per diem that was more than a *de minimis* amount.
42. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.
43. If an estimate is not used, a House Member or staff could impede the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.
44. Representative Butterfield's description of his typical meal and incidental expenses provided the basis for estimating his expenses.
45. Representative Butterfield's meals during CODELs falls into the following three categories:
 - a) meals that were provided to him at no charge. These meals include working lunches, and official dinners that were hosted as part of the official events of the CODELs.²⁴ Representative Butterfield stated that most meals fall under this category;
 - b) meals that were paid for by military personnel escorting the CODEL Representative Butterfield later reimbursed. These are the meals where multiples Members of Congress and staff attend and the military escort (e.g., U.S. Air Force official) paid for the dinner on behalf of all participants and then sent an invoice to each person for their portion of the bill. Occasionally, he will reimburse the escort with per diem while on the return flight to the U.S.;²⁵ and
 - c) meals that Representative Butterfield directly paid for himself. He explained that such meals usually occurred as evening meals.²⁶
46. With respect to incidental expenses, Representative Butterfield used per diem for taxis, however, most ground transportation was provided to him at no cost. He also used the per diem for laundry and other miscellaneous items that he cannot recall.²⁷
47. As a result, the invoice received from the military escorts for each CODEL, along with the itinerary of meals that were provided at no charge to Representative Butterfield,

²⁴ *Id.* at 10-6294_022.

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.* at 10-6294_021.

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E. Representative Butterfield Did Not Return Any Excess Per Diem for Meals and Incidental Expenses

48. Representative Butterfield did not return any unused per diem for meal and incidental expenses as he does not know if he had any excess per diem after any CODEL. He does not acknowledge that he had any significant amount of excess per diem after any CODEL. He cannot quantify if such amount were between "\$10 to \$500".²⁸
49. Procedures were in place at the time of Representative Butterfield's travel for him to return any excess per diem.
50. All of the relevant CODELs that Representative Butterfield attended were organized by the Commission on Security and Cooperation in Europe ("CSCE"), except CODEL Rush.
51. The Office Manager of the CSCE is responsible for reporting the amount per diem that Members received, and recording any excess per diem that Members of Congress or staff returned. He told the OCE that he has received excess per diem from Representatives and staff for various CODELs, which was returned to him by checks made payable to the U.S. Treasury.²⁹
52. The Office Manager forwards the checks to a specific person at the U.S. Department of State who is responsible for receiving returns of excess per diem.³⁰
53. There is substantial reason substantial reason to believe that Representative Butterfield had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.

²⁸ *Id.* at 10-6294_023.

²⁹ CSCE Office Manager MOI (Exhibit 2 at 10-6294_005).

³⁰ *Id.* at 10-6294_006.

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54. Although, the available evidence does not establish the exact amount of actual expenses for Representative Butterfield’s CODELs, after estimating meal and incidental expenses, there is substantial reason to believe that Representative Butterfield retained excess per diem from the following CODELs:

SUMMARY OF ESTIMATED EXCESS PER DIEM				
CODEL	DATE	M&IE Per Diem³¹	Estimated Expenses³²	Estimated Excess Per Diem
CODEL Hastings to the United Kingdom, Kazakhstan, Pakistan, and Italy	June 28 to July 3, 2008	\$1,108.00	≅ \$649.00	≅ \$459.00
CODEL Hastings to Belgium	April 15 to April 17, 2009	\$479.00	≅ \$314.00	≅ \$165.00
CODEL Cardin to Lithuania	June 28 to July 3, 2009	\$800.00	≅ \$320.00	≅ \$480.00
CODEL Rush Liberia, Ghana, South Africa, and Morocco	August 15 to August 24, 2009	\$1,050.00	≅ \$645.00	≅ \$405.00
Total		\$3,539.00	≅ \$1928.00	≅ \$1,509.00

1. CODEL Hastings (2008)

55. During CODEL Hastings to the United Kingdom, Kazakhstan, Pakistan, and Italy, Representative Butterfield received an enhanced per diem of \$1,108.00.³³

56. According to the CODEL itinerary, at least eight meals appear to have been provided at no cost to Representatives who attended the CODEL.³⁴

³¹ M&IE Per Diem calculated using travel itineraries; the monthly per diem rates established by the Office of Allowances, United States Department of State; and where applicable, travel vouchers and travel authorization letters.
³² Estimated expenses were calculated using the “Allocation of M&IE Rates to be Used in Making Deductions from the M&IE Allowance,” which lists the amount of per diem expected to be allocated for breakfast, lunch, dinner, and incidentals. 41 C.F.R. ch. 301 App. B.
³³ See Letter from the Speaker of the House to the Secretary of State dated March 5, 2008 (Exhibit 9 at 10-6294_051); Itinerary for CODEL Hastings (June 28 to July 3, 2008) (Exhibit 10 at 10-6294_053-061); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp> (last accessed July 29, 2010).
³⁴ Itinerary for CODEL Hastings (June 28 to July 3, 2008) (Exhibit 10 at 10-6294_053-061).

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57. Representative Butterfield' meal and incidental expenses are estimated on the Federal Travel Regulations allocation formula.³⁵

58. The estimated amount of meals and incidental expenses is \$649.00.

59. Accordingly, the estimated excess per diem is \$459.00.

CODEL HASTINGS TO THE UNITED KINGDOM, KAZAKHSTAN, PAKISTAN, AND ITALY							
(JUNE 28 TO JULY 3, 2008)							
Meals & Incidentals	Jun 27	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast	≅ \$35	≅ \$24	Hosted	Hosted	Hosted	≅ \$19	\$0.00
Lunch	≅ \$58	≅ \$39	≅ \$39	Hosted	Hosted	≅ \$32	
Dinner	≅ \$92	≅ \$63	Hosted	Hosted	Hosted	≅ \$52	
Incidentals	≅ \$46	≅ \$31	≅ \$31	≅ \$31	≅ \$31	≅ \$26	\$0.00
M&IE Received							\$1108.00
Estimated for Additional M&IE							≅ \$649.00
Estimated Excess Per Diem							≅ \$459.00

60. There is substantial reason to believe that Representative Butterfield had excess per diem for CODEL Hastings that he did not return to the U.S. Treasury.

2. CODEL Hastings to Belgium

61. During CODEL Hastings to Belgium, Representative Butterfield received a per diem of \$479.00.³⁶

62. According to the CODEL itinerary, at least three meals appear to have been provided at no cost to Representatives who attended the CODEL.³⁷

³⁵ 41 C.F.R. ch. 301 App. B.

³⁶ See Itinerary for CODEL Hastings (April 15 to April 17, 2009) (Exhibit 11 at 10-6294_063-065); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁷ Itinerary for CODEL Hastings (April 15 to April 17, 2009) (Exhibit 11 at 10-6294_063-065).

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63. Representative Butterfield's meal and incidental expenses that are estimated on the Federal Travel Regulations allocation formula.³⁸

64. The estimated amount of meals and incidental expenses is \$314.00.

65. Accordingly, the estimated excess per diem is \$165.00

CODEL HASTINGS TO BELGIUM (APRIL 15 TO APRIL 17, 2009)				
Meals & Incidentals	Apr 15	Apr 16	Apr 17	Apr 18
Breakfast	≅ \$23	≅ \$23	≅ \$25	\$0.00
Lunch	≅ \$39	Hosted	≅ \$42	
Dinner	Hosted	Hosted	≅ \$67	
Incidentals	≅ \$31	≅ \$31	≅ \$33	\$0.00
M&IE Received				\$479.00
Estimated for Additional M&IE				≅ \$314.00
Estimated Excess Per Diem				≅ \$165.00

66. There is substantial reason to believe that Representative Butterfield had excess per diem for CODEL Hastings that he did not return to the U.S. Treasury.

3. CODEL Cardin

67. During CODEL Cardin to Bosnia, Lithuania, and Belarus, Representative Butterfield only traveled to Lithuania. He received an enhanced per diem for meals and incidental expenses in the amount of \$800.00.³⁹

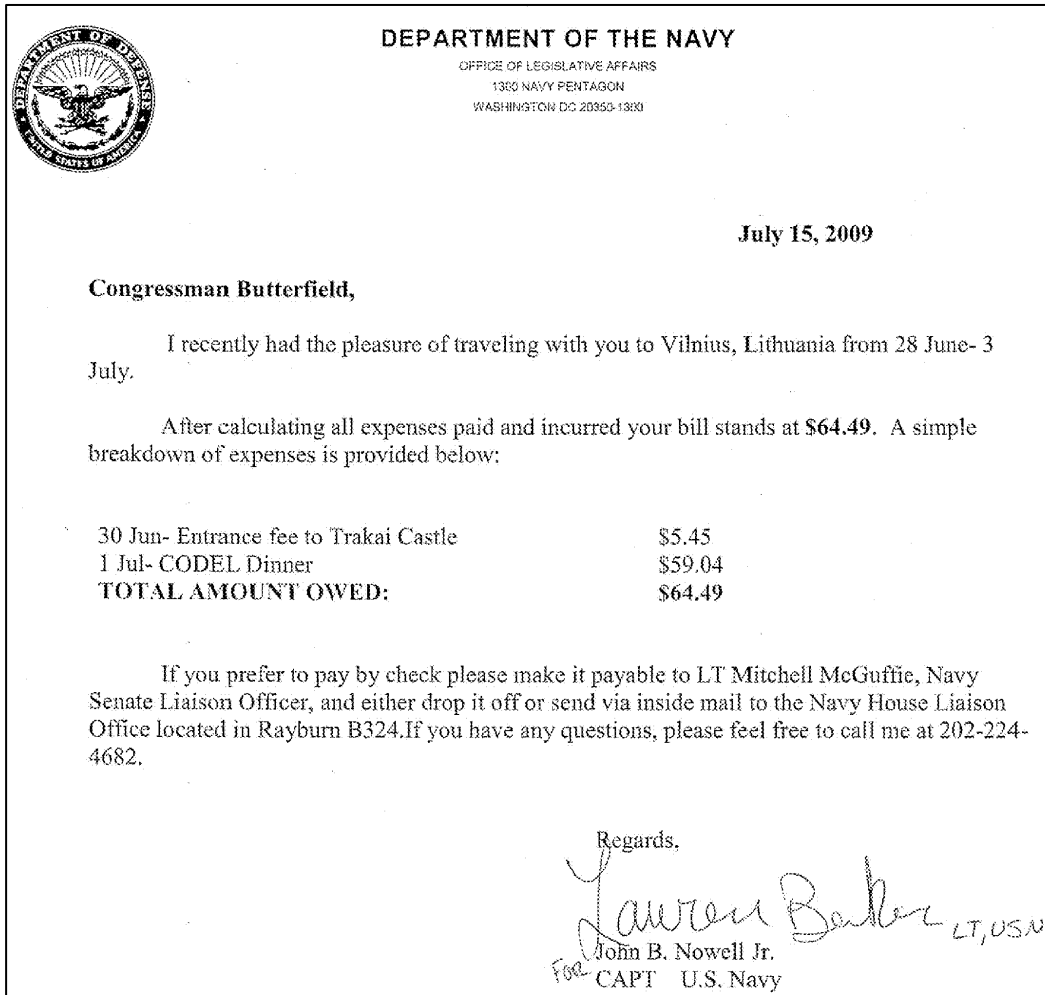
³⁸ 41 C.F.R. ch. 301 App. B.

³⁹ See Letter from the Speaker of the House to the Secretary of State dated June 19, 2009 (Exhibit 12 at 10-6294_067); Itinerary for CODEL Cardin (June 28 to July 3, 2009) (Exhibit 13 at 10-6294_070-080); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

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68. According to the itinerary for CODEL Cardin, at least fourteen meals appear to have been provided at no cost to Representatives who participated during the five days in Lithuania.⁴⁰
69. Following the CODEL, Representative Butterfield owed the military escort \$64.69 for meals and other expenses that were incurred on behalf of Representative Butterfield.⁴¹ An invoice was sent to Representative Butterfield, dated July 15, 2009.



70. The amount per diem remaining after the billed meal expenses is \$735.31.
71. Representative Butterfield may have incurred meal and incidental expenses in addition to those owed to the military escort. These additional expenses are estimated on the Federal Travel Regulations allocation formula.⁴²

⁴⁰ Itinerary for CODEL Cardin (June 28 to July 3, 2009) (Exhibit 13 at 10-6294_070-080).

⁴¹ Letter from Captain John B. Nowell Jr. to Representative Butterfield, dated July 15, 2009 (Exhibit 14 at 10-6294 082).

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72. The estimated amount of meals and incidental expenses is \$256.00.

73. Accordingly, the estimated excess per diem is \$480.00.

CODEL HASTINGS TO BELGIUM (JUNE 28 TO JULY 3, 2009)						
Meals & Incidentals	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted
Lunch	Hosted	Hosted	Hosted	Hosted	Hosted	Billed
Dinner	≅ \$64	Hosted	Hosted	Billed	Hosted	Billed
Incidentals	≅ \$32	≅ \$32	≅ \$32	≅ \$32	≅ \$32	≅ \$32
M&IE Received						\$800.00
Billed						\$64.49
Estimated M&IE						≅ \$256.00
Estimated Excess Per Diem						≅ \$480.00

74. There is substantial reason to believe that Representative Butterfield had excess per diem for CODEL Cardin that he did not return to the U.S. Treasury.

4. CODEL Rush

75. During CODEL Rush to Liberia, Ghana, South Africa, and Morocco, Representative Butterfield received per diem for meals and incidental expenses the amount of \$1,050.00.⁴³

76. Representative Butterfield's daughter attended the CODEL. Per diem is only for a Representative's personal lodging, meals, and incidental expenses and cannot be used for expenses incurred on behalf of a Representative's child.

⁴² 41 C.F.R. ch. 301 App. B.

⁴³ See Itinerary for CODEL Rush (August 25 to August 24, 2009) (Exhibit 15 at 10-6294_084-094); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

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77. According to a partial itinerary for CODEL Rush, at least fifteen meals appear to have been provided at no cost to Representatives who attended the ten-day trip.⁴⁴
78. Following the CODEL, Representative Butterfield owed the military escort \$732.92 meal and other expenses that were incurred on behalf of Representative Butterfield and his daughter.⁴⁵

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

26 August 2009

Office of Legislative Liaison
B-322 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

The Honorable G. K. Butterfield
413 Cannon Building
U.S. House of Representatives
Washington, DC 20515

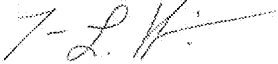
Dear Representative Butterfield,

Thank you for choosing the Air Force for your travel to Liberia, Ghana, South Africa and Morocco. It was a true pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
✓ In-Night Meals, \$6.08 ea (4 Member, 8 Valeisha)	12	\$72.96
✓ Dinner- BCIU Reception, Ghana (\$37.50)✓	2	\$75.00
✓ Lunch – Tribes Restaurant, Ghana (\$18.68)✓	2	\$37.36
✓ Tour – Cape Coast Castle, Ghana (\$7.27)	2	\$14.54
✓ Lunch – Wandies Restaurant, Johannesburg (\$23.06)	1	\$23.06
✓ Lunch – Black Marlin Restaurant, Cape Town (\$39.26)	2	\$78.52
Hotel – Hyatt Regency, Johannesburg (internet)	1	\$40.88
Picture developed and framed, Johannesburg	1	\$17.60
Valeisha Butterfield Visa Application Liberia	1	\$182.00
Valeisha Butterfield Visa Application Ghana	1	\$50.00
Valeisha Butterfield Visa Application Angola	1	\$141.00
Total Amount		\$732.92

Please provide a check for this amount, payable to the US Treasury, to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (202) 225-6656. Thank you.

Very Respectfully,


TREVOR L. WILLIAMS, Maj, USAF
Congressional Liaison

\$375 DATED

⁴⁴ Itinerary for CODEL Rush (August 25 to August 24, 2009) (Exhibit 15 at 10-6294_084-093).

⁴⁵ Letter from Maj. Trevor L. Williams to Representative Butterfield, dated August 26, 2009 (Exhibit 16 at 10-6294_096).

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79. Representative Butterfield paid the \$732.92, but did not use per diem to pay for the amount for his daughter. His expenses for which he allocated per diem were \$208.57.⁴⁶

80. The M&IE per diem remaining after the billed meal expenses is \$841.43.

81. Representative Butterfield may have incurred meal and incidental expenses in addition to those owed to the military escort. These additional expenses are estimated on the Federal Travel Regulations allocation formula.⁴⁷

82. The estimated amount of meals and incidental expenses is \$436.00.

83. Accordingly, the estimated excess per diem is \$405.00

CODEL RUSH TO LIBERIA, GHANA, SOUTH AFRICA, AND MOROCCO										
(AUGUST 15 TO AUGUST 24, 2009)										
Meals & Incidentals	Aug 15	Aug 16	Aug 17	Aug 18	Aug 19	Aug 20	Aug 21	Aug 22	Aug 23	Aug 24
Breakfast		Billed	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted
Lunch		Hosted	Hosted	≅ \$24	Billed	Billed	Hosted	Hosted	Billed	Billed
Dinner	Billed	Hosted	≅ \$39	≅ \$39	≅ \$53	Hosted	≅ \$49	≅ \$44	Hosted	Billed
Incidentals		≅ \$18	≅ \$19	≅ \$19	≅ \$26	≅ \$24	≅ \$24	≅ \$22	≅ \$18	≅ \$18
M&IE Received										\$1,050.00
Billed										\$208.57
Estimated for M&IE										≅ \$436.00
Remaining										≅ \$405.00

84. As a result, there is substantial reason to believe that Representative Butterfield's per diem exceed his actual expenses for CODEL Rush that he did not return to the U.S. Treasury.

⁴⁶ Butterfield MOI (Exhibit 6 at 10-6294_023).

⁴⁷ 41 C.F.R. ch. 301 App. B.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

III. CONCLUSION

85. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and staff may receive reimbursement for expenses that is *the lesser of*: (1) the applicable per diem; or (2) actual expenses.
86. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S. Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.
87. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Butterfield's public statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.⁴⁸
88. Based on the information available to the OCE during this Review, Representative Butterfield's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELs: CODEL Hastings (2008); CODEL Hastings (2008); CODEL Cardin; and CODEL Rush.
89. Based on the information available to the OCE during this Review, Representative Butterfield did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.⁴⁹
90. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Butterfield.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

91. The OCE requested information from the U.S. Department of State concerning letters of authorization for certain CODELs and records of Representative Butterfield returning excess per diem. The U.S. Department of State was cooperative with retrieving the information but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

⁴⁸ Insert cite to House Ethics Manual.

⁴⁹ House Ethics Manual (2008) at 13.

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92. The OCE requested information from the U.S. Air Force Congressional Liaison Office concerning meal and other expenses incurred on behalf of Representative Butterfield and reimbursed by Representative Butterfield. The U.S. Air Force Congressional Liaison Office was cooperative with discussing the information with OCE staff but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

EXHIBIT 1

May 13, 2010

The Honorable Ike Skelton, Chairman
House Committee on Armed Services
2121 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman:

Following our recent conversation at the Chairmen's meeting, I would like to provide you with the following restatement of rules concerning the authorization by Chairmen of travel by Members and staff:

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;
- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;
- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;
- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;
- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;
- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.
- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.
- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;
- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;
- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;
- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and
- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

Please contact the Office of Interparliamentary Affairs at ext. 6-1766 with any questions or concerns. The staff is available to provide guidance regarding travel matters.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Commission on Security and Cooperation in Europe Office Manager
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 3, 2010
LOCATION: Office of Congressional Ethics
425 3rd Street, SW
Washington, DC 20515
TIME: 3:30 p.m. to 4:10 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Marlene M. Kaufman, General Counsel, Commission on Security and
Cooperation in Europe

SUMMARY: The Commission on Security and Cooperation in Europe (“CSCE”) Office Manager was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the CSCE Office Manager (the “witness”) and he consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.
3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELS. Information in these reports included the House Members who traveled, dates of travel, and countries visited.
4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.
5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

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6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.
7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELs”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.
8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.
9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.
10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.
11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.
12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

I certify that this memorandum contains all pertinent matter discussed with the witness on June 3, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Foreign Affairs Travel Coordinator
REVIEW No.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 2, 2010
LOCATION: 2170 Rayburn HOB
Washington, DC 20515
TIME: 2:00 p.m. to 2:45 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Daniel Silverberg, Senior Deputy Counsel, House Committee on Foreign
Affairs

SUMMARY: The Travel Coordinator for the House Committee on Foreign Affairs (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.
3. Prior to her employment with the Committee, she was an intern with the Committee.
4. As Travel Coordinator, she is a liaison between the United States Department of State (“State Department”) Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.
5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.
6. Prior to Speaker Nancy Pelosi’s restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

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7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.
8. The witness based her understanding of the use of per diem on information that the State Department published on its website.
9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.
10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.
11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.
12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.
13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.
14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.
15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.
16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10% of the time.

This memorandum was prepared on June 9, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 2, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 2, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Armed Services Travel Coordinator
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 8, 2010
LOCATION: 2117A Rayburn HOB
Washington, DC 20515
TIME: 11:00 a.m. to 11:40 (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Paul Lewis, General Counsel, House Committee on Armed Services

SUMMARY: The House Committee on Armed Services Travel Coordinator (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been a Professional Staff member with the Committee since February of 2005.
3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.
4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.
5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.
6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.
7. She keeps everything related to travel in individual files.

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8. She vets all trips, determining the purpose of the trip and who will be traveling.
9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.
10. Travel must be bi-partisan.
11. The authorization letters are signed by the Chair of the Committee.
12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.
13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.
14. Members must sign for the per diem. Receipts for per diem are required to be turned in to her at the end of the trip.
15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.
16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.
17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like “herding cats”.
18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.
19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.
20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.
21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.
22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.
23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

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24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define “incidentals” to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.
27. She requested that any unused per diem be attributed to the country for which the per diem was issued.
28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.
32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by “word-of-mouth” to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald’s.
38. All trips to areas of operation are unique.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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40. The reports she creates that are required to be filed with the Clerk are broken down by Member.

41. If any per diem is returned, she makes a copy of the check and includes it in her files.

This memorandum was prepared on July 19, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 8, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 8, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 5

THE RESOURCES
YOU NEED

ETF
RESEARCH

ETF
TOOLS

ETF
REPORT
CARDS

ETF
EVENT
INSIGHTS

TALK TO
CHUCK

charlesSCHWAB

Investors should
consider carefully
the risks
associated with the
purchase,
including
interest
sensitivity, risks,
charges and

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THE WALL STREET JOURNAL

WSJ.com

POLITICS | MARCH 2, 2010

Lawmakers Keep the Change

Cash Left Over From Official Trips Overseas Is Often Used for Personal Expenses

By BRODY MULLINS And T.W. FARNAM

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.



[View Full Image](#)

Associated Press

From left, Reps. Alcee Hastings, Eliot Engel and Solomon P. Ortiz, and U.S. Ambassador William Brownfield, in Rio Negro, Colombia, in 2008.

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

"If that was the policy, you could never get many members traveling," said Rep. Solomon Ortiz, a Texas Democrat. Mr. Ortiz said he had never returned any money.

"There's a tacit understanding that if lawmakers don't spend the money, they get to keep it," said Rep. Sue Kelly, a New York Republican who was defeated in 2006.

Former Rep. Tom Davis, a Virginia Republican, said lawmakers often used leftover money "for shopping or to buy souvenirs to bring back to constituents. That's fairly standard."

Rep. Joe Wilson (R., S.C.) said he once bought marble goblets in the Kabul airport as gifts for constituents. Rep. Mark Souder (R., Ind.) said he dipped into his funds to buy a \$200 painting of an estuary in Turkey, which hung in his office for a while and was now in his house.

Lawmakers who said they sometimes keep excess funds said the amounts were small. "I won't deny that sometimes I have a little left, but it's not much—maybe 80, 90, or 100 dollars," said Rep. G.K. Butterfield (D., N.C.).

Congress has no system for tracking how the cash payments, called per diems, are being spent. Lawmakers aren't required to keep receipts and there are no public records.

In the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips, according to congressional travel records.

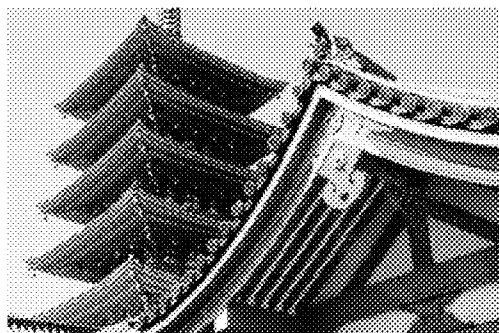
House lawmakers received between \$375,000 and \$625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

"You are all concerned about nickels and dimes, and I'm not," said Rep. Alcee Hastings (D., Fla.). "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt—I don't speak Kazakh."

In a subsequent interview, Mr. Hastings said he had time to gather receipts, but didn't.

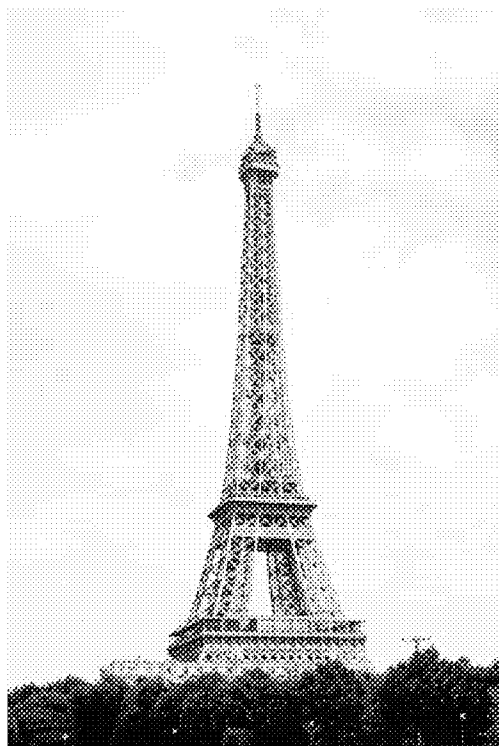
Travel Allowances for Selected Cities

Tokyo: \$214 a Day



Zuma Press

Paris: \$178 a Day



Bloomberg News

London: \$114 a Day

Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said.

"I'm a generous spirit and a courteous spirit," Mr. Hastings said. "I stand accused."

Some lawmakers are assiduous about returning surplus cash. Sen. Arlen Specter, a Pennsylvania Democrat, has returned to the U.S. Treasury about \$8,500 of the \$25,000 he was given for 11 trips since August 2005, according to documents provided by his office.

The per diem program is administered by the State Department. According to department officials and publications, when lawmakers arrive in a foreign country, U.S. government officials give them an envelope with cash in the local currency. The total stipend is set by the State Department based on surveys of local prices. It is meant to cover three meals and incidental expenses, which federal travel regulations say include transportation and tips for baggage handling and other services.

The amounts range from \$28 a day in Kabul to more than \$250 a day in Awashima, Japan.

When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

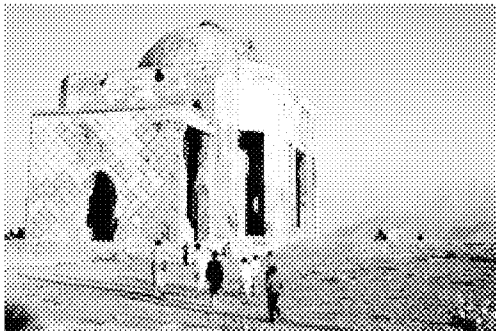
Many of the lawmakers' daily expenses are picked up by U.S. embassies, foreign governments or military liaisons, according to travel documents and interviews.

House and Senate rules say per diems can be used only for legitimate travel expenses. Any leftover money must be returned. The cash is for lawmakers, not their spouses.



Zuma Press

Kabul: \$28 a Day



Getty Images

Lawmakers can request an extra \$50 a day if they believe the allowance is insufficient.

"The extra money and the plus-ups are really for the spouses," said Mr. Souder, the Indiana Republican.

Last summer, a dozen lawmakers of both parties flew to Lithuania to a conference of the Helsinki Commission, an independent U.S. government agency made up of members of Congress and others that was born during the Cold War to promote democracy, security and human rights. The lawmakers were given \$941 each in local currency to cover expenses for the six-day trip, said one attendee, Sen. Richard Durbin (D., Ill.).

When they got home, Mr. Durbin returned \$401.08 to the Treasury, according to documents provided by his office. Sen. Benjamin Cardin (D., Md.) returned \$86. No one else returned any money, according to travel records for the trip and interviews with the lawmakers.

One lawmaker on the trip, Rep. Robert Aderholt (R., Ala.) said he didn't return cash. "I don't keep up with it penny for penny," he said.

Mr. Butterfield said he didn't recall if he had any leftover funds, and that he sometimes kept the extra cash.

Sen. Tom Coburn (R., Okla.) said he once tried to return surplus cash to the State Department, but "they wouldn't take it. They said, 'We don't have a way to handle that.'" Mr. Coburn said he sent a personal check to the U.S. Treasury.

Write to Brody Mullins at brody.mullins@wsj.com and T.W. Farnam at timothy.farnam@wsj.com

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EXHIBIT 6

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Representative G. K. Butterfield
REVIEW No.: 10-6294
DATE: June 24, 2010
LOCATION: 413 Cannon HOB
Washington, DC 20515
TIME: 10:00 a.m. to 11:00 a.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton

SUMMARY: Representative G. K. Butterfield is a Member of the United States House of Representatives and represents the 1st District of North Carolina. He was interviewed pursuant to Review No. 10-6294. We requested an interview with Representative Butterfield and he consented to an interview. Representative Butterfield made the following statements in response to our questioning:

1. Representative Butterfield was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning.
2. Representative Butterfield stated when he participates in Congressional Delegations (“CODELS”) that he is always taken to the distinguished visitor’s lounge upon arrival before being taken to his hotel.
3. After arriving at the hotel, he goes to the control room where he is given a key to his room and an envelope that includes his per diem for the trip. Once he signs for receipt of the per diem, he goes to his room.
4. He generally does not open the per diem envelope until the day after arrival at which time he comingles the per diem with his personal funds. He typically travels with a couple hundred U.S. dollars.
5. He does not convert any personal funds to local currency while traveling.
6. Lodging is typically paid for by the U.S. Department of State.
7. He uses his per diem typically for meal expenses or for a venue that requires a fee for admission, such as a museum. He also uses per diem for laundry and other miscellaneous items that he could not specifically recall.

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8. He may also use his per diem for transportation but more often than not, the U.S. Embassy provides transportation.
9. Most meals are hosted but he will go out in the evening for dinner. Members will typically pay for staff's dinner.
10. He could recall instances where the bill for a meal was shockingly high. In one instance, possibly in Egypt, the bill for the meal was hundreds of dollars. He suggested that the Members cover the cost of the meal for staff because of the high cost.
11. On some occasions, the military will pay for the meal and will send him a bill for his share upon his return.
12. He was not aware if staff received per diem. He thought that staff traveled on actual reimbursement in lieu of receiving a per diem for their travel. He assumed that staff was required to submit receipts to receive reimbursement. He would be surprised if staff received per diem.
13. When the military paid for meals, he may have received a bill for his share while he was on the return flight or within 10 days of his return. He promptly paid the bill by personal check. He may also have paid the bill with per diem funds while on the return flight. He preferred to pay as he went instead of paying by check when he returned.
14. If he paid for meals while traveling, he would use his per diem. Most businesses in foreign countries do not accept U.S. currency and he rarely, if ever, used credit cards because of the added charges.
15. Most meals that he purchased occurred in the evening. He would occasionally purchase lunch but rarely would he purchase breakfast.
16. He believed that most meals were paid for by Members up front.
17. He purchased gifts and souvenirs from time to time. He used the money in his wallet to purchase items. His personal funds were comingled with his per diem.
18. He did not know of any way to document whether he used personal funds or per diem for any purchases because he was not aware of any requirement to document his purchases at the time.
19. He liked to purchase items that documented his time in a country. In the past he has purchased coins and a statue of Mandela. He does not have a wife to buy items for; however, he would from time to time purchase items for his children.

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20. He has purchased items for his staff but not often. He has a staff of eighteen, so anything that he would have bought for staff would have been insignificant as to cost.
21. On occasion he had per diem that was not used during the trip. The Embassy converted the foreign currency to U.S. currency before his departure. He used the remaining per diem for bills sent by the military or sometimes in the airport for mementos.
22. He could not say how much per diem he kept from any trip. He could not begin to quantify if the amount was \$10 or \$500. He could not acknowledge that any per diem was left over after any trip because of the outstanding bills he received from the military. He believed that no significant amount was kept after a trip. He could not quantify any specific amounts.
23. He does not deposit any funds in his bank account other than his paycheck and his retirement.
24. For the trip to Lithuania, he received an invoice from the escort on the trip for \$64 which included the price of a dinner (\$59) and an entrance fee to a castle. He had no specific recollection if he had any unused per diem from the trip.
25. For the trip to Africa, he received an invoice the week following the trip from Trevor Williams for \$732.92. He sent a check for payment in the amount of \$373. His daughter traveled with him on that trip and paid \$359.92.
26. He is not allowed to use per diem for family members so he made separate payments. On the invoice, it appears that the expenses designated with a check mark are his expenses and those that are not checked are his daughter's expenses.
27. He did not have any documentation for the Brussels trip, it was the Speaker's trip to the Climate Conference.
28. After his trip to Copenhagen, a reporter from the *Wall Street Journal* asked him how his trip went and asked if he received a per diem for the travel. He told the journalist that the trip was cold and that he of course received a per diem. Any Member that goes on a CODEL receives a per diem. When asked how much he received, he told the reporter that he did not know how much he received for the trip. The reporter then asked if there was any per diem left over. He stated that he was not sure. He did not recall making the statement that he had \$80, \$90, \$100 left.
29. When asked if he converted any U.S. currency when he traveled on CODELS, Representative Butterfield stated that he only did so once because he got burned on the transaction.

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30. When asked if any Embassy converted personal funds from U.S. currency to local currency for Members while traveling, Representative Butterfield stated that he did not know if any did so.
31. Representative Butterfield stated it is an institutional belief that per diem is per diem, if you exceed the amount then it is at your own cost.

This memorandum was prepared on July 9, 2010, based on the notes that the OCE staff prepared during the interview with Representative Butterfield on June 24, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Butterfield on June 24, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 7

G. K. BUTTERFIELD
for Governor, District of Columbia

CHIEF DEPUTY WHIP

411 Cannon House Office Building
Washington, DC 20515-0301
ONE 202-315-1401
FAX 202-315-4104

www.house.gov/butterfield



Congress of the United States
House of Representatives

July 19, 2010

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEES
Energy Conservation and Environment
Competition, Technology,
and the Internet

Consumer, Trade
and Consumer Protection

COMMITTEE ON
STANDARDS OF
OFFICIAL CONDUCT

U.S. HELSINKI COMMISSION

The Honorable David Skaggs, Chairman
The Honorable Porter J. Goss, Co-Chairman
Office of Congressional Ethics
U.S. House of Representatives
Post Office Box 895
Washington, DC 20515-0895

Re: BUTTERFIELD, G. K.
Review No. 10-6294

Dear Chairman Skaggs and Co-Chairman Goss:

On July 9, 2010, I received a letter from the Office of Congressional Ethics, informing me that I am entitled to address the Board of the Office of Congressional Ethics at its July 23, 2010 meeting, before the Board votes on a recommendation or statement to be transmitted to the Committee on Standards of Official Conduct regarding the above-referenced matter. The letter also gave notice that I am entitled to submit a written statement given under the provisions of section 1001 of Title 18 United States Code.

In lieu of appearance before the Board, I am submitting the attached written statement.

Thank you very much.

Very truly yours,

G. K. Butterfield
Member of Congress

DO NOT WRITE

414 West Main Street
Suite 311
Washington, DC 20560
Telephone: (202) 315-6116
Facsimile: (202) 315-6116

407 West Main Street
Washington, DC 20560
Telephone: (202) 315-6116
Facsimile: (202) 315-6116

10-6294_0026

G. K. BUTTERFIELD
100 Broadway, New York, NY 10038

CHIEF DEPUTY WHIP

111 Central Express Drive, Belmont
Washington, DC 20515-2084
(202) 225-4101
Fax: (202) 225-4104

www.house.gov/butterf



Congress of the United States
House of Representatives

July 19, 2010

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEES
For Civil, Energy, and International
Communications, Fisheries and
Conservation
Transportation, Trade
and Consumer Protection

COMMITTEE ON
STANDARDS OF
OFFICIAL CONDUCT

U.S. HELSINKI COMMISSION

The Honorable David Skaggs, Chairman
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Office of Congressional Ethics
U.S. House of Representatives
Post Office Box 895
Washington, DC 20515-0895

Re: BUTTERFIELD, G. K.
Review No. 10-6294

Dear Chairman Skaggs and Co-Chairman Goss:

It is my understanding that the Office of Congressional Ethics is concluding its review of the above referenced matter which was initiated by Judicial Watch, a not-for-profit entity, suggesting that members of Congress are unlawfully retaining unused per diems associated with foreign travel.

The Judicial Watch letter specifically requests a general "investigation regarding unused congressional travel per diems converted to personal use." The letter went on to requests an "investigation and audit of House Foreign travel expenditures and the pocketing of unused per diems." No member of Congress was the subject of the Judicial Watch complaint but it is clear that Judicial Watch is asserting a broad claim against all members of Congress who participate in foreign travel and accept per diem allowances.

Prior to my service in Congress, I served in North Carolina's judicial branch of government as a trial judge and Supreme Court justice. In those capacities, I established a reputation for high ethical standards that I treasure and seek to maintain. The complaint of Judicial Watch is taken very seriously because it not only suggests that I may have violated House rules, but federal criminal laws as well.

The prevailing view in the House of Representatives is that per diem allowances are disbursed on the predicate that the amount paid should fully compensate a Member for his or her anticipated expenses while on official business. The view among Members is that expenses that exceed the per diem will not be reimbursed and any unused per diem may be retained by the member. My understanding of the rules is consistent with the prevailing view.

..... DISTRICT OFFICES

215 West 17th Street
Suite B
Wilmington, NC 28403
Telephone: (252) 237-4934
Facsimile: (252) 291-8356

386 West Third Street #4
Wilmington, NC 28403
Telephone: (252) 238-4129
Facsimile: (252) 736-0516

10-6294_0027

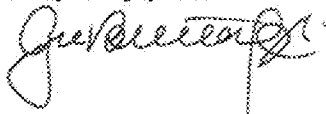
The Honorable David Skaggs
The Honorable Porter J. Goss
July 19, 2010
Page Two

I respectfully request that you find that the rules associated with per diem foreign travel do not require Members to maintain expense records nor does it require members to reimburse the Treasury when there are unused funds. Alternatively, I request that you find that any misunderstanding of the rule should not be attributable to the member because of the failure of the Department of State or House Leadership to inform members of this responsibility.

Thank you very much.

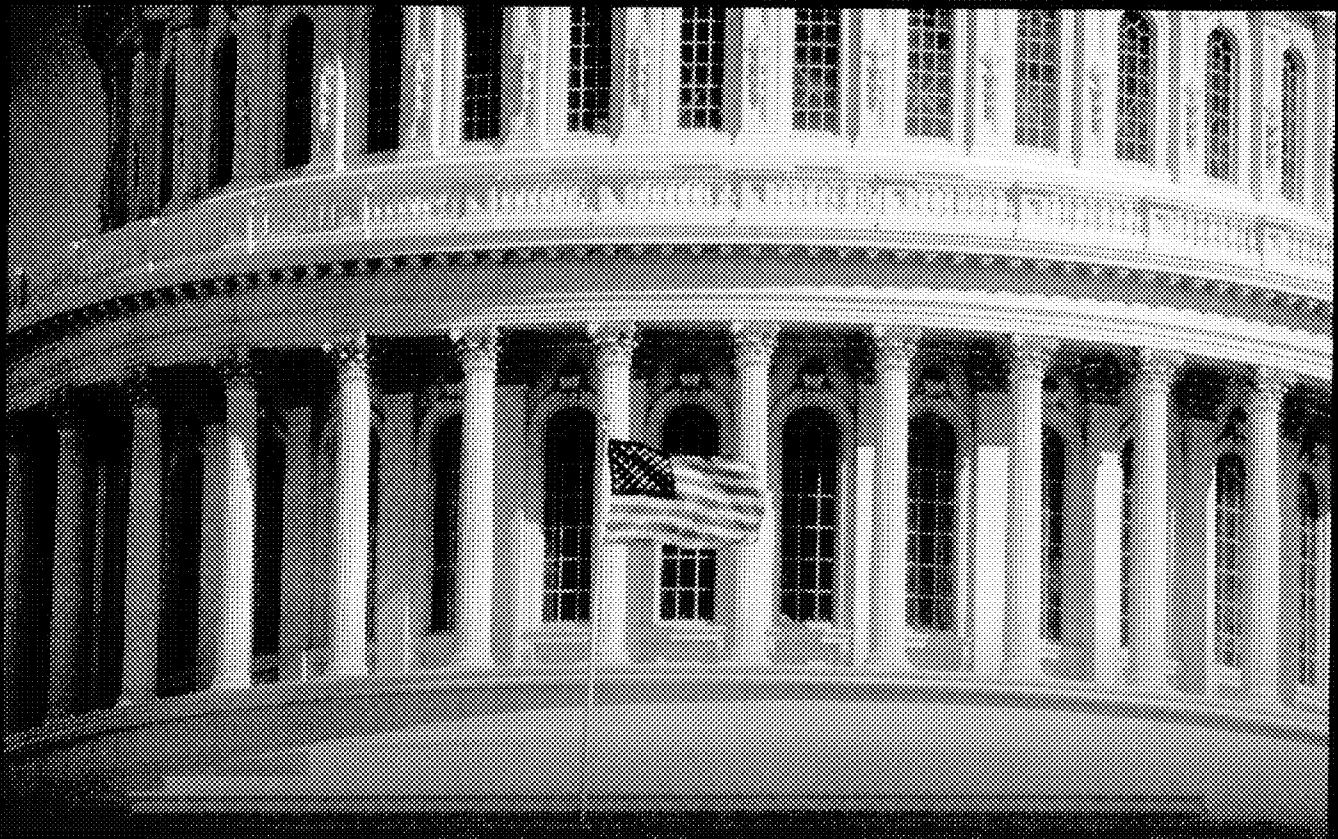
I am aware that the False Statements Act, 18 USC §1001, applies to this submission.

Very truly yours,



G. K. Butterfield
Member of Congress

EXHIBIT 8



OFFICIAL FOREIGN TRAVEL GUIDE FOR THE U.S. CONGRESS



UNITED STATES DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS

Table of Contents

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B Fiscal Information Sheet	11 - 13
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A
B
C
D
E

**OFFICIAL FOREIGN TRAVEL GUIDE
BY THE DEPARTMENT OF STATE
FOR THE U.S. CONGRESS**

This guide is provided to support official foreign travel by Members of Congress and their staff. It describes the support available from the Department of State for official travel and how this support can be requested. We hope this package will assist you through the process.

TAB

A	Congressional Guide for Official Foreign Travel	Describes the support available from the State Department and the procedures to obtain this support.
B	Fiscal Information Sheet	Explains per diem rates, transportation and other expenses, and how the funding is handled domestically and overseas.
C	Sample Authorization Letters	Illustrates appropriate letters and what information needs to be included; supplies the legal authority to expend USG funds.
D	Foreign Travel Data Sheet	Solicits information needed by the State Department to ensure a successful trip.
E	Questions and Answers	Responds to frequently asked questions.

Although travel plans are often understandably subject to change, early notice of travel needs greatly enhances our capacity to provide assistance. Therefore, a signed letter of authorization, itinerary, desired agenda, and meeting requests should be provided to the Department of State's Congressional Travel Office at least two (2) weeks before the planned departure whenever possible. This timely notification will allow us to instruct U.S. missions abroad regarding program, administrative, and logistical requirements, and to receive their country clearance, threat assessment, and suggestions for the trip.

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

A

B

C

D

E



CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

Effective and expeditious support for congressional travel abroad requires that both the travel authorization and background information reach the Department of State promptly. Whenever possible, a copy of the signed Letter of Authorization should be faxed to the Department of State's Congressional Travel Office (CTO) -- fax number 202-203-7700 -- at least two (2) weeks before the planned departure or sooner if possible; scanned and emailed copies of the authorization letter are also acceptable. The CTO will arrange for subsequent messenger pick-up of the original letter(s) from the authorizer(s). Additionally, please e-mail an itinerary, desired agenda and any meeting requests for Codels or Staffdels to: H_CTO@state.gov. Revisions to any of the above information should be faxed or e-mailed promptly.

Once the CTO receives notification of a trip, several things will happen. First, a domestic travel coordinator and a travel specialist will be assigned to the trip. These professionals will provide points of contact in the embassy, and assist with logistical arrangements, scheduling and briefings. There are many components to a successful trip so please contact us via phone, fax or email very early in the planning process, so that we can provide the best assistance possible.

Department of Defense (DOD) transportation and support must be requested separately by letter to the Secretary of Defense. For your convenience, a DOD-approved sample letter is enclosed in this package (TAB C).

1. LETTERS OF AUTHORIZATION

Letters of Authorization constitute legal authority for the State Department to expend or disburse U.S. Government funds in support of official foreign travel by Members of Congress or congressional staff. The fiscal information under TAB B lists the types of expenditures that can be authorized for specific trips and gives guidance as to how authorization for such expenditures should be formulated. The full extent and range of support desired should be delineated as clearly as possible in the authorizing letter. Letters of authorization are signed by one of the following officials:

SENATE

Majority Leader
Minority Leader
President Pro Tempore
Full Committee Chairman
•for Member or employee of
the Committee or employee
of Committee Member

HOUSE

Speaker of the House
Full Committee Chairman
•for Member or employee of the
Committee

JOINT COMMITTEE CHAIR

• for Member or employee of the Joint Committee

Letters must list by name all persons being authorized to receive USG-funded support. Members or staff traveling with a committee with which they have no association must be authorized separately by either the Leadership or the Chairman of a committee with which they are associated. (See sample authorization letters TAB C.)

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

In the letter of authorization, please define the objectives of travel, identifying where possible specific program requests at each stop. When appointments with specific individuals are desired, it would be helpful to indicate the topics to be addressed. If any activities have already been arranged directly with local organizations or persons, please provide scheduling data so that other events can be arranged around them. Embassy/Consulate briefings are highly recommended prior to meetings with host country government officials. Briefings by Department officials prior to departure from the United States are also available and can be very useful.

3. LIST OF TRAVEL PARTICIPANTS

The following are travel participants that are normally authorized under letters of authorization:

- Members of Congress (please include state and party affiliation)
- Spouses/family members (please include first names)
- Staff members (with titles)
- Executive branch/private sector invitees (with titles)
- DOD escorts (with rank and titles)

4. TRAVEL AND ITINERARY

Please book all airline reservations with the Combined Airline Ticket Office (CATO) to expedite ticketing and delivery of prepaid tickets to the Hill. The Department cannot pre-pay airline tickets which are booked with private travel agents.

When booking, you should inform CATO that the tickets will be pre-paid by the Department of State. CATO offices are located on Capitol Hill (Senate Russell Building, Room B24 and House Longworth Building, Room B22) as well as in Rosslyn, Virginia. CATO's reservation number is 703-522-2286.

5. PASSPORT AND VISA INFORMATION

Travelers must have valid passports for all overseas travel. Please ensure that your passport is current and valid for at least six months beyond the travel dates. Official passports are available at no charge and are issued for the purpose of conducting official business abroad. The Department of State strongly encourages both Members and staff to obtain official passports. Blue "Tourist" passports should be used only for tourism, but may be used if the traveler does not possess an official passport.

Some countries require visas. It is the responsibility of the traveling party to obtain ALL necessary visas. For assistance with visa issues please contact the Special Issuance Agency at 202-955-0198.

Travelers should coordinate passport/visa requirements directly with Passport Services well in advance of the trip. Travelers may call Passport Services at 202-955-0200. For information regarding visa requirements travelers may call 202-955-0198. Sometimes passport data will be required by foreign posts. In those cases CTO will contact you for you passport details.

For delegations with DOD escorts, the escorts collect the passports, obtain visas, and send data to appropriate foreign posts.

A variety of information including current travel warnings, passport forms, visa requirements, country background notes, adoption issues, exchange rates and more can be viewed at www.state.gov/travel.

FISCAL INFORMATION SHEET

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FISCAL INFORMATION SHEET

By longstanding agreement, funds for official foreign travel are administered by the Department of State on behalf of the U.S. Congress. Upon receipt of written authorization from appropriate congressional offices, obligations and disbursements will be charged against specific congressional travel accounts held by the U.S. Treasury. The disbursements, which are permitted under PL 95-384, The International Security Assistance Act of 1978, fall into three distinct categories: Per Diem, Transportation (international and/or local), and Other Official Expenses. Each must be specifically authorized in order for expenditures within that category to be incurred. Under PL 95-384, all expenses charged by the traveler, the delegation, and the Department of State to the fund cite must be reported by the traveler/delegation to the authorizing committee upon return.

1. PER DIEM

Under Public Law 95-384, congressional travelers abroad receive local currency for per diem in amounts not to exceed the maximum per diem allowed by law. The authority for establishing per diem rates is found in Chapter 57 of Title 5 of the U.S. Code and set forth as the Federal Travel Regulation at 41 CFR Ch. 300-304.

Per diem payments are made directly to authorized individuals (Members and staff) to cover the cost of lodging, meals and incidental expenses (M&IE) while traveling abroad. The U.S. Government does not pay the expenses of accompanying spouses. Upon arrival in a foreign country, per diem normally is disbursed by the Embassy or Consulate for each night spent in country. Payment is made in local currency unless U.S. dollars are required by hotels or such payment has been specifically requested prior to departure from the U.S. Upon departure from the country, arrangements can be made for travelers to convert unused per diem into U.S. dollars. Per diem which for any reason has not been received abroad may be claimed in U.S. dollars after the traveler's return and upon presentation of hotel receipts to the Department of State, Bureau of Legislative Affairs, Congressional Travel Office.

In the event that no-cost lodging is provided, (e.g. the traveler stays in Government facilities or as a private guest), the traveler is allowed the applicable meals and incidental expenses (M&IE) rate. Note that this guidance is consistent with changes in the Federal Travel Regulation

- **FOREIGN PER DIEM RATE:** Per diem consists of two components: the lodging rate and M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates. This type of per diem payment is called an allowance. Allowances are provided in full and require no accounting. Foreign per diem rates are available on the State Department's website at: www.state.gov/m/als/prd/m/.

• **ENHANCED PER DIEM RATE:** The committee may authorize enhanced per diem to offset exceptionally high costs associated with price increases that can be found in certain locations. Unless a specific dollar enhancement is authorized (e.g. \$75 USD or \$100 USD), the default enhancement is an additional \$50 USD above per diem.

• **ACTUAL EXPENSE BASIS:** Per Diem can be calculated by adding the expenses of up to 300% of the applicable per diem rate. This rate may be authorized for lodging, M&IE, or both, when actual expenses exceed the established per diem rate. There is no authority to exceed this 300% ceiling. **To avoid problems caused by unexpected devaluation of the US dollar, the following language may be used in authorization letters: "actual lodging is authorized."**

• **ACCOUNTING:** If an individual is traveling on an enhanced per diem or actual expense basis, he or she must itemize all expenses, including meals, and account for unused per diem funds. In situations where only lodging or M&IE is on an actual expense basis, only that portion need be itemized. Itemization requires the traveler to write down specific expenses but does not require receipts. Upon completion of the trip, the authorizing committee requires travelers to reconcile their actual expenditures with the expenditures authorized prior to travel. Consistent with congressional rules and regulations, this reporting (and reconciliation when required) should be submitted to the congressional office that authorized the travel.

Posts may pay for hotel charges directly if arrangements with the Embassy/Consulate staff are made beforehand. In this case, posts will be directed to disburse M&IE only.

As the purpose of the per diem enhancement and/or the payment of actual lodging expenses is to offset unexpectedly high costs found in certain locations, if a traveler receives either of these authorizations reimbursements for any additional lodging or M&IE costs are not authorized.

2. TRANSPORTATION

When international travel is authorized, travelers make their own reservations through CATO (see item 4 of previous chapter, "Travel and Itinerary"). The Department arranges for prepayment of the tickets, which the authorizing committee makes available to the traveler. This arrangement requires that the Department be notified of the carriers used, the class of service, and the precise itinerary. For transoceanic flights, U.S. flag carriers must be used (PL 94-624, Fly America Act) **unless** the authorization letter has specified otherwise based on a determination that no U.S. flag carriers are available. **Use of charter aircraft is an extraordinary expense and must be specified in the authorization letter.**

Authorized **local transportation** within a foreign country is normally arranged by either the Embassy, the Consulate or paid personally by the traveler. Local transportation costs may include trains, ferries, rental car/van/bus (with or without driver), taxis, public transport, as well as overtime for drivers of U.S. Government vehicles. In many cities, staff delegations are encouraged to use taxis or public transportation and claim reimbursement. Upon presentation of receipts, the Congressional Travel Office will reimburse travelers for local transportation after their return to Washington, DC.

3. OTHER OFFICIAL EXPENSES

Other official expenses authorized for Codels and some Staffdels include rental of control rooms, hospitality suites, special telephone lines, cell phones, copier/fax machines, wreaths and flowers for representational purposes, purchase of stationery supplies, interpreters, and employee overtime at posts.

If specified in the authorization letter, certain extraordinary or unusual expenses may be paid such as representation expenses, conference fees, media events, meeting hall rental, and travel and per diem expenses incurred by Post Personnel traveling outside of their duty station in support of Codel travel. These expenses, including any cancellation fees incurred, will be charged to the delegation fund cite and must be reported under PL 95-384.

4. TRAVEL ADVANCES IN U.S. DOLLARS

The Department will provide a U.S. dollar advance where hotels require payment in hard currency and the U.S. mission overseas has insufficient dollars to pay travelers. However, arrangements can also be made for U.S. dollar disbursements overseas where missions have access to U.S. dollars.

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

Unused per diem funds may be returned to the State Department by personal check made payable to the U.S. Treasury or Treasurer of the United States. The Department **cannot accept foreign currency in Washington**. The Department will reimburse travelers for out-of-pocket expenses previously authorized upon submission of receipts and a letter/memorandum from the authorizing committee. Unused airline tickets paid for by the U.S. Government must be returned to the Department of State, Congressional Travel Office for credit.

6. REPORTING REQUIREMENTS

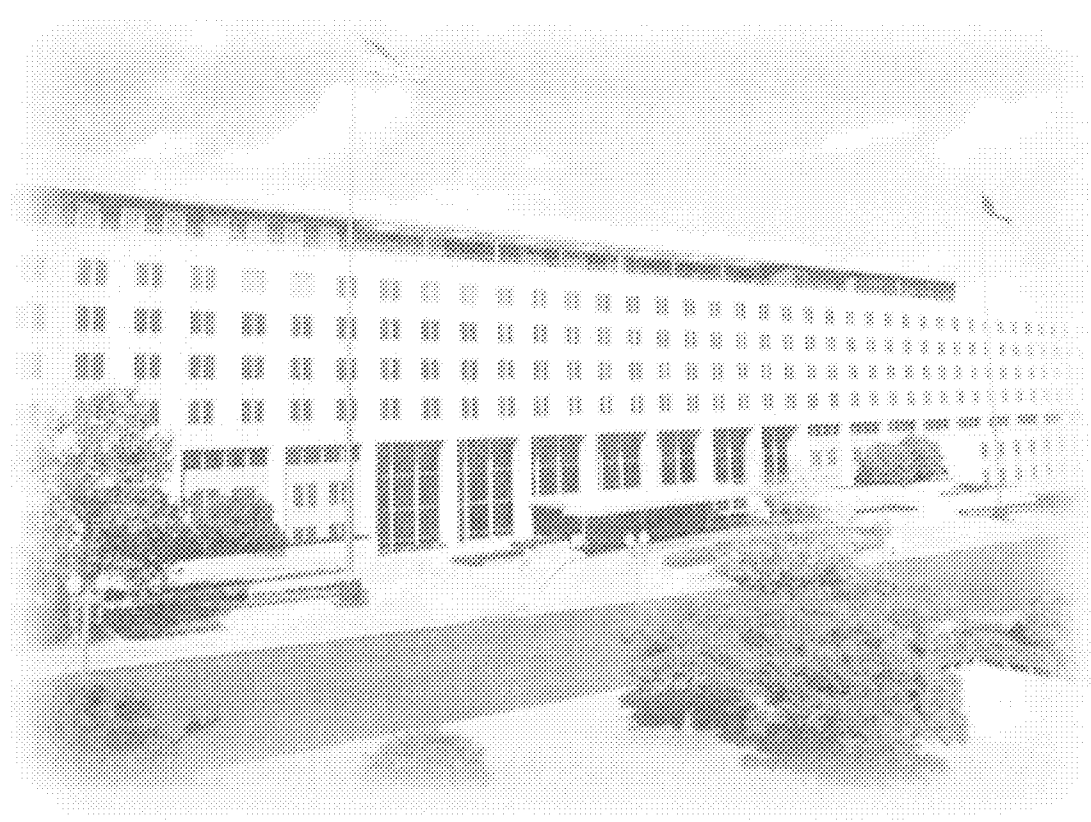
PL 95-384 stipulates that travelers and delegations are responsible for reporting all expenses to the authorizer within 30 days of the completion of travel. Although the Department will assist travelers and delegations in obtaining the necessary financial information from foreign posts, PL 95-384 assigns none of the formal reporting responsibilities to the Department of State.

SAMPLE AUTHORIZATION LETTERS

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SAMPLE LETTER OF AUTHORIZATION (State)

The Honorable
(insert name)
Secretary of State
Washington, DC 20520

Dear (Mr. or Madam) Secretary:

This letter is to authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose).

It is requested that the use of local currencies for per diem, transportation, including local transportation, and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a).

Commercial and/or military transportation are authorized where appropriate, as is the use of non-U.S. air carriers. Airfare is authorized up to business class if needed.

We appreciate your assistance with this request. If there are any questions regarding this trip, please contact (name of staff point of contact) at (telephone number).

Sincerely,

(Name)

(Title)

Additionally, if any of the conditions below apply, please add the appropriate sentence:

- Enhanced per diem of \$50.00 is authorized.
- Actual lodging costs are authorized.
- Due to heightened security concerns, the cost of a security detail is also authorized.
- Spouses are authorized to travel for protocol purposes at no cost to the U.S. Government.
- Costs associated with Post personnel traveling outside of their duty station in support of the delegation are authorized.
- Charter aircraft are authorized.
- Representational funds are authorized.

SAMPLE AUTHORIZATION LETTER (DOD)

The Honorable
(insert name)
Secretary of Defense
Washington, D.C. 20301

Dear (Mr. or Madam) Secretary:

I hereby authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose). **If applicable:** Spouses are authorized to accompany the delegation for reasons of protocol at no expense to the U.S. Government.

It would be appreciated if the Department of Defense could furnish such assistance as may be required, including transportation, to facilitate this trip. It would also be appreciated if the Department of the (Air Force, Army, Navy, Marine Corps) be assigned to escort the delegation/Member.

The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108

Sincerely,

(Name)

(Title)

FOREIGN TRAVEL DATA SHEET



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FOREIGN TRAVEL DATA SHEET

The following is a review of what the Department will require either in the authorization letter or other communication in order to initiate your country clearance cable with our foreign posts. It is also a reminder of the requirements for foreign travel.

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

What is the purpose of the visit in general? More specifically, what objectives does the delegation/traveler wish to accomplish? Please provide specific meeting requests if they are known. If the delegation/traveler is attending a specific meeting or has an agenda already prearranged, please advise us so that the post can schedule around it.

2. PARTICIPANTS (in protocol order) Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY Commercial
Military Air
Charter

PLEASE BOOK COMMERCIAL RESERVATIONS WITH THE COMBINED AIRLINE TICKET OFFICE (CATO) AT 703-522-2286 TO FACILITATE TICKETING.

4. PASSPORTS AND VISAS In most cases a valid passport and, in some cases, valid visas will be required. Visa requirements differ depending on the type of passport used. Call 202-955-0200 for passport requirements or 202-955-0198 for visa requirements. First Call may assist with passport issues. Please contact them at 202-225-8000.

TYPES OF PASSPORTS: Official (red; no fee, 5-year passport).
Tourist (blue; fee charged, 10-year passport).

IT IS THE RESPONSIBILITY OF THE TRAVELING PARTY TO OBTAIN THE NECESSARY VISAS. IF USING A TOURIST PASSPORT, THE TRAVELER IS RESPONSIBLE FOR ALL PASSPORT and VISA FEES.

5. SECURITY CLEARANCES
(staff only)

Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.

6. ACCOMODATIONS

Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate.

Hotel preferences/city

Delegation rooms (total number of singles/doubles)

Support Rooms

7. LOCAL TRANSPORTATION

Number of Sedans (with driver or self-drive)

Number of Buses (or passenger amount)

Number of Minivans (or passenger amount)

Number of other vehicles, if any

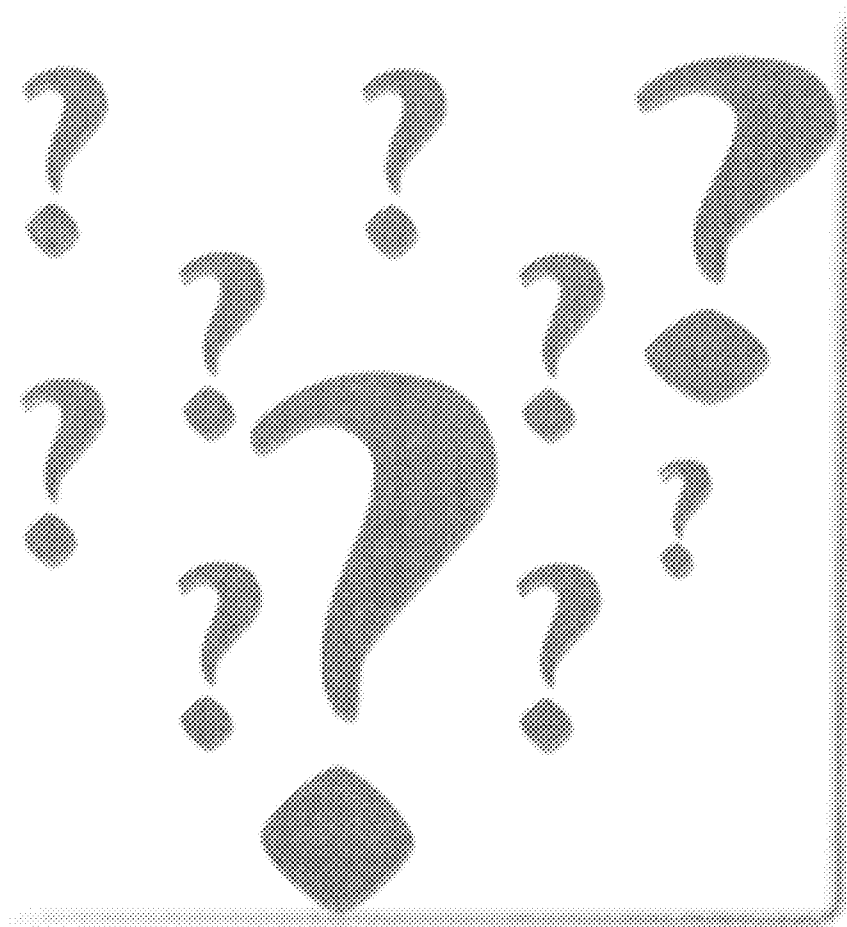
Public transportation (cabs, buses, trains, ferries).

8. POINTS OF CONTACT FOR TRIP

Name

Phone Number

QUESTIONS AND ANSWERS



E

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

Q What do I do if I incur lodging expenses over 300% of the per diem rate?

A When you reconcile your travel expenses with the congressional authorizing committees, you will not be reimbursed for the excess of per diem expenses over the 300% maximum, or over the (lower) rate that was authorized.

Q Will I be given a travel advance in U.S. dollars or in foreign (local) currency?

A Congressional travelers will be given local currency when they arrive at the foreign post.

If the Congressional travelers are journeying to a foreign country that uses U.S. dollars, the advance in U.S. dollars will be given at post. Only in those cases where the post does not have sufficient U.S. dollars on hand will special arrangements be made to issue an advance in Washington D.C.

Q Will the Department book travel reservations for the Members and staff?

A The Department does not book reservations; rather, reservations should be made directly through CATO, which has locations on the Hill and in Rosslyn, Virginia.

Q Will the travel expenses of spouses be covered?

A No, current law prohibits the US Government from assuming the travel expenses of spouses, dependents or other non-official traveling companions.

Q Will the Department of State assist in obtaining visas?

A Assistance may be obtained by contacting the appropriate country desk officer.

Acronyms used in this Travel Guide:

CTO	Congressional Travel Office---Bureau of Legislative Affairs, Department of State
DOD	Department of Defense
DEPARTMENT	Department of State
MEMBER	Member of Congress
CATO	Combined Airline Ticket Office
M & IE	Meals and Incidental Expenses
FTR	Federal Travel Regulations
CODEL	Congressional Delegation
STAFFDEL	Staff Delegation
USG	United States Government
P.L.	Public Law
USC	United States Code

EXHIBIT 9



Nancy Pelosi
Speaker of the House

March 5, 2008

The Honorable Condoleezza Rice
Secretary
U.S. Department of State
Washington, DC 20520

Dear Madam Secretary:

This letter will authorize the Honorable Alice Hastings, Chairman of the Commission on Security and Cooperation in Europe (CSCE), to lead a delegation of Members and staff to Kazakhstan during the approximate period of June 26 -- July 3, 2008. The purpose of the trip is to attend the 17th Annual Session of the Organization for Security and Cooperation in Europe (OSCE PA). For protocol purposes only, spouses may travel at no cost to the government.

It is requested that local currencies for the maximum per diem allowance be made available at the enhanced rate of an additional \$50. Actual lodging costs are authorized if necessary. In addition, funds should also be made available for air and local transportation. Commercial air transportation (if needed) will be made on American flag carriers, subject to availability, in business class. Authorization for the expenditure of funds should be made in accordance with Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384.

Thank you in advance for your prompt attention to this matter.

Sincerely,

NANCY PELOSI
Speaker of the House

cc: The Honorable Lorraine C. Miller, Clerk
U.S. House of Representatives

EXHIBIT 10

U.S. CONGRESSIONAL DELEGATION (CODEL HASTINGS)
LONDON, UNITED KINGDOM: ASTANA, KAZAKHISTAN: ISLAMABAD, PAKISTAN: VENICE, ITALY
JUNE 26, 2008 - JULY 3, 2008

Thursday, June 26, 2008

Member and Spouse Attire: Travel Casual

- 2:45 PM Baggage call
 - Recommend comfortable clothes on the plane
 - Pack an overnight bag to take off at the first stop
- 3:15 PM Baggage call ends
 - Bring luggage to the Rayburn Horseshoe
 - Blue-tagged bags will NOT be accessible in-flight
- 4:30 PM Meet at the Rayburn Horseshoe
- 4:45 PM Depart the Rayburn Horseshoe for Andrews AFB
 - Transportation: USAF vehicle
 - 1 hour 15 min en-route
- 6:00 PM Depart Andrews AFB for London, United Kingdom (Standstead Airport)
 - 7 hours 15 min en-route
 - Dinner/Breakfast served en-route
 - Set watches ahead 5 hours (+5)

Friday, June 27, 2008

Member and Spouse Attire: Travel Casual

- 6:15 AM Arrive London, United Kingdom
 - Recommend comfortable clothes
 - Only overnight bag comes off at this stop
 - 6:25 AM Depart airport for Hyatt Regency London - The Churchill
 - 2 hrs en-route
 - 8:25 AM Arrive Hyatt Regency London - The Churchill
 - Proceed to Delegation Room
 - Room keys disbursed
 - Currency Exchange available
- Dinner at leisure

RON London, United Kingdom

Saturday, June 28, 2008

Members and Spouses Attire: Travel Casual

- 6:30 AM Delegation Room Opens
 - Reverse Currency Exchange available
 - Please pay any incidental room charges (i.e. phone, movie room service, etc.)
 - Breakfast included in the room rate
 - Light snacks and coffee available in the Delegation room
- 7:15 AM Meet in Delegation Room
 - Attire: Travel Casual
- 7:30 AM Depart Hyatt Regency London
 - 1.5 hrs en-route

- The Churchill for airport

9:00 AM Depart London, United Kingdom
for Astana, Kazakhstan

- 5 hours 50 min en-route
- Lunch/Heavy Snack served en-route
- Set watches ahead 5 hours (+5)

7:50 PM Arrive Astana, Kazakhstan
Met by: Thomas Tanner -- Control Officer

8:00 PM Depart airport for Radisson SAS Hotel

- 40 min en-route

8:40 PM Arrive Radisson SAS Hotel

- Proceed to Delegation Room
- Room keys disbursed
- Currency Exchange available

Dinner at leisure

RON Astana, Kazakhstan

Sunday, June 29, 2008

Members Attire: Business

Spouses Attire: Business Casual

7:30 AM Delegation Room Opens

- Breakfast included in room rate (avail in lobby)

8:15 AM Meeting with USOSCE DCM Kyle Scott
in Delegation Room
- Amb. Ordway country team briefing

9:00 AM Meeting of the Standing Committee
- Chairman Hastings
- Sen. Cardin
- Rep. Solis
- Rep. Smith

- Accompanying Persons depart Codel
- Sary Arka 4 -- 2nd floor

Events for Accompanying Persons

Attire: Business Casual

9:15 AM Meet in Delegation Room

9:30 AM Depart Hotel for Presidential
Cultural Center/Pyramid (30 minutes en-route)

10:00 AM Tour of Presidential Cultural Center/Pyramid

11:00 AM Depart for Tiflis Restaurant (30 minutes en-route)

11:30 AM Lunch at Tiflis Restaurant

1:00 PM Depart Tiflis Restaurant for

Hotel (30 minutes en-route)

11:15 AM Depart Hotel for DCM's Residence

- 15 min en-route

11:30 AM Coffee with Civil Society at DCM's Residence
Civil Society: Evgeniy Zhovtis -- Director of Kazakhstan
Human Rights Bureau, Ninel Fokina -- Director of
Kazakhstan Helsinki Committee

Parties: Azat Party's Bulat Abilov (or his deputy
Tulegen Zhukeyev), OSDP Party's Amirzhan Kosanov,
Alga Party's Yuri Sizov, Ak Zhol's Alikhan Baimenov

Other Groups: Jehovah's Witnesses, Hare Krishnas

1:00 PM Depart DCM's Residence for Hotel

- 15 min en-route

2:15 PM Members and Spouses meet in Delegation Room
- Accompanying Persons rejoin Codel
- **Attire: Business**

2:30 PM Inaugural Plenary Session

- Sary Arka 1 -- Ground floor

- Call to order and remarks by Mr Göran Lenmarker,
President of the OSCE Parliamentary Assembly;

- Address by H.E. Nursultan Nazarbayev,
President of the Republic of Kazakhstan

- Address by H.E. Kassym-Jomart Tokayev,
Speaker of the Senate of the Parliament of the
Republic of Kazakhstan

- Address by H.E. Aslan Mussin,
Speaker of the Mazhilis of the
Parliament of the Republic of Kazakhstan

3:30 PM Meeting with H.E. Nursultan Nazarbayev,
President of the Republic of Kazakhstan

4:00 PM Coffee break

4:30 PM Plenary Session (cont'd)

- Addresses by the Presidents from the invited
Parliamentary Assemblies;

- Address by Mr. Marc Perrin De Brichambaut,
OSCE Secretary General, followed by a
question/answer session;

- Report by Ms Tone Tingsgård, OSCE PA
Special Representative on Gender Issues
followed by a debate;

- Address by Ambassador Knut Vollebaek,
OSCE High Commissioner on National Minorities

- Possible consideration of Supplementary items

7:00 PM Concert followed by a reception hosted by H.E. Nursultan Nazarbayev, President of the Republic of Kazakhstan - Palace of Peace and Unity - *OSCE PA Transportation (20 min en-route)*

RON Astana, Kazakhstan

Monday, June 30, 2008

Members Attire: Business

Spouses Attire: Business Casual

7:00 AM Delegation Room opens - *Breakfast included in room rate (avail in lobby)*

7:00 AM Time reserved for meetings of various groups

8:15 AM Meet in Delegation Room
- Members Attire: Business
- Spouses Attire: Business Casual

Events for Accompanying Persons ***Attire: Business Casual***

8:45 AM Depart Hotel for National Library
(30 minutes en-route)

9:15 AM Guided tour of National Library

10:00 AM Depart National Library for Baiterek
(15 minutes en-route)

10:15 – 11:30 AM Tour of Baiterek & short
driving tour of new administrative center

11:30 AM Travel to DCM's residence
(30 minutes en-route)

12:00 PM Lunch at DCM's residence

1:30 PM Depart DCM's residence for Hotel
(30 minutes en-route)

9:00 - 11:00 AM General Committee on Political Affairs and Security - *Sary Arka 1 – Ground floor*

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

9:00 - 11:00 AM General Committee on Economic Affairs, - *Sary Arka 4 -- 2nd floor*
Science, Technology and Environment

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

9:40 AM Depart Hotel for Prime Minister - *20 min en-route*
Government Building

10:00 AM Meeting with Prime Minister Massimov

11:00 AM Depart Prime Minister Government - *20 min en-route*
Building for Hotel

11:00 AM Coffee break

11:30 AM - 1:30 PM General Committee on Democracy, - *Sary Arka 1 -- Ground floor*
Human Rights and Humanitarian Questions

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

1:30 PM Lunch

2:15 PM Meet in Delegation room
- *Attire: Casual*

2:30 PM Excursion: Visit to the complex "Map of
Kazakhstan Atameken," concert with national
songs and dances, national games, cuisine and exhibition

5:30 PM Return from excursion

7:15 PM Meet in Delegation room
- *Attire Business Casual*

7:30 PM Reception hosted by H.E. Kassym-Jomart Tokayev,
Speaker of the Senate of the Parliament of the
Republic of Kazakhstan (Reception House "Saltanat Sarai")

9:00 PM Return Hotel

RON Astana, Kazakhstan

Tuesday, July 1, 2008

Members Attire: Business

Spouses Attire: Business Casual

6:00 AM Delegation Room opens

- Breakfast included in room rate (avail in lobby)

6:45 AM Meet in Delegation Room

- Members Attire: Business

- Spouses Attire: Business Casual

7:00 AM Time reserved for meetings of various groups

Events for Accompanying Persons

Attire: Business Casual (appropriate for religious sites -- long sleeves/pants)

8:30 AM Depart Hotel for SOS Children's Village

9:00 AM Visit SOS Children's Village

10:00 AM Depart Children's Village for Embassy (30 minutes en-route)

10:30 AM View Embassy art and craft fair of local artisans

11:30 AM Depart Embassy for Ali Baba Restaurant
(30 minutes en-route)

12:00 PM Lunch at Ali Baba Restaurant

1:30 PM Depart Ali Baba Restaurant for Orthodox Church
(30 minutes en-route)

2:00 PM Tour of Orthodox Church

2:45 PM Depart Orthodox Church for Central Mosque
(30 minutes en-route)

3:15 PM Tour of Central Mosque (*suggest bringing a scarf for women's head-covering one will be provided if you don't have one*)

4:00 PM Depart Central Mosque for Hotel
(30 minutes en-route)

9:00 - 10:30 AM General Committee on Democracy,
Human Rights and Humanitarian Questions
Consideration of amendments

- Sary Arka 1 -- Ground floor

9:00 - 10:30 AM General Committee on Economic Affairs,
Science, Technology and Environment

- Sary Arka 4 -- 2nd floor

Consideration of amendments

- 10:30 AM US Delegation press conference** - All CODEL member presence requested
- Sary Arka 2 - 2nd floor (30 - 40 min)
- 11:00 AM General Committee on Political Affairs and Security** - Sary Arka 1 -- Ground floor
Consideration of amendments
- 11:30 AM Meeting with State Secretary Oralbay Abdykarimov** - Ak Orda -- lunch at Rixos Hotel
- Attended by Members and Spouses
- 12:45 PM Working Lunch on Gender Issues hosted by the Parliament of Kazakhstan** - Restaurant Capri -- Ground floor in Hotel Radisson SAS
- 2:30 - 4:00 PM General Committee on Economic Affairs, Science, Technology and Environment** - Sary Arka 4 -- 2nd floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 2:30 - 4:00 PM General Committee on Democracy, Human Rights and Humanitarian Questions** - Sary Arka 1 -- Ground floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 4:00 PM Presentation on the 2008 OSCE PA Fall Meetings in Toronto** - Prefunction Area outside Sary Arka 1
- 5:00 - 6:00 PM General Committee on Political Affairs and Security** - Sary Arka 1 -- Ground floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 7:30 - 9:00 PM Reception hosted by H.E. Aslan Mussin, Speaker of Mazhilis of the Parliament of Kazakhstan (Duman Center)**

RON Astana, Kazakhstan

Wednesday, July 2, 2008

Members Attire: Business

Spouses Attire: Business Casual

***- Pack overnight bag for Venice stop.
Leave out comfortable travel clothes for today.***

6:00 AM Delegation Room opens

***- Breakfast included in room rate (avail in lobby)
- Reverse Currency Exchange available
- Please pay any incidental room charges
(i.e. phone, movie room service, etc.)***

6:45 AM Meet in Delegation Room

- Members Attire: Business

- Spouses Attire: Business Casual

7:00 AM Time reserved for meetings of various groups

9:00 AM Please Bring your bags to the delegation room

- 9:00 - 11:00 AM General Committee on Economic Affairs, Science, Technology and Environment Supplementary items; Election of the Committee Officers - *Sary Arka 4 – 2nd floor*
- 9:00 - 11:00 AM General Committee on Democracy, Human Rights and Humanitarian Questions Supplementary items; Election of the Committee Officers - *Sary Arka 1 – Ground floor*
- 11:00 - 11:30 AM Meeting of the Bureau - *Sary Arka 2.2 – Ground floor*
- 11:45 AM Meet in Delegation Room
- *Attire: Travel Casual*
- *Bring any remaining baggage with you at this time as we will not be returning to the hotel*
- 12:00 PM Depart Radisson Hotel for Airport - *40 min en-route*
- 1:00 PM Depart Astana, Kazakhstan for Venice, Italy
- *5 hours 55 minutes en-route*
- *Heavy snack served en-route*
- *Set watches back 4 hours (-4)*
- 2:55 PM Arrive Venice, Italy
- 3:05 PM Depart airport for Westin Europa & Regina Hotel - *30 min en-route*
- 3:35 PM Arrive Hotel
- *Proceed to Delegation Room*
- *Room keys disbursed*
- *Currency Exchange available*
- Dinner at leisure

RON Venice, Italy

Thursday, July 3, 2008

Member and Spouse Attire: Travel Casual
- *Recommend comfortable clothes*

- 7:00 AM Delegation Room opens
- *Please pay any incidental room charges (i.e. phone, movie room service, etc.)*
- *Breakfast included in the room rate*
- *Light snacks and coffee available in the Delegation room*
- 7:00 AM Please bring luggage to the Delegation room
- 7:45 AM Meet in Delegation Room
- *Attire: Travel Casual*

8:00 AM Depart Hotel for Airport

- 30 min en-route

9:00 AM Depart Venice, Italy for Andrews AFB

- 9 hours 25 minutes en-route

- Lunch/Heavy snack served en-route

- Set watches back 6 hours (-6)

12:25 PM Arrive Andrews AFB

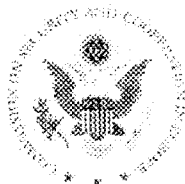
12:45 PM Depart for Rayburn horseshoe

1:30 PM Arrive Rayburn horseshoe

1:40 PM Luggage arrives Rayburn horseshoe

MISSION COMPLETE

EXHIBIT 11



234 Ford House Office Building
3rd and D St. NW
Washington DC 20515
Tel: 202-225-1901/Fax: 202-226-4199



Socialist Group in the
European Parliament
Rue Wiertz 60
B-1047 Bruxelles
T +32 2 234 2111
F +32 2 230 8664
www.socialistgroup.eu



Office of the United Nations High
Commissioner for Human Rights
Palais Wilson
United Nations Office at Geneva
CH-1211 Geneva 10, Switzerland
Tel: 22-9289874/Fax: 22-9289050

Black European Summit April 15-16, 2009

European Parliament
Rue Wiertz 60, B-1047 Brussels

Draft Agenda

24 March 2009

Day 1, Wednesday, April 15

Morning/afternoon	Parliamentarians arrive
6:00 pm	Registration
7:00 – 9:00 pm	Opening Dinner

Day 2, Thursday, April 16

8:30 am	Registration
9:00 – 9:10 am	Welcome
9:10 – 10:00 am	Panel 1: Europe's Black and Minority Electorate: Past, Present, & Future <i>This panel will provide an overview of Europe's growing Black and minority populations and their civic participation.</i>
10:00 – 11:15 am	Panel 2: Europe's Obama on the Horizon? <i>This panel will focus on minority political participation in Europe. Barriers to participation and the benefits of diversity in policymaking, including countering racist and xenophobic political platforms, will also be discussed. Questions from the audience are welcomed.</i>
11:15 – 11:30 am	Coffee Break
11:30 – 12:30 pm	Panel 3: Formulating and Implementing Policies for Black and minority inclusion and empowerment <i>This panel will focus on the role of Black and minority policymakers in formulating and implementing laws and policies to support and promote equal rights and opportunities for minorities in the public and private sector.</i>
12:30 – 2:00 pm	Networking Lunch
2:15 – 3:45 pm	Breakout strategy sessions <i>Participants will discuss strategies for improving public and private sector opportunities for Black and minority populations.</i>
4:00 – 4:30 pm	Closing Remarks and Photo
7:00 – 9:00 pm	Closing Dinner

SUMMIT VENUE AND SECURITY

Note: Due to increased security, only registered participants will be allowed into the Summit. Participants will need to bring proof of identity (passport, driver's license) and should plan to arrive 15 minutes prior to the beginning of the Summit.

Room A3G-2
European Parliament
Spinelli Building
Rue Wiertz 60
B-1047 Bruxelles

HOTELS AND TRANSPORTATION

Note: Participants are kindly requested to make their own lodging and transportation arrangements.

Hotels close to the Summit venue (5-10 minutes on foot):

Radisson SAS EU Hotel
rue d'Idalie 35
1050 Brussels
Belgium
Tel: +32 2 626 81 11
Fax: +32 2 626 81 12
info.brusselseu@radissonsas.com

<http://www.radissonsas.com/es/Satellite/Page/RadissonSAS:Page/rsasHotelDescription/1117695856462/en/>

Hotel Sofitel Brussels Europe
1 Place Jourdan,
1040 Brussels
(+32)2/2355100 - (+32)2/2355101
H5282@sofitel.com

<http://www.sofitel.com/fr/hotel-5282-sofitel-brussels-europe/index.shtml>

Renaissance Brussels Hotel
Rue du Parnasse 19
Brussels, 1050 Belgium
Phone: 32 2 5052929
Fax: 32 2 5052555

<http://www.marriott.com/hotels/travel/brubr-renaissance-brussels-hotel/>

Hotel Leopold
rue du Luxembourg 35
1050 Brussels
Tel: 32 2 511 1828
Fax: 32 2 514 1939

<http://www.hotel-leopold.be/presentation.htm>

Economic options:

Hotel Chambord
82 rue de Namur
1000 Brussels
Tel +32 2 548 99 10
Fax +32 2 514 08 47

<http://www.hotel-chambord.be/html/en/home.php>

Hotel Argus
6, Rue Capitaine Crespel
B-1050 Bruxelles, Belgique
Tel +32 2 514 07 70
Fax +32 2 514 12 22
reception@hotel-argus.be

<http://www.hotel-argus.be/>

TRANSPORT FROM AIRPORT TO EUROPEAN PARLIAMENT

The Airport Line (No. 12 Bus) operates between Brussels airport and Luxembourg station, just beside the BP.
For timetable: <http://www.stib.be/airport-line.html?l=en>

WORKING LANGUAGE

The working language for the conference is English. French translation will also be provided.

ATTIRE

Business attire is recommended for all Summit events.

Policymakers and experts include:

Summit Co-Chair, Harlem Desir, MEP, Vice-Chairman Socialist Group
Summit Co-Chair, Alcee L. Hastings, Co-Chairman U.S. Helsinki Commission/U.S. Congress
Summit Co-Chair, Joe Frans, Chair, United Nations Working Group of Experts on People of African Descent
Summit Advisor, Claude Moraes, MEP
Summit Advisor, Glyn Ford, MEP
Neena Gill, MEP
Said El Khadraoui, MEP, Belgium
Sharma Virendra, MP, UK
Diane Abbott, MP, UK
Jennette Arnold, Member of London Assembly
Rotimi Adebari, Councillor, Portlaoise, Ireland
Yvette Jarvis, Special Advisor to the Mayor on Immigration, Municipality of Athens, Greece
*Cem Ozdemir, Co-leader Green Party, Germany
*Trevor Phillips, Chairman, Equality and Human Rights Commission, UK
Wouter Van Bellingen, Belgium
Beatrice Achaleke, founder Black European Women's Conference, AFRA (Austria)
Dr. Allison Blakely, Boston University (USA)
Dimitria Clayton, Ministry for Intergenerational Affairs, Family, Women and Integration for North Rhine-Westphalia (Germany)
Brenda King, Vice President, Employers' Group, European Economic and Social Committee
Larry Olomofe, European Roma Rights Center (Hungary)
Greg Willis, President, U.S. Senate Black Legislative Staff Caucus/Counsel, U.S. Senate Committee on Small Business and Entrepreneurship (USA)
Simon Woolley, Operation Black Vote (UK)
Tbd, European Union Fundamental Rights Agency
Tbd, German Marshall Foundation

*To be confirmed

EXHIBIT 12



Nancy Pelosi
Speaker of the House

June 19, 2009

The Honorable Hillary Rodham Clinton
Secretary
U.S. Department of State
Washington, DC 20520

Dear Madam Secretary:

This letter will authorize the Honorable Alcee Hastings, Co-Chairman of the Commission on Security and Cooperation in Europe (CSCE), and a delegation of Members and staff to accompany Codel Cardin to Bosnia-Herzegovina, Belarus, Lithuania and Greece during the approximate period of June 26 – July 3, 2009. The purpose of the trip is to meet with government officials in each country and to attend the 18th Annual Session of the Organization for Security and Cooperation in Europe (OSCE PA). For protocol purposes only, spouses may travel at no cost to the government. The following Members and staff are authorized to travel:

The Honorable Alcee L. Hastings (D-FL), Co-Chairman, CSCE
The Honorable Christopher Smith (R-NJ) and Mrs. Marie Smith
The Honorable Louise Slaughter (D-NY) and Mr. Robert Slaughter
The Honorable Mike McIntyre (D-NC) and Mrs. Dee McIntyre
The Honorable G.K. Butterfield (D-NC)
The Honorable Robert Aderholt (R-AL) and Mrs. Caroline Aderholt
The Honorable Darrell Issa (R-CA) and Mrs. Kathy Issa
The Honorable Lloyd Doggett (D-TX) and Mrs. Libby Doggett
The Honorable Gwen Moore (D-WI)

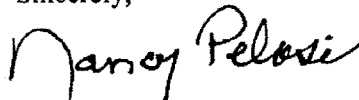
Mr. Fred Turner, Chief of Staff, CSCE
Mr. Bob Hand, Policy Advisor, CSCE
Ms. Shelly Han, Policy Advisor, CSCE
Mr. Ed Joseph, Policy Director, CSCE
Mr. Cliff Bond, Senior Advisor, CSCE
Mr. Alex Johnson, Policy Advisor, CSCE
Mr. Winsome Packer Policy Advisor, CSCE
Mr. Neil Simon, Communications Director, CSCE
Mr. Daniel Redfield, Office Manager, CSCE
Mr. Josh Shapiro, Staff Assistant, CSCE

Please note that Chairman Hastings and Ms. Janice Helwig, Policy Advisor, CSCE, are also authorized to travel to Albania en route to Lithuania.

It is requested that local currencies for the maximum per diem allowance be made available at the enhanced rate of an additional \$50. Actual lodging costs are authorized if necessary. In addition, funds should also be made available for air and local transportation. Commercial air transportation (if needed) will be made on American flag carriers, subject to availability, in business class. Authorization for the expenditure of funds should be made in accordance with Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384.

Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Pelosi".

NANCY PELOSI
Speaker of the House

cc: The Honorable Lorraine C. Miller, Clerk
U.S. House of Representatives

EXHIBIT 13

CODEL Cardin

Sarajevo, Bosnia/Herzegovina and Vilnius, Lithuania
26 June – 3 July 2009

Purpose: To meet with political leadership in Bosnia-Herzegovina and to attend the Eighteenth Annual Session of the OSCE Parliamentary Assembly Meeting in Vilnius, Lithuania.

Sponsor: OSD (Cmte Ltr)

Mode of travel: COMAIR _____ MILAIR_X _____

Rental Car: No

Delegation (41)

Traveling from Washington DC to Sarajevo via MILAIR: 38

Traveling from Sarajevo to Vilnius via MILAIR: 37

Traveling from Vilnius to Washington DC via MILAIR: 40

MEMBERS & Spouses (23)

- 1) Senator and Mrs. Benjamin L. Cardin (D-MD), Chairman, Commission on Security and Cooperation in Europe
- 2) Rep. Alcee L. Hastings (D-23rd-FL), Co-Chairman, Commission on Security and Cooperation in Europe (Vilnius Only/arriving MILAIR 6/29)
- 3) Senator and Mrs. Dick Durbin (D-IL), Assistant Majority Leader
- 4) Senator and Mrs. George Voinovich (R-OH), Senate Homeland Security and Governmental Affairs Committee
- 5) Senator and Mrs. Roger Wicker (R-MS), Senate Armed Services Committee
- 6) Rep. Louise Slaughter (D-NY) and Mr. Robert Slaughter, Chairwoman, House Rules Committee
- 7) Rep. and Mrs. Darrell Issa (R-CA), Ranking Member, House Oversight & Government Reform Committee
- 8) Rep. Gwen Moore (D-4th-WI), House Budget Committee
- 9) Rep. and Mrs. Mike McIntyre (D-7th-NC), House Armed Services Committee
- 10) Rep. and Dr. Lloyd Doggett (D-25th-TX), House Ways and Means Committee
- 11) Rep. G.K. Butterfield (D-1st-NC), House Energy and Commerce Committee (Vilnius Only/Arriving COMAIR 6/29)
- 12) Rep. and Mrs. Robert Aderholt (R-4th-AL), House Appropriations Committee
- 13) Rep. and Mrs. Christopher H. Smith (R-4th-NJ), House Foreign Affairs Committee
- 14) Rep. Madeleine Bordallo (D-GU), House Armed Services Committee

STAFF (13)

- 15) Fred Turner, Chief of Staff, CSCE
- 16) Debbie Yamada, Office of Sen. Cardin
- 17) Bob Hand, Policy Advisor, CSCE
- 18) Shelly Han, Policy Advisor, CSCE
- 19) Ed Joseph, Policy Director, CSCE
- 20) Ambassador Cliff Bond (Sarajevo only)
- 21) Alex Johnson, Policy Advisor, CSCE (Vilnius only)
- 22) Winsome Packer, Representative of the Helsinki Commission to the USOSCE (Vilnius only)
- 23) Neil Simon, Communications Director, CSCE
- 24) Daniel Redfield, Office Manager, CSCE
- 25) Mr. Josh Shapiro, Staff, CSCE
- 26) Mr. Joseph Lai, Staff, Sen. Voinovich
- 27) Mr. Erskine Wells, Staff, Sen. Wicker

ESCORTS (4)

- 28) CAPT John Nowell, Lead Escort

- 29) LT Mitch McGuffie, Lead Planner
- 30) LT Lauren Baker, Navy Escort
- 31) LCDR Greg Kausner, Navy Escort

DOCTOR (1)

32) Dr. Rob Sumerlee, Medical Doctor, Attending Physician's Office

Friday 26 June – Washington, DC

Attire: Travel Casual

Forecasted Weather: High-87 Low-73/ Isolated T-Storms

- 1300 Luggage Call
- 1500 Busses depart Capitol Hill en route Andrews Air Force Base
- 1600 Depart Washington DC (Andrews) (GMT -4) via MILAIR en route Sarajevo (GMT +2)
Total Travel Time: 9 hrs 5 min (advance clocks 6 hours)

Saturday, 27 June- Sarajevo

Attire: Travel casual until 15-45/ Business after 15-45

Forecasted Weather: High-79 Low-55/ 60% chance of showers

- 0705 CODEL arrives Sarajevo Airport via milair
Site officers: Chief Lee, Sgt. Tulasosopo
- 0715 Depart Airport en route Hotel
- 0735 Arrive Hotel Europe
-Distribute keys, per diem in local currency
-Continental breakfast buffet in delegation room (juice, coffee, pastry, fruit)
-Down time until lunch
- 1130 Optional opportunity for viewing of Sarajevo Haggadah
- 1200 Lunch options (No-host Lunch)
-3 Restaurant Options
- 1330 Tour old town (AMB will accompany, along with commercial guide)
- 1515 Return to Hotel; down time
- 1545 Depart hotel en route Ambassador's residence
- 1600 Welcome by Amb, English and country team brief
Including: OSCE: CoM Gary Robbins
DCM: Judith Cefkin
POL: Mike Martin
ECON: Frank Ostrander
RAO: Mark Post
DAO: COL Schleicher
AID: David Hallengren
OPA: Janet Miller
- 1700 Discussion with Political Leaders
- 1830 Depart EMR en route Hotel Europe

1900 No-host dinner

RON Sarajevo

Sunday, 28 June- Sarajevo/Vilnius

Attire: Business

Forecasted Weather: High-80 Low-55/ 60% chance of showers

0800 Breakfast in Hotel

0930 Religious service options

1000 Accompanying Persons schedule begins, see below

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

Accompanying persons optional schedule

Escort officer: Shelbie Legg

1000 Depart Sarajevo ert Jablnica

1130 Arrive Jablanica and Bridge Museum

1230 Depart Bridge museum

1245 Lunch at Orahovica restaurant

1345 Cultural excursion to Konjic, including local woodworking and Ottoman Bridge

1445 Depart Konjic ert Sarajevo

1020 Depart hotel ert Presidency [accompanying person schedule begins, see below]

1030 Arrive Presidency (press spray at top w/ group photo)

1045 Meet with Presidency

1200 Depart Presidency ert UNTIC Towers

1215 Arrive UNTIC Towers, Panorama restaurant

1230 Informal lunch with mixed group of university students (Panorama restaurant)
OPA Site officer: Melissa Scherer

1400 Depart lunch ert OHR

1415 Meeting with HiRep Inzko (Location: OHR; meeting TBC)
Press spray at top
Deputy HiRep Gregorian also invited
Notetaker: Mike Martin

1515 Depart OHR ert Hotel Europe

1530 Press opportunity (Hotel Europe)
Site Officer: Ron Hawkins, OPA

1600 BAGGAGE CALL

1615 Return to rooms to freshen up, check out of hotel [accompanying persons rejoin]

1645 Depart Hotel Europe ert Airport

1715 Arrive Sarajevo Airport

1730 Delegation departs Sarajevo (GMT +2) en route Vilnius (GMT +3) via MILAIR
Flight Time: 2 hr 30min
Advance Clocks 1 hour

2100 Arrive Vilnius

RON Vilnius

Monday, 29 June-Vilnius

Attire: Business

Forecasted Weather: High-75 Low-56/ Sunny w/ 10% chance of showers

0700-1000 Breakfast (Hotel Restaurant)

TBD Country Team Briefing for Delegation

0900 -- 1200 **Meeting of the Standing Committee (Chairman Cardin and Co-Chairman Hastings ONLY)**

0940 Begin Schedule for Accompanying Persons

*** Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule.*

0940 Depart from Hotel

1000-1130 Visit Vilnius Women's and Children's Shelter

Objective: Deliver school supplies (maps - political and otherwise requested), meet with center staff, tour center. Press has been requested to be in attendance but respecting the privacy of the clients. Tour of center will be provided followed by discussion group with center personnel, municipality representatives, and, possibly, clients where school supplies can be given to children.

1130 Travel Back to Hotel

1200-1330 Lunch

1445-1615 Walking Tour of Jewish Ghetto sites by local partisan Fania Brancovskaja. Depart from hotel.

Objective: View ghetto sites with tour from partisan who lived through WWII events in Lithuania

1615 Return to Hotel

1630 Depart Hotel for Television Tower

1700-1800 Visit Television Tower

Objective: Visit exhibits at base of tower, take elevator to top. English speaking guides are available.

1800 Depart for Hotel

1900-2130 **Concert followed by the reception hosted by the Speaker of the Seimas**
Lithuanian National Opera and Ballet Theatre

1200 --1330 Lunch (one of three restaurants near the Ramada)

1345-1430 U.S. Delegation meeting with leadership of Jewish Community of Lithuania (Ramada Hotel)

14.30 – 16.00 **Inaugural Plenary Session**
(March 11 Hall)

1. Call to order and remarks by the President of the OSCE Parliamentary Assembly
2. Addresses by host dignitaries
3. Addresses by Presidents of observer Assemblies
4. Report by the OSCE Parliamentary Assembly Special Representative on Gender Issues followed by a Debate

1445-1615 Tour of Jewish Ghetto, led by WWII partisan Fania Brancovskaya (starts and ends at Ramada Hotel)

1600 – 1630 Coffee break

1700 Delegation meeting with Kyle Scott, Charge d' Affaires, U.S. Mission to the OSCE

16.30 --18.30 **General Committee on Democracy, Human Rights and Humanitarian Questions**
(March 11 Hall)

Opening remarks by the Chair of the Committee

Introduction of the Draft Resolution by the Rapporteur

Debate

1900 – 2130 **Concert followed by the reception hosted by the Speaker of the Seimas**
Lithuanian National Opera and Ballet Theatre

Tuesday, 30 June- Vilnius

Attire :Business

Forecasted Weather: High-71 Low-53/ Sunny

0700-1000 Breakfast (Hotel Restaurant)

Side-trip to Minsk, Belarus (2+ hour drive each way)

*** There will be no separate schedule for accompanying persons in Minsk*

- 0800 Departure from Vilnius (trip is about 180km; US Embassy Minsk will request escort at least in Belarus; to be accompanied by Charge de Affairs Jonathan Moore)
- 1130 Meeting with President Lukashenko (Press: Belarus State media can be expected to be shooting photos at the top of the meeting)
- 1230 Lunch with civil society/political parties at Embassy (U.S. Embassy, chancery conference room)
- 1430 Brief press availability at Embassy (US Embassy, ICASS conference room)
- 1500 Depart for 2-3 historical site(s)/Jewish community (exact sites visited will depend on weather conditions);
- Yama Memorial, where 5,000 Jews were massacred in the Minsk ghetto by the Nazis on March 2, 1942.
 - Kuropaty -- wooded area just outside of Minsk where tens of thousands were executed by the Soviet secret police in the late 1930s.
 - Jewish Community Center operated by American Jewish Joint Distribution Committee.
- 1800 Depart for Vilnius

0700 -- 0845 **Time reserved for meetings of various groups**

0900 -- 1100 **General Committee on Political Affairs and Security (March 11 Hall)**

Opening remarks by the Chair of the Committee

Introduction of the Draft Resolution by the Rapporteur

Debate

0900 -- 1100 **General Committee on Economic Affairs, Science, Technology and Environment (Plenary Chamber)**

Opening remarks by the Chair of the Committee

Introduction of the Draft Resolution by the Rapporteur

Debate

1300 Begin Schedule for Accompanying Persons (those not traveling to Minsk, Belarus)

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

1300-1430 Lunch - Čsarda (Hungarian)

1430-1500 Return to Hotel

1500-1530 Travel to main gate of Seimas

1530-1830 Guided tour of Trakai (OSCE PA/Seimas arranged)

1930-2130 Reception hosted by Lithuanian delegation at Belmontas

1100 – 1130 Coffee break

11.30 – 13.30 **Special Plenary Session**
(March 11 Hall)

1. Call to Order / Mr. João SOARES, President of the OSCE Parliamentary Assembly
2. Remarks by Mr. Vygaudas USACKAS, Foreign Minister, Republic of Lithuania
3. Address by Ms. Theodora BAKOYANNIS, Minister of Foreign Affairs of Greece, Chairperson-in-Office of the OSCE followed by a question and answer session.

1530 – 1830 **Guided Tour to Trakai**

1930 – 2130 **Reception hosted by the Lithuanian Delegation**
Belmontas Entertainment and Recreation Center

Wednesday, 01 July- Vilnius

Attire: Business

Forecasted Weather: High-69 Low-51/ Sunny w/ 10% chance of showers

0700-1000 Breakfast (Hotel Restaurant)

0700 – 0845 **Time reserved for meetings of various groups**

0900 – 1030 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)

Debate (cont'd)

Consideration of amendments

0900 – 1030 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Debate (cont'd)

Consideration of amendments

0900 Begin Schedule for Accompanying Persons

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule*

0900 Depart hotel for Green House Museum
0920-1020 Green House (Holocaust) Museum

Objective: Visit small museum that provides a description of the Holocaust in Lithuania and major figures in Lithuanian Jewish History. Cost of entry is 5 litas per person. Rachel (Rocha) Konstanian of the Museum has agreed to provide a tour without charge but any support is welcome.

1020-1040 Travel to Gediminas Castle and Museum

- 1040-1200 Gediminas Castle and Museum
- Objective: Visit one of the most noticeable sites in Vilnius; take funicular to up to castle and museum. Funicular charge is 2 litas per person. Entry cost is 5 litas per person.
- English speaking guides available for 50 litas for groups of ten or more.
- 1200-1220 Travel to Tores Restaurant in Uzupis
- 1220-1400 Lunch - Tores Restaurant (Lithuanian grill); in outside seating area with good overlook if there is no rain
- 1400-1410 Travel to St. Anne's Church
- 1410-1500 St. Anne's Church
- Objective: Dating from the 15th century, the church was constructed from thirty three different shapes of brick.
- 1500-1510 Travel back to hotel
- 1515-1525 Walk to Gates of Dawn
- 1525-1625 Gates of Dawn
- Objective: View last remaining gate of town fortifications and 17th century image of Virgin Mary.
- 1625-1635 Return to hotel
- 1800 Depart hotel for British Embassy
- 1830-1915 British reception for delegation at British Embassy
- 1915 Depart British Embassy for dinner
- 1945 Delegation dinner for entire group; location to be decided

-
- 1000 U.S. Delegation meeting with the Speaker of Seimas (Parliament) of the Republic of Lithuania (Press: photo only at the top or bottom of meeting)
- 1030 U.S. Delegation meeting with the Head of the Delegation of the OSCE PA Vilija Aleknaite-Abramikiene
- 1030-1130 Press Conference Hall (Press Center in Seimas) reserved for a news conference
- 1100 Press Conference (Press Conference Hall, Seimas Building)
- 1030 -- 1100 Coffee break
- 1100 -- 1230 **General Committee on Political Affairs and Security (March 11 Hall)**

Debate (cont'd)

Consideration of amendments

1245 – 1415 **Working Lunch on Gender Issues** (*Seimas Restaurant*)

1430 – 1600 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Consideration of amendments and adoption of Resolution

Supplementary Items

1430 – 1600 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)

Consideration of amendments and adoption of Resolution

Supplementary Items

1500 U.S. Delegation meeting with Minister of Foreign Affairs Vygaudas Usackas (Press: Photo only at top of meeting)

1600 – 1630 Coffee Break

1630 – 1800 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Consideration of amendments and adoption of Resolution

Supplementary Items

1830 Annual UK-US Reception (British Embassy)

1945 CODEL Dinner

Thursday, 02 July- Vilnius

Attire: Business

Forecasted Weather:

0700-1000 Breakfast (Hotel Restaurant)

0700 – 0845 **Time reserved for meetings of various groups**

0900 – 1100 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Supplementary Items

Election of the Committee Officers

0900 – 1100 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)

Supplementary Items

Election of the Committee Officers

1100 – 1130 Coffee break

1100 – 1130 **Meeting of the Bureau** (*Constitution Hall*)

1130 – 1330 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Supplementary Items

Election of the Committee Officers

1140 Begin Schedule for Accompanying Persons

***Accompanying persons are welcome to join the official meetings as desired. Below is a suggested itinerary in addition to the official schedule.*

- 1140 Depart hotel for Embassy Fourth of July reception at Ambassador's Residence (Entire Delegation)
- 1200-1330 Embassy Fourth of July reception at Ambassador's Residence; lunch will be available (Entire Delegation)
- 1330 Depart for Prezidentura
- 1400-1430 Meet with President Adamkus (Entire Delegation)
- 1430-1500 Travel back to hotel
- 1530-1700 Walk to Amber Museum and Gallery stopping at sites of interest on the return trip
Objective: Visit museum and stop at any other sites of interest.
- 1700-1730 Walk to Hotel
- 1900-2400 Reception hosted by Prime Minister at National Gallery of Art, followed by evening of folklore at Song Festival in Kalnu Park. This will involve bus travel from Song Festival to Kalnu Park. (Entire Delegation)

-
- 1200- 1400 U.S Embassy Independence Day Celebration at Ambassador's Residence (Press: open press for b-roll, pull aside interviews; no formal news conference)
- 1330 U.S. Delegation departs Independence Day for meeting with President
- 1400 U.S. Delegation Meeting with President Adamkus (Press: photo only at top of meeting)
- 1330 -- 1500 Lunch break
- 1500 -- 1800 **Plenary Session (March 11 Hall)**

General debate

- 1930 -- 2200 **Reception hosted by the Prime Minister at the National Art Gallery**
- 2200-2400 **An evening of "Modern Folklore" in the framework of the Song Festival (Kalnu Park)**

Friday, 03 July- Vilnius/Washington DC

Attire: Travel Casual for accompanying persons/ business for voting members

Forecasted Weather:

- 0700-1000 Breakfast (Hotel Restaurant)

0800 BAGGAGE CALL

0700 – 0915 **Time reserved for meetings of various groups**

0915 Members depart hotel en route Seimas

0930 – 0945 **Plenary Session** (*March 11 Hall*)

Election of the Assembly Officers

0930 Accompanying Persons and staff depart Hotel en route Vilnius Airport

0945 Members depart Seimas en route Vilnius Airport

1030 Depart Vilnius en route Washington DC via MILAIR
Flight Time: 9 hr 45 min (retard clocks 7 hours)

1330 Arrive Washington DC

Mission Complete

DRAFT

EXHIBIT 14



DEPARTMENT OF THE NAVY

OFFICE OF LEGISLATIVE AFFAIRS
1360 NAVY PENTAGON
WASHINGTON DC 20350-1300

July 15, 2009

Congressman Butterfield,

I recently had the pleasure of traveling with you to Vilnius, Lithuania from 28 June- 3 July.

After calculating all expenses paid and incurred your bill stands at **\$64.49**. A simple breakdown of expenses is provided below:

30 Jun- Entrance fee to Trakai Castle	\$5.45
1 Jul- CODEL Dinner	\$59.04
TOTAL AMOUNT OWED:	\$64.49

If you prefer to pay by check please make it payable to LT Mitchell McGuffie, Navy Senate Liaison Officer, and either drop it off or send via inside mail to the Navy House Liaison Office located in Rayburn B324. If you have any questions, please feel free to call me at 202-224-4682.

Regards,

Lawrence Barber LT, USN
John B. Nowell Jr.
For CAPT U.S. Navy

EXHIBIT 15

CODEL RUSH
15 TO 24 AUGUST 2009

Friday, 14 Aug (Washington)

- 3:00 PM Early Baggage call
- *Bring luggage to Air Force Liaison Office,
Rayburn Building Room B322*
- *Blue-tagged bags will NOT be accessible
In-flight*
- 4:00 PM Early Baggage Call Ends

Saturday, 15 Aug (Washington/Monrovia)

Attire: Travel Casual

- 2:00 PM Baggage call
- *Bring luggage to the Rayburn Horseshoe*
- *Blue-tagged bags will NOT be accessible
In-flight*
- 2:30 PM Baggage Call Ends
- 4:00 PM Meet at the Rayburn Horseshoe
- 4:10 PM Depart the Rayburn Horseshoe
- *En route to Andrews AFB*
- 5:00 PM Depart Andrews for Monrovia, Liberia
- *Via MilAir (C-40)*
- *9 hours 20 minutes en route*
- *Set watches ahead 4 hours (+4)*
- *Dinner and breakfast served en route*

Sunday, 16 Aug (Monrovia)

- 6:20 AM Arrive Roberts International Airport,
Monrovia
- *Met by CDA Robinson and Control Officer
Sarah Gonzales*
- 7:15 AM Clear Customs
- 8:15 AM Arrive Cape Hotel
- *Proceed to Delegation Room (Rm # TBI)*
- *Room Keys Distributed*
- *Per Diem Distributed in US Dollars*
- *Light refreshments available*

Attire: Formal/Church

- 9:30 AM Meet in Delegation Room
- 9:40 AM Depart for Providence Baptist
Church

- *Via CODEL vehicles*

10:00 AM Optional Church Service

12:30 PM Depart for Hotel
- *Via CODEL vehicles*

Attire: Business

12:30 PM Meet in Delegation Room (those not attending church)

12:45 PM Country Team Briefing and Brunch
- *Delegation Room*

2:00 PM Depart for Freeport of Monrovia
- *Via CODEL vehicles*

2:30 PM Tour Freeport of Monrovia
- *Met by/tour by Patrick Sendola, Executive Director, Port Sector Reform Secretariat*

3:15 PM Depart for Hotel
- *Via CODEL vehicles*

3:45 PM Arrive Hotel

5:35 PM Meet in Delegation Room

5:45 PM Depart for Kendejah Resort

6:30 PM Dinner with ministers
- *Foreign Affairs, Planning, Finance, Commerce, Agriculture, National Investment Commission, General Auditing Commission*
- *Kendejah Resort*

8:00 PM Depart for Hotel
- *Via CODEL vehicles*

8:30 PM Arrive Hotel

RON Monrovia

Monday, 17 Aug (Monrovia/Accra)

Attire: Business

7:00 AM Delegation Room opens
- *Refreshments available*
- *Complimentary breakfast available (location/time)*

7:30 – 8:00 AM Baggage call
- *Please bring bags to Delegation Room*

Settle incidentals with hotel (rooms are pre-paid)

- 8:00 AM Breakfast at hotel with international business leaders
- 8:50 AM Depart for Liberian Electricity Company
- Via CODEL vehicles
- 9:05 AM Tour of LEC - Emergency Power Program.
- Met by Dr. *Eugene Shannon*, Minister of Lands, Mines and Energy
- Tour by *Ian Yapp*, LEC Board of Directors
- 10:00 AM Depart for JFK Hospital
- Via CODEL vehicles
- 10:30 AM Tour of JFK Hospital
- Met by TBD
- 11:20 AM Depart for Ministry of Foreign Affairs
- Via CODEL vehicles
- 11:50 AM Arrive Ministry of Foreign Affairs
- Greeted by Ambassador *Eddie Dunn*, Chief of Protocol
- 12:00 AM Meeting with President **Ellen Johnson Sirleaf**
- 1:00 PM Luncheon hosted by **President Ellen Johnson Sirleaf**
- 2:00 PM Press Availability
- On steps of Ministry of Foreign Affairs
- 2:20 PM Depart for Airport
- Via CODEL vehicles
- 3:45 PM Arrive Roberts International Airport
- 4:00 PM Depart Monrovia for Accra, Ghana
- 1 hour, 45 minutes en route
- No time change
- 5:45 PM Arrive Accra Airport
- Met by Control Officer *Raymond Stephens*
- 5:55 PM Clear Customs
- 6:05 PM Depart for La Palm Royal Beach Hotel
- 6:30 PM Arrive La Palm Royal Beach Hotel
- Proceed to Delegation Room (Rm # TBD)
- Room Keys Distributed

- Per Diem Distributed/Currency Exchange available

- Light refreshments available

7:00 PM Meet in Delegation Room
- Country Team Brief by US Embassy Staff

Dinner/Evening at leisure
- Restaurant Options available in Delegation Room

RON Accra

Tuesday, 18 Aug (Accra)

Attire: Business

8:00 AM Delegation Room opens
- Refreshments available
- Complimentary breakfast available, location/time TBD

8:30 AM Meet in Delegation Room

9:45 AM Meet in Delegation Room

10:00 AM Depart for Cultural Sites & Crafts Viewing

8:45 AM Depart for Meeting with President

9:00 AM Meeting with President John Evans Atta-Mills (FBC)

10:00 AM Depart for Ministers Meetings

10:15 AM Meeting with Minister for Trade and Industry **Hannah Tetteh**

11:00 AM Meeting with Minister for Finance and Economic Planning **Kwabena Duffour**

1:30 PM Depart for Ghana Competitiveness Roundtable (BCIU)

2:00 PM Ghana Competitiveness Roundtable (BCIU)

4:00 PM Depart for Hotel

5:00 PM Meet in Delegation Room

5:10 PM Depart for Ambassador's Residence

5:30 PM Evening Reception hosted by Ambassador (TBD)

Dinner/Evening at leisure

*- Restaurant Options available in
Delegation Room*

RON Accra

Wednesday, 19 Aug (Accra/Luanda)

Attire: Business

- 7:00 AM Delegation Room opens
*- Refreshments available
- Reverse Currency Exchange available
- Complimentary breakfast available
(location/time)*
- 7:00 – 7:30 AM Baggage call
- Please bring bags to Delegation Room
- Settle incidentals with hotel (rooms are pre-paid)
- 8:00 AM Meet in Delegation Room
- 8:15 AM Depart for Accra Airport
- 9:00 AM Depart Accra for Luanda
*- 3 hours en route
- Set watch ahead 1 hour (+1)
- Lunch served en route*
- 1:00 PM Arrive Luanda Airport
*- Met by Ambassador Mazena, Deputy Chief
of Mission, Foreign Minister **Dos Anjos**,
Vice Minister **Chokoti**, President of the
National Assembly **Dos Santos**, and Control
Officer **Jeffrey Izzo***
- 1:15 PM Depart for Presidential Palace
*- Joined by **Peter Quaranto** (Senior Staffer
for the Senate Foreign relations Sub-
Committee on Africa)*
- 2:00 PM Meeting with President Dos Santos or Prime
Minister Kassoma
*- Cidade Alta
- Joined by **TBD***
- 3:00 PM Depart for National Assembly Building
- 3:30 PM Meeting with **Fernando da Piedade Dias
dos Santos**, President of the National
Assembly
*- External Relations, International
Cooperation and Angolan Communities
Abroad
- National Assembly Building*

- 4:00 PM Meeting with 3rd Commission of the National Assembly
- *National Assembly Building*
- 5:00 PM Depart for Hotel Tropico Luanda
- *Proceed to Delegation Room (Rm # T11)*
- *Room Keys Distributed*
- *Per Diem Distributed/Currency Exchange available*
- *Light refreshments available*
- 6:00 PM Meet in Delegation Room
- 6:15 PM Depart for Ambassador's Residence
- 6:30 PM Reception at Ambassador Mozena's residence
- *Invitees include: government, civil society, and US and Angolan business representatives*
- 8:30 PM Depart for Hotel

RON Luanda

Thursday, 20 Aug (Luanda/Johannesburg)

Attire: Business

- 7:30 AM Delegation Room opens
- *Refreshments available*
- *Reverse Currency Exchange available*
- *Complimentary breakfast available (location/time)*
- 8:00 – 8:30 AM Baggage call
- *Please bring bags to Delegation Room*
- Settle incidentals with hotel (rooms are pre-paid)
- 8:30 AM Meet in Delegation Room
- 8:45 AM Depart for Sonils Base
- 9:00 AM Site Visit to Sonils Base
- *US oil service company, Halliburton, operations*
- 10:30 AM Depart for Luanda Airport
- 11:00 AM Depart Luanda for Johannesburg
- *3 hours, 20 minutes en route*
- *Set watches ahead 1 hour (+1)*
- *Lunch served en route*
- 3:20 PM Arrive Johannesburg Airport
- *Met by Control Officer Bruce Neuling*

- 3:30 PM Clear Customs
- 3:40 PM Depart for TBD Hotel
- 4:30 PM Arrive TBD Hotel
 - Proceed to Delegation Room (*Rm # TBD*)
 - Room Keys Distributed
 - Per Diem Distributed/Currency Exchange available
 - Light refreshments available
- 6:00 PM Meet in Delegation Room
 - Country Team Briefing
- 6:45 PM Depart for City Hall
- 7:30 PM GEDA Dinner Reception with South African and American Business Leaders
 - City Hall

RON Johannesburg

Friday, 21 Aug (Johannesburg/Cape Town)

Attire: Business

- 5:30 AM Rep Rush departs for CNBC Africa Morning show
- 6:00 AM Arrive Studio CNBC
- 7:30 AM Delegation Room opens
 - Refreshments available
 - Reverse Currency Exchange available
 - Complimentary breakfast available (*location/time*)
- 7:30 – 8:15 AM Baggage call
 - Please bring bags to Delegation Room
- Settle incidentals with hotel (rooms are pre-paid)
- 8:15 AM Meet in Delegation Room
- 8:30 AM Depart for Johannesburg Airport
 - Via CODEL bus
- 8:50 AM Arrive Johannesburg Airport
- 9:00 AM Depart Johannesburg for Cape Town
 - 2 hours, 5 minutes en route
 - No time change
- 11:05 AM Arrive Cape Town Airport

*-Met by CG Alberta Mayberry and Control
Officer Eshelman*

- 11:20 AM Depart for TBD
- Via CODEL bus
- 12:00 PM Lunch meeting with South African Officials
- 1:45 PM Meeting with DA National Parliamentary
Leader Athol Trollip
- 2:30 PM Depart for Hotel
- Via CODEL bus
- 3:00 PM Arrive Hotel
*- Proceed to Delegation Room (Rm # TBD)
- Room Keys Distributed
- Per Diem Distributed/Currency Exchange
available
- Light refreshments available*
- 5:45 PM Meet in Delegation Room
- 6:00 PM Depart for Reception
- Via CODEL bus
- 6:30 PM Economic Development Reception
- CGR???
- Dinner/Evening at leisure
- Restaurant Options available in
Delegation Room*

RON Johannesburg

Saturday, 22 Aug (Cape Town)

Attire: Business

- 8:00 AM Delegation Room opens
*- Refreshments available
- Complimentary breakfast available,
location/time TBD*
- 8:30 AM Meet in Delegation Room
- 8:45 AM Depart for Museum
- Via CODEL bus
- 9:00 AM Visit District 6 Museum
- 10:15 AM Depart for BroadReach PEPFAR Partner or
Red Cross Hospital (awaiting USAID)
- Via CODEL bus
- 10:30 AM Arrive BroadReach PEPFAR Partner or
Red Cross Hospital

- Met for tour by TBD

- 11:30 AM Depart for Langa Project
- Via CODEL bus
- 12:00 PM Arrive Langa Project
- Happy Meal Lunch with S. Village Orphans & GoGos
- 1:00 PM Depart for Cape Point
- Via CODEL bus
- 2:00 PM Arrive Cape Point
- Lunch and tour by TBD
- 4:00 PM Depart for Simon's Town
- 4:30 PM Arrive Simon's Town
- Penguin Colony Tour
- 6:00 PM Depart for Hotel
*- Along Beach Route
- Via CODEL bus*

RON Cape Town

Sunday, 23 Aug (Cape Town/Rabat)

Attire: Business

- 7:00 AM Delegation Room opens
*- Refreshments available
- Reverse Currency Exchange available
- Complimentary breakfast available
(location/times)*
- 7:00 -- 8:00 AM Baggage call
- Please bring bags to Delegation Room
- Settle incidentals with hotel (rooms are pre-paid)
- 8:00 AM Meet in Delegation Room
- 8:15 AM Depart for Church Services
- 9:00 AM Attend King of Kings Baptist Church
- Fishhook (Church sponsors renowned Living Hope PEPFAR Partner Program)
- 11:00 AM Depart Cape Town for Morocco
*- 10 hours, 10 minutes en route
- Set watches back 3 hours (-3)
- Breakfast and lunch served en route*
- 6:10 PM Arrive Morocco Airport
- Met by Control Officer Jai Nair

- 6:20 PM Depart for Hotel
- Via CODEL bus
- 7:00 PM Arrive Tour Hassan Hotel
- Proceed to Delegation Room (Rm # TBD)
- Room Keys Distributed
- Per Diem Distributed/Currency Exchange available
- Light refreshments available
- 7:50 PM Depart for Villa Monterey (Chargé d'Affaires residence)
- Via CODEL bus
- 8:00 PM Iftar Dinner with Moroccan officials
- Hosted by Chargé d'Affaires Robert P. Jackson
- 10:00 PM Depart for Hotel
- Via CODEL bus

RON Rabat

Monday, 24 Aug (Rabat/Washington DC)

Attire: Travel Casual

- 7:30 AM Delegation Room opens
- Refreshments available
- Reverse Currency Exchange available
- Complimentary breakfast available (location/time)
- 7:30 – 8:45 AM Baggage call
- Please bring bags to Delegation Room
- Settle incidentals with hotel (rooms are pre-paid)
- 8:45 AM Meet in Delegation Room
- 9:00 AM Depart for TBD
- Via CODEL bus
- 9:30 AM Visit to Rabat's Medina/CheJlah/Oudayas
- 11:20 AM Depart for Rabat-Sale Airport
- Via CODEL bus
- 12:00 AM Depart Morocco for Washington DC
- 8 hours, 15 minutes en route
- Set watches back 3 hours (-3)
- Lunch and Dinner served en route
- 4:15 PM Arrive Andrews AFB
- 4:25 PM Clear Customs

4:35 PM Depart Andrews for Rayburn

5:00 PM Arrive Rayburn Horseshoe

5:15 PM Luggage Arrives Rayburn Horseshoe

MISSION COMPLETE

EXHIBIT 16

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

26 August 2009

Office of Legislative Liaison
B-322 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

The Honorable G. K. Butterfield
413 Cannon Building
U.S. House of Representatives
Washington, DC 20515

Dear Representative Butterfield,

Thank you for choosing the Air Force for your travel to Liberia, Ghana, South Africa and Morocco. It was a true pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
✓ In-flight Meals, \$6.08 ea (4 Member, 8 Valeisha)	12	\$72.96
✓ Dinner- BCIU Reception, Ghana (\$37.50)	2	\$75.00
✓ Lunch - Tribes Restaurant, Ghana (\$18.68)	2	\$37.36
Tour - Cape Coast Castle, Ghana (\$7.27)	2	\$14.54
✓ Lunch - Wandies Restaurant, Johannesburg (\$23.06)	1	\$23.06
✓ Lunch - Black Marlin Restaurant, Cape Town (\$39.26)	2	\$78.52
Hotel - Hyatt Regency, Johannesburg (internet)	1	\$40.88
Picture developed and framed, Johannesburg	1	\$17.60
Valeisha Butterfield Visa Application Liberia	1	\$182.00
Valeisha Butterfield Visa Application Ghana	1	\$50.00
Valeisha Butterfield Visa Application Angola	1	\$141.00

Total Amount \$732.92

Please provide a check for this amount, payable to the US Treasury, to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (202) 225-6656. Thank you.

Very Respectfully,


TREVOR L. WILLIAMS, Maj, USAF
Congressional Liaison

APPENDIX C

Board
David Skaggs, Chair Porter Goss, Co-Chair
Yvonne Burke Jay Eagen
Karan English William Frenzel
Allison Hayward Abner Mikva
Leo J. Wise, Staff Director

Mailing Address:
P.O. Box 895
Washington, DC 20515-0895

Office Address:
425 3rd Street, SW
Suite 1110
Washington, DC 20024

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COMMITTEE ON STANDARDS

Congress of the United States

House of Representatives

OFFICE OF CONGRESSIONAL ETHICS

(202) 225-9739
(202) 226-0997 (FAX)

Washington, DC 20515

oce.house.gov
oce@mail.house.gov

July 30, 2010

Honorable Zoe Lofgren, Chair
Honorable Ben Chandler
Honorable G. K. Butterfield
Honorable Kathy Castor
Honorable Peter Welch
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Honorable Jo Bonner, Ranking Member
Honorable Mike Conaway
Honorable Charlie Dent
Honorable Gregg Harper
Honorable Michael McCaul
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Re: Review No. 10-8483 (Representative Eliot L. Engel)
REFERRAL

Dear Chair Lofgren, Ranking Member Bonner and Members of the Committee on Standards of Official Conduct:

We write to notify you of the transmittal of a report recommending further review and findings (collectively "the referral") in Review No. 10-8483, concerning Representative Eliot L. Engel. We have also included supporting documentation. The entire referral and supporting documentation have been delivered to the Offices of the Committee on Standards of Official Conduct where it is available for your review.

If you would like to receive a copy of the Board's referral and supporting documents or have any questions regarding it, our staff is available at your convenience.

Sincerely yours,



David E. Skaggs



Porter J. Goss

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 10-8483

The Board of the Office of Congressional Ethics (the “Board”), by a vote of no less than four members, on July 23, 2010, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Eliot L. Engel

NATURE OF THE ALLEGED VIOLATION: In 2009, Representative Eliot Engel participated in a Congressional Delegation to Mexico, Nicaragua, and Jamaica. During the trip, he received a travel per diem for meals and incidental expenses with an approximate value of \$866.00. Public statements attributed to Representative Engel indicated that he may have retained excess per diem. In addition, these public statements indicate that he may have retained excess per diem on other trips.

If Representative Engel’s actual meal and incidental expenses during a CODEL were less than the per diem received and he did not return the excess per diem, he may have violated House Rule 10, clause 8, House Rule 23, clauses 1 and 2.

RECOMMENDATION: The Board recommends that the Committee on Standards of Official Conduct further Review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-8483

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-8483

On July 23, 2010, the Board of the Office of Congressional Ethics (the “Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.¹ By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”²
2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics (“OCE”) that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.³

¹ Rules of the House of Representatives, 111th Cong. Rule X, Clause 8, adopted under H. Res. 5, 111th Cong. (January 6, 2009).

² Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10-8483_002).

³ Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager, June 3, 2010 (Exhibit 2 at 10-8483__006); Memorandum of Interview of House Committee on Foreign Affairs Travel Coordinator, June 2, 2010 (“HCFA Travel Coordinator MOI”) (Exhibit 3 at 10-10-8483__009); and Memorandum of Interview of House Armed Services Committee Travel Coordinator, June 8, 2010 (Exhibit 4 at 10-8483__014).

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3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.
4. Representative Engel acknowledged publically before the commencement of the OCE's Review that he did not return excess per diem.⁴ During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals and that he may have had excess per diem of a "*de minimis*" amount.⁵

A. Summary of Allegations

5. Based on the information presented before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative Eliot L. Engel may have violated House Rule 10, clause 8; House Rule 23, clause 1 and clause 2, by retaining excess per diem when his actual meal and incidental expenses were less than the per diem that he received during various Congressional Delegation trips ("CODELS").

B. Jurisdictional Statement

6. The allegations that were the subject of this Review concern Representative Engel, a Member of the United State House of Representatives from the 17th District of New York. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. Therefore, the conduct under Review occurred after March 11, 2008.

⁴ Brody Mullins and T.W. Farnam, "Rewards From Traveling Abroad," *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-8483_017).

⁵ Letter from Representative Engel to Chairman David Skaggs, dated July 21, 2010 ("Engel Letter") (Exhibit 7 at 10-8483_027).

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C. Procedural History

7. The OCE received a written request for a preliminary Review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010. The preliminary Review was scheduled to end on May 13, 2010.
8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.⁶ The second-phase Review was scheduled to end on June 28, 2010.
9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.⁷
10. Representative Engel submitted a written statement to the Board under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 21, 2010.⁸
11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.
12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 2, 2010.

D. Summary of Investigative Activity

13. The OCE requested documentary and testimonial information from the following sources:
 - (1) Representative Engel;
 - (2) House Committee on Foreign Affairs;
 - (3) House Committee on Foreign Affairs Travel Coordinator;
 - (4) Commission on Security and Cooperation in Europe ("CSCE");
 - (5) CSCE Office Manager;
 - (6) House Committee on Armed Services;
 - (7) House Committee on Armed Services Travel Coordinator;

⁶ According to the Resolution, the Board must vote on whether to conduct a second-phase Review in a matter before the expiration of the 30-day preliminary Review. If the Board votes for a second-phase, the second-phase begins when the preliminary Review ends. The second-phase Review does not begin on the date of the Board vote.

⁷ *Id.* at § 1(c)(2)(A)(ii) (2008).

⁸ Engel Letter (Exhibit 7 at 10-8483-025-028).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

- (8) Bureau of Legislative Affairs of the United States Department of State; and
- (9) United States Air Force Congressional Liaison Office.

II. THERE IS SUBSTANTIAL REASON TO BELIEVE THAT REPRESENTATIVE ENGEL RECEIVED PER DIEM IN EXCESS OF HIS ACTUAL MEAL AND INCIDENTAL EXPENSES DURING CERTAIN CODELS AND RETAINED THE EXCESS PER DIEM

- 14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.
- 15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.
- 16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of “any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”⁹

A. Applicable Law, Rules, and Standards of Conduct

1. House Rules

17. Pursuant to House Rule 10, clause 8(b):

“The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of--

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.”

18. Pursuant to House Rule 23, clause 2:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.”

⁹ H. Res. 895 of the 110th Congress, as amended, Section 1(c)(1)(A).

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19. Pursuant to House Rule 23, clause 1:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House.”

2. Federal Travel Regulation and Other Guidance

20. House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95-384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300-304.

21. The “per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses.”¹⁰

22. Lodging expenses include “expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate.”¹¹

23. Meal expenses are “expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).”¹²

24. Incidental expenses are “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”¹³

25. “Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore,

¹⁰ 41 C.F.R. § 300-3.1 (emphasis added).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

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routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates.”¹⁴

26. Under the Federal Travel Regulation, the allocation of meals and incidental expenses (“M&IE”) rates that was used in making deductions from the M&IE are as follows: 15% for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was \$100 per day, it was allocated as \$15 is for breakfast, \$25 for lunch, \$40 for dinner, and \$20 for incidental expenses.¹⁵

27. According to The United States Department of State Bureau of Legislative Affairs Official Foreign Travel Guide published for the U.S. Congress, Members are advised the following:

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any “excess” funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

28. The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained.¹⁶

B. Representative Engel Made Public Statements Indicating That He May Have Retained Excess Per Diem

29. On March 2, 2010, the *Wall Street Journal* published an article entitled “Rewards From Traveling Abroad.”¹⁷

30. In that article, Representative Engel’s statements indicated that he may have retained excess per diem that he received during the CODELs.

¹⁴ United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 6 at 10-8483-023).

¹⁵ 41 C.F.R. ch. 301, App. B.

¹⁶ House Rule 10, clause 8.

¹⁷ Brody Mullins and T.W. Farnam, “Rewards From Traveling Abroad,” *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-8483_017).

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31. According to the article: “In an interview, Engel said he normally keeps leftover funds when he travels, but he doesn’t recall the details of his South American travels.”¹⁸
32. The article also quoted Representative Engel as saying, “If there was anything left, it was negligible . . . There are no windfalls from these.”¹⁹
33. In an interview with the OCE, Representative Engel confirmed that he was accurately quoted in the article.²⁰

C. Representative Engel’s Use of Per Diem for Expenses Other Than Meals and Incidentals Provides Substantial Reason to Believe That He Had Excess Per Diem and He Did not Return Excess Per Diem

34. Representative Engel used per diem for expenses other than his personal lodging, meals, and incidentals.
35. Specifically, he occasionally used the per diem to cover the meals and entertainment of leaders or residents of the country that he visited.²¹
36. He also used the per diem to purchase gifts for his secretary and chief of staff on occasion.²²
37. Representative Engel’s use of the per diem for purposes other than his personal meals and incidental expenses suggests that his actual meal and incidental expenses were less than the per diem that he received.
38. As a result, there is substantial reason to believe that Representative Engel had excess per diem after certain CODELs.

D. Estimates of Representative Engel’s Meal and Incidental Expenses Provide Substantial Reason to Believe That His Excess Per Diem was More than a *De Minimis* Amount for Certain CODELs

39. Based on the information before the OCE, the exact amount of his meal and incidental expenses for each CODEL is unknown.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Engel MOI (Exhibit 6 at 10-8483_023).

²¹ Engel Letter (Exhibit 7 at 10-8483_026). The definition of permissible meal expenses excludes “entertainment expenses, and any expenses incurred for other persons”. 41 C.F.R. § 300-3.1.

²² Engel MOI (Exhibit 6 at 10-8483-022).

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40. Consequently, the OCE used an estimate of expenses to determine whether it appeared that Representative Engel retained excess per diem that was more than a *de minimis* amount.
41. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.
42. If an estimate is not used, a House Member or staff could impede the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.
43. Representative Engel's description of his typical meal and incidental expenses provides the basis for estimating his actual expenses.
44. Representative Engel's meals during CODELs falls into the following three categories:
 - a) meals that were provided to him at no charge. These meals include working lunches, and official dinners that were hosted as part of the official events of the CODELs. Representative Engel stated that these meals were often available, but not always. In addition, he told the OCE that the food was of poor quality and he would often purchase his own meal after such events with the per diem;²³
 - b) meals that were paid for by military personnel escorting the CODEL who Representative Engel later reimbursed. These are the meals where multiple Members of Congress and staff attend and the military escort (e.g., U.S. Air Force official) paid for the dinner on behalf of all participants and then sent an invoice to each person for their portion of the bill;²⁴ and
 - c) meals that Representative Engel directly paid for himself.²⁵
45. With respect to incidental expenses, Representative Engel told the OCE that he used per diem for ground transportation. However, he also noted that most ground transportation was provided to him at no cost. He also used the per diem for water bottles, toiletries, bug spray and other miscellaneous items.²⁶
46. As a result, the invoice received from the military escorts for each CODEL, along with the itinerary of meals that were provided at no charge to Representative Engel, provided an estimate of his meal expenses other than the meals that he purchased directly for himself.

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

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E. Representative Engel Did Not Return Any Excess Per Diem for Meals and Incidental Expenses

47. Representative Engel did not return any excess per diem and he believes that if he had any excess per diem, it was a *de minimis* amount.²⁷
48. Representative Engel believes that on some CODELs his per diem did not cover all of his expenses. For example, during CODEL Engel to Trinidad and Tobago, St. Vincent, and the Grenadines, Representative Engel told the OCE he did not have enough per diem because certain meals were very expensive.²⁸
49. Procedures were in place at the time of Representative Engel's travel for him to return excess per diem.
50. Each of the relevant CODELs was organized by the House Committee on Foreign Affairs ("HCFA").
51. The HCFA Travel Coordinator is responsible for reporting the amount per diem that Members received and recording any excess per diem that Members of Congress or staff returned.²⁹
52. The Travel Coordinator estimates that approximately 50% of travelers return unused per diem. She also noted that House staff usually returns per diem at a higher rate than House Members.³⁰
53. The Travel Coordinator requires each traveler to submit to her a signed travel form that lists the amount of "Per Diem Returned."³¹

²⁷ Engel Letter (Exhibit 7 at 10-8483-027).

²⁸ Engel MOI (Exhibit 6 at 10-8483_023).

²⁹ HCFA Travel Coordinator MOI (Exhibit 3 at 10-8483_009).

³⁰ *Id.* at 10-8483_009.

³¹ *Id.* at 10-8483_009.

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54. Representative Engel submitted these forms for various trips, including CODEL Engel (Feb 2009), and indicated that he had "0" per diem to return.³²

INDIVIDUAL REPORT ON COMMITTEE TRAVEL

Report on travel by (please print) Eliot L. Engel Committee on Foreign Affairs, U.S. House of Representatives

COUNTRY	ARRIVE	DEPART	# of nights	A) PER DIEM * ISSUED	B) PER DIEM RETURNED	C) TOTAL PER DIEM USED (A-B=C)	AIR TRAVEL: COMMERCIAL (C) OR MILITARY (M)	<i>FOR OFFICE USE ONLY</i>	
Mexico	02/16/09	02/18/09	2	\$699.50	0	\$699.50	M		
Nicaragua	02/18/09	02/20/09	2	\$337.32	0	\$337.32	M		
Jamaica	02/20/09	02/22/09	2	\$775.58	0	\$775.58	M		

COMMERCIAL AIR TRAVEL:

Starting/Country Date	Ending/Country Date	Countries Also Covered by Ticket	Ticket Cost*

* attach original receipt, keep copy for your records

I certify that all per diem drawn and not returned to the issuing agency or U.S. Treasurer was spent for costs that were necessary for the performance of the mission and were not paid for by any other source.

SIGNATURE Eliot L. Engel DATE 10-1-09

55. There is substantial reason to believe that Representative Engel had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.

³² House Committee on Foreign Affairs Individual Report on Committee Travel for Representative Eliot L. Engel, dated October 1, 2009 (Exhibit 9 at 10-8483_051).

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56. Although, the available evidence does not establish the exact amount of actual expenses for Representative Engel’s CODELs, after estimating meal and incidental expenses, there is substantial reason to believe that Representative Engel retained excess per diem from the following CODELs:

SUMMARY OF ESTIMATED EXCESS PER DIEM				
CODEL	DATE	M&IE Per Diem³³	Estimated Expenses³⁴	Estimated Excess Per Diem
CODEL Engel to Kosovo	Jun 13 to Jun 16, 2008	\$420.00	≅ \$370.00	≅ \$50.00
CODEL Engel to Peru, Chile, and Paraguay	Nov 6 to Nov 13, 2008	\$984.00	≅ \$720.00	≅ \$264.00
CODEL Engel to Mexico, Nicaragua, and Jamaica	Feb 16 to Feb, 22 2009	\$866.00	≅ \$709.00	≅ \$157.00
CODEL Engel to Trinidad and Tobago & St. Vincent and the Grenadines	Apr 17 to Apr 21, 2009	\$622.00	≅ \$519.00	≅ \$103.00
CODEL Engel to El Salvador & Honduras	May 31 to Jun 2, 2009	\$154.00	≅ \$111.00	≅ \$43.00
CODEL Engel to Panama, Argentina and Columbia	Jan 3 to Jan 10, 2010	\$1,062.00	≅ \$987.00	≅ \$75.00
CODEL Engel to Israel	Feb 13 to Feb 19, 2010	\$910.00	≅ \$864.00	≅ \$46.00
Total		\$5,018.00	≅ \$4,280.00	≅ \$738.00

1. CODEL Engel (Jun 2008)

57. During CODEL Engel to Kosovo, Representative Engel received per diem for meals and incidental expenses in the amount of \$420.00.³⁵

³³ M&IE Per Diem calculated using travel itineraries; the monthly per diem rates established by the Office of Allowances, United States Department of State; and where applicable, travel vouchers and travel authorization letters.

³⁴ Estimated expenses were calculated using the “Allocation of M&IE Rates to be Used in Making Deductions from the M&IE Allowance,” which lists the amount of per diem expected to be allocated for breakfast, lunch, dinner, and incidentals. 41 C.F.R. ch. 301 App. B.

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

58. According to the CODEL itinerary, at least two meals appear to have been provided at no cost to Representatives who attended the CODEL.³⁶

59. Representative Engel's estimated meal and incidental expenses are based on the Federal Travel Regulation allocation formula.³⁷

60. The estimated amount of meals and incidental expenses is \$370.00.

61. Accordingly, the estimated excess per diem is \$50.00.

CODEL ENGEL TO KOSOVO (JUNE 13 TO JUNE 18, 2008)						
Meals & Incidentals	Jun 13	Jun 14	Jun 15	Jun 16	Jun 17	Jun 18
Breakfast	≅ \$9	≅ \$9	≅ \$9	≅ \$15	≅ \$21	\$0.00
Lunch	≅ \$16	≅ \$16	≅ \$16	≅ \$24	≅ \$34	
Dinner	≅ \$25	Hosted	Hosted	≅ \$39	≅ \$55	
Incidentals	≅ \$12	≅ \$12	≅ \$12	≅ \$19	≅ \$27	\$0.00
M&IE Received						\$420.00
Estimated M&IE						≅ \$370.00
Estimated Excess Per Diem						≅ \$50.00

62. There is substantial reason to believe that Representative Engel had excess per diem after CODEL Engel (Jun 2008) that he did not return to the U.S. Treasury.

2. CODEL Engel (Nov 2008)

63. During CODEL Engel to Peru, Chile, and Paraguay, Representative Engel received an enhanced per diem for meals and incidental expenses in the amount of \$984.00.³⁸

³⁵See Itinerary for Codel Engel (June 13 to June 16, 2008) (Exhibit 10 at 10-8483_053-054); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁶ Itinerary for CODEL Engel (June 13 to June 16, 2008) (Exhibit 10 at 10-8483_053-054).

³⁷ 41 C.F.R. ch. 301 App. B.

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

- 64. According to the CODEL itinerary, at least five meals appear to have been provided at no cost to Representatives who attended the CODEL.³⁹
- 65. Representative Engel’s estimated meal and incidental expenses are based on the Federal Travel Regulation allocation formula.⁴⁰
- 66. The estimated amount of meals and incidental expenses is \$720.00.
- 67. Accordingly, the estimated excess per diem is \$264.00.

CODEL ENGEL TO PERU, CHILE, AND PARAGUAY								
(NOVEMBER 6 TO NOVEMBER 13, 2008)								
Meals & Incidentals	Nov 6	Nov 7	Nov 8	Nov 9	Nov 10	Nov 11	Nov 12	Nov 13
Breakfast	≅ \$22	≅ \$22	≅ \$22	≅ \$22	≅ \$22	≅ \$19	≅ \$19	\$0.00
Lunch	≅ \$37	Hosted	≅ \$37	≅ \$37	≅ \$37	≅ \$31	≅ \$31	
Dinner	Hosted	≅ \$58	≅ \$58	Hosted	Hosted	Hosted	≅ \$49	
Incidentals	≅ \$29	≅ \$29	≅ \$29	≅ \$30	≅ \$30	≅ \$25	≅ \$25	\$0.00
M&IE Received								\$984.00
Estimated for Additional M&IE								≅ \$720.00
Estimated Excess Per Diem								≅ \$264.00

68. There is substantial reason to believe that Representative Engel had excess per diem after CODEL Engel (Feb 2009) that he did not return to the U.S. Treasury.

3. CODEL Engel (Feb 2009)

69. During CODEL Engel to Mexico, Nicaragua, and Jamaica, Representative Engel received an enhanced per diem for M&IE in the amount of \$866.00.⁴¹

³⁸ See Travel Voucher for CODEL Engel (Exhibit 11 at 10-8483_056-057; Itinerary for CODEL Engel (November 6 to November 13, 2008) (Exhibit 12 at 10-8483_059-060); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁹ Itinerary for CODEL Engel (November 6 to November 13, 2008) (Exhibit 12 at 10-84830059-060).

⁴⁰ 41 C.F.R. ch. 301 App. B.

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70. According to the itinerary for CODEL Engel, at least one meal appears to have been provided at no cost to Representatives who participated during the seven-day trip.⁴²

71. Following the CODEL, Representative Engel owed the military escort \$135.25 for meals and other expenses that were incurred on behalf of Representative Engel.⁴³ An invoice was sent to Representative Engel, dated February 27, 2009.

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

27 February 2009

Office of Legislative Liaison
B-322 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

The Honorable Eliot Engel
2161 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Engel,

Thank you for choosing the Air Force for your travel to Mexico, Nicaragua, and Jamaica. It was a true pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
In-flight Meals	2	\$20.54
Mexico City: El Refugio	1	\$24.36
Mexico City: Event tour	1	\$6.85
Managua: El Tiscapa (Lunch)	1	\$34.56
Managua: Natural site tour	1	\$5.70
Kingston: Morgan's Harbor (Lunch)	1	\$24.65
Kingston: Devon House tour	1	\$5.00
Kingston: Entrance fee	1	\$2.31
Kingston: Lunch	1	\$11.28
Total Amount		\$135.25

Please provide a check for this amount, payable to the US Treasury, to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (703) 571-8019. Thank you.

Very Respectfully,

CALVIN E. DANIELS JR, Major, USAF
Congressional Liaison

⁴¹ See Letter from Howard Berman to the Secretary of State dated February 11, 2009 (Exhibit 13 at 10-8483_062); Itinerary for CODEL Engel (February 16 to February 22, 2009) (Exhibit 14 at 10-8483_064-068); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁴² Itinerary for CODEL Engel (February 16 to February 22, 2009) (Exhibit 14 at 10-8483_064-068).

⁴³ Letter from Major Calvin E. Daniels Jr., to Representative Eliot Engel, dated February 27, 2009 (Exhibit 15 at 10-8483-070).

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

72. The amount of M&IE per diem remaining after the billed expenses for four meals is \$730.75.

73. Representative Engel may have incurred meal and incidental expenses in addition to those owed to the military escort. The estimate of these additional meal and incidental expenses is based on the Federal Travel Regulation allocation formula.⁴⁴

74. The estimated amount of meals and incidental expenses is \$574.00.

75. Accordingly, the estimated excess per diem is \$157.00.

CODEL ENGEL TO MEXICO, NICARAGUA, AND JAMAICA							
(FEBRUARY 16 TO FEBRUARY 22, 2009)							
Meals & Incidentals	Feb 16	Feb 17	Feb 18	Feb 19	Feb 20	Feb 21	Feb 22
Breakfast		≅ \$22	≅ \$17	≅ \$17	≅ \$20	≅ \$20	\$0.00
Lunch	Billed	Billed	≅ \$28	≅ \$28	Billed	Billed	\$0.00
Dinner	≅ \$58	≅ \$58	Hosted	≅ \$44	≅ \$53	≅ \$53	
Incidentals	≅ \$29	≅ \$29	≅ \$22	≅ \$22	≅ \$27	≅ \$27	\$0.00
M&IE Received							\$866.00
Billed							\$135.25
Estimated M&IE							≅ \$574.00
Estimated Excess Per Diem							≅ \$156.75

76. There is substantial reason to believe that Representative Engel had excess per diem after CODEL Engel (Feb 2009) that he did not return to the U.S. Treasury.

4. CODEL Engel (Apr 2009)

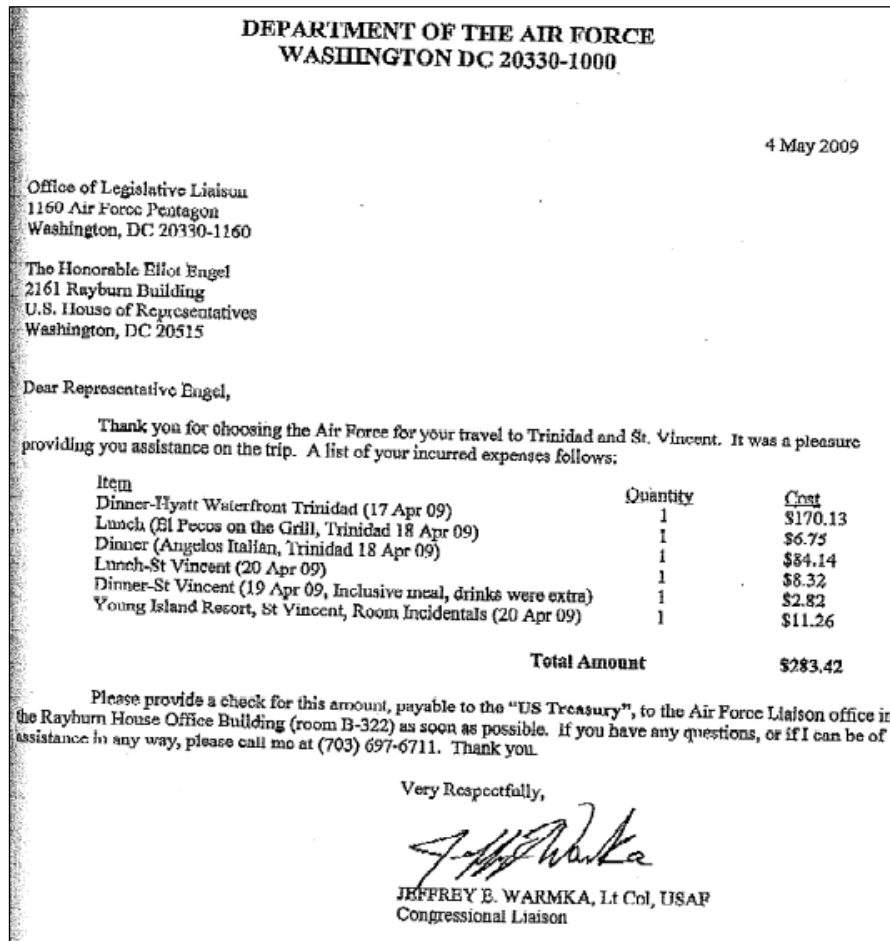
77. During CODEL Engel to Trinidad and Tobago, St. Vincent, and the Grenadines, Representative Engel received per diem for meals and incidental expenses in the amount of \$622.00.⁴⁵

⁴⁴ 41 C.F.R. ch. 301 App. B.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

78. According to the CODEL itinerary, at least two meals appear to have been provided at no cost to Representatives who attended the CODEL.⁴⁶

79. Following the CODEL, Representative Engel owed the military escort \$283.42 for meal and other expenses that were incurred on behalf of Representative Engel.⁴⁷



80. The M&IE per diem remaining after the billed meal expenses is \$338.58

81. Representative Engel may have incurred meal and incidental expenses in addition to the amount owed to the military escort. The estimate of these additional meal and incidental expenses is based on the Federal Travel Regulation allocation formula.⁴⁸

⁴⁵ See Itinerary for CODEL Engel (April 17 to April 21, 2009) (Exhibit 16 at 10-8483_072-073); Expense Sheet for CODEL Engel (Exhibit 17 at 10-8483_075-076); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁴⁶ Itinerary for CODEL Engel (April 17 to April 21, 2009) (Exhibit 16 at 10-8483_072-073).

⁴⁷ Letter from Lt. Col. Jeffrey E. Warmka to Representative Eliot Engel, dated May 4, 2009 (Exhibit 18 at 10-8483-078).

⁴⁸ 41 C.F.R. ch. 301 App. B.

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

82. The estimated amount of meals and incidental expenses is \$236.00.

83. Accordingly, the estimated excess per diem is \$103.00.

CODEL ENGEL TO TRINIDAD AND TOBAGO, SAINT VINCENT, AND THE GRENADINES (APRIL 17 TO APRIL 21, 2009)					
Meals & Incidentals	Apr 17	Apr 18	Apr 19	Apr 20	Apr 21
Breakfast	≅ \$26	Hosted	≅ \$15	≅ \$26	\$0.00
Lunch	≅ \$43	Billed	≅ \$26	Billed	
Dinner	Billed	Billed	Hosted	Hosted	
Incidentals	≅ \$35	≅ \$35	≅ \$21	≅ \$35	\$0.00
M&IE Received					\$622.00
Billed					\$283.42
Estimated M&IE					≅ \$236.00
Estimated Excess Per Diem					\$103.00

84. According to Representative Engel, he did not have any excess per diem on CODEL Engel (Apr 2009) because the delegation was greatly overcharged by a restaurant for a dinner.

85. Based on the information before the OCE, there is substantial reason to believe that Representative Engel had excess per diem for CODEL Engel (Jan 2010) that he did not return to the U.S. Treasury.

5. CODEL Engel (May 2009)

86. During CODEL Engel to El Salvador and Honduras, Representative Engel received an enhanced per diem for meals and incidental expenses in the amount of \$154.00.⁴⁹

87. According to the CODEL itinerary, at least three meals appear to have been provided at no cost to the Representatives who attended the CODEL.⁵⁰

⁴⁹ See Travel Voucher for CODEL Engel (Exhibit 19 at 10-8483_080); Itinerary for CODEL Engel (May 31 to June 2, 2009) (Exhibit 20 at 10-8483_082); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

88. Representative Engel’s estimated meal and incidental expenses are based on the Federal Travel Regulation allocation formula.⁵¹

89. The estimated amount of meals and incidental expenses is \$111.00.

90. Accordingly, the estimated excess per diem is \$43.00.

CODEL ENGEL TO EL SALVADOR AND HONDURAS (MAY 31 TO JUNE 2, 2009)				
Meals & Incidentals	May 31	Jun 1	Jun 2	Jun 3
Breakfast		≅ \$12	≅ \$12	\$0.00
Lunch		Hosted	≅ \$26	
Dinner	Hosted	Hosted	≅ \$31	
Incidentals	\$0.00	≅ \$15	≅ \$15	\$0.00
M&IE Received				\$154.00
Estimated for Additional M&IE				≅ \$111.00
Estimated Excess Per Diem				≅ \$43.00

91. There is substantial reason to believe that Representative Engel had excess per diem for CODEL Engel (May 2009) that he did not return to the U.S. Treasury.

6. CODEL Engel (Jan 2010)

92. During CODEL Engel to Panama, Argentina, and Columbia, Representative Engel received an enhanced per diem for M&IE in the amount of \$1,062.00.⁵²

93. According to an itinerary for CODEL Engel, at least five meals appear to have been provided at no cost to Representatives who attended the eight-day trip.⁵³

⁵⁰ Itinerary for CODEL Engel (May 31 to June 2, 2009) (Exhibit 20 at 10-8483_082).

⁵¹ 41 C.F.R. ch. 301 App. B.

⁵² See Travel Voucher for CODEL Engel (Exhibit 21 at 10-8483_084-085); Itinerary for CODEL Engel (January 3 to January 10, 2010) (Exhibit 22 at 10-8483_087-088); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁵³ Itinerary for CODEL Engel (January 3 to January 10, 2010) (Exhibit 22 at 10-8483_087-088).

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94. Following the CODEL, Representative Engel owed the military escort \$258.57 for meal and other expenses that were incurred on behalf of Representative Engel.⁵⁴

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

12 January 2010

Office of Legislative Liaison
B-322 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

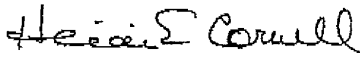
The Honorable Eliot Engel
2161 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Engel,

Thank you for choosing the Air Force for your travel to Panama, Argentina and Colombia. It was a true pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
In-flight Meals (\$7.71 ea)	3	\$23.13
Medical Prescription	1	\$14.91
Dinner – Cabana las Lilas (w/Amb), Buenos Aires	1	\$80.39
Dinner – La Bruschetta, Cartagena	1	\$45.51
Lunch – Juan del Mar (w/Mayor), Cartagena	1	\$49.98
Lunch – El Boni (w/Afro-Colombians), Cartagena	1	\$44.65
Total Amount		\$258.57

Please provide a check for this amount, payable to the US Treasury, to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (202) 225-6656. Thank you.

Very Respectfully,

HEIDI E. CORNELL, Lt Col, USAF
Congressional Liaison

95. The M&IE per diem remaining after the billed meal expenses is \$803.00.

96. Representative Engel may have incurred meal and incidental expenses in addition to those owed to the military escort. The estimate of these additional meal and incidental expenses is based on the Federal Travel Regulation allocation formula.⁵⁵

97. The estimated amount of meals and incidental expenses is \$728.00.

⁵⁴ Letter from Lt. Col. Heidi E. Cornell to Representative Eliot Engel, dated January 12, 2010 (Exhibit 23 at 10-8483-090).

⁵⁵ 41 C.F.R. ch. 301 App. B.

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98. Accordingly, the estimated excess per diem is \$75.00.

CODEL ENGEL TO PANAMA, ARGENTINA, AND COLUMBIA								
(JANUARY 3 TO JANUARY 10, 2010)								
Meals & Incidentals	Jan 3	Jan 4	Jan 5	Jan 6	Jan 7	Jan 8	Jan 9	Jan 10
Breakfast		≅ \$22	≅ \$22	≅ \$22	≅ \$24	≅ \$24	≅ \$24	\$0.00
Lunch	Billed	Hosted	≅ \$36	Hosted	≅ \$40	Billed	Billed	Billed
Dinner	≅ \$58	≅ \$58	Billed	≅ \$58	Hosted	≅ \$64	≅ \$64	
Incidentals	≅ \$29	≅ \$29	≅ \$29	≅ \$29	≅ \$32	≅ \$32	≅ \$32	\$0.00
M&IE Received								\$1,062.00
Billed								\$258.57
Estimated M&IE								≅ \$728.00
Estimated Excess Per Diem								≅ \$75.00

99. As a result, there is substantial reason to believe that Representative Engel had excess per diem for CODEL Engel (Jan 2010) that he did not return to the U.S. Treasury.

7. CODEL Engel to Israel (Feb 2010)

100. During CODEL Engel to Israel, Representative Engel received an enhanced per diem for meals and incidental expenses in the amount of \$910.00.⁵⁶

101. According to the CODEL itinerary, at least one meal appears to have been provided at no cost to Representatives who attended the CODEL.⁵⁷

102. Representative Engel’s estimated meal and incidental expenses are based on the Federal Travel Regulation allocation formula.⁵⁸

⁵⁶ See Travel Voucher for CODEL Engel (Exhibit 24 at 10-8483_092); Itinerary for CODEL Engel (February 13 to February 19, 2010) (Exhibit 25 at 10-8483_094); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁵⁷ Itinerary for CODEL Engel (February 13 to February 19, 2010) (Exhibit 25 at 10-8483_094).

⁵⁸ 41 C.F.R. ch. 301 App. B.

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103. The estimated amount of meals and incidental expenses is \$864.00.

104. Accordingly, the estimated excess per diem is \$46.00.

CODEL ENGEL TO ISRAEL (FEBRUARY 13 TO FEBRUARY 19, 2010)						
Meals & Incidentals	Feb 14	Feb 15	Feb 16	Feb 17	Feb 18	Feb 19
Breakfast	≅ \$27	≅ \$27	≅ \$27	≅ \$27	≅ \$27	\$0.00
Lunch	≅ \$46	Hosted	≅ \$46	≅ \$46	≅ \$46	
Dinner	≅ \$73	≅ \$73	≅ \$73	≅ \$73	≅ \$73	
Incidentals	≅ \$36	≅ \$36	≅ \$36	≅ \$36	≅ \$36	\$0.00
M&IE Received						\$910.00
Estimated M&IE						≅ \$864.00
Estimated Excess Per Diem						≅ \$46.00

105. There is substantial reason to believe that Representative Engel had excess per diem after CODEL Engel (Feb 2010) that he did not return to the U.S. Treasury.

III. CONCLUSION

106. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and staff may receive reimbursement for expenses that is *the lesser of*: (1) the applicable per diem; or (2) actual expenses.

107. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S. Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.

108. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Engel's public

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.⁵⁹

109. Based on the information available to the OCE during this Review, Representative Engel's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELs: CODEL Engel (Jun 2008); CODEL Engel (Nov 2008); CODEL Engel (Feb 2009); CODEL Engel (Apr 2009); CODEL Engel (May 2009); CODEL Engel (Jan 2010); and CODEL Engel (Feb 2010).
110. Based on the information available to the OCE during this Review, Representative Engel did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.
111. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Engel.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

112. The OCE requested information from the U.S. Department of State concerning letters of authorization for certain CODELs and records of Representative Engel returning excess per diem. The U.S. Department of State was cooperative with retrieving the information but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.
113. The OCE requested information from the U.S. Air Force Congressional Liaison Office concerning meal and other expenses incurred on behalf of Representative Engel and reimbursed by Representative Engel. The U.S. Air Force Congressional Liaison Office was cooperative with discussing the information with OCE staff but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

⁵⁹ House Ethics Manual (2008) at 13.

EXHIBIT 1

May 13, 2010

The Honorable Ike Skelton, Chairman
House Committee on Armed Services
2121 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman:

Following our recent conversation at the Chairmen's meeting, I would like to provide you with the following restatement of rules concerning the authorization by Chairmen of travel by Members and staff:

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;
- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;
- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;
- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;
- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;
- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.
- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.
- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;
- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;
- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;
- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and
- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

Please contact the Office of Interparliamentary Affairs at ext. 6-1766 with any questions or concerns. The staff is available to provide guidance regarding travel matters.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Commission on Security and Cooperation in Europe Office Manager
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 3, 2010
LOCATION: Office of Congressional Ethics
425 3rd Street, SW
Washington, DC 20515
TIME: 3:30 p.m. to 4:10 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Marlene M. Kaufman, General Counsel, Commission on Security and
Cooperation in Europe

SUMMARY: The Commission on Security and Cooperation in Europe (“CSCE”) Office Manager was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the CSCE Office Manager (the “witness”) and he consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.
3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELS. Information in these reports included the House Members who traveled, dates of travel, and countries visited.
4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.
5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.
7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELs”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.
8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.
9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.
10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.
11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.
12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

I certify that this memorandum contains all pertinent matter discussed with the witness on June 3, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Foreign Affairs Travel Coordinator
REVIEW No.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 2, 2010
LOCATION: 2170 Rayburn HOB
Washington, DC 20515
TIME: 2:00 p.m. to 2:45 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Daniel Silverberg, Senior Deputy Counsel, House Committee on Foreign
Affairs

SUMMARY: The Travel Coordinator for the House Committee on Foreign Affairs (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.
3. Prior to her employment with the Committee, she was an intern with the Committee.
4. As Travel Coordinator, she is a liaison between the United States Department of State (“State Department”) Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.
5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.
6. Prior to Speaker Nancy Pelosi’s restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

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7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.
8. The witness based her understanding of the use of per diem on information that the State Department published on its website.
9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.
10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.
11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.
12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.
13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.
14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.
15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.
16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10% of the time.

This memorandum was prepared on June 9, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 2, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 2, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Armed Services Travel Coordinator
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 8, 2010
LOCATION: 2117A Rayburn HOB
Washington, DC 20515
TIME: 11:00 a.m. to 11:40 (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Paul Lewis, General Counsel, House Committee on Armed Services

SUMMARY: The House Committee on Armed Services Travel Coordinator (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been a Professional Staff member with the Committee since February of 2005.
3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.
4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.
5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.
6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.
7. She keeps everything related to travel in individual files.

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8. She vets all trips, determining the purpose of the trip and who will be traveling.
9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.
10. Travel must be bi-partisan.
11. The authorization letters are signed by the Chair of the Committee.
12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.
13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.
14. Members must sign for the per diem. Receipts for per diem are required to be turned in to her at the end of the trip.
15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.
16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.
17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like “herding cats”.
18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.
19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.
20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.
21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.
22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.
23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

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24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define “incidentals” to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.
27. She requested that any unused per diem be attributed to the country for which the per diem was issued.
28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.
32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by “word-of-mouth” to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald’s.
38. All trips to areas of operation are unique.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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40. The reports she creates that are required to be filed with the Clerk are broken down by Member.

41. If any per diem is returned, she makes a copy of the check and includes it in her files.

This memorandum was prepared on July 19, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 8, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 8, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 5



THE WALL STREET JOURNAL.

WSJ.com

MARCH 2, 2010, 2:08 PM ET

Rewards From Traveling Abroad

By T.W. Farnam and Brody Mullins

Overseas travel can be rewarding – especially if you're a lawmaker.

An article in today's Wall Street Journal looks at the cash payments that lawmakers get while they travel overseas. The State Department gives each lawmaker an envelope of local currency to cover their meals and incidental expenses when they arrive in a foreign country on official business.

The problem: Lawmakers rarely follow the House and Senate rules that require them to return the money they don't spend on official expenses. Interviews with 20 current and former members of Congress show that lawmakers often keep the money or spend it on personal shopping.

Lawmakers are able to keep more of the money because they get many of their meals and other expenses for free. Take a trip last year led by New York Democrat Rep. **Eliot Engel**. Documents show the delegation members got thousands of dollars in freebies from the military, embassies and their foreign hosts; the Air Force picked up the \$3,000 room service tab, including \$1,000 for beer, in the delegation's Mexico City hospitality suite.

When Mr. Engel and six lawmakers went to Mexico, Nicaragua and Jamaica in February last year, each was given \$500 in cash to cover their expenses for the six-day trip. The same went for six aides. The "per diem" rates are the same used by other federal agencies to cover the cost of three meals a day plus cabs and tips for baggage handling.

Military aides served four meals while the delegation traveled on an Air Force plane, according to the military records. In Mexico City and Managua, Nicaragua, the military picked up the tab for breakfast in a hospitality suite each day, records show. At night, the lawmakers went to two receptions hosted by U.S. embassies, according to their itinerary. Other meals were hosted by foreign leaders.

Travel records show that military officials spent a total of \$5,500 on meals, snacks, alcohol and baggage-handling tips – both on the plane and off – with only a small fraction reimbursed by lawmakers. The records were obtained through a Freedom of Information Act request made by the Journal.

The documents show lawmakers reimbursed the government \$21 for two of the four meals served during flights. That's because lawmakers don't pay for meals served while in U.S. airspace.

The records also showed that military aides picked up hundreds of dollars of liquor, including bottles of Absolut Vodka, Bacardi Rum and Maker's Mark bourbon from a Navy Exchange gas station just outside the Pentagon.

Most lawmakers on the trip said they didn't return any cash to the government. In an interview, Engel said he normally keeps leftover funds when he travels, but he doesn't recall the details of his South American travels. "If there was anything left, it was negligible," Engel said. "There are no windfalls from these."

After that interview, Engel's office did not respond to repeated questions on details of the documents.

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EXHIBIT 6

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Representative Eliot Engel
REVIEW No.: 10-8483
DATE: June 24, 2010
LOCATION: 2161 Rayburn HOB
Washington, DC 20515
TIME: 2:05 p.m. to 3:00 p.m. (approximately)
PARTICIPANTS: Omar S. Ashmawy
Kedric L. Payne
Joel Cohen
Jerry Goldfetter

SUMMARY: Representative Eliot Engel is a Member of the United States House of Representatives and represents the 17th District of New York. He was interviewed pursuant to Review No. 10-8483. We requested an interview with Representative Engel and he consented to an interview. Representative Engel (the “witness”) made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning.
2. When the witness travelled he typically received per diem in each city he visited in the control room after arriving to the hotel. The per diem would be in an envelope along with his room assignment and room key. The Members attending the Congressional Delegation (“CODEL”) would sign for the envelope. The witness could not clearly recall whether he retained the document he signed and thought that all the Members signed a single document.
3. After receiving the per diem, the witness keeps the money in his wallet together with whatever personal cash he has brought with him from the United States. The witness does not usually convert his personal money into the local currency.
4. When asked how the witness spends his per diem, he explained that if he is travelling with the military, then they deduct the hotel expenses from his per diems and give him the remainder. His assumption is that they give him and the other Members who are travelling the appropriate amount to cover their expenses.

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5. He used per diem on meals, cabs, and if he was meeting people he might use the per diem to treat them to meals. He would usually pay for his meals in the local currency, but he has on occasion used his credit card.
6. On occasions when the entire delegation went out to dinner, the military escort would pay for the meal and then bill the Members afterwards.
7. The witness has used per diem for ground transportation in the past, but acknowledged that most ground transportation is provided during the CODELs.
8. Although the itinerary indicates that most meals are provided, the witness explained that while that is often the case, it is not always the case. He further explained that while on a CODEL he will often attend a reception in honor of the CODEL. However, the food is often of poor quality and he tries not to eat. After the reception he would often go out to dinner and he would pay for the dinner from his per diem.
9. On those occasions when the entire CODEL goes to dinner and the military escort pays the check and later bills the Members, the witness typically receives the receipt (*i.e.* the request for reimbursement) anywhere between one week and one month after the CODEL. At that point he would write a personal check to the escort.
10. When asked if there were any other ways he spent his per diem, the witness replied that he would also use the per diem for toiletries, water, and other miscellaneous items such as bug spray. He also uses it to purchase a souvenir for his secretary who does all the prep work preparing the witness for the CODELs. The witness considers taking care of the person who does all the work for the CODEL part and parcel of the trip. On occasion, the witness might also use per diem to buy a souvenir for his chief of staff. He does not use per diem to purchase souvenirs for his constituents or family. If he buys something for either his family, he would use his personal funds.
11. The witness was always under the assumption that the per diem was his to spend on the trip and as a result, he would mix the per diem and his personal money together.
12. When asked whether he ever had per diem left over following a CODEL, the witness explained that he believed there were times that he had no per diem remaining and had to spend his personal money and there were times he had a little left, but it was negligible. Negligible meant less than \$100 per trip.
13. The witness was shown an Individual Report of Committee Travel. When asked about the purpose of the form, the witness said that it was used to tell how much per diem was issued and how much was returned and used. He explained that his office prepared the form. He also explained that he did not personally sign the forms. Instead, he had a

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secretary who took it upon herself to prepare and sign the forms on his behalf. He was unaware that his secretary's practice and stated that staff should not be signing forms such as these. However, the information on the form was accurate.

14. Of the seven forms such as this that had his signature, only one of them was actually signed by him.
15. The witness' attention was drawn to the part of the form that indicated per diem returned. The witness indicated that he had not seen this form before. He knew there was certifications of what per diem was received, but he was unfamiliar with this particular form. The witness also stated that in all the trips he has attended, he has never known anyone to return per diem.
16. The witness was specifically asked about the CODEL to Trinidad. The witness stated that on that CODEL he had not received enough per diem to cover his expenses. As an example, he explained that the Members on the CODEL would have a meal and that the meal would cost \$180.00.
17. The witness was shown the letter from the witness to the OCE.
18. When asked about the Wall Street Journal article, the witness said that the reported approached the member and asked for information on CODELs. The witness thought the reporter was implying that the CODELs were junkets and he told the reporter that Members work very hard on the trips. The reporter then started talking about per diem and said he did not understand per diem and wanted to know how it worked. The witness told the reporter that he did not think he came back with any per diem and, if he did, it was negligible.

This memorandum was prepared on June 28, 2010, based on the notes that the OCE staff prepared during the interview with Representative Engel on June 24, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Engel on June 24, 2010.

Omar S. Ashmawy
Investigative Counsel

EXHIBIT 7

COMMITTEE ON
FOREIGN AFFAIRS
CHAIRMAN
WESTERN HEMISPHERE
SUBCOMMITTEE

OTHER SUBCOMMITTEES:

ASIA, THE PACIFIC, AND THE
GLOBAL ENVIRONMENT
MIDDLE EAST AND SOUTH ASIA

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEES:

HEALTH

ENERGY AND ENVIRONMENT

ASSISTANT DEMOCRATIC WHIP



Congress of the United States
House of Representatives

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WEST NYACK, NY 10994
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WEBSITE: <http://engel.house.gov>

July 21, 2010

BY MAIL AND E-MAIL

Hon. David Skaggs
Chair
Office of Congressional Ethics
c/o Mr. Leo Wise
Staff Director and Chief Counsel
United States House of Representatives
Office of Congressional Ethics
Washington, DC 20515

Re: Review No. 10-8483

Dear Chairman Skaggs:

I write in response to the letter of Mr. Leo Wise of July 9, 2010 informing me that the Board of the Office of Congressional Ethics ("the Board") is currently reviewing the referenced matter on July 23, 2010 and is providing me with an opportunity to provide a written statement and/or to appear before the Board.

I have been interviewed by your Staff and answered all of their questions on June 24, 2010, provided a written submission, with enclosures, to Staff on May 7, 2010, and my counsel provided certain information to Mr. Wise on June 25, 2010, as his Staff had requested.¹ Accordingly, I believe that the within letter, which I ask that you circulate to the Board, provides whatever information I have, which, respectfully, should properly result in the termination of the Board's second phase review without referral of this matter, as it relates to me, to the Standards Committee of the House of Representatives.

¹ My counsel has been advised that the Staff has provided the Board with these submissions.

Background

As I have explained to your Staff, I was first elected to the United States Congress in 1988, and am completing my eleventh term, representing the 17th District in New York. Among my more critical responsibilities, and most pertinent here, is my Chairmanship of the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs. As such, I have been responsible for many working trips to countries in the Western Hemisphere and some to other locales ("CODELs"). These trips consist of very intensive working sessions between and among the leaders and citizens of host countries, the other Members of Congress and me.²

Members are usually provided with transportation to those countries by the United States Air Force. In that the standards of living and the economies of those countries vary, the Members are provided with individualized *per diem* allowances, which I believe are calculated based upon the living and travel standards of the individual countries. As a result, the *per diems* vary in amount from country to country. Neither my staff nor I are in any way involved in determining the *per diem* allowance for those countries, and I have always worked with the assumption that the *per diems* are calculated based upon some in-country analysis of what daily expenses in a particular country may be required during one's travel.

Typically, when the Members are provided with cash upon arrival, the cost of a Member's stay at a hotel has already been deducted in advance from the sum of cash provided. Accordingly, if the *per diem* allowance for a three-day stay in Country X is, hypothetically, a total of \$900 and the hotel rate comes to a total of \$600 for the three days, we each receive \$300. That total \$300 is to be used for expenses within the country.

The Use of the Per Diem

In part, because of the inability to obtain receipts in foreign, sometimes less-developed, countries – and indeed there has been no requirement in the OCE Rules that the Members do so – I did not have receipts for my daily expenses, which included meals, taxicabs or the like for each sojourn in a country. Nonetheless, as I explained to your Staff, my expenses were for sustenance, transportation and incidentals within a particular country. Further, there were occasions when I, particularly as the Chairman of the Subcommittee, hosted or treated leaders or residents to meals or entertainment in the country or, if time permitted, visited sites of interest within the country. Part of the duties of a Member traveling on behalf of the United States to a foreign country is to "experience" the country visited to report back to the Subcommittee, the Full Committee and, of course, an individual Member's constituents; otherwise, as I mentioned to your Staff, simple teleconferences with leaders of a country would be sufficient. In short,

² I have provided my trip agendas to your Staff under my cover letter of May 7, 2010.

then, I received the *per diems* and I spent the monies properly.

My counsel has prepared and we have provided your Staff in an attachment to their letter of June 25, an analysis of the total trips I took or led for the period beginning March, 2008. In total, the trips cover a total of 18 different countries over the course of a total of 44 days. As I understand it, the local currency sums in U.S. dollars that I received in 18 countries visited totaled approximately \$4,200 – after the deduction taken by the U.S. military for hotel stays. That amounts to less than \$100 in U.S. currency per day over the course of the overall 44-day travel period. While some of our meals and transportation in such countries were indeed paid for by the U.S. Air Force, it remains clear to me that the \$100 allotment per day is an allowance that was typically exhausted by me within the country for living expenses.³ Indeed, as I also mentioned to your Staff, I recall that the *per diem* allotment we received was not adequate to cover the daily expenses on some trips. I believe in Trinidad and perhaps Peru I paid for daily expenses from my own money. *Thus, it is critical to note that, on occasions, the per diem allowance did not cover the actual expenses I incurred during the trip, and I necessarily paid the overage out of my own pocket.*

The Procedure

I stated during the interview with your Staff, and certainly stated to *The Wall Street Journal* reporter who attributed a quote to me, if there were sums that I received that were not returned at the conclusion of the stay in each country, those sums were indeed *de minimus* in nature.⁴ As I understand from my conversations on the subject over the years with other

³ I was asked by your Staff during my interview on June 24, 2010, whether I essentially comingled in my wallet the monies I received for the *per diems* with the currency I myself brought from the United States. The answer was and remains yes. Sometimes I exchanged dollars for the local currency, and had to spend my own money because the *per diem* did not cover my necessary expenses.

⁴ During the June 25 interview, I was asked whether such sums were less than \$100 each time and answered in the affirmative. That answer was, of course, truthful, but I am quite certain also that if the question were posed using a much lower figure, the answer would still have been “yes” – meaning that the total of *per diems* that were not exhausted within the visited countries were typically considerably less than \$100 for each country or trip.

It is also important to note, as is undoubtedly the case with other Members who attend such CODELs, that subsequent to the trips I was billed by the United States Air Force for payments they made on my behalf on the CODELs. We have provided those reimbursement requests and corresponding checks from me to the U.S. Treasury as attachments to my counsel’s letter of June 25, 2010 to your Staff.

Members, my personal experience is replicated in the experiences of the overwhelming number of Members who undertake foreign travel as part of their duties.

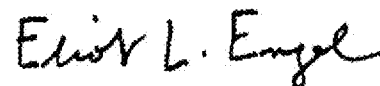
In that the procedure that has been used for the reimbursement and *per diem* allotments may not have been ideal, I support Speaker Pelosi's recently-taken measures to vastly improve them. Nonetheless, my strong sense is that Members on foreign trips have had a *bona fide* reason to believe that the *per diem* was intended to be used freely at the Member's discretion within the country being visited, and that such sums were actually calibrated in a way to meet our necessary expenses.

It is worth noting that there is a public perception, reflected in *The Wall Street Journal* articles of December 17, 2009 and March 2, 2010 that led to this inquiry, that somehow these trips are not intensive true working sessions designed for Congress to better represent the United States; this perception is unfortunate and simply wrong.⁵ As I mentioned to your Staff, these trips are "jam-packed" with back-to-back meetings and functions.

I take my job as Member of Congress and Chair of the Subcommittee very seriously, and view these trips as a critically important part of my work as a legislator. I trust that this Board fully appreciates the commitment and sacrifice involved.

For all of these reasons and on the basis of the information previously supplied to your Staff, I respectfully request that the Board terminate this matter as it relates to me with no further action.

Very truly yours,



Eliot L. Engel

⁵ I believe it is critical for the Members to use their best efforts to perform their duties on such trips, and an occasional *de minimus* amount of *per diem* left over should not be allowed to detract from the CODEL program or the good faith efforts of Members to act in conformity with the intent and practice of the *per diem* practice.

EXHIBIT 8



OFFICIAL FOREIGN TRAVEL GUIDE FOR THE U.S. CONGRESS



UNITED STATES DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS

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**OFFICIAL FOREIGN TRAVEL GUIDE
BY THE DEPARTMENT OF STATE
FOR THE U.S. CONGRESS**

This guide is provided to support official foreign travel by Members of Congress and their staff. It describes the support available from the Department of State for official travel and how this support can be requested. We hope this package will assist you through the process.

TAB

A	Congressional Guide for Official Foreign Travel	Describes the support available from the State Department and the procedures to obtain this support.
B	Fiscal Information Sheet	Explains per diem rates, transportation and other expenses, and how the funding is handled domestically and overseas.
C	Sample Authorization Letters	Illustrates appropriate letters and what information needs to be included; supplies the legal authority to expend USG funds.
D	Foreign Travel Data Sheet	Solicits information needed by the State Department to ensure a successful trip.
E	Questions and Answers	Responds to frequently asked questions.

Although travel plans are often understandably subject to change, early notice of travel needs greatly enhances our capacity to provide assistance. Therefore, a signed letter of authorization, itinerary, desired agenda, and meeting requests should be provided to the Department of State's Congressional Travel Office at least two (2) weeks before the planned departure whenever possible. This timely notification will allow us to instruct U.S. missions abroad regarding program, administrative, and logistical requirements, and to receive their country clearance, threat assessment, and suggestions for the trip.

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

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CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

Effective and expeditious support for congressional travel abroad requires that both the travel authorization and background information reach the Department of State promptly. Whenever possible, a copy of the signed Letter of Authorization should be faxed to the Department of State's Congressional Travel Office (CTO) -- fax number 202-203-7700 -- at least two (2) weeks before the planned departure or sooner if possible; scanned and emailed copies of the authorization letter are also acceptable. The CTO will arrange for subsequent messenger pick-up of the original letter(s) from the authorizer(s). Additionally, please e-mail an itinerary, desired agenda and any meeting requests for Codels or Staffdels to: H_CTO@state.gov. Revisions to any of the above information should be faxed or e-mailed promptly.

Once the CTO receives notification of a trip, several things will happen. First, a domestic travel coordinator and a travel specialist will be assigned to the trip. These professionals will provide points of contact in the embassy, and assist with logistical arrangements, scheduling and briefings. There are many components to a successful trip so please contact us via phone, fax or email very early in the planning process, so that we can provide the best assistance possible.

Department of Defense (DOD) transportation and support must be requested separately by letter to the Secretary of Defense. For your convenience, a DOD-approved sample letter is enclosed in this package (TAB C).

1. LETTERS OF AUTHORIZATION

Letters of Authorization constitute legal authority for the State Department to expend or disburse U.S. Government funds in support of official foreign travel by Members of Congress or congressional staff. The fiscal information under TAB B lists the types of expenditures that can be authorized for specific trips and gives guidance as to how authorization for such expenditures should be formulated. The full extent and range of support desired should be delineated as clearly as possible in the authorizing letter. Letters of authorization are signed by one of the following officials:

SENATE

Majority Leader
Minority Leader
President Pro Tempore
Full Committee Chairman
•for Member or employee of
the Committee or employee
of Committee Member

HOUSE

Speaker of the House
Full Committee Chairman
•for Member or employee of the
Committee

JOINT COMMITTEE CHAIR

• for Member or employee of the Joint Committee

Letters must list by name all persons being authorized to receive USG-funded support. Members or staff traveling with a committee with which they have no association must be authorized separately by either the Leadership or the Chairman of a committee with which they are associated. (See sample authorization letters TAB C.)

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

In the letter of authorization, please define the objectives of travel, identifying where possible specific program requests at each stop. When appointments with specific individuals are desired, it would be helpful to indicate the topics to be addressed. If any activities have already been arranged directly with local organizations or persons, please provide scheduling data so that other events can be arranged around them. Embassy/Consulate briefings are highly recommended prior to meetings with host country government officials. Briefings by Department officials prior to departure from the United States are also available and can be very useful.

3. LIST OF TRAVEL PARTICIPANTS

The following are travel participants that are normally authorized under letters of authorization:

- Members of Congress (please include state and party affiliation)
- Spouses/family members (please include first names)
- Staff members (with titles)
- Executive branch/private sector invitees (with titles)
- DOD escorts (with rank and titles)

4. TRAVEL AND ITINERARY

Please book all airline reservations with the Combined Airline Ticket Office (CATO) to expedite ticketing and delivery of prepaid tickets to the Hill. The Department cannot pre-pay airline tickets which are booked with private travel agents.

When booking, you should inform CATO that the tickets will be pre-paid by the Department of State. CATO offices are located on Capitol Hill (Senate Russell Building, Room B24 and House Longworth Building, Room B22) as well as in Rosslyn, Virginia. CATO's reservation number is 703-522-2286.

5. PASSPORT AND VISA INFORMATION

Travelers must have valid passports for all overseas travel. Please ensure that your passport is current and valid for at least six months beyond the travel dates. Official passports are available at no charge and are issued for the purpose of conducting official business abroad. The Department of State strongly encourages both Members and staff to obtain official passports. Blue "Tourist" passports should be used only for tourism, but may be used if the traveler does not possess an official passport.

Some countries require visas. It is the responsibility of the traveling party to obtain ALL necessary visas. For assistance with visa issues please contact the Special Issuance Agency at 202-955-0198.

Travelers should coordinate passport/visa requirements directly with Passport Services well in advance of the trip. Travelers may call Passport Services at 202-955-0200. For information regarding visa requirements travelers may call 202-955-0198. Sometimes passport data will be required by foreign posts. In those cases CTO will contact you for you passport details.

For delegations with DOD escorts, the escorts collect the passports, obtain visas, and send data to appropriate foreign posts.

A variety of information including current travel warnings, passport forms, visa requirements, country background notes, adoption issues, exchange rates and more can be viewed at www.state.gov/travel.

FISCAL INFORMATION SHEET

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FISCAL INFORMATION SHEET

By longstanding agreement, funds for official foreign travel are administered by the Department of State on behalf of the U.S. Congress. Upon receipt of written authorization from appropriate congressional offices, obligations and disbursements will be charged against specific congressional travel accounts held by the U.S. Treasury. The disbursements, which are permitted under PL 95-384, The International Security Assistance Act of 1978, fall into three distinct categories: Per Diem, Transportation (international and/or local), and Other Official Expenses. Each must be specifically authorized in order for expenditures within that category to be incurred. Under PL 95-384, all expenses charged by the traveler, the delegation, and the Department of State to the fund cite must be reported by the traveler/delegation to the authorizing committee upon return.

1. PER DIEM

Under Public Law 95-384, congressional travelers abroad receive local currency for per diem in amounts not to exceed the maximum per diem allowed by law. The authority for establishing per diem rates is found in Chapter 57 of Title 5 of the U.S. Code and set forth as the Federal Travel Regulation at 41 CFR Ch. 300-304.

Per diem payments are made directly to authorized individuals (Members and staff) to cover the cost of lodging, meals and incidental expenses (M&IE) while traveling abroad. The U.S. Government does not pay the expenses of accompanying spouses. Upon arrival in a foreign country, per diem normally is disbursed by the Embassy or Consulate for each night spent in country. Payment is made in local currency unless U.S. dollars are required by hotels or such payment has been specifically requested prior to departure from the U.S. Upon departure from the country, arrangements can be made for travelers to convert unused per diem into U.S. dollars. Per diem which for any reason has not been received abroad may be claimed in U.S. dollars after the traveler's return and upon presentation of hotel receipts to the Department of State, Bureau of Legislative Affairs, Congressional Travel Office.

In the event that no-cost lodging is provided, (e.g. the traveler stays in Government facilities or as a private guest), the traveler is allowed the applicable meals and incidental expenses (M&IE) rate. Note that this guidance is consistent with changes in the Federal Travel Regulation

- **FOREIGN PER DIEM RATE:** Per diem consists of two components: the lodging rate and M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates. This type of per diem payment is called an allowance. Allowances are provided in full and require no accounting. Foreign per diem rates are available on the State Department's website at: www.state.gov/m/als/prd.html.

• **ENHANCED PER DIEM RATE:** The committee may authorize enhanced per diem to offset exceptionally high costs associated with price increases that can be found in certain locations. Unless a specific dollar enhancement is authorized (e.g. \$75 USD or \$100 USD), the default enhancement is an additional \$50 USD above per diem.

• **ACTUAL EXPENSE BASIS:** Per Diem can be calculated by adding the expenses of up to 300% of the applicable per diem rate. This rate may be authorized for lodging, M&IE, or both, when actual expenses exceed the established per diem rate. There is no authority to exceed this 300% ceiling. **To avoid problems caused by unexpected devaluation of the US dollar, the following language may be used in authorization letters: "actual lodging is authorized."**

• **ACCOUNTING:** If an individual is traveling on an enhanced per diem or actual expense basis, he or she must itemize all expenses, including meals, and account for unused per diem funds. In situations where only lodging or M&IE is on an actual expense basis, only that portion need be itemized. Itemization requires the traveler to write down specific expenses but does not require receipts. Upon completion of the trip, the authorizing committee requires travelers to reconcile their actual expenditures with the expenditures authorized prior to travel. Consistent with congressional rules and regulations, this reporting (and reconciliation when required) should be submitted to the congressional office that authorized the travel.

Posts may pay for hotel charges directly if arrangements with the Embassy/Consulate staff are made beforehand. In this case, posts will be directed to disburse M&IE only.

As the purpose of the per diem enhancement and/or the payment of actual lodging expenses is to offset unexpectedly high costs found in certain locations, if a traveler receives either of these authorizations reimbursements for any additional lodging or M&IE costs are not authorized.

2. TRANSPORTATION

When international travel is authorized, travelers make their own reservations through CATO (see item 4 of previous chapter, "Travel and Itinerary"). The Department arranges for prepayment of the tickets, which the authorizing committee makes available to the traveler. This arrangement requires that the Department be notified of the carriers used, the class of service, and the precise itinerary. For transoceanic flights, U.S. flag carriers must be used (PL 94-624, Fly America Act) **unless** the authorization letter has specified otherwise based on a determination that no U.S. flag carriers are available. **Use of charter aircraft is an extraordinary expense and must be specified in the authorization letter.**

Authorized **local transportation** within a foreign country is normally arranged by either the Embassy, the Consulate or paid personally by the traveler. Local transportation costs may include trains, ferries, rental car/van/bus (with or without driver), taxis, public transport, as well as overtime for drivers of U.S. Government vehicles. In many cities, staff delegations are encouraged to use taxis or public transportation and claim reimbursement. Upon presentation of receipts, the Congressional Travel Office will reimburse travelers for local transportation after their return to Washington, DC.

3. OTHER OFFICIAL EXPENSES

Other official expenses authorized for Codels and some Staffdels include rental of control rooms, hospitality suites, special telephone lines, cell phones, copier/fax machines, wreaths and flowers for representational purposes, purchase of stationery supplies, interpreters, and employee overtime at posts.

If specified in the authorization letter, certain extraordinary or unusual expenses may be paid such as representation expenses, conference fees, media events, meeting hall rental, and travel and per diem expenses incurred by Post Personnel traveling outside of their duty station in support of Codel travel. These expenses, including any cancellation fees incurred, will be charged to the delegation fund cite and must be reported under PL 95-384.

4. TRAVEL ADVANCES IN U.S. DOLLARS

The Department will provide a U.S. dollar advance where hotels require payment in hard currency and the U.S. mission overseas has insufficient dollars to pay travelers. However, arrangements can also be made for U.S. dollar disbursements overseas where missions have access to U.S. dollars.

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

Unused per diem funds may be returned to the State Department by personal check made payable to the U.S. Treasury or Treasurer of the United States. The Department **cannot accept foreign currency in Washington**. The Department will reimburse travelers for out-of-pocket expenses previously authorized upon submission of receipts and a letter/memorandum from the authorizing committee. Unused airline tickets paid for by the U.S. Government must be returned to the Department of State, Congressional Travel Office for credit.

6. REPORTING REQUIREMENTS

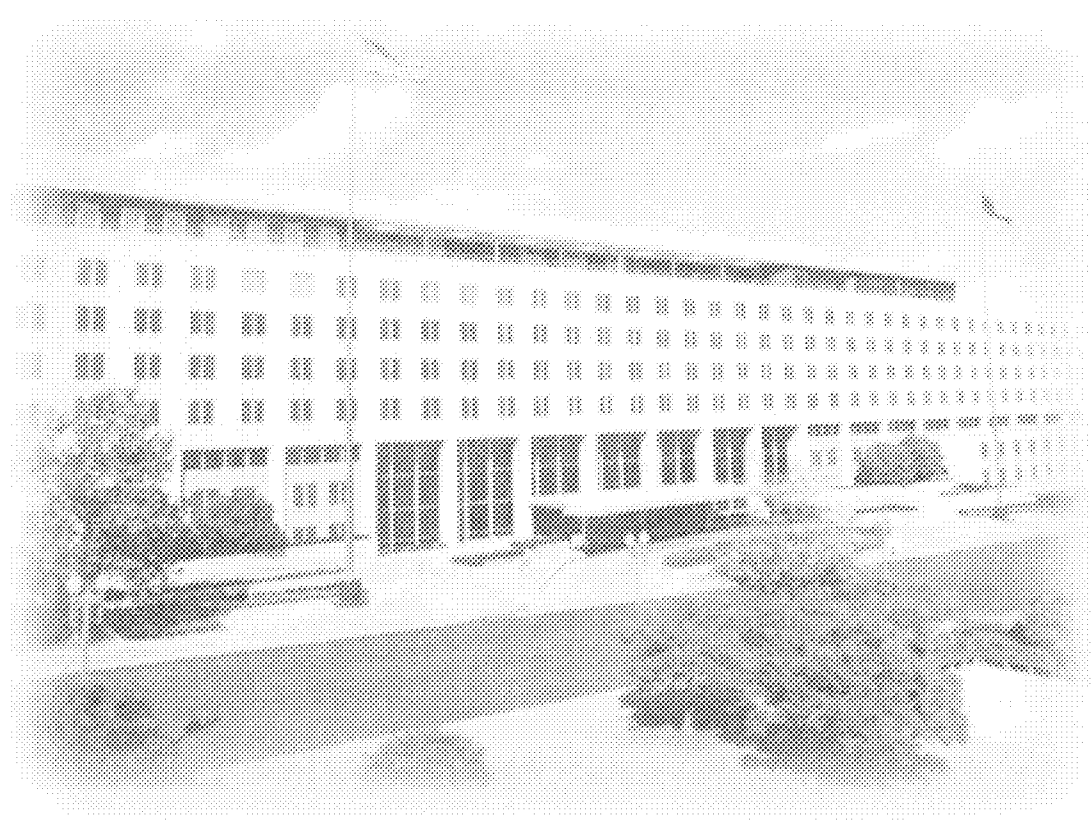
PL 95-384 stipulates that travelers and delegations are responsible for reporting all expenses to the authorizer within 30 days of the completion of travel. Although the Department will assist travelers and delegations in obtaining the necessary financial information from foreign posts, PL 95-384 assigns none of the formal reporting responsibilities to the Department of State.

SAMPLE AUTHORIZATION LETTERS

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SAMPLE LETTER OF AUTHORIZATION (State)

The Honorable
(insert name)
Secretary of State
Washington, DC 20520

Dear (Mr. or Madam) Secretary:

This letter is to authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose).

It is requested that the use of local currencies for per diem, transportation, including local transportation, and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a).

Commercial and/or military transportation are authorized where appropriate, as is the use of non-U.S. air carriers. Airfare is authorized up to business class if needed.

We appreciate your assistance with this request. If there are any questions regarding this trip, please contact (name of staff point of contact) at (telephone number).

Sincerely,

(Name)

(Title)

Additionally, if any of the conditions below apply, please add the appropriate sentence:

- Enhanced per diem of \$50.00 is authorized.
- Actual lodging costs are authorized.
- Due to heightened security concerns, the cost of a security detail is also authorized.
- Spouses are authorized to travel for protocol purposes at no cost to the U.S. Government.
- Costs associated with Post personnel traveling outside of their duty station in support of the delegation are authorized.
- Charter aircraft are authorized.
- Representational funds are authorized.

SAMPLE AUTHORIZATION LETTER (DOD)

The Honorable
(insert name)
Secretary of Defense
Washington, D.C. 20301

Dear (Mr. or Madam) Secretary:

I hereby authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose). **If applicable:** Spouses are authorized to accompany the delegation for reasons of protocol at no expense to the U.S. Government.

It would be appreciated if the Department of Defense could furnish such assistance as may be required, including transportation, to facilitate this trip. It would also be appreciated if the Department of the (Air Force, Army, Navy, Marine Corps) be assigned to escort the delegation/Member.

The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108

Sincerely,

(Name)

(Title)

FOREIGN TRAVEL DATA SHEET



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FOREIGN TRAVEL DATA SHEET

The following is a review of what the Department will require either in the authorization letter or other communication in order to initiate your country clearance cable with our foreign posts. It is also a reminder of the requirements for foreign travel.

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

What is the purpose of the visit in general? More specifically, what objectives does the delegation/traveler wish to accomplish? Please provide specific meeting requests if they are known. If the delegation/traveler is attending a specific meeting or has an agenda already prearranged, please advise us so that the post can schedule around it.

2. PARTICIPANTS (in protocol order) Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY Commercial
Military Air
Charter

PLEASE BOOK COMMERCIAL RESERVATIONS WITH THE COMBINED AIRLINE TICKET OFFICE (CATO) AT 703-522-2286 TO FACILITATE TICKETING.

4. PASSPORTS AND VISAS In most cases a valid passport and, in some cases, valid visas will be required. Visa requirements differ depending on the type of passport used. Call 202-955-0200 for passport requirements or 202-955-0198 for visa requirements. First Call may assist with passport issues. Please contact them at 202-225-8000.

TYPES OF PASSPORTS: Official (red; no fee, 5-year passport).
Tourist (blue; fee charged, 10-year passport).

IT IS THE RESPONSIBILITY OF THE TRAVELING PARTY TO OBTAIN THE NECESSARY VISAS. IF USING A TOURIST PASSPORT, THE TRAVELER IS RESPONSIBLE FOR ALL PASSPORT and VISA FEES.

5. SECURITY CLEARANCES
(staff only)

Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.

6. ACCOMODATIONS

Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate.

Hotel preferences/city

Delegation rooms (total number of singles/doubles)

Support Rooms

7. LOCAL TRANSPORTATION

Number of Sedans (with driver or self-drive)

Number of Buses (or passenger amount)

Number of Minivans (or passenger amount)

Number of other vehicles, if any

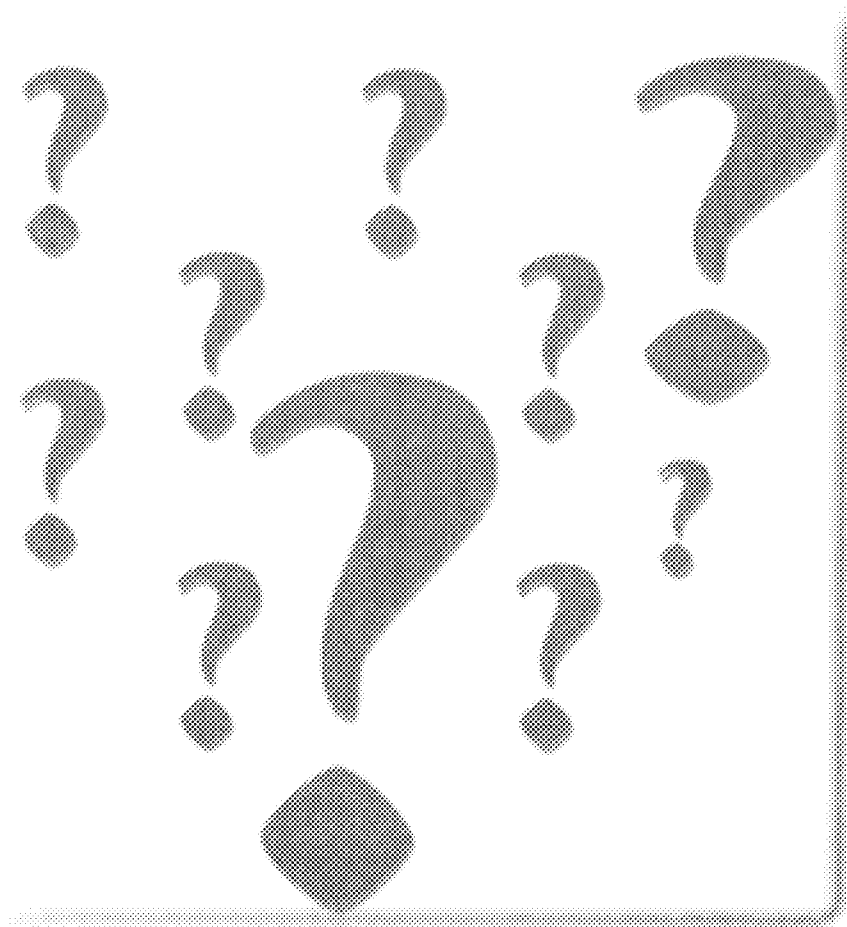
Public transportation (cabs, buses, trains, ferries).

8. POINTS OF CONTACT FOR TRIP

Name

Phone Number

QUESTIONS AND ANSWERS



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Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

Q What do I do if I incur lodging expenses over 300% of the per diem rate?

A When you reconcile your travel expenses with the congressional authorizing committees, you will not be reimbursed for the excess of per diem expenses over the 300% maximum, or over the (lower) rate that was authorized.

Q Will I be given a travel advance in U.S. dollars or in foreign (local) currency?

A Congressional travelers will be given local currency when they arrive at the foreign post.

If the Congressional travelers are journeying to a foreign country that uses U.S. dollars, the advance in U.S. dollars will be given at post. Only in those cases where the post does not have sufficient U.S. dollars on hand will special arrangements be made to issue an advance in Washington D.C.

Q Will the Department book travel reservations for the Members and staff?

A The Department does not book reservations; rather, reservations should be made directly through CATO, which has locations on the Hill and in Rosslyn, Virginia.

Q Will the travel expenses of spouses be covered?

A No, current law prohibits the US Government from assuming the travel expenses of spouses, dependents or other non-official traveling companions.

Q Will the Department of State assist in obtaining visas?

A Assistance may be obtained by contacting the appropriate country desk officer.

Acronyms used in this Travel Guide:

CTO	Congressional Travel Office---Bureau of Legislative Affairs, Department of State
DOD	Department of Defense
DEPARTMENT	Department of State
MEMBER	Member of Congress
CATO	Combined Airline Ticket Office
M & IE	Meals and Incidental Expenses
FTR	Federal Travel Regulations
CODEL	Congressional Delegation
STAFFDEL	Staff Delegation
USG	United States Government
P.L.	Public Law
USC	United States Code

EXHIBIT 9

INDIVIDUAL REPORT ON COMMITTEE TRAVEL

Report on travel by (please print) Elliot L. Engel Committee on Foreign Affairs, U.S. House of Representatives

COUNTRY	ARRIVE	DEPART	# of nights	A) PER DIEM * ISSUED	B) PER DIEM RETURNED	C) TOTAL PER DIEM USED (A-B-C)	AIR TRAVEL: COMMERCIAL (C) OR MILITARY (M)	FOR OFFICE USE ONLY	
								DATE	DATE
Mexico	02/16/09	02/18/09	2	\$699.50	0	\$699.50	M		
Nicaragua	02/18/09	02/20/09	2	\$337.32	0	\$337.32	M		
Jamaica	02/20/09	02/22/09	2	\$775.68	0	\$775.68	M		

COMMERCIAL AIR TRAVEL:

Starting/Country Date	Ending/Country Date	Countries Also Covered by Ticket	Ticket Cost*

* attach original receipt, keep copy for your records

I certify that all per diem drawn and not returned to the issuing agency or U.S. Treasurer was spent for costs that were necessary for the performance of the mission and were not paid for by any other source.

SIGNATURE Elliot L. Engel DATE 10-1-09

EXHIBIT 10

CODEL Engel
Kosovo, Bosnia, Ireland
June 13 – 18, 2008
11(c) Trip Report

From June 13-17, Rep. Eliot L. Engel led a bi-partisan Congressional Delegation to Kosovo and Bosnia. The purpose of this trip was to meet with government and non-government officials on a variety of issues, including the Kosovo independence, implementation of the Ahtisaari plan, and progress in Bosnia. The stop in Ireland was an unplanned overnight due to a MILAIR aircraft breakdown.

Saturday, June 14, 2008

- Briefing by U.S. Embassy staff, Tom Yazdgerdi, Charge d'Affaires; Michael Farbman, USAID Director; Colleen Hyland, Political / Economic Section Chief; and Karyn Posner-Mullen, Public Affairs Officer
- Briefing by Larry Rossin, Principal Deputy Special Representative of the United Nations Secretary General (UNMIK)
- Meeting with Ali Berisha, Mayor of Peje/Pec
- Meeting with Ramush Haradinaj, Head of AAK political party and former Prime Minister
- Dinner with Albanian American investors in Kosova, including Harry Bajraktari and Rrustem Gecaj, and Kosovar leaders, including former Primer Minister Agim Ceku, Minister of Justice Nekibe Kelmendi and Minister of Health Alush Gashi

Sunday, June 15, 2008

- Pay respects at grave of former President Ibrahim Rugova and offer condolences to Mrs. Rugova and family
- Visit USAID-supported American University in Kosovo (AUK)
- Meet at AUK with Ambassador William Walker (ret.), AUK President Chris Hall, and AUK experts
- Meet with President Fatmir Sejdiu and Foreign Minister Skender Hyseni
- Visit Camp Bondsteel, U.S. Army base and meet with U.S. troops
- Briefing by U.S. Brigadier General Davoran, U.S. commander

- Meeting with Prime Minister Hashim Thaci and Minister of Economy and Finance Ahmed Shala, and Minister of Education, Science, and Technology Enver Hoxhaj
- Attend Official Ceremony for Entry into Force of the new Kosova Constitution
- Dinner hosted by Government of Kosova

Monday, June 16, 2008

- Meeting with Serbian SLS Caucus leaders; Slobodan Petrovic, President of SLS; Bojan Stojanovic, Deputy SLS President and Chief of SLS Caucus; Kosara Nikolic; Radmila Vujovic; and Branislav Grbic
- Meeting with Opposition Party leaders, Agim Ceku (SDP), Nexhat Daci (LDD), Behxet Pacolli (AKR), Ramush Haradinaj (AAK), and Teuta Sahatqija (ORA)
- Meeting with Speaker of the Assembly Jakup Krasniqi
- Address to the Kosova Assembly by Rep. Engel
- Meet with International Civilian Representative (ICR) Pieter Feith and Deputy ICR Fletcher Burton
- Dinner hosted by U.S. Ambassador to Bosnia Charles English with Zlatko Lagumdzija (President Social Democratic Party), Bakir Izetbegovic (MP, VP of Party for Democratic Action, Mladen Ivanic (MP, President of Peoples' Democratic Party), Tie Sosnowski (President Triland Development), Osman Topcagic (Director, Directorate for European Integration), Major General Richard Wightman, USA, (Cmdr. Of NATO Sarajevo HQ), Raffi Gregorian (Principal Deputy High Representative), Bozo Ljubic (MP, President of Croatian Democratic Union- 1990), Elvir Causevic (President, Inspire Corporation)

Tuesday, June 17, 2008

- Meeting with President Haris Silajdzic and Foreign Minister Sven Alkalaj
- Overnight in Shannon, Ireland. This was an unplanned stop because the MILAIR aircraft broke down. No meetings were held in Ireland.

Wednesday, June 18, 2008

- Return to the U.S.

EXHIBIT 11

CODEL Engel

ARRIVAL to SANTIAGO	11/9/2008	
DEPARTURE	11/11/2008	
# OF DAYS	2	
M & IE	99.00	198.00
M & IE PLUS	50.00	100.00
TOTAL		298.00

Local Currency Chilean Peso

RoE	630.05	187,890
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EXHIBIT 12

CODEL ENGEL
Peru, Chile, Paraguay
November 6-13, 2008
11(c) Trip Report

On November 6-13, 2008, Congressman Eliot Engel of the House Committee on Foreign Affairs, Chairman of the Subcommittee on the Western Hemisphere, led a bipartisan Congressional Delegation on official business to Peru, Chile, and Paraguay. The purpose of this trip was to meet with government and non-government officials regarding political and economic developments, and general bilateral relations with each country.

Participants

Rep. Eliot L. Engel, D-NY
Rep. Dan Burton, R-IN
Rep. Maxine Waters, D-CA
Rep. Nydia M. Velázquez, D-NY
Rep. Maurice D. Hinchey, D-NY
Rep. Brad Miller, D-NC
Rep. Virginia Foxx, R-NC
Rep. Lincoln Davis, D-TN
Mr. Joel Starr, Deputy Assistant Secretary for House Affairs, Bureau of Legislative Affairs, DOS
Ms. Kay King, Director, Office of Interparliamentary Affairs
Mr. Jason Steinbaum, Staff Director, Subcommittee on the Western Hemisphere, HFAC
Mr. Eric Jacobstein, Professional Staff Member, Subcommittee on the Western Hemisphere, HFAC
Mr. Peter Quilter, Professional Staff Member, HFAC
Mr. Mark Walker, Professional Staff Member- Minority, Subcommittee on the Western Hemisphere, HFAC
Ms. Robyn Wapner, Professional Staff Member- Minority, HFAC
Ms. Julie Schoenthaler, Staff Associate, Subcommittee on the Western Hemisphere, HFAC

Official Meetings

Peru – November 6

Reception hosted by US Ambassador to Peru P. Michael McKinley

Peru – November 7

- Country Team Briefing with US Ambassador to Peru P. Michel McKinley and Embassy staff
- Meeting with President of Peru Alan Garcia and Vice Foreign Minister Gonzalo Gutierrez
- Press conference
- Conference call with imprisoned US citizen Lori Berenson
- Meeting with President of Peruvian Congress Javier Velasquez Quesqen
- Working lunch with Peruvian Members of Congress Wilson Michael Urtecho Medina, President of the Peru-US League of Congress; Rep. Luis Galarreta Velarde, Spokesman for the Parliamentary Unity Group; Rep. Jose Saldaña Tovar, President of the Committee on Labor; Rep. Karina Beteta Rubin, President of the Committee on Women and Social Development; Rep. Yohny Lescano Ancieta; Rep. Martin Perez Monteverde; Carlos Canepa La Cotera; Rep. Anibal Huerta Diaz; Rep. Alvaro Gonzalo Gutierrez Cueva; Rep. Wilder Ruiz Silva; and Rep. Juan Carlos Eguren
- Inter-American Foundation site visit with Centro Textiles Tradicionales del Cusco (CTTC)
- Inter-American Foundation site visit with Instituto de Medio Ambiente y Género para el Desarrollo (IMAGEN)

Peru – November 8

- Meeting with US Embassy Consular Agent Eda Corres
- Meeting with Vice Mayor of Aguas Calientes Edgar Rios

Chile- November 9

- Briefing on the Chilean wine export industry and the US-Chile Free Trade Agreement
- Working dinner with Chilean economic and business leaders and academics [Attendees: Carlos Alberto Delano, President, Banco Penta; Jorge Donoso, Communications Director, Codelco; Ruth Bradley, Chile Correspondent, The Economist; Carlos Singer, Director, Wachovia Bank; Gabriela Paiva, Key Attorney on Intellectual Property Rights Issues; Javier Cox, General Manager, Consejo Mineral; Marcos Kilka, General Manager, Fundacion Chile]

Chile- November 10

- Country Team Briefing with US Ambassador to Chile Paul E. Simons and Embassy Staff
- Meeting with Foreign Minister of Chile Alejandro Foxley
- Meeting with President of Chile Michelle Bachelet
- Press Conference
- Meeting with President of Chilean Chamber of Deputies Francisco Encina and Senior Staffer Miguel Landeros
- Meeting with Members of Chilean International Relations Committee Rep. Renan Fuentealba, Rep. Isabel Allende, Rep. Maximiano Errazuriz, Rep. Marcelo Forni, Rep. Carlos Jarpa, Rep. Roberto Leon, Rep. Ivan Moreira, Rep. Osvaldo Flores, Rep. Jorge Tarud, Rep. Marcela Diaz, Rep. Enrique Accorsi, and Rep. Juan Masferrer
- Meeting with Energy Minister of Chile Marcelo Tokman
- Reception hosted by US Ambassador to Chile Paul Simons

Paraguay- November 11

- Country Team Briefing with US Ambassador to Paraguay Liliana Ayalde and Embassy Staff
- Classified Briefing on Tri-Border Area
- Meeting with President of Paraguayan Senate Enrique Gonzalez Quintana, Sen. Oscar Denis Sanchez, Sen. Sixto Pereira, Sen. Orlando Fiorotto, Sen. Jorge Cespedes, Sen. Amancio Lopez Irala, Sen. Gustavo Stroessner Dominguez, Sen. Gorge Antonio Matto, Sen. Ramon Gomez Verlangieri, Rep. Juan Artemio Cristaldo, and Rep. Dionisio Ortega
- Meeting with President of Paraguay Fernando Lugo and Foreign Minister of Paraguay Alejandro Hamed
- Press Conference
- Meeting with Vice President of Paraguay Federico Franco
- Reception hosted by US Ambassador to Paraguay Liliana Ayalde

Paraguay- November 12

- Participation in presentation commemorating the 130th anniversary of President Rutherford B. Hayes's arbitration of the Triple Alliance War and the dedication of a remodeled school
- Site visit to Peace Corps Urban Youth Development Project
- Participation in USAID export fair and presentations by local producers, including exporters of textiles, tea, alternative energy products and other items
- Meeting with Margarita Morselli, Director of the Cultural Center of the Republic El Cabildo

EXHIBIT 13

HOWARD L. BERMAN, CALIFORNIA
Chairman

HELENA ROS-LEHTINEN, FLORIDA
Ranking Republican Member

GARY L. ACKERMAN, New York
BRIEF H. FALCÓN Y MARTELA, American Samoa
DONALD M. PAYNE, New Jersey
BRAD SHERRMAN, California
ROBERT MENENDEZ, Florida
ELIOT L. ENGEL, New York
BIL DELAHUNT, Massachusetts
GREGORY W. MEeks, New York
DIANE E. WATSON, California
ADAM SMITH, Washington
RUISE CARRAHAN, Missouri
ALBIO SIRES, New Jersey
GERALD E. CONNOLLY, Virginia
MICHAEL E. McMANIS, New York
JOHN S. TANNER, Tennessee
GENE GREEN, Texas
SHELBA JACKSON LEE, Texas
BARBARA LEE, California
SHELLEY BERKLEY, Nevada
JOSEPH CROWLEY, New York
MIKE ROSS, Arkansas
BRAD MILLER, North Carolina
DAVID SCOTT, Georgia
JIM COSTA, California
KEITH ELLISON, Minnesota
GABRIELLE GRIFFORDS, Arizona
RON KLEIN, Florida

ONE HUNDRED ELEVENTH CONGRESS
CONGRESS OF THE UNITED STATES
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

TELEPHONE: (202) 225-5021
[HTTP://WWW.FOREIGNAFFAIRS.HOUSE.GOV/](http://www.foreignaffairs.house.gov/)

February 11, 2009

CHRISTOPHER H. SMITH, New Jersey
DAN BURTON, Indiana
ELTON GALLEGLY, California
DANA ROHRBAUGH, California
DONALD A. MANUPELLI, Illinois
EDWARD R. ROYCE, California
RON PAUL, Texas
JEFF FLAKE, Arizona
MIKE PERDUE, Indiana
JOE WILSON, South Carolina
JOHN BOGDANSKI, Arkansas
J. GRESHAM BARRETT, South Carolina
DONNIE MACK, Florida
JEFF PORTENBERRY, Nebraska
MICHAEL T. McCALL, Texas
TED POE, Texas
BOB INGLIS, South Carolina
GUS M. BLUMENTHAL, Florida

RICHARD J. KESSLER
Staff Director

Douglas J. CAMPBELL
Deputy Staff Director

DAVID S. ABRAMOWITZ
Chief Counsel

YIHM D. E. FORREST
Republican Staff Director

MARK C. GAGE
Republican Staff Policy Advisor

DOUGLAS C. ANDERSON
Republican Chief Counsel

The Honorable Hillary Rodham Clinton
The Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Madam Secretary:

I write in further reference to my authorization of Representative Eliot L. Engel (D-NY), Chairman of the Subcommittee on the Western Hemisphere of the House Committee on Foreign Affairs, to lead a Congressional Delegation to Mexico, Nicaragua, and Jamaica from February 15-22, 2009. He will be accompanied by the following Subcommittee staff: Staff Director Jason Steinbaum, Professional Staff Member Eric Jacobstein, and Staff Associate Julie Schoenthaler.

Representative Engel has informed me that representational funds not to exceed \$5,600 will be necessary in support of this Delegation.

As expenses are anticipated to exceed the published per diem rate, it is requested that local currencies for per diem at the published rate plus an additional \$50 be provided. It is requested that transportation and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a). The authorizing office will be responsible for documentation and reimbursement subsequent to travel. Travel will be via military aircraft.

With best wishes,

Sincerely,



HOWARD L. BERMAN
Chairman

EXHIBIT 14

Engel (Feb 09) Outgoing (2).txt
Telegram UNCLASSIFIED STATE 00013135
VZCZCXYZ0023
OO RUEHWB

DE RUEHC #3135 0431701
ZNR UUUUU ZZH
O P 121645Z FEB 09
FM SECSTATE WASHDC
TO RUEHMJ/AMEMBASSY MANAGUA IMMEDIATE 0000
RUEHKG/AMEMBASSY KINGSTON 0000
RUEHME/AMEMBASSY MEXICO 0000
INFO RUEAHQA/OSAF WASHINGTON DC/LL PRIORITY
BT

UNCLAS STATE 013135

CODEL

E.O. 12958: N/A
TAGS: OREP, AMGT, ASEC, AFIN, MX, NU, JM
SUBJECT: CODEL ENGEL (FEB 16-22)

THE ITINERARY FOR ALL CONGRESSIONAL TRAVEL SHOULD BE HANDLED CAREFULLY AND SHOULD BE DISTRIBUTED ONLY TO THOSE WITH A REAL NEED TO KNOW. THE ITINERARY SHOULD NOT BE MADE PUBLIC WITHOUT THE SPECIFIC PERMISSION OF THE HEAD OF THE DELEGATION, AND LOGISTICAL ARRANGEMENTS SUCH AS HOTEL RESERVATIONS SHOULD BE RESERVED IN THE EMBASSY'S NAME AND NOT IN THE NAME OF THE CONGRESSIONAL TRAVELLER WHENEVER POSSIBLE.

1. REP. ELIOT ENGEL, CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE OF THE HOUSE COMMITTEE ON FOREIGN AFFAIRS (HCFA), WILL LEAD A BI-PARTISAN CONGRESSIONAL DELEGATION (CODEL) ON OFFICIAL BUSINESS TO MEXICO, NICARAGUA, AND JAMAICA FEB 16-22. THE PURPOSE OF CODEL'S VISIT IS TO MEET WITH HOST GOVERNMENT AND NON-GOVERNMENT OFFICIALS REGARDING POLITICAL DEVELOPMENTS, REGIONAL ISSUES AND BILATERAL RELATIONS. REP. CUELLAR WILL TRAVEL TO/FROM HIS DISTRICT (VIA COMAIR) TO JOIN THE CODEL IN MEXICO CITY FOR THIS PORTION OF VISIT ONLY (FEB 16-17). THE REMAINDER OF THE CODEL WILL TRAVEL VIA MILITARY AIR (MILAIR). MAJ. CALVIN DANIELS, AIR FORCE WILL ESCORT THE CODEL. HOWEVER, SPOUSES, DOD ESCORTS AND ALL OTHERS ARE NOT/NOT AUTHORIZED CONGRESSIONAL FUNDING. DEPARTMENT (H) WELCOMES THREAT ASSESSMENTS AND OTHER PERTINENT INFORMATION RELEVANT TO THE CODEL'S VISIT. PLEASE RECALL, ACTUAL COSTS, OR COST ESTIMATES IF ACTUAL COSTS ARE NOT KNOWN, SHOULD BE CABLED NLT 15 DAYS AFTER CODEL'S DEPARTURE, AND FINAL COSTS WHEN THEY BECOME AVAILABLE. CABLES SHOULD BE SENT TO THE ATTN OF H AND RM/F/DFS/FO/AA/CAA (USING OREP AND AFIN TAGS).

2. TENTATIVE COMPOSITION:

(MEMBERS)

REP. ELIOT ENGEL (D-NY)
REP. JEAN SCHMIDT (R-OH) AND SPOUSE (PETER)
REP. VIRGINIA FOXX (R-NC) AND SPOUSE (TOM)
REP. JOHN SALAZAR (D-CO) AND SPOUSE (MARY LOU)
REP. MARK SOUDER (R-IN)
REP. RUBEN HINOJOSA (D-TX) AND SPOUSE (MARTY)
REP. HENRY CUELLAR (D-TX) (VIA COMAIR TO MEXICO CITY ONLY)

(STAFF)

MR. JASON STEINBAUM - HCFA
MR. ERIC JACOBSTEIN - HCFA

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Engel (Feb 09) outgoing (2).txt

MS. JULIE SCHOENTHALER - HCFA
MR. MARK SULLIVAN - CONGRESSIONAL RESEARCH SERVICE (CRS) SPECIALIST
IN LATIN AMERICAN AFFAIRS, DETAILEE TO HCFA
DR. KAY KING - OFFICE OF THE SPEAKER (HSPKR)

(OTHER)

MS. JULIE BULGRIN - DEPARTMENT OF STATE (DOS), BUREAU OF
LEGISLATIVE AFFAIRS, LEGISLATIVE MANAGEMENT OFFICER (LMO)

(DOD/USAF ESCORTS)

COL. JOEY BOOHER
COL. THOMAS LAWHEAD (VIA COMAIR TO MEXICO CITY ONLY)
MAJ. CALVIN DANIELS, JR.
TSGT. RANDEE DIETRICK
SSGT. SHARON HOLT
DR. CAESAR JUNKER (PHYSICIAN)

3. SSN/SECURITY CLEARANCES:

JACOBSTEIN, ERIC ALAN - SSN:XXX-XX-8307; D/POB: 05/15/1980 NEW
JERSEY; WHS/TS 09/07

STEINBAUM, JASON BENNETT - SSN:XXX-XX-8624; D/POB: 05/28/66 NEW
JERSEY; WHS/TS 04/07

LAWHEAD, THOMAS J. (COL) - SSN:XXX-XX-0699; D/POB: 06/01/1961 NEW
YORK; DOD/TS 10/07

BOOHER, AARON J. (COL) - SSN:XXX-XX-0485; D/POB: 09/17/1965 KENTUCKY;
DOD/TS 09/07

DANIELS, CALVIN E. JR. (MAJ) - SSN: XXX-XX-0543; D/POB: 02/22/1973
NORTH CAROLINA; DOD/S 08/07

DIETRICK, RANDEE (TSGT) - SSN:XXX-XX-1797; D/POB: 10/23/1979
PENNSYLVANIA; DOD/TS 12/05

HOLT, SHARON KAY (SSGT) - SSN:XXX-XX-7798; D/POB: 04/10/1977 KANSAS;
DOD/S 08/99

4. TENTATIVE ITINERARY/AGENDA:

MON 02/16:
(REP. CUELLAR)
0732 - LV LAREDO VIA CO-2858
0844 - AR HOUSTON
1043 - LV HOUSTON VIA CO-2895
1305 -AR MEXICO CITY (BENITO JUAREZ INT'L AIRPORT)

(CODEL)

1000 -LV ANDREWS AFB ENROUTE TO MEXICO CITY
1320 -ARRIVES BENITO JUAREZ INTL AIRPORT MEXICO CITY, MEXICO
- MET BY CHARGE D' AFFAIRS LESLIE BASSETT, LUIS FLORES, EXPEDITOR

(ALL)

1345 -LV AIRPORT TO ATTORNEY GENERAL MEDINA MORA'S OFFICE
1430 - MEET WITH AG MEDINA MORA
1615 -AR AND CHECK-IN AT SHERATON HOTEL
(REP. CUELLAR)
1900 -MEETING WITH DEF MIN GALVAN
(ALL)
REMAIN OVERNIGHT (RON) MEXICO CITY (02/16-18: SHERATON MARIA ISABEL

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HOTEL

TUE 02/17 (MEXICO CITY):

(CODEL)

0930 -COUNTRY TEAM BRIEF

TBD(AM) -MEET WITH PRESIDENT FELIPE, PHOTO OP

(REP. CUELLAR)

1500 -TRANSPORT TO AIRPORT

1730 -LV MEXICO CITY INT'L VIA CO-1525

2237 - AR LAREDO (VIA HOUSTON)

(CODEL)

RON MEXICO CITY

WED 02/18 (MEXICO CITY/MANAGUA):

(CHAIRMAN ENGEL AND SELECT MEMBERS)

0820 -LV FOR PRESS EVENT

0830 -PRESS EVENT

(CODEL)

0930 -LV HOTEL FOR SITE VISIT

1400 - AR BENITO JUAREZ INTERNATIONAL AIRPORT

1415 -LV MEXICO CITY FOR MANAGUA

1800 -AR MANAGUA, NICARAGUA

- MET BY DEPUTY CHIEF OF MISSION SANDERS

AND POLITICAL COUNSELOR CHRIS ROBINSON

1815 - LV FOR AMBASSADOR'S RESIDENCE

1845 - AR AT AMBASSADOR'S RESIDENCE

1900 -DINNER AND COUNTRY TEAM BRIEF AT RESIDENCE (UNCLASSIFIED BRIEFING)

2010 -LV FOR MEETING WITH PRESIDENT ORTEGA

2030 -MEETING WITH PRESIDENT ORTEGA

2145 -LV PRESIDENTIAL HEADQUARTERS FOR HOTEL

2200 -AR CROWNE PLAZA HOTEL

RON MANAGUA (02/18-20: CROWNE PLAZA HOTEL)

THU 02/19 (MANAGUA):

1745 -LV HOTEL FOR AMBASSADOR'S RESIDENCE

1800-2000 - RECEPTION AT AMBASSADOR'S RESIDENCE

2000 -LV AMBASSADOR'S RESIDENCE

2030 -NO-HOST PRIVATE DINNER AT RESTAURANT

-INTERMEZZO DEL BOSQUE REST

2230 - LV RESTAURANT TO HOTEL

RON MANAGUA

FRI 02/20 (MANAGUA/KINGSTON):

0900 -LV CROWNE PLAZA FOR AIRPORT

1000 -LV MANAGUA FOR KINGSTON

1250 -AR KINGSTON, JAMAICA

1300 -LV AIRPORT FOR EMBASSY

1400 -COUNTRY TEAM BRIEF AT EMBASSY

1500 -MEETING WITH PRIME MINISTER (TBC)

1630 -MEETING WITH FOREIGN MINISTER (TBC)

1730 - LV EMBASSY FOR HOTEL

1800 -AR AT HOTEL

1930 -RECEPTION AT HOTEL

RON KINGSTON (02/20-22: COURTLEIGH HOTEL)

SAT 02/21 (KINGSTON):

RON KINGSTON

SUN 02/22:

1630 - LV HOTEL FOR AIRPORT

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1640 -AR AT KINGSTON AIRPORT
1700 -LV KINGSTON FOR ANDREWS AFB
2010AR ANDREWS AFB
MISSION COMPLETE

5. ACTION REQUESTED: PLEASE DESIGNATE A CONTROL OFFICER AND ADMINISTRATIVE POINT OF CONTACT TO ASSIST WITH THE TRIP AND PROVIDE THE NECESSARY TRANSPORTATION. PLEASE ADVISE DEPARTMENT (H) WITH NAME, NUMBERS (OFFICE/HOME/FAX/CELL) AND UNCLASSIFIED EMAIL ADDRESS.

CODEL POINTS OF CONTACT IN WASHINGTON ARE:

(A) MR. ANDREW MACDERMOTT, LEGISLATIVE MANAGEMENT OFFICER (LMO), BUREAU OF LEGISLATIVE AFFAIRS (H), U.S. DEPARTMENT OF STATE (DOS), AT (W) 202/453-8789; (CPH) 202/391-8175; (FX) 202/203-7700 OR 202/453-8791; AND (UNCL EMAIL) MACDERMOTTAC@STATE.GOV

(B) MS. PATRICIA A. DIGGS, CONGRESSIONAL TRAVEL SPECIALIST, BUREAU OF LEGISLATIVE AFFAIRS (H), AT (WK) 202/647-8068; AND (UNCL E-MAIL) DIGGSPA@STATE.GOV

MILITARY ESCORT CONTACT: MAJ. CALVIN DANIELS JR., USAF AT (WK) 703/571-8019; (BB) 703/678-1257; (CPH) 229/269-9814 (UNCL EMAIL) CALVIN.DANIELS@PENTAGON.AF.MIL

6. CODEL REQUESTS APPROPRIATE ACCOMMODATIONS BE RESERVED AT THE HOTELS WHERE SPECIFIED IN ITINERARY/AGENDA PROVIDED IN PARA 3 ABOVE. PLEASE CONFIRM ACCOMMODATIONS TO DEPARTMENT (H) SOONEST WITH DAILY RATE IN USDOLS ALONG WITH ADDRESS/TELEPHONE/FAX/ROOM NUMBERS AND ADVISE IF TAX, SERVICE AND BREAKFAST ARE INCLUDED IN RATE. ALSO ADVISE H WITH LATEST CANCELLATION DATE WITHOUT PENALTY TO THE CODEL.

7. A FULL DAY OF PER DIEM SHOULD BE DISBURSED IN LOCAL CURRENCY FOR EACH NIGHT SPENT IN-COUNTRY. POSTS SHOULD NOT ISSUE PER DIEM IN INCREMENTS FOR PARTIAL DAYS. REQUEST THAT PER DIEM FOR BOTH LODGING AND M&IE BE DISBURSED DIRECTLY TO AUTHORIZED TRAVELERS SO THAT THEY MAY SETTLE THEIR OWN HOTEL BILLS, UNLESS OTHERWISE ADVISED BY H.

8. AUTHORIZATION: REF 01 STATE 017811, CHARGE HOUSE APPROPRIATION 00X0488.1-2089-910111, SUB-OBJECTS 2166/2167/2168 AS APPROPRIATE. FOR EACH NIGHT SPENT IN-COUNTRY, DISBURSE THE MAXIMUM USG PER DIEM RATE IN USD EQUIVALENT AS ESTABLISHED IN THE MONTHLY FTR, PLUS USDE 50 FOR ACTUAL COST, LOCAL TRANSPORTATION, AND OTHER OFFICIAL EXPENSES, AUTHORIZED (02/16-22) UNLESS OTHERWISE SPECIFIED BELOW.

HOUSE COMMITTEE ON FOREIGN AFFAIRS (HCFA):
ENGEL/STEINBAUM/SCHOENTHALER/JACOBSTEIN/SULLIVAN

HOUSE FINANCIAL SERVICES (HFS):
HINOJOSA

HOUSE COMMITTEE ON HOMELAND SECURITY (HHOME):
SOUDER/CUELLAR (02/16-17)

HOUSE RULES CMTE (HRULES):
FOXX

HOUSE TRANSP. AND INFRASTRUCTURE CMTE (HTRANS):
SCHMIDT

HOUSE APPROPRIATIONS CMTE (HAC):
SALAZAR

Engel (Feb 09) outgoing (2).txt

THE SPEAKER OF THE HOUSE (HSPKR):
KING

ONLY THE M&IE RATE, PLUS 50 FOR ACTUAL COSTS, IS AUTHORIZED WHEREVER GOVERNMENT HOUSING OR PRIVATE LODGING IS PROVIDED. INDIVIDUAL TRAVELERS ARE RESPONSIBLE FOR ANY CHARGES TO THEIR ROOMS.

9. EFFECTIVE IMMEDIATELY, POSTS ARE REQUESTED TO REPORT COSTS IN THE FOLLOWING REPORT FORMAT:

CODEL JONES EXPENDITURES FOR VISIT TO EREHWON, JUN 1-5, 2002 (PROVIDE FISCAL DATA FOR TRIP HERE)

PER DIEM (2167)DOLS 300
--JONES, REP JOHNDOLS 125
--POLT, REP GEORGEDOLS 175
--PER DIEM RETURNED UNSPENT (JONES)DOLS 20

TRANSPORTATION (2166)DOLS 200
--AIR TRANSPORTATIONDOLS 200

OTHER EXPENSES (2168)DOLS 800
-- INTERPRETERS (ESTIMATE COSTS)DOLS 300
-- OVERTIME (LOCAL STAFF) DOLS 300
-- CONTROL ROOM DOLS 200

THE ABOVE FORMAT SHOULD BE USED FOR ALL EVENTS/SERVICES EXPECTED TO BE INCURRED BY POSTS WHICH WILL BE CHARGED TO CODEL FUND CITE. REQUEST ACTUAL COSTS, OR COST ESTIMATES IF ACTUAL COSTS ARE NOT KNOWN, BE PROVIDED TO H NLT 15 DAYS AFTER CODEL'S DEPARTURE, AND FINAL COSTS WHEN THEY BECOME AVAILABLE. CABLES SHOULD BE SENT TO THE ATTN OF H AND RM/F/DFS/FO/AA/CAA (USING OREP AND AFIN TAGS).
CLINTON
BT
#3135

NNNNUNCLASSIFIED STATE 00013135

EXHIBIT 15

**DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000**

27 February 2009

Office of Legislative Liaison
B-322 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

The Honorable Eliot Engel
2161 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Engel,

Thank you for choosing the Air Force for your travel to Mexico, Nicaragua, and Jamaica. It was a true pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
In-flight Meals	2	\$20.54
Mexico City: El Refugio	1	\$24.36
Mexico City: Event tour	1	\$6.85
Managua: El Tiscapa (Lunch)	1	\$34.56
Managua: Natural site tour	1	\$5.70
Kingston: Morgan's Harbor (Lunch)	1	\$24.65
Kingston: Devon House tour	1	\$5.00
Kingston: Entrance fee	1	\$2.31
Kingston: Lunch	1	\$11.28

Total Amount \$135.25

Please provide a check for this amount, payable to the US Treasury, to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (703) 571-8019. Thank you.

Very Respectfully,

CALVIN E. DANIELS JR, Major, USAF
Congressional Liaison

EXHIBIT 16

CODEL ENGEL
Trinidad and Tobago, and St. Vincent and the Grenadines
April 17-21, 2009
11(c) Trip Report

On April 17-21, 2009, the Honorable Eliot L. Engel of the House Committee on Foreign Affairs, Chairman of the Subcommittee on the Western Hemisphere, led a bipartisan Congressional Delegation on official business to Trinidad and Tobago, and St. Vincent and the Grenadines. The purpose of this trip was to participate in the Fifth Summit of the Americas and meet with government and non-government officials regarding political and economic developments, and bilateral relations with St. Vincent and the Grenadines.

Participants

Rep. Eliot L. Engel, D-NY
Rep. Connie Mack, R-FL
Rep. Donald M. Payne, D-NJ
Del. Donna M. Christensen, D-VI
Rep. Gregory W. Meeks, D-NY
Rep. Mary Bono Mack, R-CA
Rep. Yvette D. Clarke, D-NY
Resident Commissioner Pedro Pierluisi, D-PR

Mr. Jason Steinbaum, Staff Director, Subcommittee on the Western Hemisphere, HFAC
Mr. Cliff Stammerman, Staff Director, Subcommittee on International Organizations, Human Rights and Oversight, HFAC
Mr. Stephane LeBouder, Staff Director, Subcommittee on International Monetary Policy and Trade, HCFS
Mr. Peter Quilter, Senior Professional Staff, HFAC
Mr. Eric Jacobstein, Professional Staff Member, Subcommittee on the Western Hemisphere, HFAC
Ms. Robyn Wapner, Minority Professional Staff Member, HFAC
Ms. Julie Schoenthaler, Staff Associate, Subcommittee on the Western Hemisphere, HFAC
Ms. Deanne Samuels, Executive Assistant and Scheduler, Rep. Howard Berman/HFAC
Ms. Kiersten A. Stiansen, Foreign Affairs Officer, Bureau of Western Hemisphere Affairs, DOS
Ms. Crystal D. Ford, Assistant Deputy Director, House Affairs, U.S. Southern Command

Official Meetings

Trinidad- April 17

- Meeting with President of El Salvador Antonio Saca and President-Elect of El Salvador Mauricio Funes
- Meeting with President of Panama Martin Torrijos
- Opening Session of the Fifth Summit of the Americas (Speeches by President of Argentina Cristina Fernandez de Kirchner, President of Nicaragua Daniel Ortega, Prime Minister of Belize Dean Barrow, President of the United States Barack Obama, and Prime Minister of Trinidad and Tobago Patrick Manning)
- Reception hosted by the Summit Secretariat

Trinidad- April 18

- Meeting with President of Chile Michelle Bachelet
- Working breakfast with Secretary General of the Organization of American States José Miguel Insulza
- Meeting with President of Uruguay Tabaré Vazquez
- Meeting with President of Honduras Manuel Zelaya
- Meeting with President of Ecuador Rafael Correa
- Meeting with President of Haiti Rene Preval

- Meeting with U.S. Secretary of State Hillary Rodham Clinton
- Meeting with Caribbean Community (CARICOM) Heads of State
- Meeting with President of Mexico Felipe Calderón
- Meeting with President of Argentina Cristina Fernandez de Kirchner
- Meeting with President of Colombia Alvaro Uribe
- Meeting with President of the United States Barack Obama

St. Vincent and the Grenadines- April 19

- Country Team Brief with U.S. Charge d'Affaires to Barbados and the Eastern Caribbean D. Brent Hardt
- Meeting with Deputy Prime Minister and Minister of Foreign Affairs, Commerce and Trade Sir Louis Straker
- Meeting with Peace Corps Deputy Country Director Helen Petrozzola and Jems Progressive Community Organization
- Site Visit with U.S. Peace Corps Volunteer
- Reception hosted by U.S. Charge d'Affaires to Barbados and the Eastern Caribbean D. Brent Hardt
- Meeting with Political Opposition Leaders, including Former Prime Minister Arnhim Ulric Eustace

St. Vincent and the Grenadines- April 20

- Meeting with Prime Minister of St. Vincent and the Grenadines Ralph Everard Gonsalves
- Press Conference with Prime Minister of St. Vincent and the Grenadines Ralph Everard Gonsalves
- Meeting with Governor General Sir Frederick Nathaniel Ballantyne
- Working lunch with Ministers and government officials hosted by Deputy Prime Minister and Minister of Foreign Affairs, Commerce and Trade Sir Louis Straker
- Briefing by Deputy Prime Minister and Minister of Foreign Affairs, Commerce and Trade Sir Louis Straker on development, infrastructure, and the tourism industry

EXHIBIT 17

zed Statement of Expenses

Date	Location	Description	O/M Receipt	O/M Non-Receipt	Collection O/M	Contingency Receipt	Con Non-Rec	Collection Contingency
16-Apr-09	Andrews AFB	Commissary for Delegation Room				\$299.15		
16-Apr-09	Andrews AFB	Baggage Tip at Commissary				\$10.00		
16-Apr-09	Bolling AFB	Shoppette-Delegation Room Beverages				\$68.00		
16-Apr-09	Pentagon	Alamo Flag - Friendship Pins				\$225.00		
16-Apr-09	OAS Gift Shop	OAS Lapel Pins				\$120.00		
16-Apr-09	Trinidad	Hyatt Baggage Tip	\$75.00					
17-Apr-09	First Citizens Bank--Trinidad	US to Trinidad Conversion Fee: 69 TT Fee at \$1 US = 6 TT				\$11.50		
17-Apr-09	Hyatt--Trinidad	Delegation Room Charges: 720 TT at 6:1 = \$120.00				\$120.00		
17-Apr-09	Hyatt--Trinidad	Waterfront Restaurant Dinner for Members/Staff/Escorts for 15	\$2,000.00		\$2,000.00			
18-Apr-09	Trinidad	Ground Transportation/Guide						\$520.90
18-Apr-09	Hyatt--Trinidad	Tips (Baggage)	\$4.17					
18-Apr-09	Trinidad	Dinner, Angelo's Italian for 9	\$757.21		\$757.21			
18-Apr-09	Trinidad	Angelos Foreign Transfer Fee (Col Lawhead had to pay with personal credit due to Class A fund issues)						
18-Apr-09	Trinidad	Lunch (El Pecos on the Grill) for 12	\$81.00		\$81.00			\$7.57
18-Apr-09	Trinidad US Embassy	Lost Passport Fee for Replacement					\$100.00	
19-Apr-09	Hyatt--Trinidad	Passport for Ssgt John White	\$3.31		\$3.31			
19-Apr-09	Hyatt--Trinidad	Hotel Incidentals (CM Meeks)	\$2.65		\$2.65			
19-Apr-09	Hyatt--Trinidad	Hotel Incidentals (CW Clarke)						
19-Apr-09	St Vincent	Dinner Beverages (Meals inclusive in hotel price but not drinks) for Members/Staff/Escort for 14	\$39.38		\$39.38			
19-Apr-09	Trinidad	Hyatt Baggage Tip	\$10.00					
19-Apr-09	Trinidad	Reservation Change Fee (CW Clarke)	\$36.50					
20-Apr-09	Hyatt--Trinidad	Tips (Baggage)	\$10.00					
20-Apr-09	St Vincent	Delegation Room Charges					\$266.90	
20-Apr-09	St Vincent	Tips (Baggage)	\$5.00					

20-Apr-09 St Vincent	Box Lunches for Members/Staff/Escorts for 13	\$108.17	\$108.17	
20-Apr-09 St Vincent	Room Incidentals (CM Engel)	\$11.26	\$11.26	
20-Apr-09 St Vincent	Room Incidentals (CM Meeks)	\$33.75	\$33.75	
20-Apr-09 St Vincent	Room Incidentals (CW Clarke)	\$41.25	\$41.25	
20-Apr-09 St Vincent	Young Island Resort Baggage Tip	\$50.00	\$50.00	
20-Apr-09 Trinidad	Hyatt Baggage Tip	\$40.00	\$40.00	
20-Apr-09 Trinidad	Hyatt Baggage Tip	\$10.00	\$10.00	
21-Apr-09 Hyatt--Trinidad	Control Room Phone Charges (Rm 2118)	\$0.99	\$0.99	
21-Apr-09 Hyatt--Trinidad	Control Room Phone Charges (Rm 2122)	\$26.45	\$26.45	
21-Apr-09 Hyatt--Trinidad	Delegation Room Breakdown (Bed Removal, Furniture)	\$402.50	\$402.50	
21-Apr-09 Andrews AFB	Specialty Food Items from MilAir	\$88.22	\$88.22	
21-Apr-09 Hyatt--Trinidad	Delegation Room	\$1,502.65	\$1,502.65	
13-May-09 Hyatt--Trinidad	Credit for overcharge of delegation room	-\$508.87	-\$508.87	
21-Apr-09 Andrews AFB	Mil Air Meals (41 PAX, 23 Breakfast and 41 Lunches)	\$476.34	\$476.34	
21-Apr-09 St Vincent	Airport Transportation Tip	\$20.00	\$20.00	
21-Apr-09 Trinidad	Hyatt Baggage Tip	\$40.00	\$40.00	
22-Apr-09 Pentagon	Bank charge for 1127 TT bought at 6:1 sold at 7:17:1 (6:1 = 187.83, 7:17:1 = 157.20 difference is 30.63)		\$30.63	
Total		\$3,882.43	\$3,271.68	\$222.90 \$3,651.10

EXHIBIT 18

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

4 May 2009

Office of Legislative Liaison
1160 Air Force Pentagon
Washington, DC 20330-1160

The Honorable Eliot Engel
2161 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

Dear Representative Engel,

Thank you for choosing the Air Force for your travel to Trinidad and St. Vincent. It was a pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
Dinner-Hyatt Waterfront Trinidad (17 Apr 09)	1	\$170.13
Lunch (El Pecos on the Grill, Trinidad 18 Apr 09)	1	\$6.75
Dinner (Angelos Italian, Trinidad 18 Apr 09)	1	\$84.14
Lunch-St Vincent (20 Apr 09)	1	\$8.32
Dinner-St Vincent (19 Apr 09, Inclusive meal, drinks were extra)	1	\$2.82
Young Island Resort, St Vincent, Room Incidentals (20 Apr 09)	1	\$11.26
Total Amount		\$283.42

Please provide a check for this amount, payable to the "US Treasury", to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (703) 697-6711. Thank you.

Very Respectfully,



JEFFREY E. WARMKA, Lt Col, USAF
Congressional Liaison

EXHIBIT 19



PURCHASE ORDER, RECEIVING REPORT AND VOUCHER

P.O. NUMBER

DATE

May 29, 2009

PURCHASER:

American Embassy, Tegucigalpa, Honduras
DEPARTMENT OF STATE

Contract Number

Vendor

CODEL ENGEL/DELAHUNT
Tegucigalpa, Honduras.

Vouchering Control
of last payment

Order is hereby placed with the above-named vendor for the articles described below, to be furnished to:

PRCB

FMS Control#

Date

May 29, 2009

Item No	Articles or Services	Quantity	Unit Price		Amount \$ or Lps
			Cost	Per	
CASH PAYMENT					
FULL DAY OF PER DIEM (M&IE ONLY); PLUS \$50.00 FROM JUNE 01-02, 2009 IN SAN PEDRO SULA					
	REP. ELIOT ENGE \$127.00 X Lps19.50	L. 2,400.30	@	5/10	L. 9,601.20
	REP. WILLIAM DELAHUNT	L. 2,400.30	@	4/10	
	MR. JASON STEINBAUM	L. 2,400.30	-	Received in ES Not accepted in HND	
	MR. ERIC JACOBSTEIN	L. 2,400.30	@	5/10	

Signature of Ordering Officer

Title

Total

Amount

L. 9,601.20

Ordered items received on

date

Availability of funds

\$508.00 00X0483.1 2089 2089910248 2167

Payment

Amount billed, as per bill (s)

L. 9,601.20

complete

Differences

partial

JES

final

L. 9,601.20

Approved

L. 9,601.20

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment

Ex. Rate

L. 18.80

May 29, 2009

JAMES D WICKERSHAM

FMO

ACCOUNTING CLASSIFICATION

Date

Certifying Officer

Title

\$508.00 L. 9,601.20 00X0483.1 2089 2089910248 2167

Check No

Dated

for

Payee

Cash L. 9,601.20

On

CODEL ENGEL/DELAHUNT

(Signature - Title)

JAM / FM Office Tegucigalpa

DS-2076

EXHIBIT 20

CODEL Engel
El Salvador, Honduras
May 31-June 2, 2009
11(c) Trip Report

From May 31-June 2, 2009, the Honorable Eliot L. Engel, Chairman of the House Committee on Foreign Affairs Subcommittee on the Western Hemisphere, led a Congressional Delegation on official business to El Salvador and Honduras. The purpose of this trip was to attend the inauguration of President of El Salvador Mauricio Funes, and the Organization of American States General Assembly in San Pedro Sula, Honduras.

Participants

Rep. Eliot L. Engel
Rep. William D. Delahunt

Jason Steinbaum, Staff Director, Subcommittee on the Western Hemisphere
Eric Jacobstein, Professional Staff, Subcommittee on the Western Hemisphere (Honduras only)

Official Meetings

El Salvador-- May 31

Pathways to Prosperity meeting with Secretary of State Clinton and Foreign Ministers of participant countries

Meeting with Millennium Challenge Corporation staff and beneficiaries of rural electrification program with Secretary of State Clinton

Vital Voices meeting with Women Entrepreneurs with Secretary of State Clinton

Dinner at Foreign Ministry with various Foreign Ministers attending the inauguration of President Funes

El Salvador- June 1

Attend Inauguration of President Funes

Tour photo exhibit of history of U.S.-Salvadoran relations at U.S. Ambassador's residence

Lunch hosted by Foreign Minister of El Salvador in Presidential garden with members of new cabinet

Visit USAID project "Alternativa," which helps Salvadoran artisans and crafts makers

Meet President Mauricio Funes

Honduras -- June 1

Dinner hosted by President of Honduras Manuel Zelaya

Honduras-- June 2

Meeting with Secretary of State Hillary Rodham Clinton and Caribbean Community (CARICOM) Foreign Ministers

Inaugural Session of Organization of American States (OAS) General Assembly

Meeting with Israeli Deputy Minister of Foreign Affairs Daniel Ayalon

Meeting with Secretary General of the OAS Jose Miguel Insulza

Meeting with U.S. Ambassador to Honduras Hugo Llorens

Meeting with President of Paraguay Fernando Lugo

Meeting with Foreign Minister of Venezuela Nicolas Maduro

EXHIBIT 21

Panama meje

DATE: JANUARY 2, 2010

RECEIVED IN CASH FROM AMERICAN EMBASSY, PANAMA.

CODEL: ENGEL

NAME: REP. ELIOT L. ENGEL

PANAMA PER DIEM 96 DAY(s) X 2 LESS % = \$ 192

PANAMA SUBSISTENCE 50 DAY(s) X 2 LESS % = \$ 100

TOTAL = \$ 292 USD

AUTHORIZED AS FOLLOWS:

REFERENCE: CABLE STATE 131518

FISCAL DATA: 00X0488.1 2089 010094 2167

SIGNATURE:

Eliot L. Engel

SSN

EXHIBIT 22

CODEL ENGEL
Panama, Argentina, Colombia
January 3-10, 2010
11(c) Trip Report

From January 3-10, 2010, the Honorable Eliot L. Engel of the House Committee on Foreign Affairs, Chairman of the Subcommittee on the Western Hemisphere, led a Congressional Delegation on official business to Panama, Argentina and Colombia. The purpose of this trip was to meet with government and non-government officials regarding political and economic developments, and general bilateral relations with each country.

Participants

Rep. Eliot L. Engel, D-NY
Rep. Lynn Woolsey, D-CA
Rep. Shelley Berkley, D-NV
Res. Com. Pedro Pierluisi, D-PR
Mr. Christopher McMullen, Deputy Assistant Secretary for Western Hemisphere Affairs, U.S. Department of State
Mr. Jason Steinbaum, Staff Director, Subcommittee on the Western Hemisphere, HFAC
Mr. Peter Quilter, Senior Professional Staff Member, HFAC
Mr. Eric Jacobstein, Professional Staff Member, Subcommittee on the Western Hemisphere, HFAC

Official Meetings

Panama – January 3, 2010

- Reception with Ambassador of Panama to the United States Jaime Aleman and President of Panama Ricardo Martinelli

Panama-- January 4, 2010

- Country Team Briefing by U.S. Ambassador to Panama Barbara J. Stephenson and Embassy staff
- Meeting with Vice President and Foreign Minister of Panama Juan Carlos Varela, Minister of Economy and Finance of Panama Alberot Vallarino, Minister of Government and Justice of Panama Jose Raul Mulino, and Minister for Commerce and Industry of Panama Roberto Henriquez
- Working lunch with President of Panama Ricardo Martinelli
- Briefing by Juan Wong, Assistant Project Manager, Canal Expansion Program and site visit to the Panama Canal
- Reception hosted by U.S. Ambassador to Panama Barbara J. Stephenson

Panama to Argentina-- January 5, 2010

- Reception hosted by U.S. Ambassador to Argentina Vilma Martinez

Argentina- January 6, 2010

- Country team briefing by U.S. Ambassador to Argentina Vilma Martinez and Embassy staff
- Meeting with Foreign Minister of Argentina Jorge Taiana
- Meeting with President of the Argentina Israelite Mutual Association (AMIA) Luis Grynwald and President of the Israelite-Argentina Assocaitions' Delegation (DAIA) Jorge Kirszenbaum and visit to the AMIA building to participate in a ceremony commemorating the victims of the 1994 terrorist attack.
- Working lunch with Argentine labor leaders
- Meeting with Mayor of Buenos Aires Mauricio Macri
- Meeting with President of Argentina Cristina Fernandez de Kirchner
- Press Conference at Argentine Presidential Palace

Argentina to Colombia - January 7, 2010

- Visit to site of former Israeli Embassy in Buenos Aires destroyed in terrorist attack
- Working dinner with U.S. Ambassador to Colombia William Brownfield

Colombia- January 8, 2010

- Country team briefing with U.S. Ambassador to Colombia William Brownfield and Embassy Staff
- Working lunch with Mayor of Cartagena Judith Pinedo
- Site visit to Escuela Taller, a USAID-funded project to reintegrate former child combatants
- Briefing at Colombian Naval Base by Admiral Guillermo Barrera, Commander of the Colombian Navy
- Press Conference at Naval Base
- Reception hosted by U.S. Ambassador to Colombia William Brownfield

Colombia – January 9, 2010

- Meeting with President of Colombia Alvaro Uribe [Participants: Minister of Defense of Colombia Gabriel Silva, Minister of Trade of Colombia Luis Guillermo Plata, Higher Commission for Peace of Colombia Frank Pearl, Director of Accion Social Diego Molano, Colombian Ambassador to the United States Carolina Barco, and Deputy Chief of Mission for the Embassy of Colombia in the United States Silvia Constrain]
- Press Conference with President Uribe
- Working lunch with Afro-Colombian leaders including President of RedAfro Donaldo Barrios, Council Member Gloria Sanchez, Rosario Island Council Member Ever de la Rosa, and various community leaders representing education and industry sectors.

Colombia - January 10, 2010

- Visit to Cartagena Port -- Briefing by Antinarcotics Police Acting Director Henry Gamboa and Port General Manager Alfonso Salas

EXHIBIT 23

DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

12 January 2010

Office of Legislative Liaison
B-322 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

The Honorable Eliot Engel
2161 Rayburn Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Engel,

Thank you for choosing the Air Force for your travel to Panama, Argentina and Colombia. It was a true pleasure providing you assistance on the trip. A list of your incurred expenses follows:

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
In-flight Meals (\$7.71 ea)	3	\$23.13
Medical Prescription	1	\$14.91
Dinner - Cabana las Lilas (w/Amb), Buenos Aires	1	\$80.39
Dinner - La Bruschetta, Cartagena	1	\$45.51
Lunch - Juan del Mar (w/Mayor), Cartagena	1	\$49.98
Lunch - El Boni (w/Afro-Colombians), Cartagena	1	\$44.65

Total Amount \$258.57

Please provide a check for this amount, payable to the US Treasury, to the Air Force Liaison office in the Rayburn House Office Building (room B-322) as soon as possible. If you have any questions, or if I can be of assistance in any way, please call me at (202) 225-6656. Thank you.

Very Respectfully,



HEIDI E. CORNELL, Lt Col, USAF
Congressional Liaison

EXHIBIT 24

Form approved by the Comptroller General of the United States		PURCHASE ORDER, RECEIVING REPORT AND VOUCHER		PURCHASE ORDER NO. <i>82</i>	DATE 02/12/2010
PURCHASER: THE UNITED STATES GOVERNMENT, OR - THIS DOCUMENT PREPARED AT DEPT OF STATE AMERICAN EMBASSY, TEL-AVIV		OF 263	G.O. VOUCHER NO. <i>00132</i>		
VENDOR: CODEL ENGEL AMERICAN EMBASSY TEL AVIV		CONTRACT NO. EMERGENCY CASH PAYMENT REQUESTED ADMINISTRATIVELY APPROVED		DATE	
ORDER IS HEREBY PLACED WITH THE ABOVE-NAMED VENDOR FOR THE ARTICLES DESCRIBED BELOW, TO BE FURNISHED TO -		ACCOUNT		CASH PAYMENT	
ITEM NO.	ARTICLES OR SERVICES	QUANTITY	UNIT PRICE		AMOUNT U.S. \$
			COST	PER	
	PER DIEM FOR CODEL ENGEL - FEB 14-FEB 19, 2010 PAYMENT IN U.S.D. AS PER CODEL'S REQUEST!! <u>JERUSALEM PER DIEM CALCULATIONS:</u> M&IE - \$ 132.00 per day X 5 days = \$ 660.00 Transportation - \$ 50.00 X 5 days = \$ 250.00 TOTAL: \$ 910.00/PERSON * 2 MEMBERS = \$ 1,820.00				\$1,820.00
REF: STATE 011575.010132		TOTAL AMOUNT U.S.D.		\$1,820.00	
ON _____ (DATE) EXCEPT AS FOLLOWS:		AVAILABILITY OF FUNDS			
X <i>[Signature]</i> (SIGNATURE OF RECEIVING OFFICER) MICHAEL PEARLSTEIN TITLE: CONTROL OFFICER APPROVED FOR: \$1,820.00		PAYMENT		AMT BILLED AS PER ATTACHED BILL(S) U.S.D.	
		COMPLETE <input checked="" type="checkbox"/>	DIFFERENCES		\$1,820.00
		PARTIAL <input type="checkbox"/>	DG		
EXCHANGE RATE: _____ TO \$ 1.00		FINAL <input type="checkbox"/>	AMOUNT VERIFIED CORRECT FOR U.S.D.		\$1,820.00
ACCOUNTING CLASSIFICATION: \$1,820.00 - 00-X0488.0001-2089-2089010132-0-2167		PURSUANT TO AUTHORITY VESTED IN ME, I CERTIFY THAT THIS VOUCHER IS CORRECT AND PROPER FOR PAYMENT 12-Feb-10 <i>[Signature]</i> GEORGETTE KAMKAR (AUTHORIZED CERTIFYING OFFICER)			
CHECK NO. _____ DATED _____ 19__ FOR \$ _____ ON TREASURER OF U.S.		PAYEE (SIGNATURE AND TITLE)			
CHECK NO. _____ DATED _____ 19__ FOR \$ _____ ON					
CHECK NO. _____ DATED _____ 19__ FOR \$ _____ ON					

1084 2540-00-143-0105

ORIGINAL - D.O. VOUCHER

OPTIONAL FORM 206

(REV. 7-87)

50296-107

DEPT. OF STATE

EXHIBIT 25

CODEL ENGEL

Israel

February 13-19, 2010

11(c) Trip Report

From February 13-19, 2010, the Honorable Eliot L. Engel of the House Committee on Foreign Affairs, Chairman of the Subcommittee on the Western Hemisphere, led a Congressional Delegation on official business to Israel. The purpose of this trip was to participate in the Jerusalem Conference and meet with government and non-government officials regarding political and economic developments, and general bilateral relations.

Participants

Rep. Eliot L. Engel, D-NY

Mr. Jason Steinbaum, Staff Director, Subcommittee on the Western Hemisphere, HFAC

Official Meetings

February 13-14, 2010: Travel

February 15, 2010

- Working lunch with Member of Knesset Nissim Ze'ev (SHAS)
- Spoke at Knesset conference on the Jews of the Middle East Diaspora and H.Res.185 of the 110th Congress Expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations.

February 16, 2010

- Meeting with Deputy Foreign Minister of Israel Danny Ayalon
- Meeting with Dora Shavit, Ministry of Foreign Affairs Deputy Director General for Central and South America
- Meeting with Baruch Binah, Ministry of Foreign Affairs Deputy Director General, North America Division
- Spoke at Jerusalem Conference Panel Discussion on Iranian Threats to the Region and Beyond
- Visited Yad Vashem Holocaust Memorial
- Meeting with Foreign Minister of Israel Avigdor Lieberman

February 17, 2010

- Meeting with Consul General of U.S. Consulate in Jerusalem Daniel Rubinstein
- Meeting with Palestinian Prime Minister Salaam Fayyad
- Spoke at Jerusalem Conference Panel Discussion on the Future of U.S.-Israeli Relations
- Meeting with opposition leader and Kadima Chair Tzipi Livni
- Visited Mt. Herzl National Cemetery and paid respects at grave sites of former Prime Ministers Yitzhak Rabin and Golda Meir, and others

February 18, 2010

- Meeting with Member of Knesset Arieh Eldad (National Union) and visited several West Bank sites
- Meeting with Minister of National Infrastructure Uzi Landau
- Meeting with U.S. Ambassador to Israel James Cunningham
- Meeting with Prime Minister of Israel Benjamin Netanyahu
- Visited Rabin Center Museum and Archival Center about the life of Yitzhak Rabin

February 19, 2010: Travel

APPENDIX D

Board
David Skaggs, Chair Porter Goss, Co-Chair
Yvonne Burke Jay Eagen
Karan English William Frenzel
Allison Hayward Abner Mikva
Leo J. Wise, Staff Director & Chief Counsel

Mailing Address:
P.O. Box 895
Washington, DC 20515-0895

Office Address:
425 3rd Street, SW
Suite 1110
Washington, DC 20024

RECEIVED
Congress of the United States
House of Representatives
OFFICE OF CONGRESSIONAL ETHICS
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT
(202) 225-9739
(202) 225-0997 (FAX)
Washington, DC 20515
oce.house.gov
oce@mail.house.gov

July 30, 2010

Honorable Zoe Lofgren, Chair
Honorable Ben Chandler
Honorable G. K. Butterfield
Honorable Kathy Castor
Honorable Peter Welch
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Honorable Jo Bonner, Ranking Member
Honorable Mike Conaway
Honorable Charlie Dent
Honorable Gregg Harper
Honorable Michael McCaul
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Re: Review No. 10-7960 (Representative Alcee L. Hastings)
REFERRAL

Dear Chair Lofgren, Ranking Member Bonner and Members of the Committee on Standards of Official Conduct:

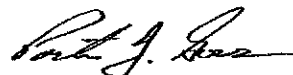
We write to notify you of the transmittal of a report recommending further review and findings (collectively "the referral") in Review No. 10-7960, concerning Representative Alcee L. Hastings. We have also included supporting documentation. The entire referral and supporting documentation have been delivered to the Offices of the Committee on Standards of Official Conduct where it is available for your review.

If you would like to receive a copy of the Board's referral and supporting documents or have any questions regarding it, our staff is available at your convenience.

Sincerely yours,



David E. Skaggs



Porter J. Goss

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 10-7960

The Board of the Office of Congressional Ethics (the “Board”), by a vote of no less than four members, on July 23, 2010, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Alcee L. Hastings

NATURE OF THE ALLEGED VIOLATION: In 2008, Representative Alcee L. Hastings participated in a Congressional Delegation to Astana, Kazakhstan. During the trip, he received a travel per diem for meals and incidental expenses with an approximate value of \$1,108.00. Public statements attributed to Representative Hastings indicated that he may have used the per diem for impermissible purposes. In addition, these public statements indicate that he may have used the per diem for impermissible purposes during other trips.

If Representative Hastings’ actual meal and incidental expenses during foreign travel were less than the per diem received and he did not return the excess per diem, he may have violated House Rule 10, clause 8 and House Rule 23, clauses 1 and 2.

RECOMMENDATION: The Board recommends that the Committee on Standards of Official Conduct further review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-7960

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-7960

On July 23, 2010, the Board of the Office of Congressional Ethics (the “Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.¹ By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”²
2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics (“OCE”) that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.³

¹ Rules of the House of Representatives, 111th Cong. Rule X, Clause 8, adopted under H. Res. 5, 111th Cong. (January 6, 2009).

² Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10-7960_0002).

³ Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager, June 3, 2010 (“CSCE Office Manager MOI”) (Exhibit 2 at 10-7960_0006); Memorandum of Interview of House Committee on

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.
4. Representative Hastings acknowledged publically before the commencement of the OCE's Review that he used per diem for expenses other than meals and incidentals.⁴ During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals, which suggests that he had excess per diem.⁵

A. Summary of Allegations

5. Based on the information presented before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative Alcee L. Hastings may have violated House Rule 10, clause 8 and House Rule 23, clauses 1 and 2 by retaining excess per diem when his actual meal and incidental expenses were less than the per diem that he received during various Congressional Delegation trips ("CODELs").

B. Jurisdictional Statement

6. The allegations that were the subject of this Review concern Representative Hastings, a Member of the United State House of Representatives from the 23rd District of Florida. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. The conduct under Review occurred after March 11, 2008.

C. Procedural History

7. The OCE received a written request for a preliminary Review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010. The preliminary Review was scheduled to end on May 13, 2010.

Foreign Affairs Travel Coordinator, June 2, 2010 (Exhibit 3 at 10-7960_0009); and Memorandum of Interview of House Armed Services Committee Travel Coordinator, June 8, 2010 (Exhibit 4 at 10-7960_0014).

⁴ Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *The Wall St. J.* (March 2, 2010) (Exhibit 5 at 10-7960_0018).

⁵ Memorandum of Interview of Representative Alcee L. Hastings ("Hastings MOI") (Exhibit 6 at 10-7960_0021-0025);

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.⁶ The second-phase Review was scheduled to end on June 28, 2010.
9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.⁷
10. Representative Hastings submitted a written statement to the Board, under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 20, 2010.⁸
11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.
12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 30, 2010.

D. Summary of Investigative Activity

13. The OCE requested documentary and testimonial information from the following sources:
 - (1) Representative Hastings;
 - (2) Commission on Security and Cooperation in Europe ("CSCE");
 - (3) CSCE Office Manager;
 - (4) House Committee on Foreign Affairs;
 - (5) House Committee on Foreign Affairs Travel Coordinator;
 - (6) House Committee on Armed Services;
 - (7) House Committee on Armed Services Travel Coordinator;
 - (8) Bureau of Legislative Affairs of the United States Department of State; and
 - (9) United States Air Force Congressional Liaison Office.

⁶ According to the Resolution, the Board must vote on whether to conduct a second-phase Review in a matter before the expiration of the 30-day preliminary Review. If the Board votes for a second-phase, the second-phase begins when the preliminary Review ends. The second-phase Review does not begin on the date of the Board vote.

⁷ *Id.* at § 1(c)(2)(A)(ii) (2008).

⁸ Letter from Representative Alcee L. Hastings to the Board of the Office of Congressional Ethics, dated July 20, 2010 (Exhibit 7 at 10-7960_0027-0028).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

II. THERE IS SUBSTANTIAL REASON TO BELIEVE THAT REPRESENTATIVE HASTINGS RECEIVED PER DIEM IN EXCESS OF HIS ACTUAL MEAL AND INCIDENTAL EXPENSES DURING CERTAIN CODELS AND RETAINED THE EXCESS PER DIEM

14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.
15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.
16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of “any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”⁹

A. Applicable Law, Rules, and Standards of Conduct

1. House Rules

17. Pursuant to House Rule 10, clause 8(b):

“The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of---

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.”

18. Pursuant to House Rule 23, clause 2:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.”

19. Pursuant to House Rule 23, clause 1:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House.”

⁹ H. Res. 895, 110th Cong., Section 1(c)(1)(A) (2008) (as amended).

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2. Federal Travel Regulation and Other Guidance

20. *House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95-384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300-304.*
21. *The “per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses.”¹⁰*
22. *Lodging expenses include “expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate.”¹¹*
23. *Meal expenses are “expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).”¹²*
24. *Incidental expenses are “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”¹³*
25. *“Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates.”¹⁴*
26. *Under the Federal Travel Regulation, the allocation of meals and incidental expenses (“M&IE”) rates that are used in making deductions from the M&IE are as follows: 15%*

¹⁰ 41 C.F.R. § 300-3.1 (emphasis added).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 8 at 10-7960_0030-049).

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*for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was \$100 per day, it was allocated as \$15 is for breakfast, \$25 for lunch, \$40 for dinner, and \$20 for incidental expenses.*¹⁵

27. According to *The United States Department of State Bureau of Legislative Affairs Official Foreign Travel Guide published for the U.S. Congress, Members are advised the following:*

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

28. The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained.¹⁶

A. Representative Hastings Made Public Statements Indicating That He May Have Used Per Diem for Impermissible Purposes

29. On March 2, 2010, the *Wall Street Journal* published an article entitled "Lawmakers Keep the Change."¹⁷

30. In that article, Representative Hastings' statements indicated that he may have used per diem that he received during CODELs for impermissible purposes.

31. According to the article: "Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said."¹⁸

¹⁵ 41 C.F.R. ch. 301, App. B.

¹⁶ House Rule 10, clause 8.

¹⁷ Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *The Wall St. J.* (March 2, 2010) (Exhibit 5 at 10-7960_0018).

¹⁸ *Id.*

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32. The article further quotes Representative Hastings as saying: “I’m a generous spirit and a courteous spirit . . . I stand accused.”¹⁹
33. In an interview with the OCE, Representative Hastings confirmed that he made these statements.²⁰

B. Representative Hastings’ Use of Per Diem for Expenses Other Than Meals and Incidentals Provides Substantial Reason to Believe that He Had Excess Per Diem and He Did Not Return Excess Per Diem

34. Representative Hastings used per diem for expenses other than his personal lodging, meals, and incidentals.
35. Representative Hastings told the OCE that he used per diem to purchase meals for others attending trips, including advisors and staff.²¹
36. The Federal Travel Regulation defines “incidental expenses” as “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”²²
37. Representative Hastings characterizes “incidental expenses” as those expenses that he would customarily incur if he were on personal travel.²³
38. He purchases gifts with the per diem for various individuals attending the trips. For example, he takes gifts such as flowers, candy, or wine to the homes of ambassadors or other hosts. He has also purchased neckties for the pilots of a military plane on which he traveled and did not retain receipts for such expenses.²⁴
39. Representative Hastings used the per diem to purchase souvenirs for staff. The souvenirs generally consist of such things as baseball caps, magnets, can openers, and thimbles. He does not buy souvenirs for himself, his family, or his constituents.²⁵
40. Prior to one trip, Representative Hastings purchased baseball caps in the United States that were customized for the trip. The caps were for the staff and Members who were

¹⁹ *Id.*

²⁰ Hastings MOI (Exhibit 6 10-7960_0024).

²¹ *Id.* at 10-7960-0022.

²² 41 C.F.R. § 300-3.1.

²³ Hastings MOI (Exhibit 6 10-7960_0024).

²⁴ *Id.* at 10-7960_0024.

²⁵ *Id.* at 10-7960_0024.

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going to attend the trip. He later used the per diem to reimburse himself for this expense, which was approximately \$425.00.²⁶

41. During a CODEL to Saudi Arabia in 2010, Iraqi refugees attended an official event and told the audience about their struggles. One refugee described numerous tragedies that he endured and Representative Hastings presented him with a \$100 bill. He is not sure if the money was his personal money or from his per diem.²⁷
42. Representative Hastings' use of the per diem for purposes other than his personal meals and incidental expenses suggests that his actual meal and incidental expenses were less than the per diem that he received.
43. As a result, there is substantial reason to believe that Representative Hastings had excess per diem for certain CODELs.

C. Estimates of Representative Hastings' Meal and Incidental Expenses Provide Substantial Reason to Believe that His Excess Per Diem Was More Than a *De Minimis* Amount for Certain CODELs

44. Representative Hastings told the OCE that he did not keep a complete record of expenses that he incurred on CODELs that he attended during the time period from March 2008 to May 2010.²⁸
45. Based on the information before the OCE, the exact amount of his meal and incidental expenses for each CODEL is unknown.
46. Consequently, the OCE must use an estimate of expenses to determine whether it appears that Representative Hastings retained excess per diem that was more than a *de minimis* amount.
47. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.
48. Without the use of an estimate, a House Member or staff could impede the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.

²⁶ *Id.* at 10-7960_0024.

²⁷ *Id.* at 10-7960_0024.

²⁸ *Id.* at 10-7960-_0021.

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D. Representative Hastings Did Not Return Any Excess Per Diem for Meals and Incidental Expenses

49. Representative Hastings told the OCE that he has not returned any excess per diem to the U.S. Treasury. He explained that his per diem does not cover all of the expenses that he incurs.²⁹
50. Representative Hastings told the OCE that he had foreign currency from the per diem when ending certain CODELs, but he was not certain of the amount of the currency that was per diem and the amount that was his personal money.³⁰
51. Procedures were in place at the time of Representative Hastings's travel for him to return any excess per diem.
52. The relevant CODELs that Representative Hastings attended were all organized by the Commission on Security and Cooperation in Europe ("CSCE").
53. The Office Manager of the CSCE is responsible for reporting the amount per diem that Members received and recording any excess per diem that Members of Congress or staff returned. He told the OCE that he had received excess per diem from Representatives and staff for various CODELs, which was returned to him by checks made payable to the U.S. Treasury.³¹
54. The Office Manager forwards the checks to a specific person at the U.S. Department of State who is responsible for receiving returns of excess per diem.³²
55. There is substantial reason to believe that Representative Hastings had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.

²⁹ *Id.* at 10-7960_0023.

³⁰ *Id.* at 10-7960_0023.

³¹ CSCE Office Manager MOI (Exhibit 2 at 10-7960_0005).

³² *Id.* at 10-7960_0005.

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56. Although, the available evidence does not establish the exact amount of actual expenses for Representative Hastings’s CODELs, after estimating meal and incidental expenses, there is substantial reason to believe that Representative Hastings retained excess per diem from the following CODELs:

SUMMARY OF ESTIMATED EXCESS PER DIEM				
CODEL	DATE	M&IE Per Diem³³	Estimated Expenses³⁴	Estimated Excess Per Diem
CODEL Hastings to Denmark	Apr 12 to Apr 15, 2008	\$696.00	≅ \$568.00	≅ \$128.00
CODEL Hastings to Denmark, Russia, Finland, and Austria	May 23 to May 31, 2008	\$1,429.00	≅ \$1,162.00	≅ \$267.00
CODEL Hastings to United Kingdom, Kazakhstan, Pakistan, and Italy	Jun 28 to Jul 3, 2008	\$1,108.00	≅ \$649.00	≅ \$459.00
CODEL Hastings to London and CODEL Cardin to Austria	Feb 15 to Feb 21, 2009	\$1,140.00	≅ \$654.00	≅ \$486.00
CODEL Hastings to Portugal	Apr 18 to Apr 20, 2009	\$462.00	≅ \$301.00	≅ \$161.00
CODEL Hastings to Ireland	May 25 to May 29, 2009	\$872.00	≅ \$665.00	≅ \$207.00
CODEL Hastings to Albania and CODEL Cardin to Lithuania	Jun 26 to Jul 3, 2009	\$734.00	≅ \$381.00	≅ \$353.00
CODEL Cardin to Greece	Oct 9 to Oct 12, 2009	\$606.00	≅ \$261.00	≅ \$345.00
CODEL Cardin to Austria	Feb 12 to Feb 20, 2010	\$654.00	≅ \$249.00	≅ \$405.00
Total		\$7,701.00	≅ \$4,890.00	≅ \$2,811.00

³³ M&IE Per Diem calculated using travel itineraries; the monthly per diem rates established by the Office of Allowances, United States Department of State; and where applicable, travel vouchers and travel authorization letters.

³⁴ Estimated expenses were calculated using the “Allocation of M&IE Rates to be Used in Making Deductions from the M&IE Allowance,” which lists the amount of per diem expected to be allocated for breakfast, lunch, dinner, and incidentals. 41 C.F.R. ch. 301 App. B.

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1. CODEL Hastings (Apr 2008)

57. During CODEL Hastings to Denmark Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$696.00.³⁵
58. According to the CODEL itinerary, at least two meals appear to have been provided at no cost to the Representatives who attended the CODEL.³⁶
59. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.³⁷
60. The estimated amount of meals and incidental expenses is \$568.00.
61. Accordingly, the estimated excess per diem is \$ 128.00

CODEL HASTINGS TO DENMARK (APRIL 12 TO APRIL 15, 2008)				
Meals & Incidentals	Apr 12	Apr 13	Apr 14	Apr 15
Breakfast	≈ \$35	≈ \$35	Hosted	\$0.00
Lunch	≈ \$58	≈ \$58	≈ \$58	
Dinner	≈ \$93	Hosted	≈ \$93	
Incidentals	≈ \$46	≈ \$46	≈ \$46	\$0.00
M&IE Received				\$696.00
Estimated for Additional M&IE				≈ \$568.00
Estimated Excess Per Diem				≈ \$128.00

62. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings (Apr 2008) that he did not return to the U.S. Treasury.

³⁵ See Itinerary for CODEL Hastings (April 12 to April 15, 2009) (Exhibit 9 at 10-7960_0051-0052); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁶ Itinerary for CODEL Hastings (April 12 to April 15, 2009) (Exhibit 9 at 10-7960_0051-0052)

³⁷ 41 C.F.R. ch. 301 App. B.

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2. CODEL Hastings (May 2008)

63. During CODEL Hastings to Denmark, Russia, Finland, and Austria, Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$1,429.00.³⁸

64. According to the CODEL itinerary, at least four meals appear to have been provided at no cost to the Representatives who attended the CODEL.³⁹

65. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁴⁰

66. The estimated amount of meals and incidental expenses is \$1,162.00.

67. Accordingly, the estimated excess per diem is \$267.00.

CODEL HASTINGS TO DENMARK, RUSSIA, FINLAND, AND AUSTRIA								
(MAY 23 TO MAY 31, 2008)								
Meals & Incidentals	May 24	May 25	May 26	May 27	May 28	May 29	May 30	May 31
Breakfast	≅ \$35	≅ \$24	≅ \$24	≅ \$32	≅ \$33	≅ \$33	≅ \$33	\$0.00
Lunch	≅ \$58	≅ \$40	Hosted	Hosted	≅ \$55	≅ \$55	≅ \$55	
Dinner	≅ \$93	≅ \$65	≅ \$65	Hosted	≅ \$89	≅ \$89	Hosted	
Incidentals	≅ \$46	≅ \$32	≅ \$32	≅ \$42	≅ \$44	≅ \$44	≅ \$44	\$0.00
M&IE Received								\$1,429.00
Estimated for Additional M&IE								≅ \$1,162.00
Estimated Excess Per Diem								≅ \$267.00

68. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings (May 2008) that he did not return to the U.S. Treasury.

³⁸ See Itinerary for CODEL Hastings (May 23 to May 31, 2008) (Exhibit 10 at 10-7960_0054-0057); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁹ Itinerary for CODEL Hastings (May 23 to May 31, 2008) (Exhibit 10 at 10-7960_0054-0057).

⁴⁰ 41 C.F.R. ch. 301 App. B.

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3. CODEL Hastings (Jun 2008)

69. During CODEL Hastings to the United Kingdom, Kazakhstan, Pakistan, and Italy, Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$1,108.00.⁴¹
70. According to the CODEL itinerary, at least eight meals appear to have been provided at no cost to the Representatives who attended the CODEL.⁴²
71. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁴³
72. The estimated amount of meals and incidental expenses is \$649.00.
73. Accordingly, the estimated excess per diem is \$459.00.

CODEL HASTINGS TO THE UNITED KINGDOM, KAZAKHSTAN, PAKISTAN, AND ITALY							
(JUNE 28 TO JULY 3, 2008)							
Meals & Incidentals	Jun 27	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast	≅ \$35	≅ \$24	Hosted	Hosted	Hosted	≅ \$19	\$0.00
Lunch	≅ \$58	≅ \$39	≅ \$39	Hosted	Hosted	≅ \$32	
Dinner	≅ \$92	≅ \$63	Hosted	Hosted	Hosted	≅ \$52	
Incidentals	≅ \$46	≅ \$31	≅ \$31	≅ \$31	≅ \$31	≅ \$26	\$0.00
M&IE Received							\$1108.00
Estimated M&IE							≅ \$649.00
Estimated Excess Per Diem							≅ \$459.00

⁴¹ See Itinerary for CODEL Hastings (June 28 to July 3, 2008) (Exhibit 11 at 10-7960_0058-0067); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁴² Itinerary for CODEL Hastings (June 28 to July 3, 2008) (Exhibit 11 at 10-7960_0058-0067).

⁴³ 41 C.F.R. ch. 301 App. B.

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74. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings (Jun 2008) that he did not return to the U.S. Treasury.

4. CODELs Hastings and Cardin (Feb 2009)

75. During to CODEL Hastings and CODEL Cardin to London and Austria from February 15 to 21, 2009, Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$1,140.00.⁴⁴

76. According to the CODELs' itineraries, at least eleven meals appear to have been provided at no cost to the Representatives who attended the CODELs.⁴⁵

77. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁴⁶

78. The estimated amount of meals and incidental expenses is \$654.00.

79. Accordingly, the estimated excess per diem is \$486.00.

CODEL HASTINGS TO THE UNITED KINGDOM AND CODEL CARDIN TO AUSTRIA							
(FEBRUARY 15 TO FEBRUARY 21, 2009)							
Meals & Incidentals	Feb 15	Feb 16	Feb 17	Feb 18	Feb 19	Feb 20	Feb 21
Breakfast	≅ \$27	Hosted	Hosted	≅ \$30	Hosted	Hosted	Hosted
Lunch	≅ \$45	Hosted	Hosted	≅ \$50	Hosted	≅ \$50	
Dinner	≅ \$72	Hosted	≅ \$72	≅ \$80	Hosted	Hosted	
Incidentals	≅ \$36	≅ \$36	≅ \$36	≅ \$40	≅ \$40	≅ \$40	\$0.00
M&IE Received							\$1140.00
Estimated M&IE							≅ \$654.00
Estimated Excess Per Diem							≅ \$486.00

⁴⁴ See Itinerary for CODEL Hastings (February 15 to February 21, 2009) (Exhibit 12 at 10-7960_0069-0077); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁴⁵ Itinerary for CODEL Hastings (February 15 to February 21, 2009) (Exhibit 12 at 10-7960_0069-0077).

⁴⁶ 41 C.F.R. ch. 301 App. B.

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80. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings and Cardin (Feb 2009) that he did not return to the U.S. Treasury.

5. CODEL Hastings (Apr 2009)

81. During CODEL Hastings to Portugal, Representative Hastings received a an enhanced per diem for meals and incidental expenses in the amount of \$462.00.⁴⁷

82. According to the CODEL itinerary, at least three meals appear to have been provided at no cost to the Representatives who attended the CODEL.⁴⁸

83. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁴⁹

84. The estimated amount of meals and incidental expenses is \$301.00.

85. Accordingly, the estimated excess per diem is \$161.00.

CODEL HASTINGS TO PORTUGAL (APRIL 18 TO APRIL 20, 2009)				
Meals & Incidentals	Apr 18	Apr 19	Apr 20	Apr 21
Breakfast	≅ \$23	≅ \$23	≅ \$23	\$0.00
Lunch	≅ \$39	≅ \$39	Hosted	
Dinner	≅ \$61	Hosted	Hosted	
Incidentals	≅ \$31	≅ \$31	≅ \$31	\$0.00
M&IE Received				\$462.00
Estimated for Additional M&IE				≅ \$301.00
Estimated Excess Per Diem				≅ \$161.00

⁴⁷ See Itinerary for CODEL Hastings (April 18 to April 20, 2009) (Exhibit 13 at 10-7960_0079-0080); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁴⁸ Itinerary for CODEL Hastings (April 18 to April 20, 2009) (Exhibit 13 at 10-7960_0079-0080).

⁴⁹ 41 C.F.R. ch. 301 App. B.

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86. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings (Apr 2009) that he did not return to the U.S. Treasury.

6. CODEL Hastings (May 2009)

87. During CODEL Hastings to Ireland, Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$872.00.⁵⁰

88. According to the CODEL itinerary, at least three meals appear to have been provided at no cost to the Representatives who attended the CODEL.⁵¹

89. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁵²

90. The estimated amount of meals and incidental expenses is \$665.00.

91. Accordingly, the estimated excess per diem is \$207.00.

CODEL HASTINGS TO IRELAND (MAY 25 TO MAY 29, 2009)					
Meals & Incidentals	May 25	May 26	May 27	May 28	May 29
Breakfast	≅ \$33	≅ \$33	≅ \$33	Hosted	\$0.00
Lunch	≅ \$55	≅ \$55	≅ \$55	≅ \$55	
Dinner	≅ \$87	≅ \$87	Hosted	Hosted	
Incidentals	≅ \$43	≅ \$43	≅ \$43	≅ \$43	\$0.00
M&IE Received					\$872.00
Estimated M&IE					≅ \$665.00
Estimated Excess Per Diem					\$207.00

⁵⁰ See Itinerary for CODEL Hastings (May 25 to May 29, 2009) (Exhibit 14 at 10-7960_0082-0089); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁵¹ Itinerary for CODEL Hastings (May 25 to May 29, 2009) (Exhibit 14 at 10-7960_0082-0089).

⁵² 41 C.F.R. ch. 301 App. B.

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92. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings (May 2009) that he did not return to the U.S. Treasury.

7. CODEL Hastings (July 2009)

93. During CODEL Hastings to Albania and CODEL Cardin to Lithuania from June 26 to July 3, 2009, Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$734.00.⁵³

94. According to the CODELs' itineraries, at least fourteen meals appear to have been provided at no cost to the Representatives who attended the CODELs.⁵⁴

95. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁵⁵

96. The estimated amount of meals and incidental expenses is \$381.00.

97. Accordingly, the estimated excess per diem is \$353.00.

CODEL HASTINGS TO ALBANIA AND CODEL CARDIN TO LITHUANIA								
(JUNE 26 TO JULY 3, 2009)								
Meals & Incidentals	Jun 26	Jun 27	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast	≈\$15	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted	Hosted
Lunch	≈\$25	Hosted	≈\$25	≈\$27	Hosted	Hosted	≈\$27	
Dinner	≈\$39	≈\$39	≈\$39	Hosted	Hosted	Hosted	Hosted	
Incidentals	≈\$19	≈\$19	≈\$19	≈\$22	≈\$22	≈\$22	≈\$22	\$0.00
M&IE Received								\$734.00
Estimated for Additional M&IE								≈ \$381.00
Estimated Excess Per Diem								≈ \$353.00

⁵³ See Itinerary for CODEL Hastings (June 26 to July 3, 2009) (Exhibit 15 at 10-7960_0091-0100); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁵⁴ Itinerary for CODEL Hastings (June 26 to July 3, 2009) (Exhibit 15 at 10-7960_0091-0100).

⁵⁵ 41 C.F.R. ch. 301 App. B.

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98. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Hastings and CODEL Cardin (Jun 2009) that he did not return to the U.S. Treasury.

8. CODEL Cardin (Oct 2009)

99. During CODEL Cardin to Greece, Representative Hastings received an enhanced per diem for meals and incidental expenses in the amount of \$606.00.⁵⁶

100. According to the CODEL itinerary, at least five meals appear to have been provided at no cost to the Representatives who attended the CODEL.⁵⁷

101. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁵⁸

102. The estimated amount of meals and incidental expenses is \$261.00.

103. Accordingly, the estimated excess per diem is \$345.00.

CODEL CARDIN TO GREECE (OCTOBER 9 TO OCTOBER 12, 2009)				
Meals & Incidentals	Oct 9	Oct 10	Oct 11	Oct 12
Breakfast	≅ \$30	≅ \$30	≅ \$30	\$0.00
Lunch	Hosted	≅ \$51	Hosted	
Dinner	Hosted	Hosted	Hosted	
Incidentals	≅ \$40	≅ \$40	≅ \$40	\$0.00
M&IE Received				\$606.00
Estimated for Additional M&IE				≅ \$261.00
Estimated Excess Per Diem				≅ \$345.00

⁵⁶ See Itinerary for CODEL Cardin (October 9 to October 12, 2009) (Exhibit 16 at 10-7960_0102-0107); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁵⁷ Itinerary for CODEL Cardin (October 9 to October 12, 2009) (Exhibit 16 at 10-7960_0102-0107).

⁵⁸ 41 C.F.R. ch. 301 App. B.

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104. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Cardin (Oct 2009) that he did not return to the U.S. Treasury.

9. CODEL Cardin (Feb 2010)

105. During CODEL to Austria, Representative Hastings received per diem for meals and incidental expenses in the amount of \$654.00.⁵⁹

106. According to the CODEL itinerary, at least eight meals appear to have been provided at no cost to the Representatives who attended the CODEL.⁶⁰

107. Representative Hastings' meal and incidental expenses that were incurred are estimated based on the Federal Travel Regulations allocation formula.⁶¹

108. The estimated amount of meals and incidental expenses is \$249.00.

109. Accordingly, the estimated excess per diem is \$405.00.

CODEL CARDIN TO AUSTRIA (FEBRUARY 12 TO FEBRUARY 20, 2010)				
Meals & Incidentals	Feb 17	Feb 18	Feb 19	Feb 20
Breakfast	≅ \$33	Hosted	Hosted	Hosted
Lunch	Hosted	Hosted	Hosted	
Dinner	≅ \$87	Hosted	Hosted	
Incidentals	≅ \$43	≅ \$43	≅ \$43	\$0.00
M&IE Received				\$654.00
Estimated for Additional M&IE				≅ \$249.00
Estimated Excess Per Diem				≅ \$405.00

⁵⁹ See Itinerary for CODEL Cardin (February 12 to February 20, 2010) (Exhibit 17 at 10-7960_0109-0120); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁶⁰ Itinerary for CODEL Cardin (February 12 to February 20, 2010) (Exhibit 17 at 10-7960_0109-0120).

⁶¹ 41 C.F.R. ch. 301 App. B.

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110. There is substantial reason to believe that Representative Hastings had excess per diem for CODEL Cardin (Feb 2010) that he did not return to the U.S. Treasury.

III. CONCLUSION

111. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and staff may receive reimbursement for expenses that is *the lesser of*: (1) the applicable per diem; or (2) actual expenses.

112. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S. Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.

113. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Hastings's public statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.⁶²

114. Based on the information available to the OCE during this Review, Representative Hastings's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELs: CODEL Hastings (April 2008); CODEL Hastings (May 2008); CODEL Hastings (June 2008); CODEL Hastings (February 2009); CODEL Hastings (April 2009); CODEL Hastings (May 2009); CODEL Hastings (June 2009); CODEL Cardin (October 2009); and CODEL Cardin (February 2010).

115. Based on the information available to the OCE during this Review, Representative Hastings did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.

116. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Hastings.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

117. The OCE requested information from the U.S. Department of State concerning letters of authorization for certain CODELs and records of Representative Hastings returning excess per diem. The U.S. Department of State was cooperative with retrieving the

⁶² House Ethics Manual (2008) at 13.

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information but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

118. The OCE requested information from the U.S. Air Force Congressional Liaison Office concerning meal and other expenses incurred on behalf of Representative Hastings and reimbursed by Representative Hastings. The U.S. Air Force Congressional Liaison Office was cooperative with discussing the information with OCE staff but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

EXHIBIT 1

May 13, 2010

The Honorable Ike Skelton, Chairman
House Committee on Armed Services
2121 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman:

Following our recent conversation at the Chairmen's meeting, I would like to provide you with the following restatement of rules concerning the authorization by Chairmen of travel by Members and staff:

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;
- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;
- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;
- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;
- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;
- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.
- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.
- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;
- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;
- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;
- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and
- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

Please contact the Office of Interparliamentary Affairs at ext. 6-1766 with any questions or concerns. The staff is available to provide guidance regarding travel matters.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Commission on Security and Cooperation in Europe Office Manager
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 3, 2010
LOCATION: Office of Congressional Ethics
425 3rd Street, SW
Washington, DC 20515
TIME: 3:30 p.m. to 4:10 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Marlene M. Kaufman, General Counsel, Commission on Security and
Cooperation in Europe

SUMMARY: The Commission on Security and Cooperation in Europe (“CSCE”) Office Manager was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the CSCE Office Manager (the “witness”) and he consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.
3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELS. Information in these reports included the House Members who traveled, dates of travel, and countries visited.
4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.
5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

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6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.
7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELs”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.
8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.
9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.
10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.
11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.
12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

I certify that this memorandum contains all pertinent matter discussed with the witness on June 3, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Foreign Affairs Travel Coordinator
REVIEW No.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 2, 2010
LOCATION: 2170 Rayburn HOB
Washington, DC 20515
TIME: 2:00 p.m. to 2:45 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Daniel Silverberg, Senior Deputy Counsel, House Committee on Foreign
Affairs

SUMMARY: The Travel Coordinator for the House Committee on Foreign Affairs (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.
3. Prior to her employment with the Committee, she was an intern with the Committee.
4. As Travel Coordinator, she is a liaison between the United States Department of State (“State Department”) Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.
5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.
6. Prior to Speaker Nancy Pelosi’s restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

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7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.
8. The witness based her understanding of the use of per diem on information that the State Department published on its website.
9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.
10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.
11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.
12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.
13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.
14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.
15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.
16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10% of the time.

This memorandum was prepared on June 9, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 2, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 2, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Armed Services Travel Coordinator
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 8, 2010
LOCATION: 2117A Rayburn HOB
Washington, DC 20515
TIME: 11:00 a.m. to 11:40 (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Paul Lewis, General Counsel, House Committee on Armed Services

SUMMARY: The House Committee on Armed Services Travel Coordinator (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been a Professional Staff member with the Committee since February of 2005.
3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.
4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.
5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.
6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.
7. She keeps everything related to travel in individual files.

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8. She vets all trips, determining the purpose of the trip and who will be traveling.
9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.
10. Travel must be bi-partisan.
11. The authorization letters are signed by the Chair of the Committee.
12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.
13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.
14. Members must sign for the per diem. Receipts for per diem are required to be turned in to her at the end of the trip.
15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.
16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.
17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like “herding cats”.
18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.
19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.
20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.
21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.
22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.
23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

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24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define “incidentals” to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.
27. She requested that any unused per diem be attributed to the country for which the per diem was issued.
28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.
32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by “word-of-mouth” to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald’s.
38. All trips to areas of operation are unique.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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40. The reports she creates that are required to be filed with the Clerk are broken down by Member.

41. If any per diem is returned, she makes a copy of the check and includes it in her files.

This memorandum was prepared on July 19, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 8, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 8, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 5

THE RESOURCES
YOU NEED

ETF
RESEARCH

ETF
TOOLS

ETF
REPORT
CARDS

ETF
EVENT
INSIGHTS

TALK TO
CHUCK

charlesSCHWAB

Investors should
consider carefully
the risks
associated with the
purchase,
including
investment
objectives, risks,
charges and

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THE WALL STREET JOURNAL

WSJ.com

POLITICS : MARCH 2, 2010

Lawmakers Keep the Change

Cash Left Over From Official Trips Overseas Is Often Used for Personal Expenses

By BRODY MULLINS And T.W. FARNAM

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.



From left, Reps. Alcee Hastings, Eliot Engel and Solomon P. Ortiz, and U.S. Ambassador William Brownfield, in Rio Negro, Colombia, in 2008.

Associated Press

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

"If that was the policy, you could never get many members traveling," said Rep. Solomon Ortiz, a Texas Democrat. Mr. Ortiz said he had never returned any money.

"There's a tacit understanding that if lawmakers don't spend the money, they get to keep it," said Rep. Sue Kelly, a New York Republican who was defeated in 2006.

Former Rep. Tom Davis, a Virginia Republican, said lawmakers often used leftover money "for shopping or to buy souvenirs to bring back to constituents. That's fairly standard."

Rep. Joe Wilson (R., S.C.) said he once bought marble goblets in the Kabul airport as gifts for constituents. Rep. Mark Souder (R., Ind.) said he dipped into his funds to buy a \$200 painting of an estuary in Turkey, which hung in his office for a while and was now in his house.

Lawmakers who said they sometimes keep excess funds said the amounts were small. "I won't deny that sometimes I have a little left, but it's not much—maybe 80, 90, or 100 dollars," said Rep. G.K. Butterfield (D., N.C.).

Congress has no system for tracking how the cash payments, called per diems, are being spent. Lawmakers aren't required to keep receipts and there are no public records.

In the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips, according to congressional travel records.

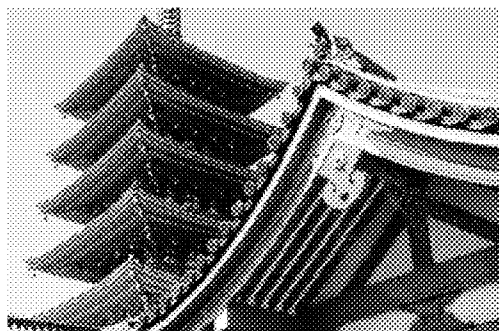
House lawmakers received between \$375,000 and \$625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

"You are all concerned about nickels and dimes, and I'm not," said Rep. Alcee Hastings (D., Fla.). "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt—I don't speak Kazakh."

In a subsequent interview, Mr. Hastings said he had time to gather receipts, but didn't.

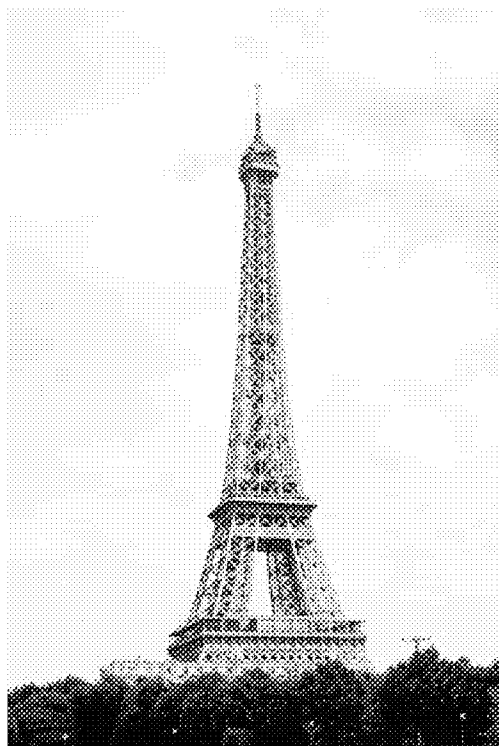
Travel Allowances for Selected Cities

Tokyo: \$214 a Day



Zuma Press

Paris: \$178 a Day



Bloomberg News

London: \$114 a Day

Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said.

"I'm a generous spirit and a courteous spirit," Mr. Hastings said. "I stand accused."

Some lawmakers are assiduous about returning surplus cash. Sen. Arlen Specter, a Pennsylvania Democrat, has returned to the U.S. Treasury about \$8,500 of the \$25,000 he was given for 11 trips since August 2005, according to documents provided by his office.

The per diem program is administered by the State Department. According to department officials and publications, when lawmakers arrive in a foreign country, U.S. government officials give them an envelope with cash in the local currency. The total stipend is set by the State Department based on surveys of local prices. It is meant to cover three meals and incidental expenses, which federal travel regulations say include transportation and tips for baggage handling and other services.

The amounts range from \$28 a day in Kabul to more than \$250 a day in Awashima, Japan.

When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

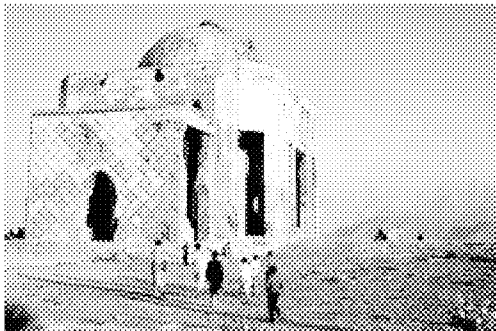
Many of the lawmakers' daily expenses are picked up by U.S. embassies, foreign governments or military liaisons, according to travel documents and interviews.

House and Senate rules say per diems can be used only for legitimate travel expenses. Any leftover money must be returned. The cash is for lawmakers, not their spouses.



Zuma Press

Kabul: \$28 a Day



Getty Images

Lawmakers can request an extra \$50 a day if they believe the allowance is insufficient.

"The extra money and the plus-ups are really for the spouses," said Mr. Souder, the Indiana Republican.

Last summer, a dozen lawmakers of both parties flew to Lithuania to a conference of the Helsinki Commission, an independent U.S. government agency made up of members of Congress and others that was born during the Cold War to promote democracy, security and human rights. The lawmakers were given \$941 each in local currency to cover expenses for the six-day trip, said one attendee, Sen. Richard Durbin (D., Ill.).

When they got home, Mr. Durbin returned \$401.08 to the Treasury, according to documents provided by his office. Sen. Benjamin Cardin (D., Md.) returned \$86. No one else returned any money, according to travel records for the trip and interviews with the lawmakers.

One lawmaker on the trip, Rep. Robert Aderholt (R., Ala.) said he didn't return cash. "I don't keep up with it penny for penny," he said.

Mr. Butterfield said he didn't recall if he had any leftover funds, and that he sometimes kept the extra cash.

Sen. Tom Coburn (R., Okla.) said he once tried to return surplus cash to the State Department, but "they wouldn't take it. They said, 'We don't have a way to handle that.'" Mr. Coburn said he sent a personal check to the U.S. Treasury.

Write to Brody Mullins at brody.mullins@wsj.com and T.W. Farnam at timothy.farnam@wsj.com

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EXHIBIT 6

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Representative Alcee L. Hastings
REVIEW No.: 10-7960
DATE: April 29, 2010
LOCATION: 2353 Rayburn HOB
Washington, DC 20515
TIME: 8:10 a.m. to 9:30 a.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Lale Mamaux

SUMMARY: Representative Alcee L. Hastings is a Member of the United States House of Representatives and represents the 23rd District of Florida. He was interviewed pursuant to Review No. 10-7960. The OCE requested an interview with Representative Hastings on April 29, 2010, and he consented to an interview. Representative Hastings made the following statements in response to our questioning:

1. Representative Hastings was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. Representative Hastings provided the OCE with a general description of how he receives and spends per diem during officially related foreign travel.
3. He explained that generally he receives the per diem for a trip upon arrival in the foreign destination. The per diem is received in the local foreign currency.
4. A control officer, who is an employee of the United States Department of State (“State Department”), distributes the per diem when Representative Hastings arrives at his destination. This distribution occurs in the airport or Representative Hastings’ hotel.
5. Representative Hastings signs a receipt at the time that he receives the per diem. The control officer retains the original and staff for the Commission on Security and Cooperation in Europe (“CSCE”) traveling on the trip retains a copy.
6. Occasionally, a control officer may not distribute the per diem to Representative Hastings upon arrival at a destination. Instead, the per diem is distributed before he arrives or after he leaves. This occurs if the destination does not have suitable resources to facilitate

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distribution of per diem. Representative Hastings believes that he did not receive per diem under these circumstances during the two-year time period relevant to this Preliminary Review (*i.e.*, March 2008 to present).

7. Representative Hastings uses the per diem that he receives for meals and incidental expenses. The relevant U.S. Embassy usually pays for his lodging expenses directly.
8. In instances where the U.S. Embassy does not pay for his lodging expenses, the per diem that he receives includes money to cover the lodging expenses. He used a personal credit card to pay for the lodging and reimbursed himself with the per diem. He never used his government travel card during foreign travel because there is a prohibition such use of the Members Representational Allowance.
9. He believes that for all of the trips that he attended during the time period from March 2008 to present, the relevant U.S. Embassy paid for the lodging expenses directly.
10. Representative Hastings characterizes “incidental” expenses as those expenses that he would customarily incur if he were on personal travel.
11. He provided numerous examples of incidental expenses that he has incurred during foreign travel, which include taxis, overweight luggage fees, laundry, and dry cleaning. He mentioned that he once used the per diem to buy clothes when his luggage did not arrive during a trip to Slovenia.
12. He uses the per diem to pay for his meals and the meals for others, including advisors and staff. He stated that although hosts may sponsor certain meals during the trips, he frequently missed or left the meals and paid for another meal with the per diem.
13. The per diem is used to tip various individuals who assist with the trips, including interpreters, drivers, security personnel, and maids.
14. He used the per diem for events that require ticket purchases, such as museums and ballets.
15. He purchased gifts with the per diem for various individuals attending the trips. For example, he takes gifts such as flowers, candy, or wine to the homes of ambassadors or other hosts. He has also purchased neckties for the pilots of a military plane on which he traveled.
16. Representative Hastings has also spent per diems on souvenirs for staff. The souvenirs generally consist of such things as baseball caps, magnets, can openers, and thimbles. He does not buy souvenirs for himself, his family, or his constituents.

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17. Prior to one trip, Representative Hastings purchased baseball caps in the United States that were customized for the trip. The caps were for the staff and Members who were going to attend the trip. He later used the per diem to reimburse himself for this expense, which was approximately \$425.00.
18. He recalls that on trips he has spent his per diems on Marines.
19. He has occasionally misplaced money from the per diem during trips.
20. When departing a country after a trip, Representative Hastings usually had leftover foreign currency. However, he is not certain of the amount of the currency that was the per diem and the amount that was his personal money.
21. He explained to the OCE that when he travels he keeps his personal money and his per diem together in his pocket and does not distinguish between the two.
22. He stated that generally his actual expenses exceed the amount of the per diem and he loses money as a result from traveling.
23. Services are provided for the conversion of foreign currency to U.S. dollars prior to his departure from a country, but this conversion does not involve the control officer.
24. He cannot estimate the approximate amount of foreign currency that he generally converted into U.S. dollars, but he does not deposit it into his bank upon his return.
25. He said that he never received any briefing or instruction from the State Department on the use of per diem. He was never asked to provide any receipts for expenses.
26. He referred the OCE to the Official Foreign Travel Guide for the U.S. Congress, which the United States Department of State Bureau of Legislative Affairs published. The Guide includes a Questions and Answer section that explains what individuals should do if they received per diem that exceeds their expenses.
27. He does not return any of the per diem to the U.S. Treasury and explained that the government actually owes him money because the per diem does not cover his travel expenses.
28. With respect to returning to the United States with foreign currency, Representative Hastings once returned with money from Tunisia valued at approximately forty dollars. He did not know that he had this money with him during the time of the trip, but later discovered it after he returned to the United States.

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29. He also returned to the United States with a coin from Dubai and approximately four Euros from Vienna.
30. Representative Hastings is familiar with the article published in the *Wall Street Journal* on March 2, 2010 entitled, "Lawmakers Keep the Change".
31. He recalls that the reporter was persistent with speaking to him, but he does not know how long that he talked to the reporter.
32. He recalls talking to the reporter in the Speaker's Lobby. On another occasion, the reporter was waiting for him at Representative Hastings' car. In addition, another reporter working on the article called Representative Hastings.
33. Representative Hastings said that the article accurately quotes him as saying "You are all concerned about nickels and dimes, and I'm not."
34. He also explained that he did say "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt – I don't speak Kazakh." This statement was intended to be a joke and meant to be a reference to the film Borat. Representative Hastings has not been in a taxi in Kazakhstan.
35. The article states that Representative Hastings sometimes uses extra money to buy gifts, meals or drinks for military pilots and others. He told the OCE that he was referring to ties that he purchased for military pilots and the meals where he pays for advisors and staff.
36. Representative Hastings said that the article accurately quotes him as saying "I'm a generous spirit and a courteous spirit . . . I stand accused."
37. The quote refers to a trip to Saudi Arabia in 2010, where he attended an event organized by the Head of Catholic Bishops and others. During the event, Iraqi refugees told the audience about their struggles. One refugee described numerous tragedies that he endured and Representative Hastings presented him with a \$100 bill. He is not sure if the money was his personal money or from his per diem.
38. The OCE referred Representative Hastings to a document that he created in response to the OCE Request for Information. The document lists seventeen trips where Representative Hastings received a per diem during the time period from March 2008 to present.
39. He told the OCE that his general description of the use of the per diem for meals and incidental expenses applies to each of the trips. He also believes that for all of these trips, the relevant Embassy paid the lodging expenses directly, but he is not completely certain.

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40. He did receive a one-time reimbursement from the CSCE for a dinner for Lithuanian officials in the amount of \$392.00. This dinner was paid for with Representative Hastings' personal money and he sought a reimbursement when he returned.

This memorandum was prepared on May 10, 2010, based on the notes that the OCE staff prepared during the interview with Representative Hastings on April 29, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Hastings on April 29, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 7

July 20, 2010

Board of the Office of Congressional Ethics
U.S. House of Representatives
425 3rd Street, SW
Suite 1110
Washington, DC 20024

Re: SUBMISSION TO THE BOARD

Dear Members of the Board of Congressional Ethics:

Thank you for using your discretion to permit me to address you in writing. My preference would have been to address you in public.

Please know that at no time have I misused travel allowances. As you know, and I learned as a result of this investigation, the House Rules and the Code of Conduct are silent regarding allowances.

You have to search hard at the Department of State and Department of Defense to find antiquated, conflictory, and unclear references to per diem, and allowances. Put simply, absolutely no one has instructed, guided, or suggested to me what to do or not to do with allowances and per diem.

On occasion, I have written checks to the U.S. treasury after travel. These occasions came at the request of military attaches that had advanced money on behalf of a collective CODEL. I do not have records of these occurrences.

I have never been instructed to keep or submit receipts for travel during the relevant time period. Nor did I keep or submit receipts for travel before this investigation.

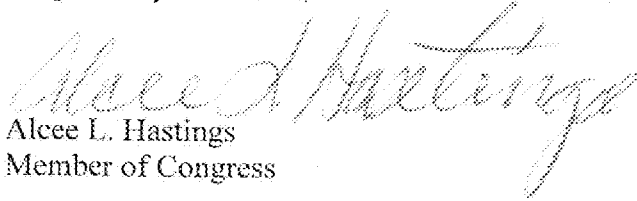
In my response to the Request for Information, I gave a lengthy and probably incomplete, list of uses I made of allowances.

I do not know what every member of the House of Representatives, who traveled during the relevant time period, did or did not do with allowances. But, I do know that I did nothing beyond what is ordinary and customary practice regarding travel by members of the House of Representatives.

I do know that in all of my travel I used more of my own money than was allowed by per diem. And, at no time have I violated any law or House Rule.

In my view, the take away from this experience is that the U.S. Congress (Senate and House), Department of State and Department of Defense need to establish uniform rules for the use of per diem, excess per diem, and allowances. That should be the lesson learned.

Respectfully submitted,



Alcee L. Hastings
Member of Congress

EXHIBIT 8



**OFFICIAL FOREIGN TRAVEL GUIDE
FOR THE U.S. CONGRESS**



**UNITED STATES DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS**

Table of Contents

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A Congressional Guide for Official Foreign Travel	7 -9
B Fiscal Information Sheet	11 - 13
C Sample Authorization Letters (State and DOD)	15 - 16
D Foreign Travel Data Sheet	17 - 18
E Questions and Answers	19

A
B
C
D
E

**OFFICIAL FOREIGN TRAVEL GUIDE
BY THE DEPARTMENT OF STATE
FOR THE U.S. CONGRESS**

This guide is provided to support official foreign travel by Members of Congress and their staff. It describes the support available from the Department of State for official travel and how this support can be requested. We hope this package will assist you through the process.

TAB

A	Congressional Guide for Official Foreign Travel	Describes the support available from the State Department and the procedures to obtain this support.
B	Fiscal Information Sheet	Explains per diem rates, transportation and other expenses, and how the funding is handled domestically and overseas.
C	Sample Authorization Letters	Illustrates appropriate letters and what information needs to be included; supplies the legal authority to expend USG funds.
D	Foreign Travel Data Sheet	Solicits information needed by the State Department to ensure a successful trip.
E	Questions and Answers	Responds to frequently asked questions.

Although travel plans are often understandably subject to change, early notice of travel needs greatly enhances our capacity to provide assistance. Therefore, a signed letter of authorization, itinerary, desired agenda, and meeting requests should be provided to the Department of State's Congressional Travel Office at least two (2) weeks before the planned departure whenever possible. This timely notification will allow us to instruct U.S. missions abroad regarding program, administrative, and logistical requirements, and to receive their country clearance, threat assessment, and suggestions for the trip.

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

A

B

C

D

E



CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

Effective and expeditious support for congressional travel abroad requires that both the travel authorization and background information reach the Department of State promptly. Whenever possible, a copy of the signed Letter of Authorization should be faxed to the Department of State's Congressional Travel Office (CTO) -- fax number 202-203-7700 -- at least two (2) weeks before the planned departure or sooner if possible; scanned and emailed copies of the authorization letter are also acceptable. The CTO will arrange for subsequent messenger pick-up of the original letter(s) from the authorizer(s). Additionally, please e-mail an itinerary, desired agenda and any meeting requests for Codels or Staffdels to: H_CTO@state.gov. Revisions to any of the above information should be faxed or e-mailed promptly.

Once the CTO receives notification of a trip, several things will happen. First, a domestic travel coordinator and a travel specialist will be assigned to the trip. These professionals will provide points of contact in the embassy, and assist with logistical arrangements, scheduling and briefings. There are many components to a successful trip so please contact us via phone, fax or email very early in the planning process, so that we can provide the best assistance possible.

Department of Defense (DOD) transportation and support must be requested separately by letter to the Secretary of Defense. For your convenience, a DOD-approved sample letter is enclosed in this package (TAB C).

1. LETTERS OF AUTHORIZATION

Letters of Authorization constitute legal authority for the State Department to expend or disburse U.S. Government funds in support of official foreign travel by Members of Congress or congressional staff. The fiscal information under TAB B lists the types of expenditures that can be authorized for specific trips and gives guidance as to how authorization for such expenditures should be formulated. The full extent and range of support desired should be delineated as clearly as possible in the authorizing letter. Letters of authorization are signed by one of the following officials:

SENATE

Majority Leader
Minority Leader
President Pro Tempore
Full Committee Chairman
•for Member or employee of
the Committee or employee
of Committee Member

HOUSE

Speaker of the House
Full Committee Chairman
•for Member or employee of the
Committee

JOINT COMMITTEE CHAIR

• for Member or employee of the Joint Committee

Letters must list by name all persons being authorized to receive USG-funded support. Members or staff traveling with a committee with which they have no association must be authorized separately by either the Leadership or the Chairman of a committee with which they are associated. (See sample authorization letters TAB C.)

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

In the letter of authorization, please define the objectives of travel, identifying where possible specific program requests at each stop. When appointments with specific individuals are desired, it would be helpful to indicate the topics to be addressed. If any activities have already been arranged directly with local organizations or persons, please provide scheduling data so that other events can be arranged around them. Embassy/Consulate briefings are highly recommended prior to meetings with host country government officials. Briefings by Department officials prior to departure from the United States are also available and can be very useful.

3. LIST OF TRAVEL PARTICIPANTS

The following are travel participants that are normally authorized under letters of authorization:

- Members of Congress (please include state and party affiliation)
- Spouses/family members (please include first names)
- Staff members (with titles)
- Executive branch/private sector invitees (with titles)
- DOD escorts (with rank and titles)

4. TRAVEL AND ITINERARY

Please book all airline reservations with the Combined Airline Ticket Office (CATO) to expedite ticketing and delivery of prepaid tickets to the Hill. The Department cannot pre-pay airline tickets which are booked with private travel agents.

When booking, you should inform CATO that the tickets will be pre-paid by the Department of State. CATO offices are located on Capitol Hill (Senate Russell Building, Room B24 and House Longworth Building, Room B22) as well as in Rosslyn, Virginia. CATO's reservation number is 703-522-2286.

5. PASSPORT AND VISA INFORMATION

Travelers must have valid passports for all overseas travel. Please ensure that your passport is current and valid for at least six months beyond the travel dates. Official passports are available at no charge and are issued for the purpose of conducting official business abroad. The Department of State strongly encourages both Members and staff to obtain official passports. Blue "Tourist" passports should be used only for tourism, but may be used if the traveler does not possess an official passport.

Some countries require visas. It is the responsibility of the traveling party to obtain ALL necessary visas. For assistance with visa issues please contact the Special Issuance Agency at 202-955-0198.

Travelers should coordinate passport/visa requirements directly with Passport Services well in advance of the trip. Travelers may call Passport Services at 202-955-0200. For information regarding visa requirements travelers may call 202-955-0198. Sometimes passport data will be required by foreign posts. In those cases CTO will contact you for you passport details.

For delegations with DOD escorts, the escorts collect the passports, obtain visas, and send data to appropriate foreign posts.

A variety of information including current travel warnings, passport forms, visa requirements, country background notes, adoption issues, exchange rates and more can be viewed at www.state.gov/travel.

FISCAL INFORMATION SHEET

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FISCAL INFORMATION SHEET

By longstanding agreement, funds for official foreign travel are administered by the Department of State on behalf of the U.S. Congress. Upon receipt of written authorization from appropriate congressional offices, obligations and disbursements will be charged against specific congressional travel accounts held by the U.S. Treasury. The disbursements, which are permitted under PL 95-384, The International Security Assistance Act of 1978, fall into three distinct categories: Per Diem, Transportation (international and/or local), and Other Official Expenses. Each must be specifically authorized in order for expenditures within that category to be incurred. Under PL 95-384, all expenses charged by the traveler, the delegation, and the Department of State to the fund cite must be reported by the traveler/delegation to the authorizing committee upon return.

1. PER DIEM

Under Public Law 95-384, congressional travelers abroad receive local currency for per diem in amounts not to exceed the maximum per diem allowed by law. The authority for establishing per diem rates is found in Chapter 57 of Title 5 of the U.S. Code and set forth as the Federal Travel Regulation at 41 CFR Ch. 300-304.

Per diem payments are made directly to authorized individuals (Members and staff) to cover the cost of lodging, meals and incidental expenses (M&IE) while traveling abroad. The U.S. Government does not pay the expenses of accompanying spouses. Upon arrival in a foreign country, per diem normally is disbursed by the Embassy or Consulate for each night spent in country. Payment is made in local currency unless U.S. dollars are required by hotels or such payment has been specifically requested prior to departure from the U.S. Upon departure from the country, arrangements can be made for travelers to convert unused per diem into U.S. dollars. Per diem which for any reason has not been received abroad may be claimed in U.S. dollars after the traveler's return and upon presentation of hotel receipts to the Department of State, Bureau of Legislative Affairs, Congressional Travel Office.

In the event that no-cost lodging is provided, (e.g. the traveler stays in Government facilities or as a private guest), the traveler is allowed the applicable meals and incidental expenses (M&IE) rate. Note that this guidance is consistent with changes in the Federal Travel Regulation

- **FOREIGN PER DIEM RATE:** Per diem consists of two components: the lodging rate and M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates. This type of per diem payment is called an allowance. Allowances are provided in full and require no accounting. Foreign per diem rates are available on the State Department's website at: www.state.gov/m/als/prd/m/.

• **ENHANCED PER DIEM RATE:** The committee may authorize enhanced per diem to offset exceptionally high costs associated with price increases that can be found in certain locations. Unless a specific dollar enhancement is authorized (e.g. \$75 USD or \$100 USD), the default enhancement is an additional \$50 USD above per diem.

• **ACTUAL EXPENSE BASIS:** Per Diem can be calculated by adding the expenses of up to 300% of the applicable per diem rate. This rate may be authorized for lodging, M&IE, or both, when actual expenses exceed the established per diem rate. There is no authority to exceed this 300% ceiling. **To avoid problems caused by unexpected devaluation of the US dollar, the following language may be used in authorization letters: "actual lodging is authorized."**

• **ACCOUNTING:** If an individual is traveling on an enhanced per diem or actual expense basis, he or she must itemize all expenses, including meals, and account for unused per diem funds. In situations where only lodging or M&IE is on an actual expense basis, only that portion need be itemized. Itemization requires the traveler to write down specific expenses but does not require receipts. Upon completion of the trip, the authorizing committee requires travelers to reconcile their actual expenditures with the expenditures authorized prior to travel. Consistent with congressional rules and regulations, this reporting (and reconciliation when required) should be submitted to the congressional office that authorized the travel.

Posts may pay for hotel charges directly if arrangements with the Embassy/Consulate staff are made beforehand. In this case, posts will be directed to disburse M&IE only.

As the purpose of the per diem enhancement and/or the payment of actual lodging expenses is to offset unexpectedly high costs found in certain locations, if a traveler receives either of these authorizations reimbursements for any additional lodging or M&IE costs are not authorized.

2. TRANSPORTATION

When international travel is authorized, travelers make their own reservations through CATO (see item 4 of previous chapter, "Travel and Itinerary"). The Department arranges for prepayment of the tickets, which the authorizing committee makes available to the traveler. This arrangement requires that the Department be notified of the carriers used, the class of service, and the precise itinerary. For transoceanic flights, U.S. flag carriers must be used (PL 94-624, Fly America Act) **unless** the authorization letter has specified otherwise based on a determination that no U.S. flag carriers are available. **Use of charter aircraft is an extraordinary expense and must be specified in the authorization letter.**

Authorized **local transportation** within a foreign country is normally arranged by either the Embassy, the Consulate or paid personally by the traveler. Local transportation costs may include trains, ferries, rental car/van/bus (with or without driver), taxis, public transport, as well as overtime for drivers of U.S. Government vehicles. In many cities, staff delegations are encouraged to use taxis or public transportation and claim reimbursement. Upon presentation of receipts, the Congressional Travel Office will reimburse travelers for local transportation after their return to Washington, DC.

3. OTHER OFFICIAL EXPENSES

Other official expenses authorized for Codels and some Staffdels include rental of control rooms, hospitality suites, special telephone lines, cell phones, copier/fax machines, wreaths and flowers for representational purposes, purchase of stationery supplies, interpreters, and employee overtime at posts.

If specified in the authorization letter, certain extraordinary or unusual expenses may be paid such as representation expenses, conference fees, media events, meeting hall rental, and travel and per diem expenses incurred by Post Personnel traveling outside of their duty station in support of Codel travel. These expenses, including any cancellation fees incurred, will be charged to the delegation fund cite and must be reported under PL 95-384.

4. TRAVEL ADVANCES IN U.S. DOLLARS

The Department will provide a U.S. dollar advance where hotels require payment in hard currency and the U.S. mission overseas has insufficient dollars to pay travelers. However, arrangements can also be made for U.S. dollar disbursements overseas where missions have access to U.S. dollars.

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

Unused per diem funds may be returned to the State Department by personal check made payable to the U.S. Treasury or Treasurer of the United States. The Department **cannot accept foreign currency in Washington**. The Department will reimburse travelers for out-of-pocket expenses previously authorized upon submission of receipts and a letter/memorandum from the authorizing committee. Unused airline tickets paid for by the U.S. Government must be returned to the Department of State, Congressional Travel Office for credit.

6. REPORTING REQUIREMENTS

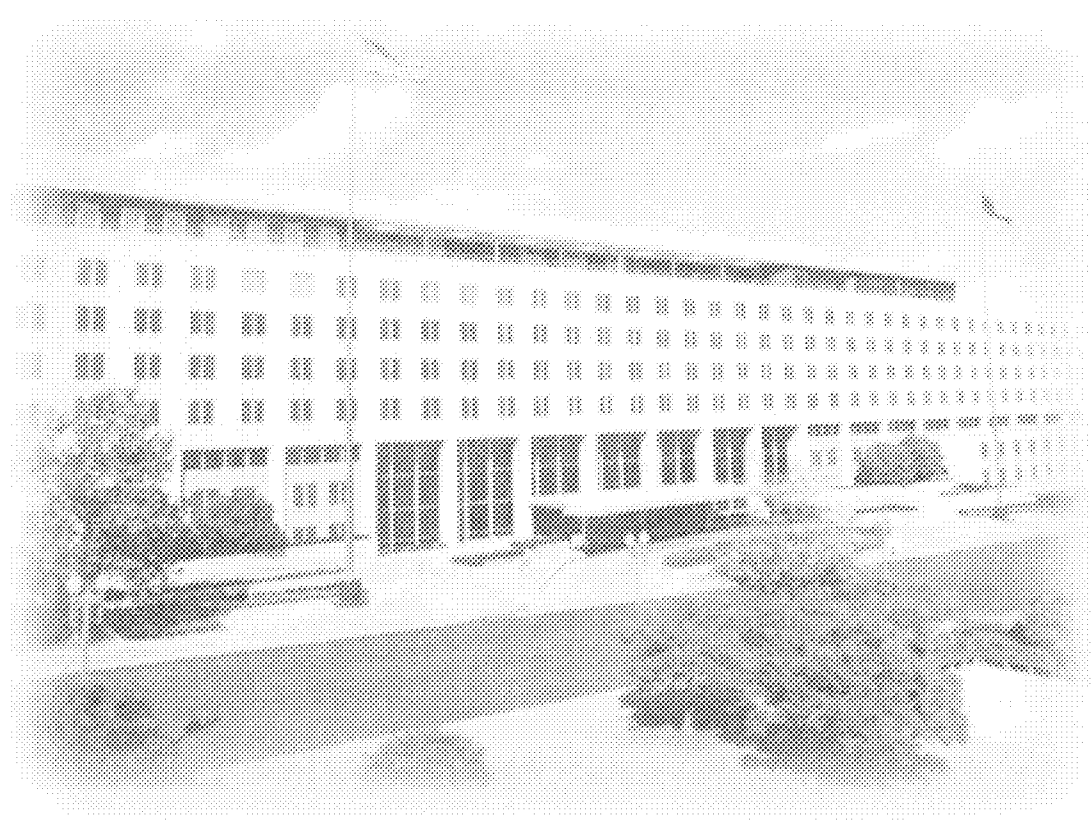
PL 95-384 stipulates that travelers and delegations are responsible for reporting all expenses to the authorizer within 30 days of the completion of travel. Although the Department will assist travelers and delegations in obtaining the necessary financial information from foreign posts, PL 95-384 assigns none of the formal reporting responsibilities to the Department of State.

SAMPLE AUTHORIZATION LETTERS

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SAMPLE LETTER OF AUTHORIZATION (State)

The Honorable
(insert name)
Secretary of State
Washington, DC 20520

Dear (Mr. or Madam) Secretary:

This letter is to authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose).

It is requested that the use of local currencies for per diem, transportation, including local transportation, and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a).

Commercial and/or military transportation are authorized where appropriate, as is the use of non-U.S. air carriers. Airfare is authorized up to business class if needed.

We appreciate your assistance with this request. If there are any questions regarding this trip, please contact (name of staff point of contact) at (telephone number).

Sincerely,

(Name)

(Title)

Additionally, if any of the conditions below apply, please add the appropriate sentence:

- Enhanced per diem of \$50.00 is authorized.
- Actual lodging costs are authorized.
- Due to heightened security concerns, the cost of a security detail is also authorized.
- Spouses are authorized to travel for protocol purposes at no cost to the U.S. Government.
- Costs associated with Post personnel traveling outside of their duty station in support of the delegation are authorized.
- Charter aircraft are authorized.
- Representational funds are authorized.

SAMPLE AUTHORIZATION LETTER (DOD)

The Honorable
(insert name)
Secretary of Defense
Washington, D.C. 20301

Dear (Mr. or Madam) Secretary:

I hereby authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose). **If applicable:** Spouses are authorized to accompany the delegation for reasons of protocol at no expense to the U.S. Government.

It would be appreciated if the Department of Defense could furnish such assistance as may be required, including transportation, to facilitate this trip. It would also be appreciated if the Department of the (Air Force, Army, Navy, Marine Corps) be assigned to escort the delegation/Member.

The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108

Sincerely,

(Name)

(Title)

FOREIGN TRAVEL DATA SHEET



D
E

FOREIGN TRAVEL DATA SHEET

The following is a review of what the Department will require either in the authorization letter or other communication in order to initiate your country clearance cable with our foreign posts. It is also a reminder of the requirements for foreign travel.

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

What is the purpose of the visit in general? More specifically, what objectives does the delegation/traveler wish to accomplish? Please provide specific meeting requests if they are known. If the delegation/traveler is attending a specific meeting or has an agenda already prearranged, please advise us so that the post can schedule around it.

2. PARTICIPANTS (in protocol order) Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY Commercial
Military Air
Charter

PLEASE BOOK COMMERCIAL RESERVATIONS WITH THE COMBINED AIRLINE TICKET OFFICE (CATO) AT 703-522-2286 TO FACILITATE TICKETING.

4. PASSPORTS AND VISAS In most cases a valid passport and, in some cases, valid visas will be required. Visa requirements differ depending on the type of passport used. Call 202-955-0200 for passport requirements or 202-955-0198 for visa requirements. First Call may assist with passport issues. Please contact them at 202-225-8000.

TYPES OF PASSPORTS: Official (red; no fee, 5-year passport).
Tourist (blue; fee charged, 10-year passport).

IT IS THE RESPONSIBILITY OF THE TRAVELING PARTY TO OBTAIN THE NECESSARY VISAS. IF USING A TOURIST PASSPORT, THE TRAVELER IS RESPONSIBLE FOR ALL PASSPORT and VISA FEES.

5. SECURITY CLEARANCES
(staff only)

Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.

6. ACCOMODATIONS

Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate.

Hotel preferences/city

Delegation rooms (total number of singles/doubles)

Support Rooms

7. LOCAL TRANSPORTATION

Number of Sedans (with driver or self-drive)

Number of Buses (or passenger amount)

Number of Minivans (or passenger amount)

Number of other vehicles, if any

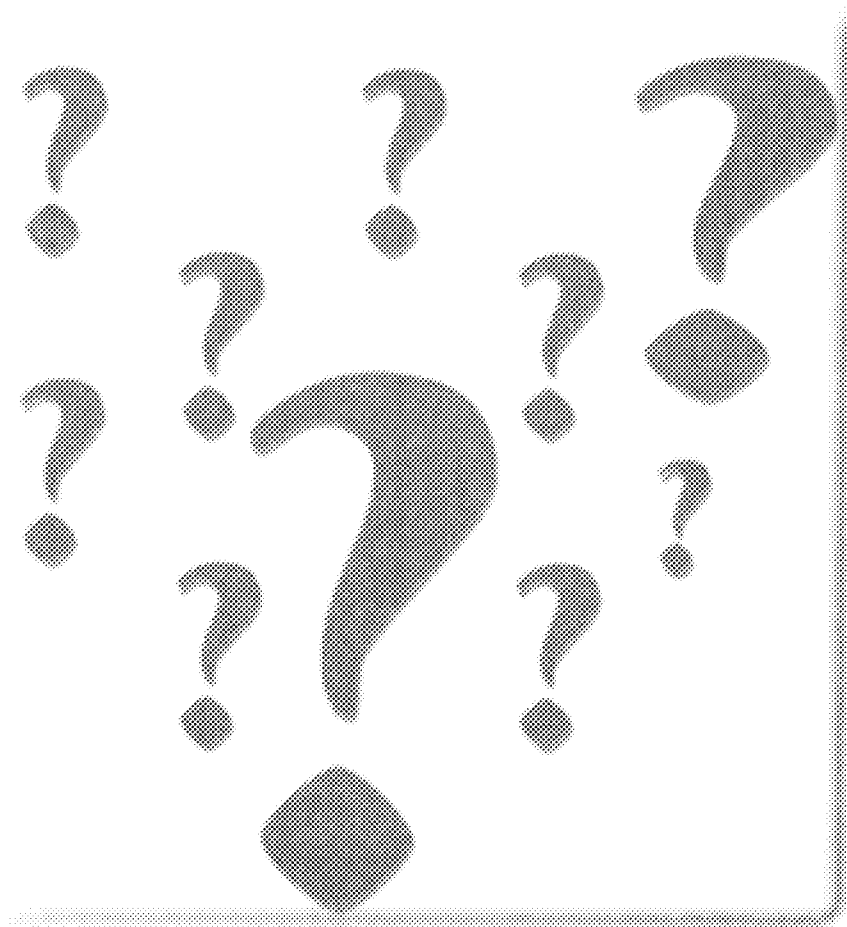
Public transportation (cabs, buses, trains, ferries).

8. POINTS OF CONTACT FOR TRIP

Name

Phone Number

QUESTIONS AND ANSWERS



E

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

Q What do I do if I incur lodging expenses over 300% of the per diem rate?

A When you reconcile your travel expenses with the congressional authorizing committees, you will not be reimbursed for the excess of per diem expenses over the 300% maximum, or over the (lower) rate that was authorized.

Q Will I be given a travel advance in U.S. dollars or in foreign (local) currency?

A Congressional travelers will be given local currency when they arrive at the foreign post.

If the Congressional travelers are journeying to a foreign country that uses U.S. dollars, the advance in U.S. dollars will be given at post. Only in those cases where the post does not have sufficient U.S. dollars on hand will special arrangements be made to issue an advance in Washington D.C.

Q Will the Department book travel reservations for the Members and staff?

A The Department does not book reservations; rather, reservations should be made directly through CATO, which has locations on the Hill and in Rosslyn, Virginia.

Q Will the travel expenses of spouses be covered?

A No, current law prohibits the US Government from assuming the travel expenses of spouses, dependents or other non-official traveling companions.

Q Will the Department of State assist in obtaining visas?

A Assistance may be obtained by contacting the appropriate country desk officer.

Acronyms used in this Travel Guide:

CTO	Congressional Travel Office---Bureau of Legislative Affairs, Department of State
DOD	Department of Defense
DEPARTMENT	Department of State
MEMBER	Member of Congress
CATO	Combined Airline Ticket Office
M & IE	Meals and Incidental Expenses
FTR	Federal Travel Regulations
CODEL	Congressional Delegation
STAFFDEL	Staff Delegation
USG	United States Government
P.L.	Public Law
USC	United States Code

EXHIBIT 9

**Visit of Rep. Alcee Hastings and Rep. Hilda Solis to Copenhagen
April 12-15, 2008**

Saturday April 12

- 7:15 am Arrival of Rep. Hastings via SK0926 (UA 9404), met main terminal arrivals hall by Michael Benton ("U.S. Embassy" sign) Mobile: +45 29 60 37 09 and Embassy Driver. Check-in at Hotel Marriott, 5 Kalvebod Brygge, 1560 Copenhagen V, Denmark Tel: +45 88 33 9900, Fax: +45 88 33 99 99
- 6:00 pm Dinner with Spencer Oliver at the Marriott restaurant

Sunday April 13

- 7:15 am Arrival of Rep. Solis and Dr. Thompson via SK0926 (UA 9404), met main terminal arrivals hall by Michael Benton ("U.S. Embassy" sign) Mobile: +45 29 60 37 09 and Embassy Driver. Check-in at Hotel Marriott, 5 Kalvebod Brygge, 1560 Copenhagen V, Denmark
Tel: +45 88 33 99 00, Fax: +45 88 33 99 99
- 2:10 pm Arrival of Mr. Turner via SK1638, met by Ms. Pia Rasmussen, OSCE PA. Check-in at Hotel Marriott
- 4:30-6:30 pm Open house (reception) in the premises of the International Secretariat of The Assembly
Rådhustræde 1, 1466 Copenhagen
Tel: +45 33 37 80 40
- 6:30 pm Departure by bus from International Secretariat
- 7:00 pm Dinner hosted by the Head of the Danish Delegation, Mr. Troels Christensen
Restaurant Bastionen+Løven
Lille Mølle Christianshavns Voldgade 50, 1424 Copenhagen
Tel: +45 32 95 09 40
- 9:30 pm Departure by bus to the Marriott Hotel

Monday April 14

- 8:30 am Departure by bus from Hotel Marriott
- 9:00 am Meeting of the Bureau of the OSCE Parliamentary Assembly
(Location: Folketing , Landstingssalen)

10:30-11:00 am Coffee break
11:00-1:00 pm Cont. Meeting of the Bureau
1:00-2:30 pm Working lunch for all participants in the *Folketing* offered by the Danish Delegation
2:30 – 5:00 pm Cont. Meeting of the Bureau
5:00 pm Closure
5:00 pm Departure by bus to Hotel Marriott
5:30 pm American Chamber of Commerce/ Democrats Abroad cocktail reception
6:00 – 7:30 pm Panel Discussion starts

Tuesday April 15

5:30 am Depart Hotel (Mr. Turner)
7:00 am Departure of Mr. Turner via SK0639
9:45 am Depart Hotel (Rep. Hastings, Rep. Solis, Dr. Thompson)
12:20 pm Departure of Rep. Hastings, Rep. Solis, Dr. Thompson via UA 9403

Useful Telephone Numbers

U.S. Embassy, Dag Hammarskjold Allee 24, 2100 Copenhagen Tel: +45 33 41 71 00

Mark Draper (Control Officer) Office: +45 33 41 73 71 Home: +45 35 43 66 70
Mobile: +45 22 66 19 45

Michael Benton (U.S. Embassy) Mobile: +45 29 60 37 09

Johnny Joenborg, Embassy Driver Mobile: +45 20 75 06 21

Rep. Hastings Mobile: +1-202-286-3576

Rep. Solis Mobile: +45 40 52 93 06

Fred Turner Mobile: +1-202-225-7173

Mischa Thompson Mobile: +45 22 92 80 65

EXHIBIT 10

U.S Congressional Delegation Hastings
to the joint
OSCE Parliamentary Assembly/ CIS Elections Seminar, St. Petersburg, Russia,
Meeting with OSCE Chairman-in-Office, Alexander Stubb, Helsinki, Finland,
and
OSCE Supplementary Human Dimension Meeting in Vienna, Austria

May 23 – May 31, 2008

Friday, May 23, 2008

3:30 pm Depart Washington-Dulles (Lufthansa LH0417)

Saturday, May 24, 2008

5:30 am Arrive Frankfurt met by customer liaison assistant Endre Varga
Phone: +49-69-7535-5834 Cell: +49-160-9633-4216 Fax: +49-69-7535-5410

7:50 am Depart Frankfurt (Lufthansa LH3070)

9:10 am Arrive in Copenhagen, met by Andrew Sullivan Cell: +45 22 92 76 01
and Embassy Driver, Wahib Zouamat Cell +45 40 42 07 60
Check-in at Hotel Marriott Confirmation #: **88516761**
5 Kalvebod Brygge Copenhagen, DK-1560 Phone: +45-88-33-99-00

6:00 pm Dinner with Spencer Oliver in the Marriott Hotel

RON at Copenhagen Marriott

Sunday, May 25, 2008

7:15 am Depart hotel for airport

9:35 am Depart Copenhagen (SAS SK0736)

1:40 pm Arrive in St. Petersburg, transportation by CIS Interparliamentary Assembly
Check-in at Grand Hotel Europe Confirmation # **718140**
Mikhailovskaya ul., 1/7 Phone: +7-812-329-6000

RON at Grand Hotel Europe

Monday, May 26, 2008

9:15 am Depart hotel to Tavricheskiy Palace

10:00 am First meeting of the Working Group

11:30 am Coffee Break

1:00 pm Working Lunch

3:00 pm Working Group meeting reconvenes

5:00 pm Reception hosted by CIS IPA Secretary General Mikhail Krotov

RON at Grand Hotel Europe

Tuesday, May 27, 2008

9:00 am Chairman Hastings, Vice President J. Soares, Spencer Oliver and David Goldenberg depart the hotel for the airport

12:35 pm Depart St. Petersburg (Finnair AY166)

12:30 pm Arrive in Helsinki. Transportation by the Foreign Ministry in Finland Delegation will be met at the airport by Ms Ann-Mari Fröberg, Second Secretary at Finnish OSCE Chairmanship Task Force

1:15 – 2:15pm Lunch with Sauli Niinistö, Finnish Speaker of Parliament

2:45- 3:45pm Meeting with Chairmanship Representatives
Venue: Ministry for Foreign Affairs, Laivastokatu 22, Entrance A1
Participants:
Ambassador Heikki Talvitie, Special Envoy of the CiO
Ambassador Tom Grönberg, Representative of the CiO for Election Observation Missions
Dr Kimmo Kiljunen, Special Envoy on Election-Related Issues
Ambassador Aleksi Härkönen, Head of the Task Force
Counsellor Janne Taalas, Deputy Head of the Task Force
Ms Ann-Mari Fröberg, Second Secretary, Task Force

4:00-4:45 pm Meeting with Finnish Foreign Minister and OSCE
Chairman-in-Office Alexander Stubb
Venue: Minister's Cabinet
Participants:
Congressman Alcee L. Hastings
Mr João Soares, Vice President, OSCE Parliamentary Assembly
Mr Spencer Oliver, Secretary General, OSCE Parliamentary Assembly
Mr David Goldenberg, Chief of Staff for Congressman Alcee L. Hastings
Ambassador Aleksi Härkönen, Head of the Task Force
Mr. Mikko Hautala, Adviser to the Minister
Ms. Ann-Mari Fröberg, Second Secretary, Task Force

5:30 pm Check-in at Hotel Klämp, Confirmation # **346452171**
Pohjoisesplanadi 29, 00100 Phone: +358 (0)9 576 111

Evening Informal Dinner with Spencer, João Soares, and David

RON at Hotel Klämp

Wednesday, May 28, 2008

- 6:30 am Depart hotel. Transportation by the Foreign Ministry in Finland
- 8:35 am Depart Helsinki (AY0765)
- 10:05 am Arrive in Vienna (Met by Winsome Packer and Christian Ludwig)
Check-in at Hotel Marriott, Confirmation # **#83151401**
Parking 12a Vienna, 1010 Austria Phone: +43 1 515180
- 7:30 pm Working Dinner with Ambassador Andreas Nothelle and Liaison Officer Marc Carillet, Restaurant Himmelsstube im Hotel Am Parkring, Parkring 12, 1010 Wien (David, Winsome, Mischa, Alex)

RON at Vienna Marriott

Thursday, May 29, 2008

- 9:00-1:00 pm Civil Society Roundtable (optional)
- 10:30 am Meeting as Requested (*Winsome will staff*)
- 12:15 pm Meeting with Ambassador Julie Finley, Room 204, Hofburg (*David, Winsome, Mischa, Alex*)
- 12:45 pm Meeting with Samuel Laetuchli, Head of the Political Division, USOSCE, Neuer Saal Café (Sam will meet you outside of room 204)
- 2:30 pm Ambassador Christian Strohal Meeting with Opening Session Panelists, Hofburg, (tentative)
- 3:00-4:00 pm OSCE SHDIM Opening Session
- 4:00-6:00 pm SHDIM Session I, *The Role and Mandate of National Institutions Against Discrimination in Combating Racism and Xenophobia*
- 6:00-8:00 pm Reception by the Chairman-in-Office (optional)
- 6:00-8:30 pm Reception by the Jordanian Ambassador, Diplomatic Academy of Vienna, Favoritenstrasse 15A, 1040 Vienna (tentative/optional)

Friday, May 30, 2008

- 9:00-12:00 SHDIM Session II, *Overcoming Challenges in Responding to Racism and Xenophobia with a Special Focus on Persons Belonging to National Minorities*
- 10:00-11:00 am Meeting with Mediterranean Contact Group (Tentative)
- 2:00-4:00 pm SHDIM Session III, *Good Practices and Effective Policy Responses in Combating Racism and Xenophobia*
- 3:00 pm Meeting with Marc Perrin de Brichambaut, OSCE Secretary General, SG's Office, Room 208, Hofburg (*Winsome will staff*)

4:30 pm SHDIM Closing

7:00 pm Informal Dinner at the Palais Coburg Bistro, Coburgbastei 4, 1010 Wien,
(David, Winsome, Mischa and Alex)

Saturday, May 31, 2008

8:30 am Meet in Lobby

11:10 am Depart Vienna (OS0093)

2:40 pm Arrive in Washington-Dulles

EXHIBIT 11

U.S. CONGRESSIONAL DELEGATION (CODEL HASTINGS)
LONDON, UNITED KINGDOM: ASTANA, KAZAKHISTAN: ISLAMABAD, PAKISTAN: VENICE, ITALY
JUNE 26, 2008 - JULY 3, 2008

Thursday, June 26, 2008

Member and Spouse Attire: Travel Casual

- 2:45 PM Baggage call
 - Recommend comfortable clothes on the plane
 - Pack an overnight bag to take off at the first stop
- 3:15 PM Baggage call ends
 - Bring luggage to the Rayburn Horseshoe
 - Blue-tagged bags will NOT be accessible in-flight
- 4:30 PM Meet at the Rayburn Horseshoe
- 4:45 PM Depart the Rayburn Horseshoe for Andrews AFB
 - Transportation: USAF vehicle
 - 1 hour 15 min en-route
- 6:00 PM Depart Andrews AFB for London, United Kingdom (Standstead Airport)
 - 7 hours 15 min en-route
 - Dinner/Breakfast served en-route
 - Set watches ahead 5 hours (+5)

Friday, June 27, 2008

Member and Spouse Attire: Travel Casual

- 6:15 AM Arrive London, United Kingdom
 - Recommend comfortable clothes
 - Only overnight bag comes off at this stop
 - 6:25 AM Depart airport for Hyatt Regency London - The Churchill
 - 2 hrs en-route
 - 8:25 AM Arrive Hyatt Regency London - The Churchill
 - Proceed to Delegation Room
 - Room keys disbursed
 - Currency Exchange available
- Dinner at leisure

RON London, United Kingdom

Saturday, June 28, 2008

Members and Spouses Attire: Travel Casual

- 6:30 AM Delegation Room Opens
 - Reverse Currency Exchange available
 - Please pay any incidental room charges (i.e. phone, movie room service, etc.)
 - Breakfast included in the room rate
 - Light snacks and coffee available in the Delegation room
- 7:15 AM Meet in Delegation Room
 - Attire: Travel Casual
- 7:30 AM Depart Hyatt Regency London
 - 1.5 hrs en-route

- The Churchill for airport

- 9:00 AM Depart London, United Kingdom
for Astana, Kazakhstan
- 5 hours 50 min en-route
 - Lunch/Heavy Snack served en-route
 - Set watches ahead 5 hours (+5)
- 7:50 PM Arrive Astana, Kazakhstan
Met by: Thomas Tanner -- Control Officer
- 8:00 PM Depart airport for Radisson SAS Hotel
- 40 min en-route
- 8:40 PM Arrive Radisson SAS Hotel
- Proceed to Delegation Room
 - Room keys disbursed
 - Currency Exchange available

Dinner at leisure

RON Astana, Kazakhstan

Sunday, June 29, 2008

Members Attire: Business

Spouses Attire: Business Casual

- 7:30 AM Delegation Room Opens
- Breakfast included in room rate (avail in lobby)
- 8:15 AM Meeting with USOSCE DCM Kyle Scott
in Delegation Room
- Amb. Ordway country team briefing
- 9:00 AM Meeting of the Standing Committee
- Chairman Hastings
 - Sen. Cardin
 - Rep. Solis
 - Rep. Smith
- Accompanying Persons depart Codel
 - Sary Arka 4 -- 2nd floor

Events for Accompanying Persons

Attire: Business Casual

- 9:15 AM Meet in Delegation Room
- 9:30 AM Depart Hotel for Presidential
Cultural Center/Pyramid (30 minutes en-route)
- 10:00 AM Tour of Presidential Cultural Center/Pyramid
- 11:00 AM Depart for Tiflis Restaurant (30 minutes en-route)
- 11:30 AM Lunch at Tiflis Restaurant
- 1:00 PM Depart Tiflis Restaurant for

Hotel (30 minutes en-route)

11:15 AM Depart Hotel for DCM's Residence

- 15 min en-route

11:30 AM Coffee with Civil Society at DCM's Residence
Civil Society: Evgeniy Zhovtis -- Director of Kazakhstan
Human Rights Bureau, Ninel Fokina -- Director of
Kazakhstan Helsinki Committee

Parties: Azat Party's Bulat Abilov (or his deputy
Tulegen Zhukeyev), OSDP Party's Amirzhan Kosanov,
Alga Party's Yuri Sizov, Ak Zhol's Alikhan Baimenov

Other Groups: Jehovah's Witnesses, Hare Krishnas

1:00 PM Depart DCM's Residence for Hotel

- 15 min en-route

2:15 PM Members and Spouses meet in Delegation Room
- Accompanying Persons rejoin Codel
- **Attire: Business**

2:30 PM Inaugural Plenary Session

- Sary Arka 1 -- Ground floor

- Call to order and remarks by Mr Göran Lenmarker,
President of the OSCE Parliamentary Assembly;

- Address by H.E. Nursultan Nazarbayev,
President of the Republic of Kazakhstan

- Address by H.E. Kassym-Jomart Tokayev,
Speaker of the Senate of the Parliament of the
Republic of Kazakhstan

- Address by H.E. Aslan Mussin,
Speaker of the Mazhilis of the
Parliament of the Republic of Kazakhstan

3:30 PM Meeting with H.E. Nursultan Nazarbayev,
President of the Republic of Kazakhstan

4:00 PM Coffee break

4:30 PM Plenary Session (cont'd)

- Addresses by the Presidents from the invited
Parliamentary Assemblies;

- Address by Mr. Marc Perrin De Brichambaut,
OSCE Secretary General, followed by a
question/answer session;

- Report by Ms Tone Tingsgård, OSCE PA
Special Representative on Gender Issues
followed by a debate;

- Address by Ambassador Knut Vollebaek,
OSCE High Commissioner on National Minorities

- Possible consideration of Supplementary items

7:00 PM Concert followed by a reception hosted by H.E. Nursultan Nazarbayev, President of the Republic of Kazakhstan - Palace of Peace and Unity - *OSCE PA Transportation (20 min en-route)*

RON Astana, Kazakhstan

Monday, June 30, 2008

Members Attire: Business

Spouses Attire: Business Casual

7:00 AM Delegation Room opens - *Breakfast included in room rate (avail in lobby)*

7:00 AM Time reserved for meetings of various groups

8:15 AM Meet in Delegation Room
- Members Attire: Business
- Spouses Attire: Business Casual

Events for Accompanying Persons
Attire: Business Casual

8:45 AM Depart Hotel for National Library
(30 minutes en-route)

9:15 AM Guided tour of National Library

10:00 AM Depart National Library for Baiterek
(15 minutes en-route)

10:15 – 11:30 AM Tour of Baiterek & short
driving tour of new administrative center

11:30 AM Travel to DCM's residence
(30 minutes en-route)

12:00 PM Lunch at DCM's residence

1:30 PM Depart DCM's residence for Hotel
(30 minutes en-route)

9:00 - 11:00 AM General Committee on Political
Affairs and Security - *Sary Arka 1 – Ground floor*

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

9:00 - 11:00 AM General Committee on Economic Affairs, - *Sary Arka 4 -- 2nd floor*
Science, Technology and Environment

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

9:40 AM Depart Hotel for Prime Minister - *20 min en-route*
Government Building

10:00 AM Meeting with Prime Minister Massimov

11:00 AM Depart Prime Minister Government - *20 min en-route*
Building for Hotel

11:00 AM Coffee break

11:30 AM - 1:30 PM General Committee on Democracy, - *Sary Arka 1 -- Ground floor*
Human Rights and Humanitarian Questions

- Opening remarks by the Chair of the Committee;
Introduction of the Draft Resolution by the Rapporteur;

1:30 PM Lunch

2:15 PM Meet in Delegation room
- *Attire: Casual*

2:30 PM Excursion: Visit to the complex "Map of
Kazakhstan Atameken," concert with national
songs and dances, national games, cuisine and exhibition

5:30 PM Return from excursion

7:15 PM Meet in Delegation room
- *Attire Business Casual*

7:30 PM Reception hosted by H.E. Kassym-Jomart Tokayev,
Speaker of the Senate of the Parliament of the
Republic of Kazakhstan (Reception House "Saltanat Sarai")

9:00 PM Return Hotel

RON Astana, Kazakhstan

Tuesday, July 1, 2008

Members Attire: Business

Spouses Attire: Business Casual

6:00 AM Delegation Room opens

- Breakfast included in room rate (avail in lobby)

6:45 AM Meet in Delegation Room

- Members Attire: Business

- Spouses Attire: Business Casual

7:00 AM Time reserved for meetings of various groups

Events for Accompanying Persons

Attire: Business Casual (appropriate for religious sites -- long sleeves/pants)

8:30 AM Depart Hotel for SOS Children's Village

9:00 AM Visit SOS Children's Village

10:00 AM Depart Children's Village for Embassy (30 minutes en-route)

10:30 AM View Embassy art and craft fair of local artisans

11:30 AM Depart Embassy for Ali Baba Restaurant
(30 minutes en-route)

12:00 PM Lunch at Ali Baba Restaurant

1:30 PM Depart Ali Baba Restaurant for Orthodox Church
(30 minutes en-route)

2:00 PM Tour of Orthodox Church

2:45 PM Depart Orthodox Church for Central Mosque
(30 minutes en-route)

3:15 PM Tour of Central Mosque (*suggest bringing a scarf for women's head-covering one will be provided if you don't have one*)

4:00 PM Depart Central Mosque for Hotel
(30 minutes en-route)

9:00 - 10:30 AM General Committee on Democracy,
Human Rights and Humanitarian Questions
Consideration of amendments

- Sary Arka 1 -- Ground floor

9:00 - 10:30 AM General Committee on Economic Affairs,
Science, Technology and Environment

- Sary Arka 4 -- 2nd floor

Consideration of amendments

- 10:30 AM US Delegation press conference** - All CODEL member presence requested
- Sary Arka 2 - 2nd floor (30 - 40 min)
- 11:00 AM General Committee on Political Affairs and Security** - Sary Arka 1 -- Ground floor
Consideration of amendments
- 11:30 AM Meeting with State Secretary Oralbay Abdykarimov** - Ak Orda -- lunch at Rixos Hotel
- Attended by Members and Spouses
- 12:45 PM Working Lunch on Gender Issues hosted by the Parliament of Kazakhstan** - Restaurant Capri -- Ground floor in Hotel Radisson SAS
- 2:30 - 4:00 PM General Committee on Economic Affairs, Science, Technology and Environment** - Sary Arka 4 -- 2nd floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 2:30 - 4:00 PM General Committee on Democracy, Human Rights and Humanitarian Questions** - Sary Arka 1 -- Ground floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 4:00 PM Presentation on the 2008 OSCE PA Fall Meetings in Toronto** - Prefunction Area outside Sary Arka 1
- 5:00 - 6:00 PM General Committee on Political Affairs and Security** - Sary Arka 1 -- Ground floor
Consideration of amendments and adoption of Resolution; Supplementary items
- 7:30 - 9:00 PM Reception hosted by H.E. Aslan Mussin, Speaker of Mazhilis of the Parliament of Kazakhstan (Duman Center)**

RON Astana, Kazakhstan

Wednesday, July 2, 2008

Members Attire: Business

Spouses Attire: Business Casual

***- Pack overnight bag for Venice stop.
Leave out comfortable travel clothes for today.***

6:00 AM Delegation Room opens

***- Breakfast included in room rate (avail in lobby)
- Reverse Currency Exchange available
- Please pay any incidental room charges
(i.e. phone, movie room service, etc.)***

6:45 AM Meet in Delegation Room

- Members Attire: Business

- Spouses Attire: Business Casual

7:00 AM Time reserved for meetings of various groups

9:00 AM Please Bring your bags to the delegation room

9:00 - 11:00 AM General Committee on Economic Affairs, Science, Technology and Environment Supplementary items; Election of the Committee Officers

- Sary Arka 4 – 2nd floor

9:00 - 11:00 AM General Committee on Democracy, Human Rights and Humanitarian Questions Supplementary items; Election of the Committee Officers

- Sary Arka 1 – Ground floor

11:00 - 11:30 AM Meeting of the Bureau

- Sary Arka 2.2 – Ground floor

11:45 AM Meet in Delegation Room

- *Attire: Travel Casual*

- *Bring any remaining baggage with you at this time as we will not be returning to the hotel*

12:00 PM Depart Radisson Hotel for Airport

- 40 min en-route

1:00 PM Depart Astana, Kazakhstan for Venice, Italy

- 5 hours 55 minutes en-route

- Heavy snack served en-route

- Set watches back 4 hours (-4)

2:55 PM Arrive Venice, Italy

3:05 PM Depart airport for Westin Europa & Regina Hotel

- 30 min en-route

3:35 PM Arrive Hotel

- Proceed to Delegation Room

- Room keys disbursed

- Currency Exchange available

Dinner at leisure

RON Venice, Italy

Thursday, July 3, 2008

Member and Spouse Attire: Travel Casual

- *Recommend comfortable clothes*

7:00 AM Delegation Room opens

- *Please pay any incidental room charges (i.e. phone, movie room service, etc.)*

Breakfast included in the room rate

- *Light snacks and coffee available in the Delegation room*

7:00 AM Please bring luggage to the Delegation room

7:45 AM Meet in Delegation Room

- *Attire: Travel Casual*

8:00 AM Depart Hotel for Airport

- 30 min en-route

9:00 AM Depart Venice, Italy for Andrews AFB

- 9 hours 25 minutes en-route

- Lunch/Heavy snack served en-route

- Set watches back 6 hours (-6)

12:25 PM Arrive Andrews AFB

12:45 PM Depart for Rayburn horseshoe

1:30 PM Arrive Rayburn horseshoe

1:40 PM Luggage arrives Rayburn horseshoe

MISSION COMPLETE

EXHIBIT 12

**VISIT OF CODEL HASTINGS
LONDON, UK
February 14 – 18, 2009**

Visit Officer For CODEL Hastings

Jim McDonald
Political Section
Office Direct +44-20-7894-0131
Embassy General +44-(0)20-7499-9000
Office Fax +44-20-7894-0117
Mobile +44-7843-313-820
Home +44-20-7286-3694
Email: McDonaldjp@state.gov (Blackberry)
(Note: when dialing within the UK, replace "44" with "0" for all numbers)

Delegation:

Representative Alcee Hastings (arriving 2/15/2009)
Mischa Thompson (arriving 2/14/2009)

Hotel

Royal Horseguards Hotel
<http://www.theroyalhorseguards.co.uk>
2 Whitehall Court
London, SW1A 2EJ
Tele: +44-20-78393400
Confirmation: 2892985 (Hastings), 2892977 (Thompson)
Rate: £165.00 including VAT and breakfast.
(Note: when dialing within the UK, replace "44" with "0" for all numbers)

Car

Name of Company:
Telephone Number:
Driver's name/cellphone number:
License plate:

Embassy-Provided Cell Phones:

Hastings: _____
Thompson: _____

Schedule

Saturday, February 14, 2009

0620 Ms. Thompson arrives London Heathrow via UA-918, Heathrow Express to Royal Horseguards Hotel.

0900 Briefing by Jim McDonald.
Horseguards Hotel

RON hotel.

Sunday, February 15, 2009

0430 Embassy car/driver picks up Jim McDonald at residence.

0620 Rep Hastings arrives London Heathrow via UA0918 from Dulles.
Met by: Jim McDonald

0730 Depart Heathrow for. Royal Horseguards Hotel

0830 Arrive Royal Horseguards Hotel

0830-
1245 Free

1245 Rep Hastings and Ms. Thompson Depart Hotel for Lunch at Rules
35 Maiden Lane, Covent Garden, London WC2E 7LB (Walking Distance
- Let me know if you want the car).

1300-
1430 Lunch

1815 Rep Hastings and Ms. Thompson depart hotel for Wallace Collection Art
Gallery by Embassy car/driver.

1830 **Opening Reception** at the Wallace Collection art gallery, hosted by
Secretary of State Rt. Hon Hazel Blears MP.

1930 Embassy car/driver takes Rep Hastings and Ms. Thompson depart Wallace
Collection Art Gallery to Maze Restaurant 10 - 13 Grosvenor Square,
London W1K 6JP

1945 -
2130 Dinner

2130 Embassy car/driver takes Rep Hastings and Ms. Thompson to Royal
Horseguards Hotel

RON hotel.

Monday, February 16, 2009

- 0745 Rep Hastings and Ms. Thompson departs hotel via Embassy car/driver for House of Commons - Portcullis House Entrance
- 0800 Registration Opens
- 0830 **Breakfast - House of Commons Terrace**
- Welcome by John Mann MP and ICCA Steering Committee
 - Dr. Morten Kjaerum, Director of the European Union Fundamental Rights Agency
- 1000 – 1130 **Working Groups Session I**
- Provisionally:
- 1) Internet Hate
 - 2) Policing and Prosecution
 - 3) State-backed Antisemitism
 - 4) Universities
 - 5) The New Antisemitism
- 1130 – 1145 Break
- 1145 – 1300 **Working Groups Session II**
- 1300 – 1400 **Lunch - The Atlee Suite, Portcullis House, House of Commons**
- Professor Gert Weisskirchen, Member of the German Bundestag and the ICCA Steering Committee, Personal Representative of the Chairman-in-Office of the OSCE on Combating Antisemitism
 - Representative Alcee Hastings, Member of US Congress (tbc)
- 1400 - 1530 **Working Groups Session III (Conclusions)**
- 1545 Rep. Hastings and Ms. Thompson depart House of Commons (Portcullis House) for Royal Horseguards Hotel via Embassy car/driver.
- 1545-1745 Free
- 1745 Rep. Hastings and Ms. Thompson depart Royal Horseguards Hotel for 10 Downing Street
- 1800 – 1900 **Downing Street Reception**
- Prime Minister Brown/Mrs. Brown (tbc)

- Rt. Hon. Dr. Denis MacShane, MP and Chairman of the All-Party Parliamentary Inquiry into Antisemitism

1900 – 2200 **Dinner at Royal Banqueting House**

- Franco Frattini, Foreign Minister, Italy (tbc)
- Professor Irwin Cotler MP, Former Justice Minister, Canada
- Minister Isaac Herzog, Member of the Israeli Knesset and ICCA

2230 Rep. Hastings and Ms. Thompson depart Royal Banqueting House for Royal Horseguards Hotel via Embassy car/driver.

RON hotel.

Tuesday, February 17, 2009

0800 Rep. Hastings and Ms. Thompson depart Royal Horseguards Hotel for Lancaster House, Foreign and Commonwealth Office, via Embassy car/driver.

0830 – 0930 **Breakfast - Lancaster House**

- Rep. Chris Smith, Member of US Congress and ICCA
- Michael Gove, Shadow Secretary of State for Education, UK

0930 – 1045 Reports from Working Groups and Experts' Forum

1045 – 1145 **Plenary Session I - The Role of Parliament and the law in the fight against Antisemitism**

- Chair and Welcome: Rt. Hon Lord Malloch-Brown
- Alberto Nisman, Attorney-General, Argentina
- Hirsch Ballin, Minister of Justice, The Netherlands (tbc)
- Petra Pau, Vice-President, German Bundestag

1145 – 1300 **Plenary Session II - Antisemitism - The Global Threat**

- Chair: Abraham Foxman, National Director, Anti-Defamation League
- Jason Kenney, Secretary of State for Multiculturalism, Canada
- Rosemary Museminari, Foreign Minister of Rwanda (tbc)
- Dr. Solomon Passy, Chairman of the Foreign Affairs Committee and Former Foreign Minister, Bulgaria

1300 – 1400 **Lunch – Lancaster House**

- Dr. Barbara Prammer, President of the Austrian Parliament
- Eli Wiesel (tbc)
-

1400 – 1530 **Plenary Session III – Antisemitism in Contemporary Discourse**

Chair: David Harris, Executive Director, American Jewish Committee

- Džamila Stehliková, Minister for Minorities and Human Rights, the Czech Republic
- Eberhard van der Laan, Minister for Communities and Integration, the Netherlands (tbc)
- Propkopis Pavlopoulos, Minister of the Interior, Greece (tbc)

1530 – 1545 Break

1545 – 1700 **Plenary Session 4 – Final discussion of London Declaration**

- David Miliband, Foreign Secretary, United Kingdom
- Franco Frattini, Foreign Minister, Italy
- Chair: John Mann, Member of the UK Parliament and the ICCA Steering Committee, Chairman of the All-Party Parliamentary Group against Antisemitism

1715 Rep. Hastings and Ms. Thompson depart Lancaster House for Lambeth Palace, via Embassy car/driver.

1730 – 1900 **Reception - Lambeth Palace, Residence of The Archbishop of Canterbury**

- Chief Rabbi Sir Jonathan Sacks
- Senior Archbishop
- Tim Boswell, Member of the British Parliament and the All-Party Parliamentary Group against Antisemitism

Wednesday, February 18, 2009

TBD

0845 Embassy car/driver picks up CODEL Hastings at Royal Horseguards Hotel for trip to US Embassy. Accompanied by Jan McDonald.

0915 CODEL Hastings arrives Embassy

0930 CODEL Hastings receives Requested Briefing

0930 Ms. Thompson departs Royal Horseguards Hotel via taxi.

- 1000- Ms. Thompson Meeting with Richard Reddie (**Tentative**)
1100 Senior Co-ordinator - Black and Minority Ethnic Communities
Stakeholders Team
City Hall
- 1030 CODEL Hasting departs Embassy for Heathrow via Embassy car/driver.
Accompanied by Jim McDonald
- 1100- Ms. Thompson has additional meetings TBD
1400
- 1255 CODEL Hastings Departs London via OS-454 for Vienna.
- 1700 Ms. Thompson Meeting with Home Office's Michael Ainsworth
- 1800 RON London

Thursday, February 19, 2009

- 0900 Ms. Thompson Meeting with Janice Shersby, GEO Policy Director
Equalities Ministry
Local Government Building, Eland House, Bressenden Place in Victoria.
- 1000- Free
1300
- 1300 Ms. Thompson Lunch Meeting with Paul Morrison and Stuart Young
Of the Prevent Unit - the Home Office.

Quilon Restaurant (Crowne Plaza St. James Hotel)
45-51 Buckingham Gate
London, SW1E 6AF
United Kingdom
- 1400 Depart Lunch for Heathrow via Heathrow Express.
- 1620 Depart London Heathrow via UA-0925, for Dulles International Airport.

US Helsinki Commission Co-Chairman Hastings – Itinerary
Vienna, Austria
20-21 February 2009

UPDATED: 23:26, 19 February

Friday, 20 February - Vienna

Attire: Business

Forecasted Weather: Partly Cloudy highs in the mid 30's and lows in the upper 20's

- 07:30 Breakfast (ends at 12:00 noon)
Location: Radisson SAS Lobby Floor
- 08:35 Members meet in Hospitality Room
- 08:40 Members depart hotel for Hofburg
- 09:00 Joint Session of the three General Committees: (Neuer Saal / 2nd floor)
Participants: Members
-Special Debate on the proposal for a new European Security Architecture
-Special Presentation on the preparations for the Kazakhstan Chairmanship of the OSCE in 2010

Accompanying Persons

- 10:00 Mrs. Cardin, Mrs. Wicker, Dr. Whitehouse, Debbie and Embassy Representative Meet in Hospitality Room. Group will return to the hotel prior to departing for Spanish Riding School at the Hofburg.
NOTE: Other spouses are welcome to join.
- 11:15 Depart for the Spanish Riding School (Lippizaners) at the Hofburg
- 11:30 Meet interested members at Hofburg Main entrance for tour of Spanish Riding School (Members join at own discretion)
- 12:10 Depart Hofburg with Senator Whitehouse and Eric Pelofsky for Briefing at Bilateral Embassy (Meet Cindy Konisky at Post One)
- 12:30 Briefing by Dann Leibig
- 13:30 Spouses who desire depart Café Griensteidl for Belvedere Museum.
Remaining spouses will be dropped off at hotel
- 15:30 Depart Belvedere Museum for Hotel (earlier if desired)
- 19:00 Delegation meets in Hospitality room for departure to dinner
Participants: Delegation and Mr. Spencer Oliver, Secretary General of the OSCE PA
- 10:45 Pull Aside with the ODIHR Director: (Hofburg Café, Second Floor)
Participants: Senator Cardin and any interested Members
- 11:00 Meeting with OSCE Secretary General: (Hofburg Room 208)

Participants: Senator Cardin and any interested Members

- 11:30 Interested members meet spouses at Hofburg Main entrance for tour of Spanish Riding School (as desired)
- 12:00 Reception offered by the Delegation of Kazakhstan (Grosser Redoutensaal)
- 12:15 Remaining Members/Staff meet at Hofburg main entrance to depart for lunch at Café Griensteidl
- 12:30 Lunch
Location: Cafe Griensteidl
Participants: Delegation
- 13:30 General Committee on Democracy, Human Rights and Humanitarian Questions (Neuer Saal / 2nd floor)
- 14:00 Press Roundtable: (Hofburg Room 525)
Participants: Senator Cardin and any other interested Members
- 15:00 Meeting with Joao Soares, President of the OSCE PA: (Hofburg Room 207)
Participants: Senator Cardin and other interested Members
- 16:00 Closing Joint Session of the three General Committees (Neuer Saal / 2nd floor)
- Report by the OSCE PA Special Representative on Gender Issues followed by a debate
- Reports by the Chairs of the three General Committees
- Concluding statement by Joao Soares, President of the OSCE PA
- 16:45 Meeting with the Russian delegation: (Hofburg Room 201)
Participants: Members
- 17:45 Meeting with Russian delegation concludes. Delegation meets at Hofburg Main entrance for departure to hotel
- 19:00 Delegation meets in Hospitality room for departure to dinner
Participants: Delegation and Mr. Spencer Oliver, Secretary General of the OSCE PA

RON Radisson SAS Hotel, Vienna

Saturday, 21 February - Vienna/ Washington DC

Attire: Casual

Forecasted Weather: Snow high in the 30's and lows in the mid-to-low 20's (Washington)

06:30 Currency Exchange Opens in control room.

06:30 Breakfast available on Lobby level

06:30 Baggage Call (Place Luggage outside door, escorts will collect)

NOTE: Members with 2 story rooms let escorts know and we will bring the bags down the stairs for you.

07:00 Luggage Departs for Airport

- 08:00 Delegation meets in Hospitality room for Departure from Radisson SAS Hotel to airport.
- 08:45 Depart Vienna (+1) en route Shannon, Ireland (0) for refuel
Flight time: 3:00
Set clocks back 1 hr
Breakfast provided
- 10:45 Arrive Shannon, Ireland for refuel
- 12:15 Depart Shannon Ireland (0) for Washington DC (Andrews) (-5)
Flight time: 7:45
Set clocks back 5 hrs
Lunch provided
- 15:00 Arrive Washington DC (Andrews)

EXHIBIT 13

**CODEL Hastings
Lisbon, Portugal
April 17-21, 2009**

Embassy Lisbon: Richard Reiter, Political Counselor, office: [351] 21-770-2576, -2326; cell: [351] 91-781-6519
Gina Felix, Political Assistant, office: [351] 21-770-2331, cell: [351] 91-493-5180
Embassy Post 1: [351] 21-770-2222
Hotel Tivoli: Avenida da Liberdade, 185; Lisbon; tel: [351] 21-319-8900

Friday, April 17, 2009

13:25 Ms. Packer arrives Lisbon Airport, taxi to Hotel Tivoli
15:55 Mr. Turner arrives Lisbon Airport, taxi to Hotel Tivoli
RON Hotel Tivoli

Saturday, April 18, 2009

15:15 Co-Chairman Hastings arrives Lisbon Airport, Terminal 1, met by Political Counselor Richard Reiter and embassy vehicle
Travel to Hotel Tivoli
RON Hotel Tivoli

Sunday, April 19, 2009

11:00-11:30 Co-Chairman Hastings meeting w/ representative of Portuguese Roma community Mr. António Nunes, joined by Richard Reiter
Hotel Tivoli, room TBD
12:00 Meeting of the OSCE sub-committee on the rules of procedure
(for sub-committee members only)
Hotel Tivoli (room TBC)
19:30 Departure from Hotel Tivoli
Bus, embassy vehicle available
20:00 Dinner hosted by João Soares, President of the OSCE PA.
Dress code: informal (no tie)
Restaurant: Faz Figura (Rua do Paraíso, 15B; Tel: +351 21 886 8981)
RON Hotel Tivoli

Monday, April 20, 2009

9:00 Delegation departs Hotel Tivoli by embassy vehicle en route Parliament for OSCE PA Bureau Meeting

9:30 -- 17:00 Meeting of the OSCE Parliamentary Assembly Bureau (Salão Nobre)
(See Draft Agenda in Section III of the briefing book)

13:00 Working Lunch

16:30 Co-Chairman Hastings departs Parliament via Embassy vehicle, accompanied by Gina Felix

17:00 Courtesy call on Ambassador Stephenson and DCM David Ballard

17:30 Embassy briefing

18:30 Embassy vehicle takes Co-Chairman Hastings to Hotel Tivoli

19:00 Dinner with Spencer Oliver
TBD

RON Hotel Tivoli

7:05

Tuesday, April 21, 2009

Time tbc Embassy van departs Hotel Tivoli en route Lisbon airport

~~07:55~~ Co-Chairman Hastings and Mr. Turner depart Lisbon ert Frankfurt on UA8862
Ms. Packer depart Lisbon ert Zurich on LX 4581

11:00 Arrive Frankfurt and met by expediter Chris Ramey (0170) 9052-5602
Contact in case of emergency: David Paradise, *Vice Consul*
Email: ParadiseDT@state.gov
From the U.S.: Office: (011) 49-69-7535-2524 Cell: (011) 49-69-170-851 9090
From Germany: Office: 069-7535- 2524 Cell: 0170-851 9090

12:20 Depart Frankfurt for Washington Dulles Airport

15:06 Arrive Washington, D.C.

* * *

EXHIBIT 14

CODEL Hastings Itinerary
Dublin, Ireland
May 24-29, 2009

Sunday, May 24

- 5:00 PM Depart residence for Dulles Airport with Colonel (Ret) Shubert
- 7:30 PM Departure of Rep. Hastings and Colonel (Ret) Shubert via Aer Lingus (EI 0118) from Dulles (Rep. Hastings - Confirmation # SLNTGA)

Monday, May 25

- 7:40 AM Arrival of Rep. Hastings and Colonel (Ret) Shubert in Dublin
Met by Dwight Nystrom
Cell Phone: +353874158748
- 8:15 AM Depart airport for hotel
- 9:00 AM Arrive Conrad Hotel

Check-in

Conrad Dublin Hotel
2 Earlsfort Terrace
Dublin 2, Ireland
Tel: (353) 1 602 8900
Fax: (353) 1 676 5424
www.conrad-international.ie

Day as Desired

- Evening [Departure of Ms. Han and Mr. Johnson via Aer Lingus (EI 0118) from Dulles]
Ms. Shelly Han - Confirmation # N8RKWA
Mr. Alex T. Johnson - Confirmation # X8CMH6

Tuesday, May 26

- 7:40 AM Arrival of Ms. Han and Mr. Johnson in Dublin
Taxi from airport to hotel
- Morning Check-in

9:30 AM CM Hastings and Col Shubert Meet in Hotel Lobby

9:35 AM Depart Hotel for Embassy

9:50 AM Arrive Embassy

10:00 AM Country Team and Regional Affairs Briefings

TBD Meeting with Irish officials

2-8 PM [Shelly] Registration at the venue
The Shelbourne Hotel
St. Stephen's Green
Dublin 2, Ireland
Tel: (353) 1 663 4500
Fax: (353) 1 661 6006
www.theshelbourne.ie

Evening: Open

Wednesday, May 27

8:35 AM Arrival of Rep. Issa in Dublin
American Airlines Flight #92 from Chicago (Confirmation #CTQTSR)

Met by Dwight Nystrom
Cell Phone: +353874158748

9:00 AM Rep. Issa leaves airport

9:30 AM Rest of Delegation to meet in lobby of Conrad Hotel

9:35 AM Depart for Shelbourne Hotel

10:00-1:00 **Inaugural Session: The World Financial Crisis and its Effects in the OSCE**

Welcoming Remarks by Mr. John O'Donoghue, President of the House of Representatives -- Parliament of Ireland

Welcoming Remarks by Mr. Pat Moylan, President of the Senate -- Parliament of Ireland

Opening Remarks by Mr. João Soares, President of the OSCE Parliamentary Assembly

Opening Remarks by Senator Ivor Callely, Head of the Irish Delegation to the OSCE Parliamentary Assembly

Keynote Address: Mr. Brian Lenihan, T.D., Minister for Finance of Ireland

Open Debate

1:00-3:00 PM Lunch Break

3:00-6:00 PM **Session 1: Responses to the Financial Crisis: Free Trade vs. Protectionism**

Chair / Moderator: Senator Jerry Grafstein (Canada), Vice-President of the OSCE Parliamentary Assembly

Speakers: Mr. Austin Hughes, Chief Economist, KBC Bank, Brussels

Mr. Mikhail V. Popov, First Deputy Chairman of the Management Committee of the NOVATEK Company, Russian Federation

Professor Ray Kinsella, UCD Smurfit School of Business, Visiting Professor at the Institute of European Finance.

5:00-5:15 PM Coffee break

5:15 - ? Open Debate

8:00 PM Dinner Hosted by the Presidents of the House of Representatives and the Senate of the Parliament of Ireland -- Guinness Storehouse

Thursday, May 28

9:00 AM Breakfast meeting with Mr. Jonas Moberg, Head of the Secretariat, EITI
Conrad Hotel

9:45 AM Depart for Shelbourne Hotel

10:00 AM **Session 2: Financial Regulations and Good Governance**

Chair / Moderator: Mr. Petros Efthymiou (Greece), Chairman of the General Committee on Economic Affairs, Science and Technology, OSCE PA

Panel on Resources, Revenue, and Responsibility: Strengthening Revenue and Budget Transparency through the Extractive Industries Transparency Initiative

Keynote Speaker: Congressman Alcee L. Hastings, Co-Chairman of the U.S. Helsinki Commission

Panelists: Mr. Jonas Moberg, Head of the International Secretariat, Extractive Industries Transparency Initiative (EITI)

Mr. Kuanysh Sultanov, Chairman of the Committee on International Relations, Defense and Security of the Senate of the Parliament of Kazakhstan

Mr. Anders Johnsson, Secretary General of the Inter-Parliamentary Union (IPU)

Mr. Patrick Honohan, Professor of International Financial Economics and Development at Trinity College, Dublin

11:15-11:30 Coffee Break

11:30-1:00 PM Open Debate

1:00-2:30 PM Lunch Break

2:30-5:00 PM **Session 3: Social Consequences of the Crisis: The Case of Migration**

Chair / Moderator: Ms. Walburga Habsbourg-Douglas (Sweden), Vice-Chair of the General Committee on Democracy, Human Rights and Humanitarian Questions of the OSCE PA

Speakers: Mr. Goran Svilanovic, OSCE Co-ordinator of OSCE Economic and Environmental Activities

Ms. Siobhán O'Donoghue, Director of the Migrant Rights Centre of Ireland

(Additional speakers tbc)

3:45-4:00 PM Coffee Break

4:00-5:00 PM Open Debate

5:00-5:30 PM Closing Session

Concluding Remarks by Senator Ivor Callely, Head of the Irish Delegation to the OSCE Parliamentary Assembly

Concluding Remarks by Mr. João Soares, President of the OSCE Parliamentary Assembly

7:30 PM Buffet style dinner hosted by Mr. Ivor Callely, Head of the Irish Delegation to the OSCE Parliamentary Assembly - Clontarf Castle

Friday, May 29

9:45 AM Meet in Hotel Lobby and depart for airport

10:30 AM Arrive Airport

12:30 PM Departure of Rep. Hastings, Ms. Han, and Colonel Shubert via Aer Língus (EI 0119) from Dublin

3:10 PM Arrival of Rep Hastings, Ms. Han, and Colonel Shubert at Dulles

Saturday, May 30

9:05 AM Departure of Mr. Johnson via BMI British Midland (BD 0122) from Dublin

10:30 AM Arrival of Mr. Johnson in London

12:00 PM Departure of Mr. Johnson via United Airlines (UA 0919) from London

3:08 PM Arrival of Mr. Johnson in Dulles

TUESDAY 26 MAY 2009

Arrival of Delegates, accommodation and registration

14:00 -20:00: Registration at the Hotel Shelbourne

WEDNESDAY 27 MAY 2009

9:00: Registration at the Hotel Shelbourne

10:00 – 13:00 INAUGURAL SESSION: THE WORLD FINANCIAL CRISIS AND ITS EFFECTS IN THE OSCE

Welcoming Remarks by Mr. John O'Donoghue, President of the House of Representatives --
Parliament of Ireland

Welcoming Remarks by Mr. Pat Moyian, President of the Senate -- Parliament of Ireland

Opening Remarks by Mr. João Soares, President of the OSCE Parliamentary Assembly

Opening Remarks by Senator Ivor Callely, Head of the Irish Delegation to the OSCE
Parliamentary Assembly

Keynote Address(es) (Mr. Brian Cowen, Prime Minister of Ireland or Mr. Brian Lenihan,
Minister for Finance of Ireland)

Open Debate

13:00 – 15:00 *Lunch Break*

15:00 – 18:00 SESSION I: RESPONSES TO THE FINANCIAL CRISIS: FREE TRADE VS. PROTECTIONISM

Chair / Moderator: Senator Jerry Grafstein (Canada), Vice-President of the OSCE
Parliamentary Assembly

Speakers: Mr. Austin Hughes, Chief Economist at KBC Bank, Brussels
Mr. Mikhail V. Popov, First Deputy Chairman of the Management
Committee of the NOVATEK Company, Russian Federation
Professor Ray Kinsella, UCD Quinn School of Business

(17:00 – 17:15 *Coffee break*)

Open Debate

*Evening: Dinner Hosted by the Presidents of the House of Representatives and the Senate of
the Parliament of Ireland*

THURSDAY 28 MAY 2009

10:00 – 13:00 SESSION 2: FINANCIAL REGULATIONS AND GOOD GOVERNANCE

Chair / Moderator: Mr. Petros Efthymiou (Greece), Chairman of the General Committee on Economic Affairs, Science and Technology, OSCE PA

Panel on *Resources, Revenue, and Responsibility: Strengthening Revenue and Budget Transparency through the Extractive Industries Transparency Initiative*

Keynote Speaker: Congressman Alcee L. Hastings, Co-Chairman of the US Helsinki Commission

Panelists: Representative of the Secretariat of the Extractive Industries Transparency Initiative (EITI)

Mr. Anders Johnson, Secretary General of the IPU

Mr. Patrick Honohan, Professor of International Financial Economics and Development at Trinity College, Dublin

Representative of Kazakhstan

(11:15 – 11:30 Coffee Break)

Open Debate

13:00 – 14:30 Lunch Break

14:30 – 17:00 SESSION 3: SOCIAL CONSEQUENCES OF THE CRISIS: THE CASE OF MIGRATION

Chair / Moderator: Ms. Walburga Habsbourg-Douglas (Sweden), Vice-Chair of the General Committee on Democracy, Human Rights and Humanitarian Questions of the OSCE PA

Speakers : Mr. Goran Svilanovic, OSCE Co-ordinator of OSCE Economic and Environmental Activities

(Additional speakers tbc)

(15:45 – 16:00 Coffee Break)

Open Debate

17:00 -- 17:30 CLOSING SESSION

Concluding Remarks by Senator Ivor Callely, Head of the Irish Delegation to the OSCE
Parliamentary Assembly

Concluding Remarks by Mr. João Soares, President of the OSCE Parliamentary Assembly

*Evening: Reception/dinner hosted by Mr. Ivor Callely, Head of the Irish Delegation to the OSCE
Parliamentary Assembly*

FRIDAY 29 MAY 2009

EXCURSION -- Dublin and Wicklow

* * *


EXHIBIT 15

CODEL HASTINGS

Tirana, Albania

June 26-29

Friday, June 26, 2009

 Partly Cloudy 77°/61° 20 % rain

- 7:10 AM Arrive Frankfurt
 - Met by Jeff Biron
 - Set watch forward 6 hours
 - \$1.40= Euro 1
- 8:00 AM Depart airport for Wiesbaden
- 8:40 AM Arrive Wiesbaden Army Airfield
- 9:00 AM Depart Wiesbaden for Albania
 - 2 hours 15 minutes en-route



Rain / Thunder

78°/57°

60 %

- 11:15 AM Arrive Tirana, Albania
 - Met by Vic Myev
- 11:15 AM Depart for Tirana
- 12:00 PM Arrive Sheraton Hotel
 - Check-in
 - Per Diem issued
 - \$1.00 = 93.34 *Leke*
 - Sheraton Tirana Hotel***
 - Sheshi Italia · Tirana · Albania
 - Phone: (355)(4) 2274707
- 1-7 PM OSCE PA election briefings
- Dinner as Desired

RON TIRANA

Saturday, June 27

Attire: Business Attire

Breakfast is included in hotel room rate



Scattered Showers

83°/58°

30 % rain

09:00-14:00 OSCE PA election briefings
- Hotel Sheraton

12:15 Depart hotel for Ambassador Withers' residence

12:30-14:00 Lunch/briefing hosted by U.S. Ambassador Withers

16:30 Invited to BBQ at OSCE Head of Presence residence (TBC)

TBD Dinner as Desired

RON TIRANA

Sunday, June 29

Attire: BusinessAttire

Breakfast is included in hotel room rate



Foggy

86°/58°

20 % rain

07:00 Depart Sheraton for election observation
(time my shift depending on polling station opening time)

22:30 OSCE PA election debrief, Hotel Sheraton
(or as observers return after the count)

TBD Dinner as Desired

RON TIRANA

Monday, June 29

Attire: BusinessAttire

Breakfast is included in hotel room rate



Rain / Thunder

86°/58°

60 % rain

10:00 AM Embassy briefings

??:?? OSCE press conference

3:00 PM Depart Tirana for Vilnius, Milair
(time TBC, depending on press conference)



Partly Cloudy

75°/56°

10 % rain









6:30 PM Arrival Vilnius
- 2.5 hours enroute
- Set watch ahead 1 hour
- Meet by Tim O'Connor

JOIN CODEL CARDIN

Tirana, Albania

Current Weather Conditions updated 8:24 AM ET June 23

Extended Forecast

Thu Jun 25	Fri Jun 26	Sat Jun 27	Sun Jun 28	Mon Jun 29	Tue Jun 30	Wed Jul 1	Thu Jul 2
							
77° 58° Showers	78° 63° Cloudy	81° 65° T'Showers	86° 64° T'Showers	88° 64° Showers	90° 64° Sunny	91° 65° M/Cloudy	90° 65° Rain

CODEL CARDIN DAILY SCHEDULE for
Tuesday, 30 June 2009

Weather Prediction:

Vilnius: High 78* F Overnight Low- 62* F
Partly Cloudy- 20% Chance of Rain
Sunrise 4:46AM Sunset 9:59 PM
70 % humidity

Minsk: High 76* F Overnight Low- 59* F
Mostly Sunny- 10% chance of rain
63 % humidity

7:00-10:00AM Breakfast Served on the 1st Floor. The restaurant is located to your left when you exit the elevator on the first floor. (Cost included in your room rate)

8:00 AM First bus departs hotel en route Seimas. (Shuttle busses will depart the hotel every 30 minutes throughout the day) * See schedule at the bottom of itinerary*

Minsk, Belarus Itinerary

- 0800 Depart from hotel in Vilnius by bus (meet in delegation Room)
Accompanied by Embassy Minsk Chargé Jonathan Moore and Regional Security Officer Christine Putz
- 0830 Met at border and escorted by Belarusian traffic police unit "Strela"
- 1115 Arrival at Crowne Plaza hotel, Minsk
Meeting participants remain on bus, continue to Presidential Administration
[Others continue in separate vehicle to art museum, rejoining at lunch]
- 1130 Meeting with President Alyaksandr Lukashenka (Senators, Members of the House, Mr. Turner, Chargé Moore)
Expected Belarusian attendees:
Mr. Vladimir Makey, Head, Presidential Administration
Mr. Sergey Martynov, Minister of Foreign Affairs
Mr. Boris Batura, Chair of the Council of the Republic
Mr. Vladimir Andreychenko, Speaker of the House of Representatives
Mr. Valentin Rybakov, Foreign Policy Advisor to the President
- 1230 Buffet lunch at Crown Plaza hotel with Belarusian political and civil society leaders in private room on 6th floor
[Light refreshments, restrooms, and vendors available in 4th floor Presidential Suite; US\$ cash and checks will be accepted]
- Confirmed Belarusian guests:*
Mr. Alyaksandr Kazulin, 2006 presidential candidate, former political prisoner
Mr. Viktor Karniyenka, Deputy Chair, "For Freedom" movement
Mr. Vintsuk Vyachorka, Deputy Chair, Belarusian Popular Front
Mr. Anatol Lyabedka, Chair, United Civic Party
Ms. Zhanna Litvina, Chair, Belarusian Association of Journalists
Mr. Oleg Gulak, Chair, Belarus Helsinki Committee
Mr. Vital Rymasheuski, Co-Chair, Belarusian Christian Democracy Party
Mr. Sergey Kalyakin, Chair, Belarusian Party of Communists
Mr. Artur Finkevich, Chair, "Young Belarus" movement
- 1430 Depart Crowne Plaza hotel for Embassy
- 1445 Press conference at Embassy, brief tour of Embassy grounds (optional)

[NOTE: Times are notional from this point forward]

1515 Depart Embassy for historical tour

1525 Visit to Jewish cemetery site

1540 Depart for "Yama" memorial

1550 Visit "Yama" memorial

1600 Depart "Yama" memorial for Jewish community center

1630 Depart Jewish community center for Victory Square

1640 Informal ceremony at Victory Monument
Met by a Minsk Deputy Mayor

1650 Depart Victory Square for Kurapaty en route to Vilnius

1710 Visit Kurapaty site (burial place of thousands of victims of Stalinist repression)

1730 Depart Kurapaty, continue to Vilnius

1930 Arrive Vilnius

9:00- 11:00 AM **General Committee on Political Affairs and Security** (March 11 Hall at the Seimas)

 Opening remarks by the Chair of the Committee

 Introduction of the Draft Resolution by the Rapporteur

 Debate

9:00 -- 11:00 AM **General Committee on Economic Affairs, Science Technology and Environment**
(Plenary Chamber)

 Opening remarks by the Chair of the Committee

 Introduction of the draft resolution by the Rapporteur

 Debate

11:00-11:30 AM Coffee Break

11:30 AM- 1:30 PM **Special Plenary Session** (March 11 Hall at the Seimas)

 Call to Order/ Mr. Joao SOARES, President of the OSCE Parliamentary Assembly

 Remarks by Mr. Vygudas USACKAS, Foreign Minister, Republic of Lithuania

 Address by Ms. Theodora BAKOYANNIS, Minister of Foreign Affairs of Greece,
Chairperson-in-Office of the OSCE followed by a question and answer session.

3:30- 6:30 PM Guided tour of Trakai (anyone planning to travel to Trakai should meet at the main gate
of the Seimas no later than 3:30 PM)

6:30- 9:30 PM Reception hosted by the Lithuanian Delegation
Belmontas Entertainment and Recreation Center

END OFFICIAL SCHEDULE FOR TUESDAY

ACCOMPANYING PERSONS SCHEDULE FOR TUESDAY

10:00 AM	Depart Hotel en route Lithuanian National Museum, walking (Meet in Computer Room on 4 th Floor)
10:30 AM	Visit the Lithuanian National Museum
1:00-2:30 PM	Lunch- Csarda (Hungarian)
2:30-3:00 PM	Travel back to hotel.
3:00- 3:30 PM	Bus departs for main gate of Seimas
3:30- 6:30 PM	Guided tour of Trakai
7:30- 9:30 PM	Reception hosted by Lithuanian delegation at Belmontas.

END ACCOMPANYING PERSONS SCHEDULE

DAILY NOTES:

Tips to keep your room cool:

In order for your air conditioner to work your key must be kept in the key slot inside your door. When you remove your key your air conditioner will turn off. Recommend inserting a business card or piece of paper in this slot and leaving it in throughout the day so your room will be cool when you return.

****Your air conditioner WILL NOT work if your window is open****

IMPORTANT PHONE NUMBERS:

Dr Sumerlee- Located in room 225 (to reach him by phone within the hotel dial 9-225)

CAPT Nowell- Located in room 228 (to reach him dial 9-228)

L.T McGuffie- Located in room 403 (to reach him dial 9-403)

PLEASE CONTACT US IF YOU HAVE ANY PROBLEMS or QUESTIONS

BUS SCHEDULE:

Buses departing the Hotel (en route Seimas):

7:30 AM, 8:00 AM, 8:30 AM, 9:00 AM, 9:30 AM, 10:00AM, 10:30AM, 11:00 AM, 11:30 AM, 12:00PM, 12:30 PM, 1:00PM, 1:30 PM, 2:00PM, 2:30 PM, 3:00 PM, 3:30 PM, 4:00 PM, 4:30 PM, 5:00 PM, 5:30 PM, 6:00 PM

Buses departing the Seimas (en route Hotel):

7:45 AM, 8:15 AM, 8:45AM, 9:15 AM, 9:45 AM, 10:15 AM, 10:45 AM, 11:15 AM, 11:45 AM, 12:15 PM, 12:45 PM, 1:15PM, 1:45 PM, 2:15 PM, 2:45PM, 3:15 PM, 3:45 PM, 4:15 PM, 4:45PM, 5:15 PM, 5:45 PM, 6:15 PM

CODEL CARDIN DAILY SCHEDULE for
Wednesday, 1 July, 2009

Weather Prediction:

Vilnius: High 78* F Overnight Low- 62* F
Mostly Sunny- 0% Chance of Rain
Sunrise 4:46AM Sunset 9:59 PM
73 % humidity

7:00-10:00AM Breakfast Served on the 1st Floor. The restaurant is located to your left when you exit the elevator on the first floor. (Cost included in your room rate)

8:00 AM First bus departs hotel en route Seimas. (Shuttle busses will depart the hotel every 30 minutes throughout the day) * See schedule at the bottom of itinerary**

0850 **Accompanying Persons Meet in the lobby. ** See schedule at bottom of page****

0900 – 1030 **General Committee on Democracy, Human Rights and Humanitarian Questions** (*March 11 Hall*)
Debate (cont'd)

Consideration of amendments

0900 – 1030 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Debate (cont'd)

Consideration of amendments

****0950**** Delegation meet in European Information Room (located in the Seimas) in preparation for meeting with Speaker of Seimas. (to make this meeting you need to catch the 0930 shuttle from the hotel)

1000 U.S. Delegation meeting with the Speaker of Seimas (Parliament) of the Republic of Lithuania and the head of the Delegation of the OSCE PA Vilija Aleknaite-Abramikiene (Press: photo only at the top or bottom of meeting) **May need to be rescheduled depending on committee work**

1100 Press Conference (Press Conference Hall, Seimas Building)

1030 – 1100 Coffee break

1100 – 1230 **General Committee on Political Affairs and Security** (*March 11 Hall*)

Debate (cont'd)

Consideration of amendments

1245 – 1415 **Working Lunch on Gender Issues** (*Seimas Restaurant*)

1430 – 1600 **General Committee on Economic Affairs, Science, Technology and Environment** (*Plenary Chamber*)

Consideration of amendments and adoption of Resolution

Supplementary Items

- 1430 – 1600 **General Committee on Democracy, Human Rights and Humanitarian Questions (March 11 Hall)**
Consideration of amendments and adoption of Resolution
Supplementary Items
- **1450**** *U.S. Delegation gather in European Information Room at the Seimas in preparation for the 1500 meeting.*
- 1500 U.S. Delegation meeting with Minister of Foreign Affairs Vygaudas Usackas (Press: Photo only at top of meeting)
- 1600 – 1630 Coffee Break
- 1600 U.S. Delegation meet with the Russian Delegation (European Information Room in the Seimas) (tentative)
- 1630 – 1800 **General Committee on Political Affairs and Security (March 11 Hall)**
Consideration of amendments and adoption of Resolution
Supplementary Items
- 1800 *Transportation departs Seimas en route British Embassy*
- 1800 *U.S. Delegation Depart Hotel for British Embassy Reception (meet in delegation room)*
- 1830 Annual UK-US Reception at British Embassy (For Entire Delegation)
- 1945 CODEL Dinner

ACCOMPANYING PERSONS SCHEDULE

- 0850** **Accompanying Persons meet in the Lobby**
- 0900** **Depart hotel for Green House Museum**
- 0920-1020 Green House (Holocaust) Museum
 Objective: Visit small museum that provides a description of the Holocaust in Lithuania and major figures in Lithuanian Jewish History. Cost of entry is 5 litas per person. Rachel (Rocha) Konstanian of the Museum has agreed to provide a tour without charge but any support is welcome.
- 1020-1040 Travel to Gediminas Castle and Museum
- 1040-1200 Gediminas Castle and Museum
 Objective: Visit one of the most noticeable sites in Vilnius; take funicular to up to castle and museum. Funicular charge is 2 litas per person. Entry cost is 5 litas per person.
 English speaking guides available for 50 litas for groups of ten or more.
- 1200-1220 Travel to Tores Restaurant in Uzupis
- 1220-1400 Lunch - Tores Restaurant (Lithuanian grill); in outside seating area with good overlook if there is no rain
- 1400-1410 Travel to St. Anne's Church

- 1410-1500 St. Anne's Church
Objective: Dating from the 15th century, the church was constructed from thirty three different shapes of brick.
- 1500-1510 Travel back to hotel
- 1515-1525 Walk to Gates of Dawn
- 1525-1625 Gates of Dawn
Objective: View last remaining gate of town fortifications and 17th century image of Virgin Mary.
- 1625-1635 Return to hotel
- 1800 Depart hotel for British Embassy (meet in the Delegation Room)
- 1830-1915 British reception for delegation at British Embassy (For entire delegation)
- 1915 Depart British Embassy for dinner
- 1945 Delegation dinner for entire group; location to be decided

DAILY NOTES:

Tips to keep your room cool:

In order for your air conditioner to work your key must be kept in the key slot inside your door. When you remove your key your air conditioner will turn off. Recommend inserting a business card or piece of paper in this slot and leaving it in throughout the day so your room will be cool when you return.

****Your air conditioner WILL NOT work if your window is open****

IMPORTANT PHONE NUMBERS:

Dr Sumerlee- Located in room 225 (to reach him by phone within the hotel dial 9-225)

CAPT Nowell- Located in room 228 (to reach him dial 9-228)

LT McGuffie- Located in room 403 (to reach him dial 9-403)

PLEASE CONTACT US IF YOU HAVE ANY PROBLEMS or QUESTIONS

BUS SCHEDULE:

Buses departing the Hotel (en route Seimas):

7:30 AM, 8:00 AM, 8:30 AM, 9:00 AM, 9:30 AM, 10:00AM, 10:30AM, 11:00 AM, 11:30 AM, 12:00PM, 12:30 PM, 1:00PM, 1:30 PM, 2:00PM, 2:30 PM, 3:00 PM, 3:30 PM, 4:00 PM, 4:30 PM, 5:00 PM, 5:30 PM, 6:00 PM

Buses departing the Seimas (en route Hotel):

7:45 AM, 8:15 AM, 8:45AM, 9:15 AM, 9:45 AM, 10:15 AM, 10:45 AM, 11:15 AM, 11:45 AM, 12:15 PM, 12:45 PM, 1:15PM, 1:45 PM, 2:15 PM, 2:45PM, 3:15 PM, 3:45 PM, 4:15 PM, 4:45PM, 5:15 PM, 5:45 PM, 6:15 PM

EXHIBIT 16

CODEL Cardin

Athens, Greece
8-12 October 2009

Thursday, 8 October- Washington DC

Attire: Travel Casual

Forecasted Weather: Mostly Sunny: High 71 Low 56

- **1700**** Members depart Capitol Hill en route Andrews Air Force Base
- **1800**** Depart Washington DC (Andrews) (GMT -4) via MILAIR en route Athens, Greece (GMT +3)
Flight Duration: 10hrs
Advance clocks: 7hrs

*** Times tentative- depending on House and Senate schedules/votes*

Friday, 9 October- Athens

Attire: Business

Forecasted Weather: Sunny: High 80 Low 64

- **1100**** Arrive Athens
- 1140 Arrive Hotel (Conference Venue)
- Hotel Check-in, Distribute Per Diem, Currency Exchange, Conference Registration
- DIYANI APOLLON PALACE*
10 Ag. Nikolaou & Iliou Str.
166 71 Athens-Vouliagmeni- Greece
Tel. +30 210 8911100
Fax +30 210 9658010
- 1100-1330 **SESSION 1: Regional Cooperation in Energy Security (**US DELEGATION WILL MISS THIS SESSION**)**
- Chair/Moderator: Mr. Petros EFTHYMIOU, Vice-President of the OSCE Parliamentary Assembly
- Keynote speakers:**
- Mr. Giorgos SALAGOUDIS, MP, Chairman of the Standing Committee on Production and Trade of the Hellenic Parliament
- Dr. Volodymyr SAPRYKIN, Director of Energy Programmes – Centre for Economic and Political Studies of Ukraine, Razumkov
- Mr. Simos SIMOPOULOS, Chairman of the Regularity Authority for Energy (RAE), Professor, National Technical University of Athens (NTUA)
- Keynote speaker from the Russian Federation - (TBC)
- Open debate
- 1315 Depart hotel for lunch at Panorama Restaurant (near hotel)

1330-1500 Lunch for U.S. Delegation at Panorama Restaurant
1500 Delegates/Staffers return to hotel for afternoon session. (Accompanying persons depart in separate van for downtown)

1500 **Begin Accompanying Persons Schedule**
Depart Restaurant for downtown Athens

1600-1745 Walking tour of historical Monastiraki and Plaka districts.

1745 Depart downtown Athens en route Hotel

1830 Arrive Hotel- Down time

2030 Reception hosted by the Head of the Hellenic Delegation to the OSCE PA, Mr. Panayotis SKANDALAKIS

1530-1800 **SESSION 2: Climate and Environmental Policy- The Road to Copenhagen**

Chair/Moderator: Member of the Bureau of the OSCE Parliamentary Assembly

Keynote speakers:

Senator Benjamin CARDIN, Chairman of the Commission on Security and Cooperation in Europe, Vice-President of the OSCE Parliamentary Assembly

Mr. Kyriakos MITSOTAKIS, MP, Chairman of the Special Permanent Committee on Environmental Protection of the Hellenic Parliament

Mr. Dimitris VARVARIGOS, MP, Vice-Chairman of the Special Permanent Committee on Environmental Protection of the Hellenic Parliament

Mr. Dimitris LALAS, former Professor, University of Athens, Department of Meteorology

Representative of the Government of Denmark (TBC)

Open debate

2030 Reception hosted by the Head of the Hellenic Delegation to the OSCE PA, Mr. Panayotis SKANDALAKIS

Location: Astir Palace Hotel

RON *DIVANI APPOLLON PALACE Hotel, Athens*

Saturday, 10 October-Athens

Attr: Business

Forecasted Weather: Sunny; High 79 Low 64

0630 Control/Hospitality Room Opens

0830 **Begin Accompanying Persons Schedule**

Meet Leila Kamgar and George Frowick in hospitality suite. Depart hotel for Cape Sounion

- 0900-1100 Tour Cape Sounion and the Temple of Poseidon
- 1145-1330 Lunch at seaside restaurant
- 1400 Return to hotel, downtime
- 1515 Depart hotel for downtown Athens. Joined by Sen. Voinovich, Rep. McIntyre
- 1600 – 1730 Tour Roman Agora, Roman Forum, Tour of the Winds (Combined group of members (listed above) and accompanying persons * Archaeologist Dr. Harris of the American Classical Studies school will act as the tour guide.
- 2030 Reception hosted by the Head of the Hellenic Delegation to the OSCE PA, Mr. Panayotis Skandalakis .
Location: On-site at the Divani Apollon Palace Hotel
-

1000-1200 **SESSION 3: Optimal Utilization of Natural Resources for Human Security**

Chair / Moderator: Member of the Bureau of the OSCE Parliamentary Assembly

Keynote Speakers:

Mr. Kassym-Jomart TOKAYEV, Chairman of the Senate of the Republic of Kazakhstan, Vice-President of the OSCE Parliamentary Assembly

Mr. Goran SVILANOVIC, Co-ordinator of OSCE Economic and Environmental Activities

Mr. Theodoros PANGALOS, MP, Chairman of the Political Committee of the European Security and Defense Assembly of the WEU

Open debate

1200-1215 Coffee Break

1215-1245 **CLOSING SESSION of the Conference on Energy Security and Environment**

Concluding Remarks by a Representative of the Hellenic Parliament

Concluding Remarks by the President of the OSCE Parliamentary Assembly

1500-1800 **MEETING OF THE STANDING COMMITTEE (Senator Cardin and Rep. Hastings Only)**

2030 Dinner hosted by the President of the Hellenic Parliament, Mr. Dimitrios G. SIOUFAS

Location: Divani Apollon Palace Hotel

RON *DIVANI APOLLON PALACE Hotel, Athens*

Sunday, 11 October- Athens

Attire: Business

Forecasted Weather: Sunny; High 77 Low 64

0630	Control/Hospitality Room Opens
0750	Begin Accompanying Persons Schedule Depart hotel for Piraeus port. Meet tour guide at Piraeus port.
0850	Depart on Hellenic Seaways Flying Dolphin hydrofoil to Aegina
0935	Arrive Aegina
0940 – 1345	Taxi tour of Temple of Aphaia, walking tour of Aegina port town, lunch at seaside restaurant*
1405	Depart Aegina for Port of Piraeus on Hellenic Seaways Flying Dolphin hydrofoil
1445	Arrive in port of Piraeus. Take embassy van to Acropolis Museum
1530	Arrive Acropolis Museum, meet full delegation in museum café
1600 – 1730	Tour Acropolis Museum
1745	Depart museum for hotel, downtime (next event: Delegation dinner at 2000)

1015-1115 The OSCE Mediterranean Dimension/Prospects and Challenges

Chair/Moderator: Mr. Alcee L. HASTINGS, OSCE PA Special Representative for Mediterranean Affairs

Remarks by Mr. Joao SOARES, President of the OSCE Parliamentary Assembly

Remarks by Ms Elsa PAPADIMITRIOU, Vice President of the Hellenic Parliament, Vice-President of the Executive Committee of the Inter-parliamentary Union

Remarks by Mr. Sotirios ROUSSOS, Personal Representative of the OSCE Chairman ship-in-Office for Mediterranean Partners

“The OSCE and the Mediterranean: prospects and challenges”

Keynote address by Ambassador Marc PERRIN de BRICHAMBAUT, Secretary General of the OSCE, followed by question & answer period.

1115-1130 Coffee Break

1115-1200 Press event at Hotel (room TBD)

1130-1330 SESSION on Trade and Economic Cooperation in the Mediterranean

Chair/Moderator: Senator Jerry GRAFSTEIN Vice-President of the OSCE Parliamentary Assembly

Keynote speakers:

Mr. Jason AZZOPARDI, Ministry of Finance, Economy and Investment of the Republic of Malta

Mr. Konstantinos AGORASTOS, MP, Chairman of the Standing Committee on Economic Affairs of the Hellenic Parliament

Statements by Parliamentary Representatives from the OSCE Mediterranean Partners for Cooperation

General Debate

1330-1345 **Closing of the OSCE PA Fall Meetings 2009**

Concluding Remarks by Mr. Panayotis SKANDALAKIS, Head of the Hellenic Delegation to the OSCE Parliamentary Assembly

Concluding Remarks by Mr. Petros EFTHYMIU, Vice-President of the OSCE Parliamentary Assembly

Concluding Remarks by Mr. Joao SOARES, President of the OSCE Parliamentary Assembly

1400 Delegation departs hotel for Acropolis Museum

1445 Lunch at Acropolis Museum Cafe

1545 Accompanying persons meet up with delegation at cafe

1600-1730 Tour Acropolis Museum
Tour led by public diplomacy specialist Evgenia Diatsigkou

1745 Return to Hotel

2000-2130 Delegation Dinner

2230 Hospitality/Control Room closes for the evening

RON *DIVANI APOLLON PALACE Hotel, Athens*

Monday, 12 October- Athens/Washington DC

Attire: Travel Casual

Forecasted Weather: Partly Cloudy; High 77 Low 63

0455 *Rep Hastings departs hotel en route airport.*

0630 *Control Room/Hospitality Room opens*

0800 CODEL Baggage Call/ Currency Exchange

0800 Members of Congress and Staff Depart Hotel for US Embassy

0900-1000 Country Team Briefing (U.S. Embassy)

1000 Accompanying Persons depart Hotel (no one will be returning to the Hotel after this departure)

1000-1045 Possible Bi-Lat

1100-1200 Full Delegation tour of Acropolis (advise wearing sturdy/comfortable shoes)

1300-1430 Full delegation lunch at Filistron Kouzina Restaurant

1530-1630 Tour Roma Camp
Tour led by Political Officer David Muehlke and Political Specialist Cissy Hristodoulak. Distribution of food and clothing donated by embassy staff.

1645 Arrive airport

1700 Depart Athens (GMT +3) en route Shannon Ireland (GMT +1)
Flight Time: 4 hrs 15 min
Retard Clocks 2 hours

1915 Arrive Shannon Ireland for refuel

2045 Depart Shannon (GMT +1) en route Washington DC (GMT -4)
Flight Time: 7 hrs 15 min
Retard Clocks 5 hours

2300 Arrive Andrews Air Force Base, Washington DC

MISSION COMPLETE

EXHIBIT 17



CODEL CARPDIW

*Morocco, Spain and Austria
12-20 February 2010*



MEMBERS OF CONGRESS AND SPOUSES

Sen. Ben Cardin (D-MD)
Mrs. Myrna Cardin, Spouse
Sen. Roger Wicker (R-MS)
Mrs. Gayle Wicker, Spouse
Rep Robert Aderholt (R-AL)
Mrs. Caroline Aderholt, Spouse
Rep Laura Richardson (D-CA)
Del. Earl F.H. Falermaeweger (D-American Samoa)
Mrs. Antonina Hunkin, Spouse
Rep. Alice Hastings (D-FL) (will join CODEL Cardin in Vienna)
Rep. Corrine Brown (D-FL) (will join CODEL Cardin in Vienna)

STAFF

Mr. Fred Turner, Chief of Staff, Helsinki Commission
Ms. Debbie Yamada, Staff, Senator Ben Cardin
Ms. Marlene Kauffman, General Counsel, Helsinki Commission
Mr. Neil Simon, Communications Director, Helsinki Commission
Mr. Bob Hand, Policy Advisor, Helsinki Commission
Mr. Josh Shapiro, Staff Associate, Helsinki Commission
Mr. Alex Johnson, Policy Advisor, Helsinki Commission (will join
CODEL Cardin in Vienna)

MILITARY ESCORTS

CAPT C.J. Cassidy, Lead Escort, Navy Senate Liaison Officer
LT Mitch McGuffie, Lead Planner, Navy Senate Liaison Officer
LT David Colberg, Navy House Liaison Officer

DOCTOR

Dr. Justin Harder, Office of the Attending Physician

Friday, February 12 (Washington DC)

Attire: Travel Casual
Forecasted Weather: Mostly Sunny High 33 Low-25

1730 Depart Capitol Hill on route Andrews Air Force Base

1300 Delegation
Depart on route to No Host Lunch
La Table du Marche, L'Oasis, Le Jardin

1830 Depart Washington DC en route Marrakesh, Morocco via MIA, AFR.
Flight Time: 7hr 10min; advance clocks 5 hours
Dinner served in flight

1330 Marrakesh Cultural Enrichment Program
(Casual Attire/Comfortable Walking Shoes)

1800 Return to Hotel

1930 Depart Hotel on route dinner

2000 Dinner hosted by Amb. Serge Berdugo
(Attire: Business)

RON

Saturday, February 13 (Morocco)

Attire: Travel Casual/ Business Dress for Dinner
Forecasted Weather: Showery: High-65 Low-48

0645 Arrive Marrakesh

0740 Hotel Check-in

1000 **Country Team Briefing (Hospitality Suite)**
Ambassador and Mrs. Kaplan
Alison Bazley, Management Counselor
Brian A. Spolt, Deputy Political Counselor
Delegation

Sofitel Marrakesh
Rue Hassan Errachid
Quartier de l'avenue 40000
Marrakesh, Morocco
Tel: (+212)524/425630

1045 Depart en route to American Corner

1100 **American Corner Presentation**
(Attire: Business Casual)
Ambassador and Mrs. Kaplan

Sunday, February 14 (Morocco)

*Attire: Business Casual; Business for Arab Dinner
Forecasted Weather: AM Showers; High-67 Low-48*

- 0800 Breakfast
- 0900 Depart en route to Air Ouar Library
- 1000 Peace Corps Youth Development Project
(Attire: Business Casual)
- 1130 Depart location en route hotel
- 1215 Baggage Call
- 1230 No Host Lunch
L'Gascin, Le Jardin
- 1330 Depart en route airport
- 1400 Depart Marrakesh en route Rabat via MHA-ARR
Flight Time: 50 min
- 1430 Arrive Rabat, en route to Golden Tulip Furah
- 1530 Hotel Check in
- 1600 Optional: Visit Rue de Consuls (Attire: Casual)
- 1845 Depart hotel en route Ambassador's Residence
(Attire: Business)
- 1930 Dinner hosted by Ambassador and Mrs. Kaplan

KON

Golden Tulip Furah Rabat
Mabrouk 10-10-090-Rabat
Tel: +212 537 722155

Monday, February 15 (Morocco/Spain)

Arrive: Business AM/ Business Casual for Rota

Forecasted Weather:

Rabat- Showers High-63 Low-53

Madrid- Scattered Showers High-46 Low-30

0830 Breakfast/Leisure Time

0930 Baggage Call/Hotel Check-out

Accompanying Persons Schedule:

0945 Depart hotel on route Breast Cancer Awareness Project (Airtel: Business)

1100 Depart Breast Cancer Awareness Project on route Airport

1015 Depart Hotel en route to Ministry of Foreign Affairs

1030 Meeting with MFA Secretary General Youssef Amrani (Airtel: Business)

1115 Depart Location en route Airport
Box lunches will be served on plane

1130 Depart Rabat, Morocco en route to Rota, Spain via MIAIR

Flight Time: 1hr 5min. Advance checks 1 hour

1335 Arrive Rota
Organized by Spanish Comandante Peltez and CAPT Bill Mask (NAVSTA Commanding Officer)

1340 Opportunity for Constituent Photos

1350 Command Brief
Naval Station Rota Brief given by CAPT Bill Mask
Combined Task Force 68 Brief given by Commodore Beck

1455 Driving tour of Rota

1600 Depart Naval Air Station Rota, Spain en route Madrid
Flight Time: 1hr

1700 Arrive Madrid Turejon. Proceed to hotel (drive approximately 20 minutes).

1720 Hotel Check-in

1830 Depart hotel for Chief of Mission Residence

1900 Cocktail hosted by Ambassador Solomon, CMRR (Airtel: Business)

2100 Senator and Mrs. Cardin dinner with PCRB
Location: Hotel Villanueva

ROM
Hotel Intercontinental Castellana
Address: Paseo de la Castellana, 49
28046 Madrid
Tel: +34-91-790-7300

Thursday, February 16 (Spain)

Author: Business

Forecasted Weather: Rain/Snow Showers, High #3 Low-54

0930 Depart hotel.

[Spouses depart hotel at 0930 to attend community service event organized by PAS and CLO and will meet delegation at 1315 at Palacio de Viana.]

1000 Meeting with Bernardino Leku, Secretary General of the Presidency of the Government (Press TBD)

1200 Meeting with Minister of Interior Rubalcaba (Press TBD)

1315 Meeting with Secretary of State for Foreign Affairs (Press TBD)

1315 *Tour of the Palacio de Viana for Accompanying Persons. Mrs. Solomon will join.*

1400 Lunch hosted by Secretary of State for Foreign Affairs for entire delegation. Mrs. Solomon will join.

1630 Press availability. Embassy MPR

1715 Return to hotel.

1730 Cultural program (optional).

2015 Depart hotel (for those dining at Borin).

2030 Dinner at Borin, Calle Cochetero, 17, 91-396-4217.

RON

Hotel Intercontinental Castellana
Address: Paseo de la Castellana, 49
28046 Madrid
Tel: +34-91-706-7300
Fax: +34-91-319-4853

Wednesday, February 17 (Spain/Austria)

Arrive Business
Forecasted Weather:

Madrid: Showers High-49 Low-38
Vienna: Partly Cloudy High39 Low-28

2020

Arrive Vienna
Delegation met by Carol Fuller and Winsome Parker

TBD

Arrive Hotel Imperial
Check-in
Currency exchange available

2100

Delegation briefing by OSCE PA Secretary General,
Spencer Oliver
Location: Delegation Room

KON

Hotel Imperial
Kartner Ring 16
Vienna
Tel: 43-1-501-10-387

0800 Check-out and baggage call

0830 Depart hotel.

0845 Tour of Aaretha station.

0930 Depart Aaretha station.

1000 Meeting with Isidro Rodriguez, Managing Director of the
Roma Foundation, and tour of the facilities.

1140 Depart for Ministry of Foreign Affairs.

1200 Meeting with José Riera Sagarra, Special Ambassador for
the Mediterranean, and Enrique Asorey Rey, Special
Ambassador for OSCE Affairs.

[Boxed lunch on bus.]

1330 Tour Palacio Real.

1530 Tour Prado.

1730 Depart for Terragon.

1800 Depart Madrid en route Vienna, Austria via KLM/ARR
Flight Time: 2hr 50min, no time change
Dinner Served in flight

10

11

Thursday, February 18 (Austria)

Airline Business
Forecasted Weather: Rain/Show Showers High-39 Low-32

0700

Breakfast
Location: Imperial Cafe (Ground Floor)
Note: Breakfast included in room rate

0900-1130 Standing Committee Meeting, Ratsaal (Fifth floor),
Hofburg

Participants: Chairman Carlin, Co-Chairman Hastings,
and Representative Adenhal only

1120 Depart hotel for Hofburg

1145-1300 Joint Session of the three General Committees, Neuer Saal
(2nd floor)

Call to Order by Mr. Joao Soares, President of
the OSCE Parliamentary Assembly (PA)
OPEN PRESS

-Opening Remarks by the President of the
Austrian Nationalrat, Ms. Barbara Prammer

- Address by Mr. Joao Soares, President of the
OSCE Parliamentary Assembly

- Address by the OSCE Chairperson-in-Office,
Kamal Sandakoyev, followed by question/
answer session

1300

Departure for lunch

1315

Lunch briefing by USOSCE Charge d' Af-
faires, Carol Foster and Acting DCM, Casey
Christensen
Location: Palmenhau, Burggarten, Vienna
1010, Tel: 43-1-533-1033
Participants: Delegation

1500

Co-Chairman Hastings' Meeting with Mediterranean
Partners, Room TBD, Hofburg

1500-1800

General Committee on Political Affairs and Security,
Neuer Saal (2nd floor)
Open Press

1500-1800

General Committee on Economic Affairs, Science,
Technology and
Environment, Ratsaal (5th floor) **Open Press**

1815

Departure of buses from Hofburg to the Austrian
Parliament

1830

Reception offered by the Austrian Parliament
(Austrian Nationalrat)

RON

Hotel Imperial
Karlter Ring 16
Vienna
Tel: 43-1-501-10-187

Friday, February 19 (Austria)

Address: Bratislava

Forecasted Weather: Rain/Snow Showers High: 39 Low: -12

0730
Breakfast
Location: Café Imperial (Ground Floor)

0840
Depart hotel for Hofburg

0900-1230
General Committee on Democracy, Human Rights and Humanitarian Questions, Meuser Saal (2nd floor) **Open Press**

1000
Senator and Mrs. Cardin Departs for Centropa Meeting

1015-1115
Senator and Mrs. Cardin Meet with Centropa and about 50 Holocaust survivors. Centropa will show a short video. Refreshments will be provided. *Open Press*
Location: Café Landstrammer, Dr. Karl Lueger-Ring 4, A-1010 Wien

1145
Depart Hofburg for Café Central

1200
Lunch
Location: Café Central, Herrenngasse 14/2, Vienna. Tel: 01-333-76424
Participants: Delegation

1240-1630
Closing Session of the three General Committees (Meuser Saal / 2nd floor)
Open Press

1330-1530
Special Debate on Afghanistan

Open Press

1530-1630
Address by the OSCE Secretary General, Marc Perrin de Brichambaut, followed by a question & answer session. *Open Press**

Report by the OSCE PA Special Representative on Gender Issues, Ms. Tone Linggard followed by a debate.

Reports by the Chairs of the three General Committees:

Concluding Remarks by the President of the OSCE PA, Mr. Joao Soares

Press Roundtable, Room 201, the Hofburg

1315
Press Roundtable, Room 201, the Hofburg

1530
Delegation Meeting with Russian Delegation, Room 201, the Hofburg

1630
Delegation Meeting with the OSCE Secretary General, Marc Perrin de Brichambaut, Room 201, the Hofburg

1715-1815
Senator and Mrs. Cardin attend services at the Vienna City Temple.
Location: Sellensterngasse 4, A-1010 Vienna.

1840
Depart hotel for dinner

1900
Dinner
Location: Pusttner Wien | 1, Rietberggasse 10 |
Tel: 1/512 6357
Participants: Delegation

RON
 Hotel Imperial
 Karmner Ring 16
 Vienna
 Tel: 43-1-501-10-387

Currency Exchange Information

Per Dhram (US Dollars)

Lodging	Meals	& Incidents
Marrakesh	253	110 (not incl \$50 supp)
Rabat	191	96 (not incl \$50 supp)
Madrid	286	110 (not incl \$50 supp)
Vienna	206	168 (not incl \$50 supp)

Saturday, February 20 (Austria/Washington DC)
 Attire: Travel Casual
 Forecasted Weather: Fairly Cloudy High 39 Low-21

International Exchange Rate

0630 Currency Exchange Opens
 0715 Breakfast
 Location: Cafe Imperial (Ground Floor)
 0715 Baggage Call

MOROCCO		8.25 MAD
1.00 USD	United States Dollar	Morocco Dhramas
	1 USD = 8.25 MAD	1 MAD = 1212 USD

TBD Depart Hotel Imperial

SPAIN/AUSTRIA

0900 Depart Vienna en route Washington DC via
 KTH AB
 Flight Time: 16 hours; Retard clocks 6 hours

	1.00 USD	7338 EUR
United States Dollar		EURO
1 USD = 7338 EUR		1 EUR = 1.36 USD

1300 Arrive Washington DC

HOTEL INFORMATION

Marrakesh

Sofitel Marrakesh
Rue Hassan Errachid
Quartier de l'Heritage 40000
Marrakesh, Morocco
Tel: (+212)524425000

Rabat

Casden Turp Parth Rabat
Makhroufi 10,000 Rabat
Tel: +212 537 722155

Madrid

Hotel Intercontinental Castellana
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NOTES

APPENDIX E

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Congress of the United States

House of Representatives

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2010 JUL 30 PM 7: 22
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July 30, 2010

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Honorable G. K. Butterfield
Honorable Kathy Castor
Honorable Peter Welch
Committee on Standards of Official Conduct
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Washington, DC 20515

Honorable Jo Bonner, Ranking Member
Honorable Mike Conaway
Honorable Charlie Dent
Honorable Gregg Harper
Honorable Michael McCaul
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Re: Review No. 10-1170 (Representative Solomon P. Ortiz)
REFERRAL

Dear Chair Lofgren, Ranking Member Bonner and Members of the Committee on Standards of Official Conduct:


We write to notify you of the transmittal of a report recommending further review and findings (collectively "the referral") in Review No. 10-1170, concerning Representative Solomon P. Ortiz. We have also included supporting documentation. The entire referral and supporting documentation have been delivered to the Offices of the Committee on Standards of Official Conduct where it is available for your review.

If you would like to receive a copy of the Board's referral and supporting documents or have any questions regarding it, our staff is available at your convenience.

Sincerely yours,



David E. Skaggs



Porter J. Goss

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 10-1170

The Board of the Office of Congressional Ethics (the “Board”), by a vote of no less than four members, on July 23, 2010, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Solomon P. Ortiz

NATURE OF THE ALLEGED VIOLATION: During the time period from March 2008 to May 2010, Representative Solomon P. Ortiz participated in various Congressional Delegation trips abroad. These public statements attributed to Representative Ortiz indicate that he may have retained excess per diems that he received during the trips.

If Representative Ortiz’s actual meal and incidental expenses during for foreign travel were less than the per diem received and he did not return the excess per diem, he may have violated House Rule 10, clause 8, and House Rule 23, clauses 1 and 2.

RECOMMENDATION: The Board recommends that the Committee on Standards of Official Conduct further Review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-1170

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-1170

On July 23, 2010, the Board of the Office of Congressional Ethics (the “Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.¹ By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”²
2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics (“OCE”) that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.³

¹ Rules of the House of Representatives, 111th Cong. Rule X, Clause 8, adopted under H. Res. 5, 111th Cong. (January 6, 2009).

² Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10-1170_002).

³ Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager, June 3, 2010 (Exhibit 2 at 10-5477_006); Memorandum of Interview of House Committee on Foreign Affairs Travel Coordinator, June 2, 2010 (Exhibit 3 at 10-5477_009); and Memorandum of Interview of House Armed Services Committee Travel Coordinator, June 8, 2010 (Exhibit 4 at 10-5477_014).

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3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.
4. Representative Ortiz acknowledged publically before the commencement of the OCE's Review that he did not return per diem.⁴ During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals, indicating that he had excess per diem.⁵

A. Summary of Allegations

5. Based on the information presented before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative Solomon Ortiz may have violated House Rule 10, clause 8 and House Rule 23, clauses 1 and 2, by retaining excess per diem when his actual meal and incidental expenses were less than the per diem that he received during various Congressional Delegation trips ("CODELs").

B. Jurisdictional Statement

6. The allegations that were the subject of this Review concern Representative Ortiz, a Member of the United State House of Representatives from the 27th District of Texas. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. Therefore, the conduct under Review occurred after March 11, 2008.

⁴ Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-1170_017).

⁵ Memorandum of Interview of Representative Solomon Ortiz, June 15, 2010 ("Ortiz MOI") (Exhibit 5 at 10-1170_022).

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C. Procedural History

7. The OCE received a written request for a preliminary Review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010.⁶ The preliminary Review was scheduled to end on May 13, 2010.
8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.⁷ The second-phase Review was scheduled to end on June 28, 2010.
9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.⁸
10. Representative Ortiz submitted a written statement to the Board, under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 21, 2010.⁹
11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.
12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 30, 2010.

D. Summary of Investigative Activity

13. The OCE requested documentary and testimonial information from the following sources:
 - (1) Representative Ortiz;
 - (2) House Committee on Armed Services;
 - (3) House Committee on Armed Services Travel Coordinator;
 - (4) House Committee on Foreign Affairs;
 - (5) House Committee on Foreign Affairs Travel Coordinator;
 - (6) Commission on Security and Cooperation in Europe ("CSCE");

⁶ A preliminary Review is "requested" in writing by members of the Board of the OCE. The request for a preliminary Review is "received" by the OCE on a date certain. According to H. Res. 895 of the 110th Congress (hereafter "the Resolution"), the timeframe for conducting a preliminary Review is 30 days from the date of receipt of the Board's request.

⁷ According to the Resolution, the Board must vote on whether to conduct a second-phase Review in a matter before the expiration of the 30-day preliminary Review. If the Board votes for a second-phase, the second-phase begins when the preliminary Review ends. The second-phase Review does not begin on the date of the Board vote.

⁸ *Id.* at § 1(c)(2)(A)(ii) (2008).

⁹ Letter from Solomon P. Ortiz to Leo Wise ("Ortiz Letter"), dated July 21, 2010 (Exhibit 7 at 10-1170_024-025).

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- (7) CSCE Office Manager;
- (8) Bureau of Legislative Affairs of the United States Department of State; and
- (9) United States Air Force Congressional Liaison Office.

II. THERE IS SUBSTANTIAL REASON TO BELIEVE THAT REPRESENTATIVE ORTIZ RECEIVED PER DIEM IN EXCESS OF HIS ACTUAL MEAL AND INCIDENTAL EXPENSES DURING CERTAIN CODELS AND RETAINED THE EXCESS PER DIEM

- 14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.
- 15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.
- 16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of “any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”¹⁰

A. Applicable Law, Rules, and Standards of Conduct

1. House Rules

17. Pursuant to House Rule 10, clause 8(b):

“The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of---

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.”

18. Pursuant to House Rule 23, clause 2:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.”

¹⁰ H. Res. 895 of the 110th Congress, as amended, Section 1(c)(1)(A).

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19. Pursuant to House Rule 23, clause 1:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House.”

2. Federal Travel Regulation and Other Guidance

20. House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95-384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300-304.

21. The “per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses.”¹¹

22. Lodging expenses include “expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate.”¹²

23. Meal expenses are “expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).”¹³

24. Incidental expenses are “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”¹⁴

25. “Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore,

¹¹ 41 C.F.R. § 300-3.1 (emphasis added).

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

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routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates.”¹⁵

26. Under the Federal Travel Regulation, the allocation of meals and incidental expenses (“M&IE”) rates that is used in making deductions from the M&IE are as follows: 15% for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was \$100 per day, it was allocated as \$15 for breakfast, \$25 for lunch, \$40 for dinner, and \$20 for incidental expenses.¹⁶

27. According to The United States Department of State Bureau of Legislative Affairs Official Foreign Travel Guide published for the U.S. Congress, Members are advised the following:

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any “excess” funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

28. The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained.¹⁷

B. Representative Ortiz Made Public Statements Indicating That He May Have Retained Excess Per Diem

29. On March 2, 2010, the *Wall Street Journal* published an article entitled “Lawmakers Keep the Change.”¹⁸

30. Statements attributed to Representative Ortiz indicate that he may have retained excess per diem that he received during the CODELs.

¹⁵ United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 8 at 10-1170_045).

¹⁶ 41 C.F.R. ch. 301, App. B.

¹⁷ House Rule 10, clause 8.

¹⁸ Brody Mullins and T.W. Farnam, “Lawmakers Keep the Change,” *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-1170_017).

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31. According to the article: “Mr. Ortiz, said he never returned any money.”¹⁹

32. During an interview with OCE, Representative Ortiz confirmed that he never returned any excess per diem.

C. Representative Ortiz’s Use of Per Diem for Expenses Other Than Meal and Incidental Expenses Provides Substantial Reason to Believe That He Had Excess Per Diem and He Did Not Return Excess Per Diem

33. Representative Ortiz told the OCE that he is not sure if he had any excess per diem, but if he did it was a small amount.²⁰

34. In instances where he returned to the U.S. with excess per diem, he used it for expenses such as providing meals to his staff.²¹

35. Representative Ortiz’s use of the per diem for purposes other than his personal meals and incidental expenses suggests that his actual meal and incidental expenses were less than the per diem that he received.

36. As a result, there is substantial reason to believe that Representative Ortiz had excess per diem after certain CODELs.

D. Estimates of Representative Ortiz’s Meal and Incidental Expenses Provide Substantial Reason to Believe That His Excess Per Diem Was More Than a De Minimis Amount for Certain CODELs

37. Representative Ortiz told the OCE that he did not maintain a complete record of expenses that he incurred on CODELs that he attended during the time period from March 2008 to May 2010.²²

38. Based on the information before the OCE, the exact amount of his meal and incidental expenses for each CODEL is unknown.

39. Consequently, the OCE used an estimate of expenses to determine whether it appeared that Representative Ortiz retained excess per diem that was more than a *de minimis* amount.

40. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.

¹⁹ *Id.*

²⁰ Ortiz MOI (Exhibit 6 at 10-1170_022).

²¹ *Id.*

²² Ortiz Letter (Exhibit 7 at 10-1170_022).

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41. If an estimate is not used, a House Member or staff could impede the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.
42. Representative Ortiz's description of his typical meal and incidental expenses provides the basis for estimating his expenses.
43. Representative Ortiz's meals during CODELs falls into the following three categories:
 - a) meals that were provided to him at no charge. Representative Ortiz stated that there are days when no such meals are provided:²³
 - b) meals that were paid for by military personnel escorting the CODEL purchased and later sought reimbursement from Representative Ortiz. Most meals were purchased in this manner. These are the meals where multiple Members of Congress and staff attend and the military escort (*e.g.*, U.S. Air Force official) paid for the dinner on behalf of all participants and then sent an invoice to each person for their portion of the bill. Occasionally, Representative Ortiz reimbursed the escort with per diem while on the return flight to the U.S.:²⁴ and
 - c) meals that Representative Ortiz directly pays for himself.²⁵
44. With respect to incidental expenses, Representative Ortiz used per diem for taxis, however, he noted that sometimes ground transportation was provided at no cost to him. He also used the per diem for tips.²⁶
45. As a result, the invoice received from the military escorts for each CODEL, along with the itinerary of meals that were provided at no charge to Representative Ortiz, provided an estimate of his meal expenses other than occasional evening meals that he purchased directly himself.

E. Representative Ortiz Did Not Return Any Excess Per Diem for Meals and Incidental Expenses

46. Representative Ortiz does not recall any instance of him returning excess per diem to the U.S. Treasury.²⁷
47. He does not recall anyone instructing him to return excess per diem.²⁸

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at 10-1170_021.

²⁷ *Id.* at 10-1170_022.

²⁸ *Id.*

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48. Procedures were in place at the time of Representative Ortiz’s travel for him to return any excess per diem.
49. All of the relevant CODELs were organized by the House Armed Services Committee, except for CODEL Costello.
50. The House Armed Services Committee Travel Coordinator, who is responsible for reporting the amount of per diem that Members received, explained that those attending CODELs are highly encouraged to return excess per diem. The Committee does not have any written guidance but orally instructs Members and staff to return excess per diem to the U.S. Treasury.²⁹
51. There is substantial reason to believe that Representative Ortiz had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.
52. Although, the available evidence does not establish the exact amount of actual expenses for Representative Ortiz’s CODELs, after estimating meal and incidental expenses, there is substantial reason to believe that Representative Ortiz retained excess per diem from the following CODEL:

SUMMARY OF ESTIMATED EXCESS PER DIEM				
CODEL	DATE	M&IE Per Diem ³⁰	Estimated Expenses ³¹	Estimated Excess Per Diem
CODEL Skelton to Hawaii, Guam, Japan, and South Korea	Feb 18 to Feb 21, 2009	\$365.00	≅ \$264.00	≅ \$101.00
CODEL Schiff to Jordan, Tunisia, and Algeria	Jun 27 to Jul 3, 2009	\$668.00	≅ \$449.00	≅ \$219.00
CODEL Costello to Brazil, Argentina, and Panama	Jan 29 to Feb 3, 2009	\$485.00	≅ \$299.00	\$186.00
Total		\$1,518.00	≅ \$1,012.00	\$506.00

²⁹ Memorandum of Interview of House Armed Services Travel Coordinator, June 8, 2010. (Exhibit 4 at 10-1170_013).

³⁰ M&IE Per Diem calculated using travel itineraries; the monthly per diem rates established by the Office of Allowances, United States Department of State; and where applicable, travel vouchers and travel authorization letters.

³¹ Estimated expenses were calculated using 41 C.F.R. § 301, Appendix B, which allocates rates to be used when making deductions from the M&IE allowance. The table under Appendix B indicates, based on the M&IE rate, how much is expected to be allocated for breakfast, lunch, dinner, and incidentals.

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1. CODEL Skelton

53. During CODEL Skelton to Hawaii, Guam, Japan, and South Korea, Representative Ortiz received enhanced per diem for meals and incidental expenses in the amount of \$365.00.³²

54. According to the CODEL itinerary, at least five meals appear to have been provided at no cost to the Representatives who attended the CODEL.³³

55. Representative Ortiz’s meal and incidental expenses that were incurred are estimated on the Federal Travel Regulations allocation formula.³⁴

56. The estimated amount of meals and incidental expenses is \$264.00.

57. Accordingly, the estimated excess per diem is \$101.00.

CODEL SKELTON TO HAWAII, GUAM, JAPAN, AND SOUTH KOREA (FEBRUARY 18 TO FEBRUARY 21, 2009)				
Meals & Incidentals	Feb 18	Feb 19	Feb 20	Feb 21
Breakfast	Hosted	Hosted	≅ \$19	\$15
Lunch	≅ \$30	Hosted	≅ \$31	≅ \$31
Dinner	Hosted	Hosted	\$20	\$20
Incidentals	≅ \$24	≅ \$24	≅ \$25	≅ \$25
M&IE Received				\$365.00
Estimated for M&IE				≅ \$264.00
Remaining				≅ \$101.00

58. Representative Ortiz told the OCE that he did not return any per diem for this CODEL.

³² See Itinerary for CODEL Skelton (February 18 to February 21, 2009) (Exhibit 9 at 10-1170_048-073); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³³ Itinerary for CODEL Skelton (February 18 to February 21, 2009) (Exhibit 9 at 10-1170_048-073); and

³⁴ 41 C.F.R. ch. 301 App. B.

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59. There is substantial reason to believe that Representative Ortiz had excess per diem for CODEL Skelton that he did not return to the U.S. Treasury.

2. CODEL Schiff

60. During CODEL Schiff to Jordan, Tunisia, and Algeria Representative Ortiz received an enhanced per diem for M&IE in the amount of \$668.00.³⁵

61. According to the itinerary for CODEL Schiff, at least six meals appear to have been provided at no cost to Representatives who participated in the seven-day trip.³⁶

62. Following the CODEL, Representative Ortiz owed the military escort \$103.40, for meals and other expenses that were incurred on behalf of Representative Ortiz.³⁷

³⁵ See Travel Voucher for CODEL Schiff (Exhibit 10 at 10-1170_075); Itinerary for CODEL Schiff (June 27 to July 3, 2009) (Exhibit 11 at 10-1170_077-081); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

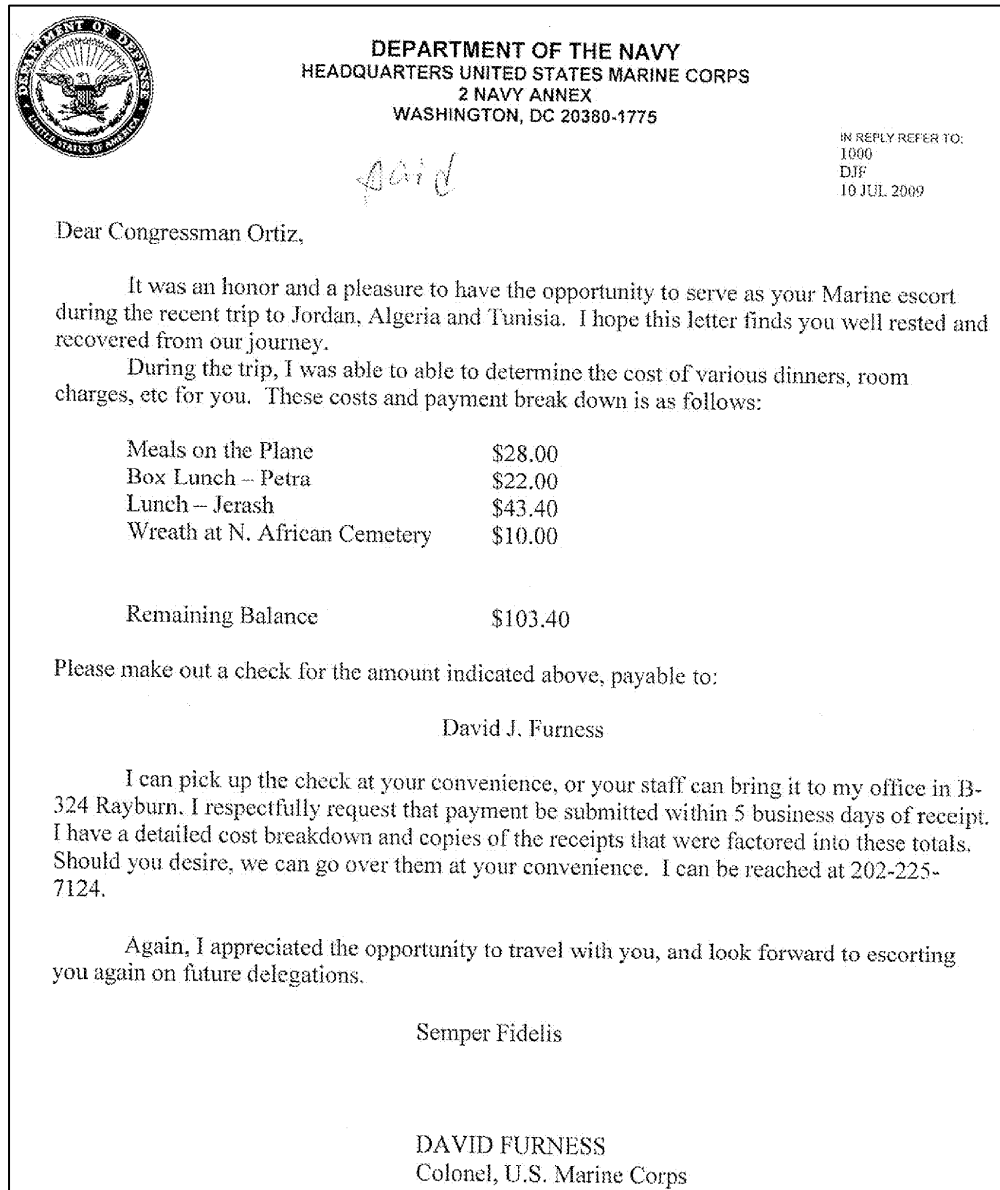
³⁶ Itinerary for CODEL Schiff (June 27 to July 3, 2009) (Exhibit 11 at 10-1170_071-081).

³⁷ Letter from Colonel David Furness to Representative Solomon Ortiz, dated July 10, 2009 (Exhibit 12 at 10-1170_083).

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63. An invoice was sent to Representative Ortiz, dated July 10, 2009.



64. The amount of M&IE per diem remaining after the billed meal expenses is \$565.00.

65. Representative Ortiz may have incurred incidental expenses in addition to those in the Air Force expenses sheet. These expenses are estimated on the Federal Travel Regulations allocation formula.³⁸

66. The estimated amount of additional incidental expenses is \$346.00.

³⁸ 41 C.F.R. ch. 301 App. B.

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67. Accordingly, the estimated excess per diem is \$219.00.

CODEL SCHIFF TO JORDAN, TUNISIA, AND ALGERIA							
(JUNE 27 TO JULY 3, 2009)							
Meals & Incidentals	Jun 27	Jun 28	Jun 29	Jun 30	Jul 1	Jul 2	Jul 3
Breakfast	Billed	≅ \$19	≅ \$19	≅ \$15	≅ \$14	≅ \$14	\$0.00
Lunch	Billed	≅ \$32	Billed	≅ \$25	Hosted	≅ \$24	Billed
Dinner	Hosted	≅ \$51	Hosted	Hosted	Hosted	Hosted	Billed
Incidentals	≅ \$25	≅ \$25	≅ \$26	≅ \$19	≅ \$19	≅ \$19	\$0.00
M&IE Received							\$668.00
Billed							\$103.40
Estimated M&IE							≅ \$346.00
Estimated Excess Per Diem							≅ \$219.00

68. Representative Ortiz told the OCE that he did not return any per diem for this CODEL.

69. There is substantial reason to believe that Representative Ortiz had excess per diem for CODEL Schiff that he did not return to the U.S. Treasury.

3. CODEL Costello

70. During CODEL Costello to Brazil, Argentina, and Panama, Representative Ortiz received per diem for M&IE in the amount of \$485.00.³⁹

71. According to the CODEL itinerary, at least nine meals appear to have been provided at no cost to Representatives who attended the CODEL.⁴⁰

72. Representative Ortiz's meal and incidental expenses that were incurred are estimated on the Federal Travel Regulations allocation formula.⁴¹

³⁹ See Itinerary for Codel Costello (January 29 to February 3, 2009) (Exhibit 13 at 10-1170_085-094); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

⁴⁰ Itinerary for Codel Costello (January 29 to February 3, 2009) (Exhibit 13 at 10-1170_085-094).

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73. The estimated amount of meals and incidental expenses is \$299.00.

74. Accordingly, the estimated excess per diem is \$186.00.

CODEL COSTELLO TO BRAZIL, ARGENTINA, AND PANAMA							
(JANUARY 29 TO FEBRUARY 3, 2009)							
Meals & Incidentals	Jan 27	Jan 28	Jan 29	Jan 30	Feb 1	Feb 2	Feb 3
Breakfast		Billed	Hosted	Hosted	Hosted	≅ \$14	Hosted
Lunch		Hosted	Hosted	Hosted	≅ \$24	≅ \$24	
Dinner	Hosted	Hosted	≅ \$41	\$60*	Hosted	≅ \$39	
Incidentals	\$0.00	≅ \$17	≅ \$21	≅ \$21	≅ \$19	≅ \$19	\$0.00
M&IE Received							\$485.00
Estimated M&IE							≅ \$299.00
Estimated Excess Per Diem							≅ \$186.00

75. Representative Ortiz told the OCE that he did not return any per diem for this CODEL.

76. There is substantial reason to believe that Representative Ortiz had excess per diem for CODEL Costello that he did not return to the U.S. Treasury.

III. CONCLUSION

77. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and staff may receive reimbursement for expenses that is *the lesser of*: (1) the applicable per diem; or (2) actual expenses.

78. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S.

⁴¹ 41 C.F.R. ch. 301 App. B.

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Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.

79. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Ortiz's public statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.⁴²
80. Based on the information available to the OCE during this Review, Representative Ortiz's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELs: CODEL Skelton; CODEL Schiff; and CODEL Costello.
81. Based on the information available to the OCE during this Review, Representative Ortiz did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.
82. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Ortiz.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

83. The OCE requested information from the U.S. Department of State concerning letters of authorization for certain CODELs and records of Representative Ortiz returning excess per diem. The U.S. Department of State was cooperative with retrieving the information but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

⁴² House Ethics Manual (2008) at 13.

EXHIBIT 1

May 13, 2010

The Honorable Ike Skelton, Chairman
House Committee on Armed Services
2121 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman:

Following our recent conversation at the Chairmen's meeting, I would like to provide you with the following restatement of rules concerning the authorization by Chairmen of travel by Members and staff:

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;
- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;
- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;
- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;
- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;
- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.
- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.
- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;
- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;
- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;
- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and
- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

Please contact the Office of Interparliamentary Affairs at ext. 6-1766 with any questions or concerns. The staff is available to provide guidance regarding travel matters.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Commission on Security and Cooperation in Europe Office Manager
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 3, 2010
LOCATION: Office of Congressional Ethics
425 3rd Street, SW
Washington, DC 20515
TIME: 3:30 p.m. to 4:10 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Marlene M. Kaufman, General Counsel, Commission on Security and
Cooperation in Europe

SUMMARY: The Commission on Security and Cooperation in Europe (“CSCE”) Office Manager was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the CSCE Office Manager (the “witness”) and he consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.
3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELS. Information in these reports included the House Members who traveled, dates of travel, and countries visited.
4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.
5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

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6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.
7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELs”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.
8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.
9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.
10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.
11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.
12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

I certify that this memorandum contains all pertinent matter discussed with the witness on June 3, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Foreign Affairs Travel Coordinator
REVIEW No.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 2, 2010
LOCATION: 2170 Rayburn HOB
Washington, DC 20515
TIME: 2:00 p.m. to 2:45 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Daniel Silverberg, Senior Deputy Counsel, House Committee on Foreign
Affairs

SUMMARY: The Travel Coordinator for the House Committee on Foreign Affairs (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.
3. Prior to her employment with the Committee, she was an intern with the Committee.
4. As Travel Coordinator, she is a liaison between the United States Department of State (“State Department”) Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.
5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.
6. Prior to Speaker Nancy Pelosi’s restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

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7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.
8. The witness based her understanding of the use of per diem on information that the State Department published on its website.
9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.
10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.
11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.
12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.
13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.
14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.
15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.
16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10% of the time.

This memorandum was prepared on June 9, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 2, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 2, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Armed Services Travel Coordinator
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 8, 2010
LOCATION: 2117A Rayburn HOB
Washington, DC 20515
TIME: 11:00 a.m. to 11:40 (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Paul Lewis, General Counsel, House Committee on Armed Services

SUMMARY: The House Committee on Armed Services Travel Coordinator (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been a Professional Staff member with the Committee since February of 2005.
3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.
4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.
5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.
6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.
7. She keeps everything related to travel in individual files.

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8. She vets all trips, determining the purpose of the trip and who will be traveling.
9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.
10. Travel must be bi-partisan.
11. The authorization letters are signed by the Chair of the Committee.
12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.
13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.
14. Members must sign for the per diem. Receipts for per diem are required to be turned in to her at the end of the trip.
15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.
16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.
17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like “herding cats”.
18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.
19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.
20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.
21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.
22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.
23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

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24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define “incidentals” to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.
27. She requested that any unused per diem be attributed to the country for which the per diem was issued.
28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.
32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by “word-of-mouth” to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald’s.
38. All trips to areas of operation are unique.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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40. The reports she creates that are required to be filed with the Clerk are broken down by Member.

41. If any per diem is returned, she makes a copy of the check and includes it in her files.

This memorandum was prepared on July 19, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 8, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 8, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 5

THE RESOURCES
YOU NEED

ETF
RESEARCH

ETF
TOOLS

ETF
REPORT
CARDS

ETF
EVENT
INSIGHTS

TALK TO
CHUCK

charlesSCHWAB

Investors should
consider carefully
the risks
associated with the
purchase,
including
investment
objectives, risks,
charges and

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POLITICS | MARCH 2, 2010

Lawmakers Keep the Change

Cash Left Over From Official Trips Overseas Is Often Used for Personal Expenses

By BRODY MULLINS And T.W. FARNAM

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.



[View Full Image](#)

Associated Press

From left, Reps. Alcee Hastings, Eliot Engel and Solomon P. Ortiz, and U.S. Ambassador William Brownfield, in Rio Negro, Colombia, in 2008.

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

"If that was the policy, you could never get many members traveling," said Rep. Solomon Ortiz, a Texas Democrat. Mr. Ortiz said he had never returned any money.

"There's a tacit understanding that if lawmakers don't spend the money, they get to keep it," said Rep. Sue Kelly, a New York Republican who was defeated in 2006.

Former Rep. Tom Davis, a Virginia Republican, said lawmakers often used leftover money "for shopping or to buy souvenirs to bring back to constituents. That's fairly standard."

Rep. Joe Wilson (R., S.C.) said he once bought marble goblets in the Kabul airport as gifts for constituents. Rep. Mark Souder (R., Ind.) said he dipped into his funds to buy a \$200 painting of an estuary in Turkey, which hung in his office for a while and was now in his house.

Lawmakers who said they sometimes keep excess funds said the amounts were small. "I won't deny that sometimes I have a little left, but it's not much—maybe 80, 90, or 100 dollars," said Rep. G.K. Butterfield (D., N.C.).

Congress has no system for tracking how the cash payments, called per diems, are being spent. Lawmakers aren't required to keep receipts and there are no public records.

In the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips, according to congressional travel records.

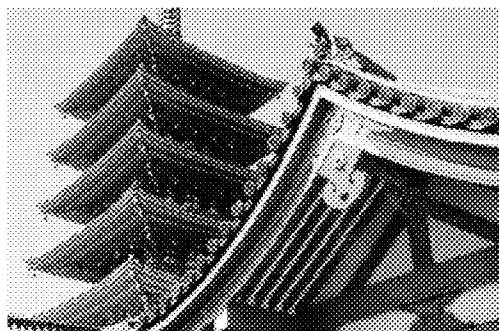
House lawmakers received between \$375,000 and \$625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

"You are all concerned about nickels and dimes, and I'm not," said Rep. Alcee Hastings (D., Fla.). "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt—I don't speak Kazakh."

In a subsequent interview, Mr. Hastings said he had time to gather receipts, but didn't.

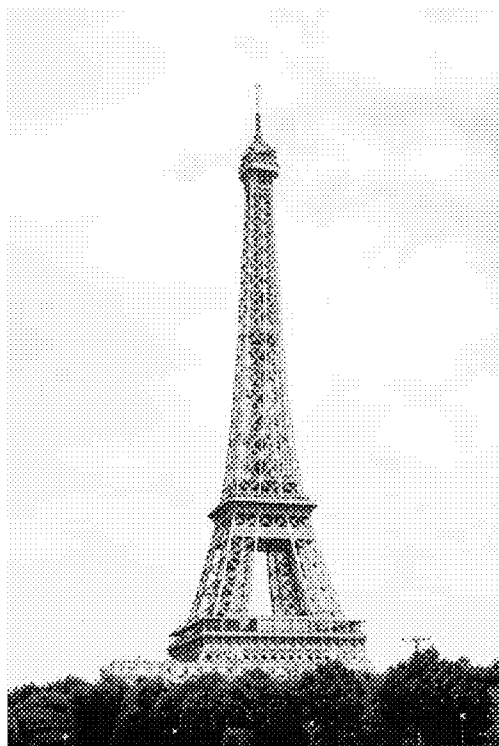
Travel Allowances for Selected Cities

Tokyo: \$214 a Day



Zuma Press

Paris: \$178 a Day



Bloomberg News

London: \$114 a Day

Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said.

"I'm a generous spirit and a courteous spirit," Mr. Hastings said. "I stand accused."

Some lawmakers are assiduous about returning surplus cash. Sen. Arlen Specter, a Pennsylvania Democrat, has returned to the U.S. Treasury about \$8,500 of the \$25,000 he was given for 11 trips since August 2005, according to documents provided by his office.

The per diem program is administered by the State Department. According to department officials and publications, when lawmakers arrive in a foreign country, U.S. government officials give them an envelope with cash in the local currency. The total stipend is set by the State Department based on surveys of local prices. It is meant to cover three meals and incidental expenses, which federal travel regulations say include transportation and tips for baggage handling and other services.

The amounts range from \$28 a day in Kabul to more than \$250 a day in Awashima, Japan.

When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

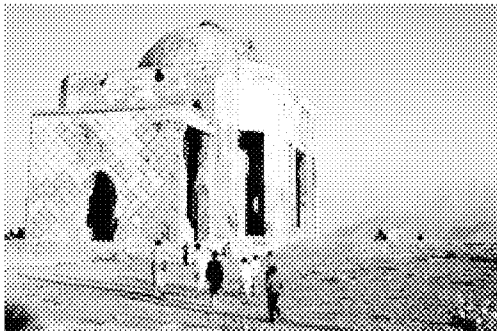
Many of the lawmakers' daily expenses are picked up by U.S. embassies, foreign governments or military liaisons, according to travel documents and interviews.

House and Senate rules say per diems can be used only for legitimate travel expenses. Any leftover money must be returned. The cash is for lawmakers, not their spouses.



Zuma Press

Kabul: \$28 a Day



Getty Images

Lawmakers can request an extra \$50 a day if they believe the allowance is insufficient.

"The extra money and the plus-ups are really for the spouses," said Mr. Souder, the Indiana Republican.

Last summer, a dozen lawmakers of both parties flew to Lithuania to a conference of the Helsinki Commission, an independent U.S. government agency made up of members of Congress and others that was born during the Cold War to promote democracy, security and human rights. The lawmakers were given \$941 each in local currency to cover expenses for the six-day trip, said one attendee, Sen. Richard Durbin (D., Ill.).

When they got home, Mr. Durbin returned \$401.08 to the Treasury, according to documents provided by his office. Sen. Benjamin Cardin (D., Md.) returned \$86. No one else returned any money, according to travel records for the trip and interviews with the lawmakers.

One lawmaker on the trip, Rep. Robert Aderholt (R., Ala.) said he didn't return cash. "I don't keep up with it penny for penny," he said.

Mr. Butterfield said he didn't recall if he had any leftover funds, and that he sometimes kept the extra cash.

Sen. Tom Coburn (R., Okla.) said he once tried to return surplus cash to the State Department, but "they wouldn't take it. They said, 'We don't have a way to handle that.'" Mr. Coburn said he sent a personal check to the U.S. Treasury.

Write to Brody Mullins at brody.mullins@wsj.com and T.W. Farnam at timothy.farnam@wsj.com

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EXHIBIT 6

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Representative Solomon Ortiz
REVIEW No.: 10-1170
DATE: June 15, 2010
LOCATION: 2110 Rayburn HOB
Washington, DC 20515
TIME: 4:00 p.m. to 5:00 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Paul J. Solis
Denise Blanchard

SUMMARY: Representative Solomon Ortiz is a Member of the United States House of Representatives and represents the 27th District of Texas. He was interviewed pursuant to Review No. 10-1170. The OCE requested an interview with Representative Ortiz on June 14, 2010, and he consented to an interview. Representative Ortiz made the following statements in response to our questioning:

1. Representative Ortiz was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. Representative Ortiz generally received per diem, during Congressional Delegation "CODELS", upon arrival at his hotel in the foreign country.
3. He used the per diem to pay for hotels when the U.S. Embassy did not pay for the hotel directly.
4. He used the per diem to pay for expenses such as his meals, taxis, laundry, tips, and faxes at the hotel.
5. He also brought personal money with him from the U.S. He typically brought with him \$300 to \$600 cash. He converted this money to the local currency once in the foreign country.
6. He usually had meals with others who attend the CODELS and a military escort pays for the meal. The escort then sent invoices to those who attended for reimbursement of their portion of the meal expense.

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

7. He also explained there are days when no meals are provided and people on the trip do not eat with the military escort.
8. Representative Ortiz has reimbursed the military escort for expenses incurred on his behalf during the plane during the return flight to the U.S.
9. He also has reimbursed the escort by sending him a payment after he returns to the U.S.
10. He did not use per diem to purchase souvenirs; instead he used his personal credit card and did not reimburse himself for such expenses with the per diem.
11. He does not know how much leftover per diem he had after any CODELs, but if any funds were left it was a small amount.
12. He has used this left over per diem to take his staff out to eat when he returned to the U.S.
13. No one ever told him to return unused per diem and he never returned any unused per diem.

This memorandum was prepared on July 22, 2010, based on the notes that the OCE staff prepared during the interview with Representative Ortiz on June 15, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Ortiz on June 15, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 7

SOLOMON P. ORTIZ
27th District, Texas

2110 Hartmann House Office Building
Washington, DC 20515
202-225-7742

OFFICE OFFICES
3049 Louisiana St., Suite 310
Owensboro, KY 40301
502-669-0888

1915 Riggs Terrace Blvd., Suite 2-27
Crownsville, MD 21031
410-341-3262

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

July 21, 2010

COMMITTEE
ARMED SERVICES
SUBCOMMITTEE
CHAIRMAN, READINESS
SEAFORER AND EXPEDITIONARY FORCES

TRANSPORTATION
AND INFRASTRUCTURE
SUBCOMMITTEE
HIGHWAY AND TRANSIT
WATER RESOURCES AND ENVIRONMENT
AVIATION

Mr. Leo Wise
Staff Director and Chief Counsel
Office of Congressional Ethics
P.O. Box 895
Washington, DC 20515-0895

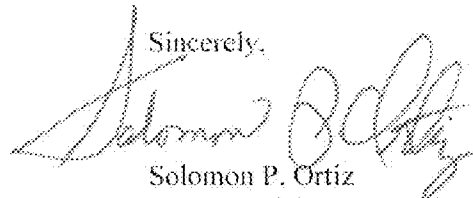
Dear Mr. Wise:

I write to inform the Members of the Board that I did not follow any particular process to track specific expenditures from per diem allowance funds during official travel to foreign countries and did not take any specific actions with respect to unspent per diem (if, indeed, there was any). To the best of my recollection, all, or almost all, of those funds provided to me were utilized during my official travel.

Due to a lack of clarity under prior House Rules, I was not aware of any obligations to track specific expenses paid from the per diem funds, and to return any unspent per diem. As I mentioned in my meeting with your office and in prior correspondence (see attached), I never kept receipts of any kind for meal expenses, miscellaneous official travel expenses, or any personal expenses. In the past I have simply commingled the per diem with my personal funds and paid certain travel related expenses from those funds. Your investigation and the Speaker Nancy Pelosi's recent May 13 announcement have now put me and other members on notice that we have an obligation under current House Rules to return unspent per diem. Now that this requirement has been clearly established, you can rest assured that I will keep accurate records to make sure House Rules are respected on any future official travel.

Thank you for your full and fair consideration. If you have any concerns or questions regarding this matter, please do not hesitate to contact me at (202) 225-7742.

Sincerely,



Solomon P. Ortiz
Member of Congress

SPO:mc

SOLOMON P. ORTIZ
27th District, Texas

2110 Rangel House Office Building
Washington, DC 20515
202-225-7742

DISTRICT OFFICE:
3349 LEONARD ST., Suite 910
Cedar Creek, TX 75405
951-283-6889

1808 Rusey Towers Blvd., Suite B-07
Brownsville, TX 78521
361-641-7242

HTTP://ORTIZ.HOUSE.GOV

RECEIVED
CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515
2010
OFFICE OF CONGRESSIONAL ETHICS
PM 2:26
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COMMITTEES:
ARMED SERVICES
SUBCOMMITTEES:
CHAIRMAN, READINESS
SEAPOWER AND EXPEDITIONARY FORCES

TRANSPORTATION
AND INFRASTRUCTURE

SUBCOMMITTEES:
HIGHWAYS AND TRANSIT
WATER RESOURCES AND ENVIRONMENT
AVIATION

May 17, 2010

Mr. Leo Wise
Staff Director and Chief Counsel
Office of Congressional Ethics
P.O. Box 895
Washington, DC 20515-0895

Dear Mr. Wise:

It has been brought to my attention that the Office of Congressional Ethics seeks information in connection with my official travel to foreign countries.

During the time period from March 2008 to the present, I participated in seven separate CODELS involving travel to approximately 21 countries. The date and location of each trip ((1)(a)), as well as the amount of per diems received for each trip ((1)(b)), are summarized on the attached sheet. Unfortunately, no receipts were retained for per diem used for meal expenses ((1)(c)), miscellaneous official travel expenses ((1)(d)), or any other such expenses ((1)(e)). In brief, no receipts, except for items listed on the attached copy of my personal credit card ((2)), were kept while participating in these trips and there would be no reasonable basis to estimate my official travel expenses from March 2008 to the present. And, to the best of my knowledge, no other documents related to reimbursements were kept associated with my official travel ((3)). In addition, no funds were returned for any of these trips ((4)).

With respect to additional documents related to my schedule during the trips referenced above, I am attaching all trip itineraries and agenda that were provided to me by the House Armed Services Committee and the House Transportation and Infrastructure Committee ((5)). I regret that some of the itineraries were not provided by the House Armed Services Committee for three of the CODELS requested.

Some of these trips were focused on obtaining information relevant to the deployment of American troops. As Chairman of the Subcommittee on Military Readiness of the House Armed Services Committee, I believe these official trips are invaluable to acquiring a better understanding of the decisions Congress must make that affect our troops overseas.

Thank you for your full and fair consideration of the requested information. I would be available on May 26th (2:30 - 4 p.m.) or May 27th (1:30 - 2:30 p.m.) for an interview if one of those times are convenient for you ((6)). If you have any concerns or questions regarding this matter, please do not hesitate to contact me at (202) 225-7742.

Sincerely,


Solomon P. Ortiz
Member of Congress

EXHIBIT 8



OFFICIAL FOREIGN TRAVEL GUIDE FOR THE U.S. CONGRESS



UNITED STATES DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS

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**OFFICIAL FOREIGN TRAVEL GUIDE
BY THE DEPARTMENT OF STATE
FOR THE U.S. CONGRESS**

This guide is provided to support official foreign travel by Members of Congress and their staff. It describes the support available from the Department of State for official travel and how this support can be requested. We hope this package will assist you through the process.

TAB

A	Congressional Guide for Official Foreign Travel	Describes the support available from the State Department and the procedures to obtain this support.
B	Fiscal Information Sheet	Explains per diem rates, transportation and other expenses, and how the funding is handled domestically and overseas.
C	Sample Authorization Letters	Illustrates appropriate letters and what information needs to be included; supplies the legal authority to expend USG funds.
D	Foreign Travel Data Sheet	Solicits information needed by the State Department to ensure a successful trip.
E	Questions and Answers	Responds to frequently asked questions.

Although travel plans are often understandably subject to change, early notice of travel needs greatly enhances our capacity to provide assistance. Therefore, a signed letter of authorization, itinerary, desired agenda, and meeting requests should be provided to the Department of State's Congressional Travel Office at least two (2) weeks before the planned departure whenever possible. This timely notification will allow us to instruct U.S. missions abroad regarding program, administrative, and logistical requirements, and to receive their country clearance, threat assessment, and suggestions for the trip.

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

A

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CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

Effective and expeditious support for congressional travel abroad requires that both the travel authorization and background information reach the Department of State promptly. Whenever possible, a copy of the signed Letter of Authorization should be faxed to the Department of State's Congressional Travel Office (CTO) -- fax number 202-203-7700 -- at least two (2) weeks before the planned departure or sooner if possible; scanned and emailed copies of the authorization letter are also acceptable. The CTO will arrange for subsequent messenger pick-up of the original letter(s) from the authorizer(s). Additionally, please e-mail an itinerary, desired agenda and any meeting requests for Codels or Staffdels to: H_CTO@state.gov. Revisions to any of the above information should be faxed or e-mailed promptly.

Once the CTO receives notification of a trip, several things will happen. First, a domestic travel coordinator and a travel specialist will be assigned to the trip. These professionals will provide points of contact in the embassy, and assist with logistical arrangements, scheduling and briefings. There are many components to a successful trip so please contact us via phone, fax or email very early in the planning process, so that we can provide the best assistance possible.

Department of Defense (DOD) transportation and support must be requested separately by letter to the Secretary of Defense. For your convenience, a DOD-approved sample letter is enclosed in this package (TAB C).

1. LETTERS OF AUTHORIZATION

Letters of Authorization constitute legal authority for the State Department to expend or disburse U.S. Government funds in support of official foreign travel by Members of Congress or congressional staff. The fiscal information under TAB B lists the types of expenditures that can be authorized for specific trips and gives guidance as to how authorization for such expenditures should be formulated. The full extent and range of support desired should be delineated as clearly as possible in the authorizing letter. Letters of authorization are signed by one of the following officials:

SENATE

Majority Leader
Minority Leader
President Pro Tempore
Full Committee Chairman
•for Member or employee of
the Committee or employee
of Committee Member

HOUSE

Speaker of the House
Full Committee Chairman
•for Member or employee of the
Committee

JOINT COMMITTEE CHAIR

• for Member or employee of the Joint Committee

Letters must list by name all persons being authorized to receive USG-funded support. Members or staff traveling with a committee with which they have no association must be authorized separately by either the Leadership or the Chairman of a committee with which they are associated. (See sample authorization letters TAB C.)

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

In the letter of authorization, please define the objectives of travel, identifying where possible specific program requests at each stop. When appointments with specific individuals are desired, it would be helpful to indicate the topics to be addressed. If any activities have already been arranged directly with local organizations or persons, please provide scheduling data so that other events can be arranged around them. Embassy/Consulate briefings are highly recommended prior to meetings with host country government officials. Briefings by Department officials prior to departure from the United States are also available and can be very useful.

3. LIST OF TRAVEL PARTICIPANTS

The following are travel participants that are normally authorized under letters of authorization:

- Members of Congress (please include state and party affiliation)
- Spouses/family members (please include first names)
- Staff members (with titles)
- Executive branch/private sector invitees (with titles)
- DOD escorts (with rank and titles)

4. TRAVEL AND ITINERARY

Please book all airline reservations with the Combined Airline Ticket Office (CATO) to expedite ticketing and delivery of prepaid tickets to the Hill. The Department cannot pre-pay airline tickets which are booked with private travel agents.

When booking, you should inform CATO that the tickets will be pre-paid by the Department of State. CATO offices are located on Capitol Hill (Senate Russell Building, Room B24 and House Longworth Building, Room B22) as well as in Rosslyn, Virginia. CATO's reservation number is 703-522-2286.

5. PASSPORT AND VISA INFORMATION

Travelers must have valid passports for all overseas travel. Please ensure that your passport is current and valid for at least six months beyond the travel dates. Official passports are available at no charge and are issued for the purpose of conducting official business abroad. The Department of State strongly encourages both Members and staff to obtain official passports. Blue "Tourist" passports should be used only for tourism, but may be used if the traveler does not possess an official passport.

Some countries require visas. It is the responsibility of the traveling party to obtain ALL necessary visas. For assistance with visa issues please contact the Special Issuance Agency at 202-955-0198.

Travelers should coordinate passport/visa requirements directly with Passport Services well in advance of the trip. Travelers may call Passport Services at 202-955-0200. For information regarding visa requirements travelers may call 202-955-0198. Sometimes passport data will be required by foreign posts. In those cases CTO will contact you for you passport details.

For delegations with DOD escorts, the escorts collect the passports, obtain visas, and send data to appropriate foreign posts.

A variety of information including current travel warnings, passport forms, visa requirements, country background notes, adoption issues, exchange rates and more can be viewed at www.state.gov/travel.

FISCAL INFORMATION SHEET

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FISCAL INFORMATION SHEET

By longstanding agreement, funds for official foreign travel are administered by the Department of State on behalf of the U.S. Congress. Upon receipt of written authorization from appropriate congressional offices, obligations and disbursements will be charged against specific congressional travel accounts held by the U.S. Treasury. The disbursements, which are permitted under PL 95-384, The International Security Assistance Act of 1978, fall into three distinct categories: Per Diem, Transportation (international and/or local), and Other Official Expenses. Each must be specifically authorized in order for expenditures within that category to be incurred. Under PL 95-384, all expenses charged by the traveler, the delegation, and the Department of State to the fund cite must be reported by the traveler/delegation to the authorizing committee upon return.

1. PER DIEM

Under Public Law 95-384, congressional travelers abroad receive local currency for per diem in amounts not to exceed the maximum per diem allowed by law. The authority for establishing per diem rates is found in Chapter 57 of Title 5 of the U.S. Code and set forth as the Federal Travel Regulation at 41 CFR Ch. 300-304.

Per diem payments are made directly to authorized individuals (Members and staff) to cover the cost of lodging, meals and incidental expenses (M&IE) while traveling abroad. The U.S. Government does not pay the expenses of accompanying spouses. Upon arrival in a foreign country, per diem normally is disbursed by the Embassy or Consulate for each night spent in country. Payment is made in local currency unless U.S. dollars are required by hotels or such payment has been specifically requested prior to departure from the U.S. Upon departure from the country, arrangements can be made for travelers to convert unused per diem into U.S. dollars. Per diem which for any reason has not been received abroad may be claimed in U.S. dollars after the traveler's return and upon presentation of hotel receipts to the Department of State, Bureau of Legislative Affairs, Congressional Travel Office.

In the event that no-cost lodging is provided, (e.g. the traveler stays in Government facilities or as a private guest), the traveler is allowed the applicable meals and incidental expenses (M&IE) rate. Note that this guidance is consistent with changes in the Federal Travel Regulation

• **FOREIGN PER DIEM RATE:** Per diem consists of two components: the lodging rate and M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates. This type of per diem payment is called an allowance. Allowances are provided in full and require no accounting. Foreign per diem rates are available on the State Department's website at: www.state.gov/m/als/prd/m/.

• **ENHANCED PER DIEM RATE:** The committee may authorize enhanced per diem to offset exceptionally high costs associated with price increases that can be found in certain locations. Unless a specific dollar enhancement is authorized (e.g. \$75 USD or \$100 USD), the default enhancement is an additional \$50 USD above per diem.

• **ACTUAL EXPENSE BASIS:** Per Diem can be calculated by adding the expenses of up to 300% of the applicable per diem rate. This rate may be authorized for lodging, M&IE, or both, when actual expenses exceed the established per diem rate. There is no authority to exceed this 300% ceiling. **To avoid problems caused by unexpected devaluation of the US dollar, the following language may be used in authorization letters: "actual lodging is authorized."**

• **ACCOUNTING:** If an individual is traveling on an enhanced per diem or actual expense basis, he or she must itemize all expenses, including meals, and account for unused per diem funds. In situations where only lodging or M&IE is on an actual expense basis, only that portion need be itemized. Itemization requires the traveler to write down specific expenses but does not require receipts. Upon completion of the trip, the authorizing committee requires travelers to reconcile their actual expenditures with the expenditures authorized prior to travel. Consistent with congressional rules and regulations, this reporting (and reconciliation when required) should be submitted to the congressional office that authorized the travel.

Posts may pay for hotel charges directly if arrangements with the Embassy/Consulate staff are made beforehand. In this case, posts will be directed to disburse M&IE only.

As the purpose of the per diem enhancement and/or the payment of actual lodging expenses is to offset unexpectedly high costs found in certain locations, if a traveler receives either of these authorizations reimbursements for any additional lodging or M&IE costs are not authorized.

2. TRANSPORTATION

When international travel is authorized, travelers make their own reservations through CATO (see item 4 of previous chapter, "Travel and Itinerary"). The Department arranges for prepayment of the tickets, which the authorizing committee makes available to the traveler. This arrangement requires that the Department be notified of the carriers used, the class of service, and the precise itinerary. For transoceanic flights, U.S. flag carriers must be used (PL 94-624, Fly America Act) **unless** the authorization letter has specified otherwise based on a determination that no U.S. flag carriers are available. **Use of charter aircraft is an extraordinary expense and must be specified in the authorization letter.**

Authorized **local transportation** within a foreign country is normally arranged by either the Embassy, the Consulate or paid personally by the traveler. Local transportation costs may include trains, ferries, rental car/van/bus (with or without driver), taxis, public transport, as well as overtime for drivers of U.S. Government vehicles. In many cities, staff delegations are encouraged to use taxis or public transportation and claim reimbursement. Upon presentation of receipts, the Congressional Travel Office will reimburse travelers for local transportation after their return to Washington, DC.

3. OTHER OFFICIAL EXPENSES

Other official expenses authorized for Codels and some Staffdels include rental of control rooms, hospitality suites, special telephone lines, cell phones, copier/fax machines, wreaths and flowers for representational purposes, purchase of stationery supplies, interpreters, and employee overtime at posts.

If specified in the authorization letter, certain extraordinary or unusual expenses may be paid such as representation expenses, conference fees, media events, meeting hall rental, and travel and per diem expenses incurred by Post Personnel traveling outside of their duty station in support of Codel travel. These expenses, including any cancellation fees incurred, will be charged to the delegation fund cite and must be reported under PL 95-384.

4. TRAVEL ADVANCES IN U.S. DOLLARS

The Department will provide a U.S. dollar advance where hotels require payment in hard currency and the U.S. mission overseas has insufficient dollars to pay travelers. However, arrangements can also be made for U.S. dollar disbursements overseas where missions have access to U.S. dollars.

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

Unused per diem funds may be returned to the State Department by personal check made payable to the U.S. Treasury or Treasurer of the United States. The Department **cannot accept foreign currency in Washington**. The Department will reimburse travelers for out-of-pocket expenses previously authorized upon submission of receipts and a letter/memorandum from the authorizing committee. Unused airline tickets paid for by the U.S. Government must be returned to the Department of State, Congressional Travel Office for credit.

6. REPORTING REQUIREMENTS

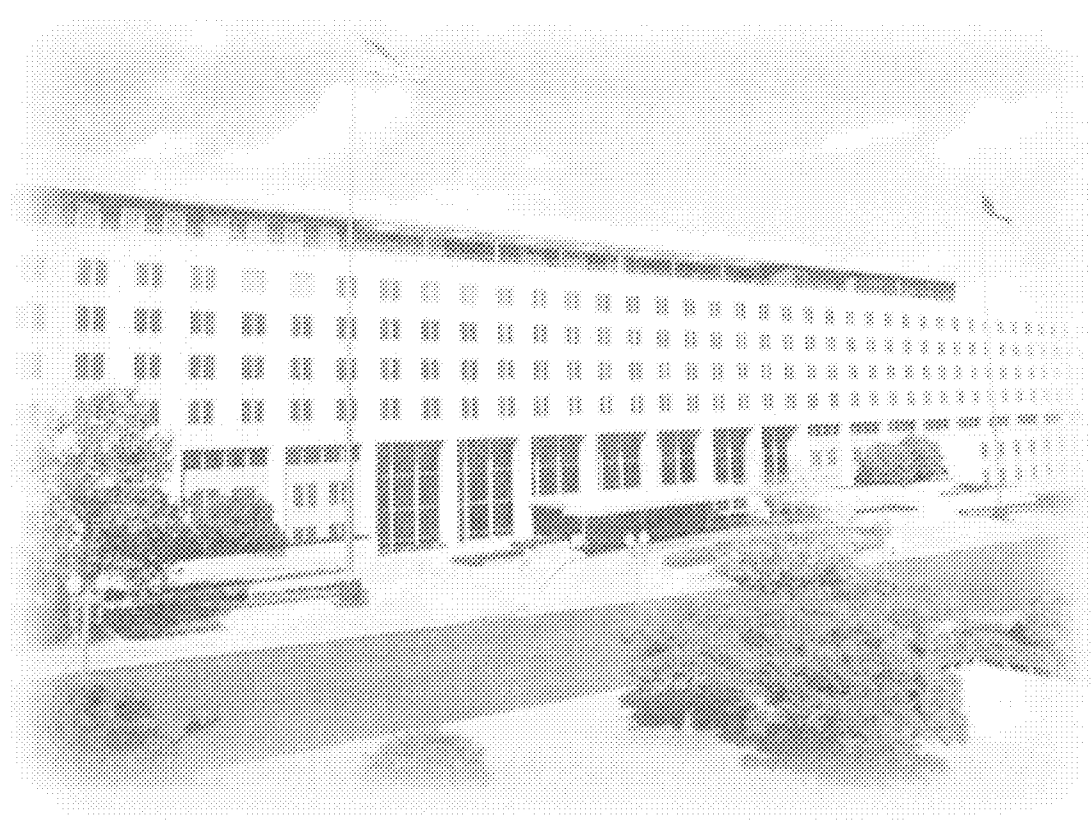
PL 95-384 stipulates that travelers and delegations are responsible for reporting all expenses to the authorizer within 30 days of the completion of travel. Although the Department will assist travelers and delegations in obtaining the necessary financial information from foreign posts, PL 95-384 assigns none of the formal reporting responsibilities to the Department of State.

SAMPLE AUTHORIZATION LETTERS

C

D

E



SAMPLE LETTER OF AUTHORIZATION (State)

The Honorable
(insert name)
Secretary of State
Washington, DC 20520

Dear (Mr. or Madam) Secretary:

This letter is to authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose).

It is requested that the use of local currencies for per diem, transportation, including local transportation, and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a).

Commercial and/or military transportation are authorized where appropriate, as is the use of non-U.S. air carriers. Airfare is authorized up to business class if needed.

We appreciate your assistance with this request. If there are any questions regarding this trip, please contact (name of staff point of contact) at (telephone number).

Sincerely,

(Name)

(Title)

Additionally, if any of the conditions below apply, please add the appropriate sentence:

- Enhanced per diem of \$50.00 is authorized.
- Actual lodging costs are authorized.
- Due to heightened security concerns, the cost of a security detail is also authorized.
- Spouses are authorized to travel for protocol purposes at no cost to the U.S. Government.
- Costs associated with Post personnel traveling outside of their duty station in support of the delegation are authorized.
- Charter aircraft are authorized.
- Representational funds are authorized.

SAMPLE AUTHORIZATION LETTER (DOD)

The Honorable
(insert name)
Secretary of Defense
Washington, D.C. 20301

Dear (Mr. or Madam) Secretary:

I hereby authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose). **If applicable:** Spouses are authorized to accompany the delegation for reasons of protocol at no expense to the U.S. Government.

It would be appreciated if the Department of Defense could furnish such assistance as may be required, including transportation, to facilitate this trip. It would also be appreciated if the Department of the (Air Force, Army, Navy, Marine Corps) be assigned to escort the delegation/Member.

The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108

Sincerely,

(Name)

(Title)

FOREIGN TRAVEL DATA SHEET



D

M

FOREIGN TRAVEL DATA SHEET

The following is a review of what the Department will require either in the authorization letter or other communication in order to initiate your country clearance cable with our foreign posts. It is also a reminder of the requirements for foreign travel.

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

What is the purpose of the visit in general? More specifically, what objectives does the delegation/traveler wish to accomplish? Please provide specific meeting requests if they are known. If the delegation/traveler is attending a specific meeting or has an agenda already prearranged, please advise us so that the post can schedule around it.

2. PARTICIPANTS (in protocol order) Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY Commercial
Military Air
Charter

PLEASE BOOK COMMERCIAL RESERVATIONS WITH THE COMBINED AIRLINE TICKET OFFICE (CATO) AT 703-522-2286 TO FACILITATE TICKETING.

4. PASSPORTS AND VISAS In most cases a valid passport and, in some cases, valid visas will be required. Visa requirements differ depending on the type of passport used. Call 202-955-0200 for passport requirements or 202-955-0198 for visa requirements. First Call may assist with passport issues. Please contact them at 202-225-8000.

TYPES OF PASSPORTS: Official (red; no fee, 5-year passport).
Tourist (blue; fee charged, 10-year passport).

IT IS THE RESPONSIBILITY OF THE TRAVELING PARTY TO OBTAIN THE NECESSARY VISAS. IF USING A TOURIST PASSPORT, THE TRAVELER IS RESPONSIBLE FOR ALL PASSPORT and VISA FEES.

5. SECURITY CLEARANCES
(staff only)

Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.

6. ACCOMODATIONS

Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate.

Hotel preferences/city

Delegation rooms (total number of singles/doubles)

Support Rooms

7. LOCAL TRANSPORTATION

Number of Sedans (with driver or self-drive)

Number of Buses (or passenger amount)

Number of Minivans (or passenger amount)

Number of other vehicles, if any

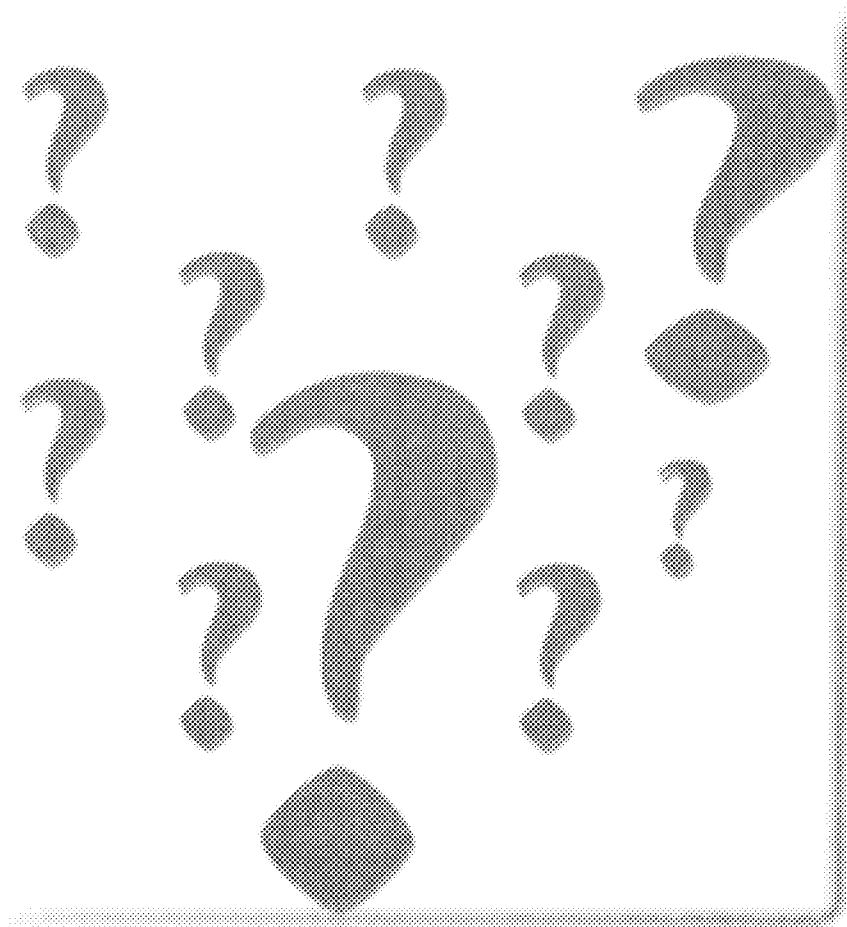
Public transportation (cabs, buses, trains, ferries).

8. POINTS OF CONTACT FOR TRIP

Name

Phone Number

QUESTIONS AND ANSWERS



E

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

Q What do I do if I incur lodging expenses over 300% of the per diem rate?

A When you reconcile your travel expenses with the congressional authorizing committees, you will not be reimbursed for the excess of per diem expenses over the 300% maximum, or over the (lower) rate that was authorized.

Q Will I be given a travel advance in U.S. dollars or in foreign (local) currency?

A Congressional travelers will be given local currency when they arrive at the foreign post.

If the Congressional travelers are journeying to a foreign country that uses U.S. dollars, the advance in U.S. dollars will be given at post. Only in those cases where the post does not have sufficient U.S. dollars on hand will special arrangements be made to issue an advance in Washington D.C.

Q Will the Department book travel reservations for the Members and staff?

A The Department does not book reservations; rather, reservations should be made directly through CATO, which has locations on the Hill and in Rosslyn, Virginia.

Q Will the travel expenses of spouses be covered?

A No, current law prohibits the US Government from assuming the travel expenses of spouses, dependents or other non-official traveling companions.

Q Will the Department of State assist in obtaining visas?

A Assistance may be obtained by contacting the appropriate country desk officer.

Acronyms used in this Travel Guide:

CTO	Congressional Travel Office---Bureau of Legislative Affairs, Department of State
DOD	Department of Defense
DEPARTMENT	Department of State
MEMBER	Member of Congress
CATO	Combined Airline Ticket Office
M & IE	Meals and Incidental Expenses
FTR	Federal Travel Regulations
CODEL	Congressional Delegation
STAFFDEL	Staff Delegation
USG	United States Government
P.L.	Public Law
USC	United States Code

EXHIBIT 9

CODEL Skelton

Hawaii, Guam, Iwo Jima, Korea, & Okinawa (14 – 22 Feb 2009)



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Members of Congress (13)

Representative Ike Skelton (D- 4th – MO)

Representative Roscoe G. Bartlett (R – 6th –MD)

Mrs. Ellen Bartlett

Representative Solomon P. Ortiz (D-27th – TX),

***Representative Neil Abercrombie (D-1st-HI)*

Representative Howard "Buck" McKeon, (R-25th – CA)

Mrs. Patricia Kunz-McKeon

Representative Doug Lamborn (R-5-CO)

Mrs. Jean Lamborn

Representative Joe Wilson (R-2-SC)

Mrs. Roxanne Wilson

Representative Phil Gingrey (R-11th-GA)

Mrs. Billie Gingrey

Representative Madeleine Bordallo (D –Guam)

Representative Mike Conaway (R-11th-TX)

Mrs. Suzanne Conaway

Representative Hank Johnson (D-4th-GA)

Mrs. Mereda Johnson

Representative Carol Shea-Porter (D-NH-01)

***Representative Mazie Hirono (D-2nd-HI)*

Staff (5)

Ms. Erin Conaton, Staff Director

Mr. Andrew Hunter, HASC PSM

Mr. Paul Arcangeli, HASC PSM

Mr. Tom Hawley, HASC PSM

Mr. Kyle Wilkens, Special Assistant to the Chairman

Attending Physician (1)

LT Justin M. Cox M.D.

USMC Legislative Affairs (4)

Colonel Dave Furness - Director, Marine Corps Liaison Office
Major Toby Patterson – Military Escort, Marine Liaison Office
LT Phil MacNaughton - Military Escort, Navy Liaison Office
Sergeant Jennifer Evitts - Military Escort, Marine Corps Liaison Office

Attire

Casual – Comfortable attire for traveling and walking
Business Casual – Slacks, Jacket, Tie optional
Business – Suit

ITINERARY

Saturday, 14 Feb 2009

(Dress casual; Business casual for Dinner)

0600 Baggage Call at B-324 RHOB
0630 Baggage Departs RHOB for Andrews AFB
0700 Delegation departs RHOB for Andrews AFB
0745 Delegation arrives at Andrews AFB
0800 Depart Andrews (4.5 hour flight) (Breakfast on plane)
1050 Arrive Travis AFB (-3:00 hours) Refuel 1.5 Hour
1220 Depart Travis AFB (5.5 hour flight) (Lunch on plane)
1600 Arrive Hickham AFB, Honolulu HI (-2:00 hours)

1615 Delegation and Luggage depart for Outrigger Waikiki
1700 Delegation and Luggage arrive at Outrigger Waikiki
1700 Personal Time for Delegation
1830 Movement to HQ PACOM
1900 Dinner with COMPACOM ADM Keating
2115 Depart HQ PACOM for Outrigger Waikiki (40 Minutes)
2200 Delegation arrives at Outrigger Waikiki

RON Outrigger Waikiki

Sunday, 15 Feb 2009

(Dress casual)

0700 Buffet Breakfast. (Prior to Adm Keating's brief)
0730 Adm. Keating briefs members on PACOM AOR
0830 East-West Center and APCSS
0945 MARFORPAC Brief
0900 Spouses shopping IVO Outrigger Waikiki, Honolulu
1100 Movement to Hickham AFB
1200 Depart Honolulu (8.5 hour flight) (Lunch on Plane)

Monday, 16 Feb 2009

(Dress casual; Business Attire, Business casual for dinner)

- 1610 Arrive at Guam @ PGUM on **16 Feb 2009 (+ 20 hours, cross International Date Line)**
- 1615 Movement to Hotel (Movement Time 15 Minutes)
- 1630 Arrive at Outrigger Hotel
- 1630 Chairman's Personal Time
- 1845 Chairman, Rep Bordallo, Mr. John Whitt, Ms. Erin Conaton, and Col. David Furness, USMC move to University Of Guam Speaking engagement with Students. **(Business Attire)**
- 1900 Speaking Engagement, Chairman Ike Skelton with students from University of Guam. (University Lecture Hall, 200 seat capacity, 25 minute speech, Q&A) **(Business Attire)**
- 1930 The remainder of the delegation moves to Government House
- 1945 Chairman Skelton, Rep Bordallo, Ms. Erin Conaton PSM, and Col. David Furness, USMC move to Government House
- 1945 The Delegation Dinner with Governor of Guam
- 2100 Movement from Government House to Outrigger Hotel
- 2115 Refreshments available in the Voyager Room (21st Floor)

RON Guam → Outrigger Hotel

Tuesday, 17 Feb 2009

(Dress casual; Business casual for dinner)

- 0700 Delegation breakfast with Members of the Guam Legislature; Hosted by Rep Bordallo in Outrigger Hotel, Fort San Jose'
- 0800 Depart Outrigger on Guam Lay down brief given on bus
- 0830 Arrive Naval Base Guam Triple Pad Helicopter Safety Brief

- 0845 Group A - Aerial Tour of Guam Military Installations
Group B commence base tour – Navy base Tour will focus on Naval Hospital and Base Housing
- 0945 Group A lands Orote Triple Pad
Group B (9 pax) moves onto UH-60 helicopters
- 1000 Group B - Aerial Tour of Guam Military Installations
Group A commences Navy base tour
- 1100 Group B land Orote Triple Pad
- 1110 Depart Naval Base Guam
Briefing opportunity on bus for JGPO Forward
- 1120 Delegation lays a wreath at Asan Bay overlook at The War in the Pacific National Historical Park (20 minutes)
- 1200 CODEL departs for Chamber of Commerce Luncheon
- 1215 Luncheon with Guam Chamber of Commerce @ Hyatt Hotel
- 1320 Depart for AAFB
- 1340 Tour of AAFB:
- 1500 Depart for Outrigger
- 1500 Rep Ortiz visits the Adjutant General of the Guam Army National Guard JFHDQ
- 1520 Arrive Outrigger
- 1520 Personal Time for the Delegation (**This is time for the Chairman and can not be infringed upon**)
- 1720 Movement to Two Lovers Point for Reception hosted
- 1730 Reception hosted by Representative Madeleine Bordallo
- 2100 Refreshments available in Voyager (21st Floor) (optional)

RON Guam; Outrigger Hotel

Wednesday, 18 Feb 2009

(Dress casual; Business casual for dinner)

- 0700 Delegation breakfast Hosted by Rep Bordallo
- 0810 Delegation Press Conference at Outrigger Hotel Floor

0840 Movement to Airport
0900 Depart Guam (1.0 hour flight)
1000 Arrive Iwo Jima
1000 Tour Iwo Jima, Lay wreath at Mt. Surabachi memorial (1-2 hour) **64th Anniversary of the invasion of Iwo Jima**
1230 Depart Iwo Jima (3.0 hour flight) (Lunch on plane)
1530L Arrive Osan AFB, ROK (-1.00 hour)
1530 Clear customs and immigration, met by GEN Sharp
1600 Depart Osan AB en route to Yongsan H-264 via UH-60 (6 total); Escorted by GEN Sharp (Eagle 1); Aerial Tour of Humphreys, Port of Pyongtaek and Seoul;

Spouses depart directly for Yongsan H-264 in separate helo

1650 En route to Westin Chosun
1720 Check into Westin Chosun and link-up with spouses
1900 En route to Hartell House via DV Bus; escorted by Mr. Shin
1930 Dinner hosted by GEN Sharp at Hartell House (CDR's Mess)
2130 En route to Westin Chosun Hotel via DV Bus

RON Seoul Westin Chosun Hotel

Thursday, 19 Feb 2009
(Business Attire)

0710 Depart Westin Chosun Hotel; en route to US Embassy;
0730 Modified Country Team Meeting moderated by Amb.
0830 En route to J2 SKIF at Yongsan via DV Bus
0900 Korea Update Brief and Readiness brief
1030 En route to Itaewon via DV Bus, escorted by Mr. Shin;
1045 Link-up with Spouses to shop at Itaewon for shopping
1210 Enroute to lunch with Spouses
1230 Hosted Lunch by MOFAT; GEN Sharp in attendance
1400 En route to Blue House

1430 Office Call with President Lee Myung Bak; w/ GEN Sharp
 1500 En route to Ministry of National Defense
 1530 Office Call with Minister of Defense
 1600 Enroute to Westin Chosen
 1630 Personal Time
 1845 En route to Dinner Location
 1900 Dinner hosted by Korean National Assembly Chairman of
 Defense
 2100 En route to Westin Chosun Hotel
 RON Seoul Westin Chosun Hotel

Friday, 20 Feb 2009

(Dress casual; Business casual for dinner)

0600 Breakfast in the control Room
 0645 load baggage
 0700 Check-out
 0715 Depart Westin Chosun Hotel; en route to USFK HQs
 0745 Office Call with GEN Sharp
 0815 En route to Yongsan H-264 via DV Bus; escorted by Mr. Shin
 0830 En route Osan AB via UH-60 luggage is on a CH-47
 0900 Load baggage on C-40, Depart Osan AB via MILAIR
 to Okinawa, Japan (1.5 Hour Flight) (Snack on plane)
 1050 Arrive at Kadena AFB Okinawa, Japan
 1050 Delegation arrives at Kadena AB, Okinawa (spot 1)
 1050 LtGen Zilmer and arrival party escort codel to DV lounge
 1110 **Spouses introduced to ConGen Naha Spouse Program
 Control Officers in commence parallel spouse program
 (see separate schedule).**
 1110 Overview Brief on FRF Construction and Okinawa
 1130 Delegation boards helicopters at spot 1 (2 CH-46s)
 1135 MILAIR HELO Transport to FRF Site (Kadena AB to Camp
 Schwab). (PAX: Total 32 = 23 Del, BGen Toolan, LtGen

- Zilmer, CG Maher, Control Kaneshiro, OAFO Col Bishop and SME briefers).
- 1150 Met at LZ main side, Camp Schwab by Camp Commander Col Daniel Yoo; delegation boards USMC bus and proceeds to DV Hill.
- 1205 View FRF project from DV Hill, Camp Schwab.
- 1225 Delegation proceeds to Beachhead Club.
- 1230 No-Host Working Lunch on Strategic Implications of Okinawa Realignment
Expense: US\$8.95 per person
- 1355 Comfort Break
- 1400 Delegation boards USMC bus and proceeds to LZ main-side; Schwab.
- 1405 Delegation departs Camp Schwab for Kadena AB LZ vicinity bldg 10 (18th Wing HQ) via MILAIR HELO (PAX TBC: 24 Del, 2 DoS, others TBC). Greeted on arrival by 18th Wing Force Support Group Commander Col. Kelly Fletcher.
- 1430 18th Wing Briefing on USAF readiness issues.
- 1500 Comfort break/change into business casual attire.
- 1520 ERT Okinawa Prefectural Governor's Office, Naha City.
- 1600 Meeting with Okinawa Governor Nakaima (requested).

End of parallel spouses program; spouses return to hotel by 1600.

- 1630 ERT hotel.
- 1700 Arrive ANA Laguna Garden (mil escort check-in for incidental expenditure billing to be expedited at control room).
- 1700-1900 Executive Time; vendors in control room (TBC).

PARTIAL DEL VISIT TO WWII SHURI LINE - OPTIONAL

- 1630 Mrs Wilson, Military Escort, and ConGen Naha officers arrive at OPG to join Mr. Wilson and any other delegation members that want to visit Shuri Castle at main lobby of the OPG Office Complex.
- 1630 Mr. Wilson and partial delegation ERT Shuri Castle
- 1700 Mr. Wilson and partial delegation tours Shuri Castle site with Consulate General staff and WWII tour guide (guide TBC).
- 1800 ERT ANA Laguna Garden Hotel.
- 1845 Check into hotel rooms; downtime.
- 1900 Enroute to III MEF-Sponsored No-Host Buffet Dinner.
- 1930 No-host dinner with officers and constituents.
Location: Camp Butler O'Club.
Expense: \$20 per person.
- 2100 ERT ANA Laguna Garden Hotel.
- RON Okinawa: ANA Laguna Garden Hotel.

SATURDAY, FEBRUARY 21 – DEPART OKINAWA (Dress casual)

- 0530 Control room re-opens until delegation departs hotel.
- 0700 Bag call and departure from hotel. USFJ to collect passports at hotel prior to departure to expedite CIQ.
- 0700 ERT Kadena AB O'Club.
- 0730 No-Host Buffet Breakfast at Kadena AB O'Club. Consulate General to provide reverse currency exchange during breakfast.
Expense: Cost: \$15.00
- 0830 Delegation met by 18th Wing protocol and escorted to DV lounge/flight line.
- 0845 Delegation boards MILAIR C40.
- 0900 Depart Kadena AB for Hawaii (9 hr 15 min flight). (Lunch and Dinner on plane)
- 1050 Arrive at Kadena AFB Okinawa, Japan

- 1050 Delegation arrives at Kadena AB, Okinawa (spot 1)
- 1050 LtGen Zilmer and arrival party escort codel to DV lounge; ConGen issues per diem and delegation completes Japanese customs and immigration processing.
- 1050 Load luggage; Luggage departs for ANA Laguna Garden
- 1110 Spouses introduced to ConGen Naha Spouse Program Control Officers in DV lounge; commence parallel spouse program (see separate schedule).
- 1110 Overview Brief on FRF Construction and Okinawa Consolidation Program. Location: Kadena AB DV Lounge large conference room. Note: LtGen Zilmer to provide overview remarks. Other briefers TBD.
- 1120 Delegation boards helicopters at spot 1 (2 UH-60s, 2 CH-46s). [NOTE: UH-1s deployed with 31st MEU. END NOTE.]
- 1130 MILAIR HELO Visual Reconnaissance (Kadena- MCAS Futenma-FRF site at Camp Schwab). SME briefing on southern island encroachment provided enroute.
- 1155 Met at LZ main side, Camp Schwab by Camp CDRCol Yoo
- 1205 View FRF project from DV Hill, Camp Schwab.
- 1220 Delegation proceeds to Beachhead Club.
- 1225 Lunch - Strategic Implications of Okinawa Realignment
- 1355 Comfort Break
- 1400 Delegation to LZ main-side, Schwab.
- 1405 Delegation departs Camp Schwab for Kadena AB
- 1430 18th Wing Briefing and Kadena AB orientation tour.
- 1520 ERT Okinawa Prefectural Governor's Office, Naha City.
- 1600 Meeting with Okinawa Governor Nakaima (requested).
- End of parallel spouses program; spouses return to hotel by 1600.**
- 1630 Depart for hotel.
- 1700 Arrive ANA Laguna Garden
- 1700 Executive Time; vendors in control room (TBC).
- 1900 En route to III MEF/USAF no-host dinner.
- 1930 Dinner with officers and constituents at Camp Butler O-Club.

2100 Depart for Hotel.

RON Okinawa: ANA Laguna Garden Hotel.

SATURDAY, FEBRUARY 21 – DEPART OKINAWA

(Dress casual)

0700 Bag call and departure from hotel
0700 Depart hotel for Tee House Restaurant.
0730 Breakfast at Tee House Restaurant.
0815 Delegation met by 18th Wing protocol
0815 ConGen provides reverse currency exchange
Location: Kadena DV lounge
0845 Delegation boards MILAIR C40.
0900 Depart Kadena AB for Hawaii (9 hr 15 min flight).
(Lunch and Dinner on plane)

Friday, 20 Feb 2009

(Dress casual)

2315 Arrive Honolulu, HI @ 2300L 20 Feb 2009
(- 19.0 hours, cross the International Date Line)
RON Honolulu: Outrigger Waikiki

Saturday, 21 Feb 2009

(Dress casual)

NO SCHEDULE

0900 Chairman Skelton will meet with guests Mr. Kelly and Kyoko O'Neill in the lobby of the Outrigger Waikiki Hotel.
1100 Optional Tours to Arizona Memorial, USS Missouri, or Pacific Aviation Museum.

No host Dinner

Chairman Skelton will have dinner and drinks with ADM Keating, VADM Barry Costello (Ret), another Flag Officer (TBD), Erin Conaton, and Col Furness.

1900 Baggage call at Hotel
1930 Baggage departs for Hickham AFB
2000 Delegation Departs Outrigger Hotel
2100 Depart Honolulu (9.5 hour flight) (Breakfast on plane)

Sunday, 22 Feb 2009

(Dress casual)

1130 EST Arrive at Andrews AFB - MISSION COMPLETE

Rep Bartlett:

Barb Calligan barb.calligan@mail.house.gov
202-225-2721

Rep McKeon:

Candace Dodge candace.dodge@mail.house.gov
202-225-1956

Rep Lamborn:

Chris Phelen chris.phelen@mail.house.gov
202-225-4422

Rep Wilson:

Caroline Delleney Caroline.Delleney@mail.house.gov

Matt Daack matt.daack@mail.house.gov

Alan Aimar alan.aimar@mail.house.gov
202-225-2452

Rep Gingrey:

Cathrine Morvis Catherine.morvis@mail.house.gov
202-225-2931

Rep Bordallo:

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Rosanne Meno rosanne.meno@mail.house.gov
202-225-1188

Rep Conaway:

Faith Rodill faith.rodill@mail.house.gov
202-225-3605

Rep Johnson:

Sean Foertsch sean.foertsch@mail.house.gov
202-225-1605

Rep Shea-Porter:

Naomi Andrews naomi.andrews@mail.house.gov
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Bureau of Legislative Affairs (H)
U.S. Department of State

Hawaii:

Neely T. Marcus
Military Legislative Assistant
Congressman Neil Abercrombie (HI-01)
<http://www.house.gov/abercrombie/>

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Kelly O'Neill
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Home: 808/373-1846

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Policy and Legislative Affairs Officer
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East-West Center:

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Guam:

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Director
MCI MidPac
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LT Jason P. Meyers, USN NIPR:
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Protocol Officer, Navy Region Marianas
SIPR: jason.meyers@fe.navy.smil.mil
DSN Phone: 315-339-2392
Comm Phone: 671-339-2392
Cell: 671-483-0667 - Fax: 671-339-7034

Rep. Robert Underwood - 671-727-7715 – cell

Matthew Herrmann

Military Legislative Assistant | Hon. Madeleine Bordallo

427 Cannon HOB | Washington, DC 20515

P: 202-225-1188 | F: 202-226-0341

<http://www.house.gov/bordallo/>

Col Martin E LaPierre

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MARFORPAC (FWD) Guam

PSC 488 BOX 105

FPO AP 96537-1005

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Brett D. Weigle

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Colonel, USA

Secretary Combined Joint Staff

UNC/CFC/USFK

DSN 315-725-7905

Cell 010-5260-5503

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Chief, USFK J-5 Policy

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Cathy Abell

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Iwo Jima:

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Sangmin "Simon" Lee
Political-Military Affairs Unit
American Embassy
Tokyo, JAPAN
(81)(3) 3224-5337 (office)
090-4837-5822 (mobile)

lees@state.gov

Navy Travel:

Cheryl Richards (W) (703697-4943 cheryl.richards@navy.mil)
(H) (301) 6779-2645

OSD:

Col Bill "Sweet" Tart, USAF william.tart@osd.mil
Military Assistant
Office of the Assistant Secretary of Defense for Legislative Affairs
1300 Defense Pentagon (Rm 3D844)
703-697-6210

D. Y. Wingfield,
Director, Congressional Operations
Pentagon, RM 4C549
703-693-5764
571-236-6557 (cel)
703-614-7656 (Fax)

dilcia.wingfield@navy.mil

General Information

If you need to be contacted on travel:

8:00 am – 5:00 pm EST during the week, Marine Corps Liaison Office: (202) 225-7124.

After Hours:

Call the Navy Command Center at (703) 695-0231/0232 and ask for Congressional Delegation Skelton through the Office of Legislative Affairs.

Expenses: Official per diem will be issued in each country. The per diem is for your meals and hotel bills, but if we dine as a group, your Marine escort will pay the bill and ask you for reimbursement upon our return to the U.S. As with other non-covered expenses, we will keep tabs and bill you upon return. Personal phone calls, souvenirs, recreation or after hours sightseeing will be a personal responsibility.

Camera: Cameras are encouraged. However, your Navy Liaison escort will have a camera to document the trip.

Medical Needs: A Navy Doctor, LT Justin M. Cox M.D., will be with the delegation the entire trip. Feel free to ask him if you have any medical needs.

Lodging Information

Honolulu, Hawaii

Outrigger Waikiki
2335 Kalakaua Avenue, Honolulu, Hawaii 96815
Ph: 800-442-7304
Fax: 808-921-9798

Guam

Outrigger Guam Resort
1255 Pale San Vitores Road
Tumon Bay, Guam, 96913
Ph: 671-649-9000
Fax: 671-647-9068

Seoul, South Korea

The Westin Chosun, Seoul
87 Sogong-Dong, Jung-gu
Seoul 100-070 · South Korea
Phone: (82)(2) 771 0500 ·

Okinawa, Japan

ANA Hotel
Laguna Garden Hotel
4-1-1 Mashiki
Ginowan, Okinawa, 901 2224
Japan
Phone: (81) 98-89721-21

Weather and Suggested Attire Forecast

Saturday, 14 February 2009 (DC)

Casual Attire (Flight) / Business Casual (Dinner)

Hi: 41 / Lo: 30 Chance of Showers

Sunday, 15 February 2009 (Honolulu)

Business Casual Attire

Hi: 74 / Lo: 62 Chance of Showers

Monday, 16 February 2009 (Guam)

Business Casual Attire

Hi: 87 / Lo: 77 Morning Showers / Clearing

Tuesday, 17 February 2009 (Guam)

Business Casual Attire

Hi: 85 / Lo: 78 Chance of Showers

Wednesday, 18 February 2009 (Iwo Jima / Korea)

Casual Attire (Flight) / Business Attire (Dinner)

Hi: 72 / Lo: 66 (Iwo Jima)

Hi: 40 / Lo: 28 (Korea) Cloudy/PM Sun

Thursday, 19 February 2009 (Korea)

Business Attire

Hi: 41 / Lo: 26 Cloudy

Friday, 20 February 2009 (Okinawa)

Casual Attire / Business Casual for Meeting with Governor

Hi: 66 / Lo: 60 Rain

Saturday, 21 February 2009 (Okinawa/Honolulu)

Casual Attire

Hi: 65 / Lo: 60 (Okinawa) Rain

Hi: 78 / Lo: 65 (Honolulu) Partly Cloudy

Sunday, 22 February 2009 (Honolulu /Washington DC)

Casual Attire

Hi: 38 / Lo: 20 Rain/Snow Flurries

TIME CHART

Location

Local time ahead / behind Wash DC

Hawaii

-10 hours

Japan/S. Korea

+9 hours

Guam

+10 hour

Hawaii	DC	Tokyo	Guam
7:00pm	Midnight	2:00 pm	3:00 pm
8:00pm	1:00 am	3:00 pm	4:00 pm
9:00pm	2:00 am	4:00 pm	5:00 pm
10:00pm	3:00 am	5:00 pm	6:00 pm
11:00pm	4:00 am	6:00 pm	7:00 pm
Midnight	5:00 am	7:00 pm	20:00 pm
1:00am	6:00 am	20:00 pm	21:00 pm
2:00am	7:00 am	21:00 pm	22:00 pm
3:00am	8:00 am	22:00 pm	23:00 pm
4:00am	9:00 am	23:00 pm	Midnight
5:00am	10:00 am	Midnight	1:00 am
6:00am	11:00 am	1:00am	2:00 am
7:00am	Noon	2:00am	3:00 am
8:00am	1:00 pm	3:00am	4:00 am
9:00am	2:00 pm	4:00 am	5:00 am
10:00am	3:00 pm	5:00am	6:00 am
11:00am	4:00 pm	6:00am	7:00 am
12:00pm	5:00 pm	7:00am	8:00 am
1:00pm	6:00 pm	8:00am	9:00 am
2:00pm	7:00 pm	9:00am	10:00 am
3:00pm	8:00 pm	10:00am	11:00 am
4:00pm	9:00 pm	11:00am	12:00 pm
5:00pm	10:00 pm	12:00am	1:00 pm
6:00pm	4:00 am	6:00 am	2:00 pm

Currency Converter

(as of 2 Feb 2009)

Korean Won

1 USD = 1,403.80 Won

1 Won = .0007 USD

Japanese Yen

1 USD = 91.965 Yen

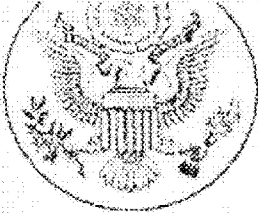
1 YEN = 0.0109 USD

Per Diem Rates, Overseas (in USD)

(as of 22 Nov 2008)

	Lodging	M&IE	Total
Seoul	230	120	350
Okinawa	204	125	329

EXHIBIT 10



Embassy of the United States of America
Tunis, Tunisia

CODEL SCHIFF (JUL 01 – 03, 2009)

As authorized in STATE 064881 the maximum USG Per Diem rate in USD equivalent, plus USDE 50 for official expenses should be disbursed in local currency for each night spent in Tunis. Authorized as follow:

REP. SOLOMON ORTIZ

Per Diem:

Date	Actual Lodging	M&IE	Total
07/01/09	\$0	\$94	\$94
07/02/09	\$0	\$94	\$94

Total per diem: \$188

Actual Expenses: \$50 X 2 = \$100.00

Total amount issued: TD387.072 Equiv of \$288.00

E. Rate: \$1=TD1.344

Fiscal Data: 00X0488.0001-2089-2089910262-1440-2167

Received by: 
Rep. Solomon Ortiz

Certified By: 
Michael Rentz / FMO

EXHIBIT 11



**CONGRESSIONAL DELEGATION LED BY
CONGRESSMAN ADAM SCHIFF
JORDAN, TUNISIA & ALGERIA**

26 JUNE – 3 JULY 2009

MANIFEST & ITINERARY

PURPOSE: To travel as the Jordan Caucus to meet with leaders of the leaders from Jordan, Tunisia and Algeria.

Manifest (17 Total; 8 Members, 4 Spouses, 2 Staff, 3 Escorts)

Members:

1. Rep. Adam Schiff (D-29th-CA); Appropriations, House Permanent Select Committee on Intelligence (HPSI)
2. Rep. Cliff Stearns (R-6th-FL); CODEL Ranking Member, Energy and Commerce, Veteran's Affairs
3. Rep. Solomon P. Ortiz (D-27th-TX), Chairman, Readiness Sub-Committee, HASC
4. **Rep. Zoe Lofgren (D-16th-CA); Homeland Security**
5. Rep. Gene Green (D-29th-TX); Energy and Commerce, Foreign Affairs
6. **Rep. Ruben Hinojosa (D-15th-TX); Education and Labor, Chairman Sub-Committee on Higher Education, Lifelong Learning, and Competitiveness**
7. Rep. Donald Manzullo (R-IL); Foreign Affairs; Ranking Member on the Sub-Committee for Asia, the Pacific, and the Global Environment
8. Rep. Steve Israel (D-2d-NY); Appropriations

Spouses:

9. **Joan Stearns**
10. **John Marshall Collins (Rep. Lofgren's spouse)**
11. Mrs. Green
12. Mrs. Manzullo

Staff:

13. TBD PSM Appropriations
14. Mr. Timothy Bergreen

Escorts:

15. Col David Furness, USMC
16. Sgt Jennifer Evitts, USMC

17. LCDR Brian Elkowitz, USN

Friday, June 26 (Dress: Causal)

1000 All Delegation Baggage is delivered to B-324 Rayburn House
Office Building
1330 Baggage Departs for Andrews AFB
1400 Members meet at RHOB Horseshoe
1415 Members depart from RHOB Horseshoe for Andrews AFB
15:00 Depart Andrews AFB, Washington, DC (KADW) to Shannon,
Ireland (EINN)
Requested: MILAIR (C-40)
Flight Time: 7:00, Time Change: +5:00

Saturday, June 27 (Dress: Casual)

03:00 Arrive at Shannon, Ireland, Refuel
04:30 Depart from Shannon, Ireland, (EINN) to Marka International Airport
Amman, Jordan (OJAM)
Flight Time: 5:00, Time Change: +2:00
11:30 Arrive at Amman, Jordan Marka International Airport (OJAM)
(military side via MILAIR)
1200 Baggage departs from Jordan Marka Airport to Amman Four
Seasons. US Embassy Amman Logistic personnel transport
Delegation's baggage and place all baggage in the
Delegation's rooms.
1200 Delegation departs airport for Jarash
1245 Delegation visits Jarash
1415 Delegation departs Jarash
1500 Delegation arrives at Amman Four Seasons
1510 Delegation moves to Control Room, issues Per Diem and
Room Keys.
1530 Executive Time

1830 Dinner (Dress: TBD)

RON Amman Four Seasons

Sunday, June 28, 2009 (Dress: Business Attire)

Request Separate Spouses Itinerary for this Day. Request that Spouses link up with the Delegation for the Meeting with King Abdullah II and for the Reception at the Ambassador's Residence.

0900 Meeting with Foreign Minister Nasser Judeh

1000 Meeting with Royal Court Chief Nasser Al-Lozi

1100 Audience with HM King Abdullah II (Lunch?)

1300 Meeting with General Intelligence Director Raqqad

1400 Meeting with Prince Feisal

1500 Meeting with Prince Ghazi

1830 Reception at the Ambassador's Residence with Parliamentary US-Jordan Friendship Caucus

TBD Meeting with journalists (or pull-aside following one of the other meetings)

RON Amman Four Seasons

Monday, June 29, 2009 (Dress: Casual)

0700 **Checkout of Amman Four Seasons; Control Room remains up and running until delegation departs Hotel**

0800 **Depart for JIPTC**

1000 **Tour of the Jordan International Police Training Center (JIPTC)**

1100 **Tour Church of the Map in Madaba**

1130 Lunch in Madaba
Haret Jdoudna Restaurant

1300 Tour of USAID project in Madaba, visit to tourist sites

Draft: 8 June 2009 -- Version 7
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REQUEST JORDANIAN MILITARY AIR SUPPORT (HELICOPTERS) FOR THIS MOVEMENT TO REDUCE TRAVEL TIME AND WEAR AND TEAR ON THE MEMBERS.

1400 Depart for Wadi Musa/Petra
1600 Arrive at the Mövenpick Wadi Musa
1800 Country Team Dinner
RON Hotel in Petra, Jordan

Tuesday, June 30, 2009 (Dress: Casual)

0800 Tour of Petra with American Center for Oriental Research Director Barbara Porter
1100 Tour of USAID projects in Wadi Musa
1330 Depart for King Hussein International Airport (OJAG), Aqaba, Jordan
1430 Depart from King Hussein International Airport , Aqaba (OJAG) to Houar Boumediene Airport (DAAG) Algiers, Algeria
Flight Time: 4:00, Time Change: -1:00
1530 Arrive at Houar Boumediene Airport (DAAG) Algiers, Algeria
1800 Country Team Dinner hosted by Ambassador (Dress: Business Attire)
RON Algiers; Algeria at the Hilton Algiers

Wednesday, July 1 (Dress: Business Casual)

REQUEST THAT A BRIEF SPOUSES ITINERARY BE DEVELOPED FOR ALGIERS; NO MORE THAN THREE HOURS

0900 Country Team Brief
1100 RAO Brief
1200 Lunch with Country Team
1300 USAID Site Visit

Draft: 8 June 2009 – Version 7
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- 1530 Depart from Houar Boumediene Airport (DAAG) Algiers, Algeria for Carthage Airport (DTTA) Tunis, Tunisia
Flight Time: 1.3 Hours, Time Change: None
- 1700 Arrive at Carthage Airport (DTTA) Tunis, Tunisia
- 1800 Country Team Dinner hosted by Ambassador
- RON Tunis, Tunisia at the Concorde Les Berges Du Lac Tunis

Thursday, July 2 (Dress: Business Attire)

Program Tunisia

Request Separate Spouses Itinerary for this Day.

- 0900 Country Team Brief
- 1100 RAO Brief
- 1200 Lunch
- 1300 USAID Site Visit
- 1400 Meeting with President of Tunisia
- 1500 Meeting with Prime Minister
- 1600 Meeting with Defense Minister
- 1800 Dinner with Tunisian Parliamentarians
- RON Tunis, Tunisia at the Concorde Les Berges Du Lac Tunis

Friday, 3 July (Dress: Casual)

- 08:00 Depart from Carthage Airport (DTTA) Tunis, Tunisia for Andrews AFB (KADW)
Flight Time: 9:00, Time Change: -5:00
- 12:30 Arrive at Andrews AFB
- 14:00 Arrive at Rayburn Horseshoe

Mission Complete

EXHIBIT 12



DEPARTMENT OF THE NAVY
 HEADQUARTERS UNITED STATES MARINE CORPS
 2 NAVY ANNEX
 WASHINGTON, DC 20380-1775

IN REPLY REFER TO:
 1000
 DJF
 10 JUL 2009

paid

Dear Congressman Ortiz,

It was an honor and a pleasure to have the opportunity to serve as your Marine escort during the recent trip to Jordan, Algeria and Tunisia. I hope this letter finds you well rested and recovered from our journey.

During the trip, I was able to able to determine the cost of various dinners, room charges, etc for you. These costs and payment break down is as follows:

Meals on the Plane	\$28.00
Box Lunch – Petra	\$22.00
Lunch – Jerash	\$43.40
Wreath at N. African Cemetery	\$10.00
Remaining Balance	\$103.40

Please make out a check for the amount indicated above, payable to:

David J. Furness

I can pick up the check at your convenience, or your staff can bring it to my office in B-324 Rayburn. I respectfully request that payment be submitted within 5 business days of receipt. I have a detailed cost breakdown and copies of the receipts that were factored into these totals. Should you desire, we can go over them at your convenience. I can be reached at 202-225-7124.

Again, I appreciated the opportunity to travel with you, and look forward to escorting you again on future delegations.

Semper Fidelis

DAVID FURNESS
 Colonel, U.S. Marine Corps

EXHIBIT 13

*******CLOSE HOLD*******

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515**

**CODEL COSTELLO FACT-FINDING VISIT TO BRAZIL AND ARGENTINA
JANUARY 28 – FEBRUARY 3, 2009**

(as of 12:00pm – 1/28)

PROPOSED ITINERARY

WEDNESDAY, JANUARY 28

(projected weather in
Sao Paulo, Brazil:

75F high
66F low
30% chance of rain

- 5:00pm - depart Rayburn Horseshoe for Andrews AFB
AFB (932nd AW (Scott AFB) – C-40C)
(dress: casual)
- 6:00pm - arrive Andrews AFB
- 6:15pm - depart Andrews AFB for Sao Paulo, Brazil
- - Flight Time: 9+45 hours
- - Watches: ahead 3 hour
- dinner served aboard airplane (chicken alfredo)
- breakfast served aboard airplane
(scrambled eggs/bacon/sausage)

THURSDAY, JANUARY 29

- 7:00am - arrive Sao Paulo and proceed to hotel
- 7:30am - arrive hotel
- Marriott Hotel – Sao Paulo Airport
Av Monteiro Lobato S/N Guarulhos
Sao Paulo 07190-000
Phone: 011-55-11-2468-6999
Fax: 011-55-11-2464-0594
- 12:00pm - depart hotel for the Headquarters of Embraer in Sao Jose dos Campos
(dress: **business casual/jacket**)
- - Embraer will provide escort vehicle
- - David Balloff from Embraer and Rob Land from JetBlue will join delegation on bus
- 1:00pm - arrive Embraer at F-310 Gate
- - proceed to Hall F-300 (ground floor)
- working luncheon (Hall F-300 Auditorium – second floor)
- 2:00pm - spouses depart for Eng Juarez Wanderley School
(contact: Pedro Ferraz and Flavia Sekles)
- (separate spousal program)**
- 2:00pm - institutional presentation by Frederico Curado
(F-300 Auditorium)

THURSDAY, JANUARY 29

- 2:30pm
 - U.S. Ambassador to Brazil Clifford Sobel (NJ) will join the delegation
 - - Ambassador Sobel is just returning from a visit to the States
- 2:45pm
 - depart Auditorium for Building F-65 (second floor)
- 3:00pm
 - spousal program at the Center Vale Center
- 3:00pm
 - arrive Building F-65 and visit the "Virtual Reality Center (second floor)
- 3:20pm
 - depart Building F-65 for briefing/tour of aircraft manufacturing plant
 - - F-65 composite material
 - - F-107 milling shop
 - - F-60 EMBRAER 170/190 fuselage junction
 - - F-220 EMBRAER 170/190 final assembly
 - - F-321 visit to commercial aircraft plant
- 4:30pm
 - visit display of special aircraft (F-300) (spouses rejoin delegation)
 - - Ipanema (special fuels)
 - - Super Tucano
 - - Phenom 100
- 5:30pm
 - reception hosted by Embraer (F-300 hangar)
- 6:30pm
 - depart Embraer Headquarters for hotel
- 7:30pm
 - arrive hotel
- 8:00pm
 - no-host dinner
 - **RON – SAO PAULO**

FRIDAY, JANUARY 3

- 7:00am - luggage available for pickup
- 7:00am - breakfast available in hotel
- 8:30am - depart hotel for airport
- 9:00am - depart Sao Paulo for Buenos Aires,
Argentina
(dress: jacket/tie)
 - - Flight Time: 2+30hours
 - - Watches: no change
- lunch served aboard airplane (bacon cheeseburger)
- 11:30am - arrive Buenos Aires and proceed to hotel
- 12:15pm - arrive hotel
- Sheraton Retiro Buenos Aires Hotel
San Martin 1225/1275
1104 Buenos Aires, Argentina
Phone: 011-54-11-4318-9000
- 1:00pm - meeting with officials from U.S. Embassy Buenos
Aires in hotel
 - - Country Team Brief

(separate spousal program)

FRIDAY, JANUARY 30

- 1:45pm - meeting with Representatives from U.S. airline carriers with flights in/out of Argentina in hotel
 - - American; United; Continental; Delta; Federal Express; UPS and GE.
 - 2:30pm - depart hotel for Planning Ministry of Transportation
 - 2:45pm - arrive Ministry for meeting with Planning Ministry for Transportation Secretary Jaime Marcela Arteaga
 - 3:45pm - depart Ministry for hotel
 - 3:45pm - spouses return to hotel
 - 4:00pm - arrive hotel
 - 4:30pm - spouses depart hotel for Ambassador's residence
 - 4:45pm - spouses arrive Ambassador's residence
 - - private tour of residence escorted by Ambassador's wife
 - - meeting with student visiting Argentina on the Fullbright Program
 - 5:45pm - Members and staff depart hotel for Ambassador's residence
 - 6:00pm - arrive residence for reception hosted by Ambassador
 - 7:30pm - depart residence for hotel
 - 8:00pm - arrive hotel
 - 8:30pm - no-host dinner
- RON - BUENOS AIRES**

SATURDAY, JANUARY 31

- 8:00am - breakfast available in hotel
- 9:00am - depart hotel for Port of Buenos Aires
- 9:15am - arrive port
- - meeting with Director of Port and Director of Custom, Mr. Tirabassi
- (separate spousal program)**
- 11:00am - depart port for hotel
- 12:00pm - lunch at local restaurant
- 2:00pm - windshield tour of city
- 4:00pm - return to hotel
- 8:30pm - depart hotel for no-host dinner and La Ventana Tango Show (\$60 per person – 200 pesos)
(Balcarce 431, San Telmo)
- 8:45pm - arrive La Ventana
- 11:30pm - depart La Ventana for hotel
- 11:45pm - arrive hotel
- RON - BUENOS AIRES**

SUNDAY, FEBRUARY 1

- 7:30am - breakfast available in hotel
- 8:30am - church services at Recoleta Park Chapel
- 9:15am - depart hotel for San Telmo Fair
 - - Rose Garden
 - - Botanical Garden
 - - Japanese Garden
- 12:30pm - depart Buenos Aires Central for hotel
- 1:00pm - arrive hotel
- 1:30pm - luggage available for pickup
- 2:30pm - depart hotel for airport
- 3:30pm - depart Buenos Aires for Panama City, Panama
 - - Flight Time: 7+10 hours
 - - Watches: back 3 hours
 - dinner served aboard airplane
(macadamia crusted tilapia)
 - light snacks served aboard airplane
(bruschetta w/caprice salad)
- 7:40pm - arrive Panama City and proceed to hotel

SUNDAY, FEBRUARY 1

8:30pm

- arrive hotel

Marriott Hotel
Calle 52 y Ricardo Arias
Area Bancaria Panama City, Panama
Phone: 011-507-2-109100
Fax: 011-507-2-109110

8:45pm

- delegation meeting in hospitality room

- RON – PANAMA CANAL

MONDAY, FEBRUARY 2

- 2:30pm - arrive Casco Viejo or hotel
 - 4:30pm - depart Casco Viejo for hotel
 - 5:00pm - arrive hotel
 - 6:00pm - depart hotel for Ambassador's residence
 - 6:30pm - arrive Ambassador's residence for reception
 - 7:45pm - depart residence for hotel
 - 8:15pm - arrive hotel
 - 8:30pm - no-host dinner
- RON - PANAMA CITY**

TUESDAY, FEBRUARY 3

- 7:00am - breakfast available in hotel
- 7:00am - luggage available for pickup
- 9:00am - depart hotel for airport
- 10:00am - depart Panama City for Andrews AFB
 - - Flight Time: 4+55 hours
 - - Watches: no change
- lunch served aboard airplane (BLT's)
- 2:55pm - arrive Andrews AFB

APPENDIX F

Board
David Skaggs, Chair Porter Goss, Co-Chair
Yvonne Burke Jay Eagen
Karan English William Frenzel
Allison Hayward Abner Mikva
Leo J. Wise, Staff Director & Chief Counsel

Mailing Address:
P.O. Box 895
Washington, DC 20515-0895

Office Address:
425 3rd Street, SW
Suite 1110
Washington, DC 20024

RECEIVED
Congress of the United States

2010 JUL 30 PM 7:22
House of Representatives
OFFICE OF CONGRESSIONAL ETHICS
COMMITTEE ON STANDARDS (202) 225-9739
(202) 226-0997 (FAX)

Washington, DC 20515

oce.house.gov
oce@mail.house.gov

July 30, 2010

Honorable Zoe Lofgren, Chair
Honorable Ben Chandler
Honorable G. K. Butterfield
Honorable Kathy Castor
Honorable Peter Welch
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Honorable Jo Bonner, Ranking Member
Honorable Mike Conaway
Honorable Charlie Dent
Honorable Gregg Harper
Honorable Michael McCaul
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

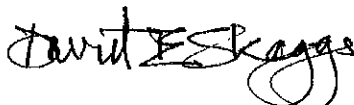
Re: Review No. 10-0754 (Representative Joe Wilson)
REFERRAL

Dear Chair Lofgren, Ranking Member Bonner and Members of the Committee on Standards of Official Conduct:


We write to notify you of the transmittal of a report recommending further review and findings (collectively "the referral") in Review No. 10-0754, concerning Representative Joe Wilson. We have also included supporting documentation. The entire referral and supporting documentation have been delivered to the Offices of the Committee on Standards of Official Conduct where it is available for your review.

If you would like to receive a copy of the Board's referral and supporting documents or have any questions regarding it, our staff is available at your convenience.

Sincerely yours,



David E. Skaggs



Porter J. Goss

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 10-0754

The Board of the Office of Congressional Ethics (the “Board”), by a vote of no less than four members, on July 23, 2010, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Joe Wilson

NATURE OF THE ALLEGED VIOLATION: During the time period from March 2008 to May 2010, Representative Joe Wilson participated in various Congressional Delegation trips abroad. These public statements attributed to Representative Wilson indicate that he may have used the per diem for impermissible purposes during various trips.

If Representative Wilson’s actual meal and incidental expenses for foreign travel were less than the per diem received and he did not return the excess per diem, he may have violated House Rule 10, clause 8 and House Rule 23, clauses 1 and 2.

RECOMMENDATION: The Board recommends that the Committee on Standards of Official Conduct further Review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-0754

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10-0754

On July 23, 2010, the Board of the Office of Congressional Ethics (the “Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.¹ By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that “[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury”²
2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics (“OCE”) that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.³

¹ Rules of the House of Representatives, 111th Cong. Rule X, Clause 8, adopted under H. Res. 5, 111th Cong. (January 6, 2009).

² Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10-0754_002).

³ Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager, June 3, 2010 (Exhibit 2 at 10-0754_006); Memorandum of Interview of House Committee on Foreign Affairs Travel Coordinator, June 2, 2010 (“HCFA Travel Coordinator MOI”) (Exhibit 3 at 10-0754_006); and Memorandum of Interview of House Armed Services Committee Travel Coordinator (“HASC Travel Coordinator MOI”), June 8, 2010 (Exhibit 4 at 10-0754_014).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.
4. Representative Wilson acknowledged publically before the commencement of the OCE's Review that he used per diem for expenses other than meals and incidentals.⁴ During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals, which suggests that he had excess per diem.⁵

A. Summary of Allegations

5. Based on the information presented before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative Joe Wilson may have violated House Rule 10, clause 8 and House Rule 23, clauses 1 and 2 by retaining excess per diem when his actual meal and incidental expenses were less than the per diem that he received during various Congressional Delegation trips ("CODELs").

B. Jurisdictional Statement

6. The allegations that were the subject of this Review concern Representative Wilson, a Member of the United State House of Representatives from the 2nd District of South Carolina. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. The conduct under Review occurred after March 11, 2008.

C. Procedural History

7. The OCE received a written request for a preliminary Review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010. The preliminary Review was scheduled to end on May 13, 2010.

⁴ Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-0754_017).

⁵ Memorandum of Interview of Representative Joe Wilson, June 11, 2010 ("Wilson MOI") (Exhibit 6 at 10-0754_022-023).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.⁶ The second-phase Review was scheduled to end on June 28, 2010.
9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.⁷
10. Representative Wilson submitted a written statement to the Board, under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 19, 2010.⁸
11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.
12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 30, 2010.

D. Summary of Investigative Activity

13. The OCE requested documentary and testimonial information from the following sources:
 - (1) Representative Wilson;
 - (2) Commission on Security and Cooperation in Europe ("CSCE");
 - (3) CSCE Office Manager;
 - (4) House Committee on Foreign Affairs;
 - (5) House Committee on Foreign Affairs Travel Coordinator;
 - (6) House Committee on Armed Services;
 - (7) House Committee on Armed Services Travel Coordinator;
 - (8) Bureau of Legislative Affairs of the United States Department of State; and
 - (9) United States Air Force Congressional Liaison Office.

⁶ According to the Resolution, the Board must vote on whether to conduct a second-phase Review in a matter before the expiration of the 30-day preliminary Review. If the Board votes for a second-phase, the second-phase begins when the preliminary Review ends. The second-phase Review does not begin on the date of the Board vote.

⁷ *Id.* at § 1(c)(2)(A)(ii) (2008).

⁸ Letter from Representative Joe Wilson to Chairman David Skaggs and Co-Chairman Porter Goss, dated July 19, 2010 (Exhibit 7 at 10-0754_026-029).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

II. THERE IS SUBSTANTIAL REASON TO BELIEVE THAT REPRESENTATIVE WILSON RECEIVED PER DIEM IN EXCESS OF HIS ACTUAL MEAL AND INCIDENTAL EXPENSES DURING CERTAIN CODELS AND RETAINED THE EXCESS PER DIEM

14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.
15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.
16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of “any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”⁹

A. Applicable Law, Rules, and Standards of Conduct

1. House Rules

17. Pursuant to House Rule 10, clause 8(b):

“The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of---

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.”

18. Pursuant to House Rule 23, clause 2:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.”

19. Pursuant to House Rule 23, clause 1:

“A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House.”

⁹ H. Res. 895, 110th Cong., Section 1(c)(1)(A) (2008) (as amended).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

2. Federal Travel Regulation and Other Guidance

20. *House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95-384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300-304.*
21. *The “per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses.”¹⁰*
22. *Lodging expenses include “expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate.”¹¹*
23. *Meal expenses are “expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).”¹²*
24. *Incidental expenses are “(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings.”¹³*
25. *“Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates.”¹⁴*
26. *Under the Federal Travel Regulation, the allocation of meals and incidental expenses (“M&IE”) rates that are used in making deductions from the M&IE are as follows: 15%*

¹⁰ 41 C.F.R. § 300-3.1 (emphasis added).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 8 at 10-0754_049).

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*for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was \$100 per day, it was allocated as \$15 is for breakfast, \$25 for lunch, \$40 for dinner, and \$20 for incidental expenses.*¹⁵

27. According to *The United States Department of State Bureau of Legislative Affairs Official Foreign Travel Guide published for the U.S. Congress, Members are advised the following:*

Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

28. *The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained.*¹⁶

B. Representative Wilson Made Public Statements Indicating That He May Have Used Per Diem for Impermissible Purposes

29. On March 2, 2010, the *Wall Street Journal* published an article entitled "Lawmakers Keep the Change."¹⁷

30. A statement attributed to Representative Wilson in the article indicated that he may have used per diem for impermissible purposes.

31. According to the article: "Rep. Joe Wilson (R., Ind.) said he once bought marble goblets in the Kabul airports as gifts from constituents."¹⁸

32. During an interview with the OCE, Representative Wilson confirmed that the article accurately described his statement.¹⁹

¹⁵ 41 C.F.R. ch. 301, App. B.

¹⁶ House Rule 10, clause 8.

¹⁷ Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.*, March 2, 2010 (Exhibit 5 at 10-0754_017).

¹⁸ *Id.*

¹⁹ Wilson MOI (Exhibit 6 at 10-0754_023).

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C. Representative Wilson's Use of Per Diem for Expenses Other Than Meals and Incidentals Provides Substantial Reason to Believe that He Had Excess Per Diem and He Did Not Return Excess Per Diem

33. Representative Wilson used per diem for expenses other than his lodging meals, and incidentals.
34. He told the OCE that he may have used some of his per diem to purchase souvenirs. As an example, he described a small statue of Kamal Ataturk that he bought in Turkey, which currently sits on his desk in his Congressional office. He also described using per diem to purchase flags from foreign countries which he also has in his Congressional office.²⁰
35. When specifically asked about his purchase of marble goblets from Afghanistan, Representative Wilson stated that he has brought back marble goblets in the past. He described a shop in the arcade of the airport in Kabul where one can buy a set of six goblets for either \$10 or \$12 – the witness could not recall. He has purchased two sets. When he returned from the CODEL he wrote “Afghanistan 2009” on the bottom of the goblets and gave them to veterans and people who have served in Afghanistan and to their family. He did not think he used per diem to purchase the goblets because he bought them at the end of the trip and he did not think he had any per diem left. He does not use the per diem to purchase souvenirs for his family or constituents.²¹
36. Representative Wilson stated he did not have any unused per diem on CODEL Skelton because his wife was on that trip. He explained that he had to reimburse others for money that his wife borrowed, implying that his per diem was used for at least some of her travel expenses.
37. Spouses of Representatives may travel on CODELs, but must travel at no expense to the government.
38. Representative Wilson's use of the per diem for purposes other than his personal meals and incidental expenses suggests that his actual meal and incidental expenses were less than the per diem that he received.
39. As a result, there is substantial reason to believe that Representative Wilson had excess per diem for certain CODELs.

²⁰ *Id.* at 10-0754_022.

²¹ *Id.* at 10-0754_022-023.

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D. Estimates of Representative Wilson's Meal and Incidental Expenses Provide Substantial Reason to Believe That His Excess Per diem Was More Than a *De Minimis* Amount for Certain CODELs

40. Representative Wilson told the OCE that he did not maintain complete records of expenses that he incurred on CODELs that he attended during the time period from March 2008 to May 2010.²²
41. Based on the information before the OCE, the exact amount of his meal and incidental expenses for each CODEL is unknown.
42. Consequently, the OCE used estimate of expenses to determine whether it appeared that Representative Wilson retained excess per diem that was more than a *de minimis* amount.
43. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.
44. If an estimate is not used, a House Member or staff could frustrate the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.

E. Representative Wilson Did Not Return Any Excess Per Diem for Meals and Incidental Expenses

45. Representative Wilson told the OCE that he does not believe that he had any excess per diem for any CODELs because at the end of trips because he vividly recalls only having enough money for a taxi upon arrival in the U.S.²³
46. Therefore, he did not return any excess per diem for any CODEL.²⁴
47. The three relevant CODELs that Representative Wilson attended were all organized by the House Committee on Armed Services.
48. The Travel Coordinator for the House Committee on Armed Services is responsible for reporting the amount of per diem that Members received and recording any excess per diem that Members of Congress or staff returned. She told the OCE that she had received

²² Wilson MOI (Exhibit 6 at 10-0754_022).

²³ *Id.* at 10-0754_023.

²⁴ *Id.* .

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excess per diem from Representatives and staff for various CODELs, which was returned to her by checks made payable to the U.S. Treasury.²⁵

- 49. The Office Manager forwards the checks to a specific person at the U.S. Department of State who is responsible for receiving returns of excess per diem.
- 50. There is substantial reason to believe that Representative Wilson had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.
- 51. Although, the available evidence does not establish the exact amount of actual expenses for Representative Wilson’s CODELs, after estimating meal and incidental expenses, there is substantial reason to believe that Representative Wilson retained excess per diem from the following CODELs:

SUMMARY OF ESTIMATED EXCESS PER DIEM				
CODEL	DATE	M&IE Per Diem²⁶	Estimated Expenses²⁷	Estimated Excess Per Diem
CODEL Skelton to Hawaii, Guam, Iwo Jima, Korea, and Okinawa	Feb 18 to Feb 21, 2009	\$365.00	≅ \$187.00	≅ \$178.00
CODEL Tsongas to Iraq, Kuwait, Afghanistan, Pakistan, and Bahrain	Apr 4 to Apr 11, 2009	\$518.00	≅ \$392.00	≅ \$126.00
CODEL Murphy to Turkey, Afghanistan, Kuwait, Iraq, Qatar, and Germany	Aug 4 to Aug 10, 2009	\$525.00	≅ \$401.00	≅ \$124.00
Total		\$1,408.00	≅ \$980.00	≅ \$428.00

1. CODEL Skelton

- 52. During CODEL Skelton to Hawaii, Guam, Iwo Jima, Korea, and Okinawa, Representative Wilson received an enhanced per diem for M&IE in the amount of \$365.00, for his expenses in Iwo Jima, Korea, and Okinawa.²⁸

²⁵ HASC Travel Coordinator MOI (Exhibit 4 at 10-0754_013).

²⁶ M&IE Per Diem calculated using travel itineraries; the monthly per diem rates established by the Office of Allowances, United States Department of State; and where applicable, travel vouchers and travel authorization letters.

²⁷ Estimated expenses were calculated using the “Allocation of M&IE Rates to be Used in Making Deductions from the M&IE Allowance,” which lists the amount of per diem expected to be allocated for breakfast, lunch, dinner, and incidentals. 41 C.F.R. ch. 301 App. B.

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53. Representative Wilson's wife attended the CODEL. Per diem is only for a Representative's personal lodging, meals, and incidental expenses and cannot be used for expenses incurred on behalf of a Representative's spouse.
54. According to the itinerary for CODEL Skelton, at least five meals appear to have been provided at no cost to Representatives who participated during the five days in Iwo Jima, Korea, and Okinawa.²⁹
55. Following the CODEL, Representative Wilson owed the military escort \$144.31 for meals and other expenses that were incurred on behalf of Representative Wilson and his wife.³⁰ An invoice was sent to Representative Wilson, dated February 24, 2009.³¹

²⁸ See Itinerary for CODEL Skelton (February 18 to February 21, 2009) (Exhibit 9 at 10-0754_052-077); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

²⁹ Itinerary for CODEL Skelton (February 18 to February 21, 2009) (Exhibit 9 at 10-0754_052-077).

³⁰ Wilson MOI (Exhibit 6 at 10-0754_023).

³¹ Email from Maj. Toby Patterson to Barb Calligan, et al., dated February 24, 2009 (Exhibit 10 at 10-0754_079).

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56. Of the \$144.31 expenses, \$68.96 appears to be for Representative Wilson's expenses. The remaining \$75.35 appears to be expenses for his wife.

CODEL **Skelton**

Delleney, Caroline

From: Patterson, Toby D Maj OLA, Marine House [toby.patterson@navy.mil]
Sent: Tuesday, February 24, 2009 12:23 PM
To: Calligan, Barb; Dodge, Candace; Delleney, Caroline; Morvis, Catherine; Rodill, Faith; Foertsch, Sean
Subject: FW: CODEL Skelton Costs
Signed By: There are problems with the signature. Click the signature button for details.

All,

Below are the costs for CODEL Skelton for your member and their spouse:

Date:	Event:	
Cost:		
2/19	Breakfast at Embassy (S. Korea)	\$18.91
2/20	Lunch at Officer's Club (Camp Schwab)	\$8.95
2/20	Dinner at Officer's Club (Camp Butler)	\$20.00(X2) =
\$40.00		
2/21	Breakfast at Officer's Club (Camp Kadena)	
\$11.95(X2) = \$23.90		
2/14-2/23	Meals on Airplane	
\$9.15(X2) = \$18.30		
2/21	Spouses vehicle cost (shopping in Okinawa)	\$34.25
Total		\$144.31

** All of the meals that were served on the flights that either originated or ended in the U.S. are covered by Navy travel. This leaves only one meal that must be covered by your member.

Please let me know if you have any questions or concerns.

R/S
 Toby
 Major Toby D. Patterson
 Marine Corps Liaison Office
 B-324 Rayburn Building
 Washington D.C. 20515
 (202)226-7859

57. The amount of M&IE per diem remaining after the billed expenses for four meals is \$296.00.

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58. Representative Wilson may have incurred incidental expenses in addition to those in the Air Force expenses sheet. These expenses are estimated on the Federal Travel Regulations allocation formula.³²

59. The estimated amount of additional incidental expenses is \$118.00.

60. Accordingly, the estimated excess per diem is \$178.00.

CODEL SKELTON TO HAWAII, GUAM, IWO JIMA, KOREA, AND OKINAWA (FEBRUARY 18 TO FEBRUARY 21, 2009)				
Meals & Incidentals	Feb 18	Feb 19	Feb 20	Feb 21
Breakfast	Hosted	Billed	≅ \$19	Billed
Lunch	Billed	Hosted	Billed	≅ \$31
Dinner	Hosted	Hosted	Billed	\$20
Incidentals	≅ \$24	≅ \$24	≅ \$25	≅ \$25
M&IE Received				\$365.00
Billed				\$68.96
Estimated for M&IE				≅ \$118.00
Remaining				≅ \$178.04

61. Representative Wilson told the OCE that he did not return any per diem for this CODEL.³³

62. There is substantial reason to believe that Representative Wilson had excess per diem for CODEL Skelton that he did not return to the U.S. Treasury.

2. CODEL Tsongas

63. During CODEL Tsongas to Iraq, Kuwait, Afghanistan, Pakistan, and Bahrain, Representative Wilson received per diem for meals and incidental expenses in the amount of \$518.00.³⁴

³² 41 C.F.R. ch. 301 App. B.

³³ Wilson MOI (Exhibit 6 at 10-0754_023).

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64. According to the CODEL itinerary, at least five meals appear to have been provided at no cost to the Representatives who attended the CODEL.³⁵
65. Representative Wilson’s meal and incidental expenses that were are estimated on the Federal Travel Regulations allocation formula.³⁶
66. The estimated amount of meals and incidental expenses is \$392.00.
67. Accordingly, the estimated excess per diem is \$126.00.

CODEL TSONGAS TO IRAQ, KUWAIT, AFGHANISTAN, PAKISTAN, AND BAHRAIN							
(APRIL 4 TO APRIL 11, 2009)							
Meals & Incidentals	Apr 5	Apr 6	Apr 7	Apr 8	Apr 9	Apr 10	Apr 11
Breakfast	≅ \$16	\$0.00	≅ \$16	≅ \$21	≅ \$4	Hosted	\$0.00
Lunch	≅ \$27	\$0.00	≅ \$27	≅ \$34	Hosted	Hosted	
Dinner	≅ \$44	\$0.00	≅ \$44	≅ \$55	Hosted	Hosted	
Incidentals	≅ \$22	\$0.00	≅ \$22	≅ \$27	≅ \$6	≅ \$27	\$0.00
M&IE Received							\$518.00
Estimated M&IE							≅ \$392.00
Estimated Excess Per Diem							≅ \$126.00

68. Representative Wilson told the OCE that he did not return any per diem for this CODEL.³⁷
69. There is substantial reason to believe that Representative Wilson had excess per diem for CODEL Tsongas that he did not return to the U.S. Treasury.

³⁴ See Itinerary for CODEL Tsongas (April 4 to April 11, 2009) (Exhibit 11 at 10-0754_081-085); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁵ Itinerary for CODEL Tsongas (April 4 to April 11, 2009) (Exhibit 11 at 10-0754_081-085).

³⁶ 41 C.F.R. ch. 301 App. B.

³⁷ Wilson MOI (Exhibit 6 at 10-0754_023).

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3. CODEL Murphy

70. During CODEL Murphy to Turkey, Afghanistan, Kuwait, Iraq, Qatar, and Germany, Representative Wilson received per diem for meals and incidental expenses in the amount of \$525.00.³⁸

71. According to the CODEL itinerary, at least seven meals appear to have been provided at no cost to the Representatives who attended the CODEL.³⁹

72. Representative Wilson’s meal and incidental expenses that were incurred are estimated on the Federal Travel Regulations allocation formula.⁴⁰

73. The estimated amount of meals and incidental expenses is \$401.00.

74. Accordingly, the estimated excess per diem is \$124.00.

CODEL MURPHY TO TURKEY, AFGHANISTAN, KUWAIT, IRAQ, QATAR, AND GERMANY							
(AUGUST 4 TO AUGUST 10, 2009)							
Meals & Incidentals	Aug 4	Aug 5	Aug 6	Aug 7	Aug 8	Aug 9	Aug 10
Breakfast	≅ \$18	≅ \$4	≅ \$17	Hosted	≅ \$2	≅ \$21	\$0.00
Lunch	Hosted	Hosted	Hosted	Hosted	≅ \$3	≅ \$36	
Dinner	≅ \$49	Hosted	≅ \$45	≅ \$44	Hosted	≅ \$57	
Incidentals	≅ \$24	≅ \$5	≅ \$23	≅ \$22	≅ \$2	≅ \$29	\$0.00
M&IE Received							\$525.00
Estimated M&IE							≅ \$401.00
Estimated Excess Per Diem							≅ \$124.00

³⁸ See Itinerary for CODEL Murphy (August 4 to August 10, 2009) (Exhibit 12 at 10-0754_087-093); monthly per diem rates established by the Office of Allowances, United States Department of State <available at http://aoprals.state.gov/web920/per_diem.asp>.

³⁹ Itinerary for CODEL Murphy (August 4 to August 10, 2009) (Exhibit 12 at 10-0754_087-093).

⁴⁰ 41 C.F.R. ch. 301 App. B.

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75. Representative Wilson told the OCE that he did not return any per diem for this CODEL.⁴¹
76. There is substantial reason to believe that Representative Wilson had excess per diem for CODEL Murphy that he did not return to the U.S. Treasury.

III. CONCLUSION

77. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and staff may receive reimbursement for expenses that is *the lesser of*: (1) the applicable per diem; or (2) actual expenses.
78. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S. Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.
79. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Wilson's public statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.⁴²
80. Based on the information available to the OCE during this Review, Representative Wilson's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELS: CODEL Skelton; CODEL Tsongas; and CODEL Murphy.
81. Based on the information available to the OCE during this Review, Representative Wilson did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.
82. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Wilson.

⁴¹ Wilson MOI (Exhibit 6 at 10-0754_023).

⁴² House Ethics Manual (2008) at 13.

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IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

83. The OCE requested information from the U.S. Department of State concerning letters of authorization for certain CODELs and records of Representative Wilson returning excess per diem. The U.S. Department of State was cooperative with retrieving the information but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

84. The OCE requested information from the U.S. Air Force Congressional Liaison Office concerning meal and other expenses incurred on behalf of Representative Wilson and reimbursed by Representative Wilson. The U.S. Air Force Congressional Liaison Office was cooperative with discussing the information with OCE staff but was unable to acquire proper authorization to release the documents to the OCE before the end of this Review.

EXHIBIT 1

May 13, 2010

The Honorable Ike Skelton, Chairman
House Committee on Armed Services
2121 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman:

Following our recent conversation at the Chairmen's meeting, I would like to provide you with the following restatement of rules concerning the authorization by Chairmen of travel by Members and staff:

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;
- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;
- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;
- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;
- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;
- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.
- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.
- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;
- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;
- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;
- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and
- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

Please contact the Office of Interparliamentary Affairs at ext. 6-1766 with any questions or concerns. The staff is available to provide guidance regarding travel matters.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Commission on Security and Cooperation in Europe Office Manager
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 3, 2010
LOCATION: Office of Congressional Ethics
425 3rd Street, SW
Washington, DC 20515
TIME: 3:30 p.m. to 4:10 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Marlene M. Kaufman, General Counsel, Commission on Security and
Cooperation in Europe

SUMMARY: The Commission on Security and Cooperation in Europe (“CSCE”) Office Manager was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the CSCE Office Manager (the “witness”) and he consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.
3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELS. Information in these reports included the House Members who traveled, dates of travel, and countries visited.
4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.
5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

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6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.
7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELs”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.
8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.
9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.
10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.
11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.
12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

I certify that this memorandum contains all pertinent matter discussed with the witness on June 3, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Foreign Affairs Travel Coordinator
REVIEW No.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 2, 2010
LOCATION: 2170 Rayburn HOB
Washington, DC 20515
TIME: 2:00 p.m. to 2:45 p.m. (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Daniel Silverberg, Senior Deputy Counsel, House Committee on Foreign
Affairs

SUMMARY: The Travel Coordinator for the House Committee on Foreign Affairs (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.
3. Prior to her employment with the Committee, she was an intern with the Committee.
4. As Travel Coordinator, she is a liaison between the United States Department of State (“State Department”) Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.
5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.
6. Prior to Speaker Nancy Pelosi’s restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

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7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.
8. The witness based her understanding of the use of per diem on information that the State Department published on its website.
9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.
10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.
11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.
12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.
13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.
14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.
15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.
16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10% of the time.

This memorandum was prepared on June 9, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 2, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 2, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: House Committee on Armed Services Travel Coordinator
REVIEW Nos.: 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483
DATE: June 8, 2010
LOCATION: 2117A Rayburn HOB
Washington, DC 20515
TIME: 11:00 a.m. to 11:40 (approximately)
PARTICIPANTS: Kedric L. Payne
Elizabeth A. Horton
Paul Lewis, General Counsel, House Committee on Armed Services

SUMMARY: The House Committee on Armed Services Travel Coordinator (the “witness”) was interviewed pursuant to Review Nos. 10-0754; 10-1170; 10-5477; 10-6264; 10-7960; and 10-8483. We requested an interview with the witness and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.
2. The witness has been a Professional Staff member with the Committee since February of 2005.
3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.
4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.
5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.
6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.
7. She keeps everything related to travel in individual files.

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8. She vets all trips, determining the purpose of the trip and who will be traveling.
9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.
10. Travel must be bi-partisan.
11. The authorization letters are signed by the Chair of the Committee.
12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.
13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.
14. Members must sign for the per diem. Receipts for per diem are required to be turned in to her at the end of the trip.
15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.
16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.
17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like “herding cats”.
18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.
19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.
20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.
21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.
22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.
23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

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24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define “incidentals” to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.
27. She requested that any unused per diem be attributed to the country for which the per diem was issued.
28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.
32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by “word-of-mouth” to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald’s.
38. All trips to areas of operation are unique.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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40. The reports she creates that are required to be filed with the Clerk are broken down by Member.

41. If any per diem is returned, she makes a copy of the check and includes it in her files.

This memorandum was prepared on July 19, 2010, based on the notes that the OCE staff prepared during the interview with the witness on June 8, 2010. I certify that this memorandum contains all pertinent matter discussed with the witness on June 8, 2010.

Elizabeth Horton
Investigative Counsel

EXHIBIT 5

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opportunities in the
prosperity,
including
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POLITICS | MARCH 2, 2010

Lawmakers Keep the Change

Cash Left Over From Official Trips Overseas Is Often Used for Personal Expenses

By BRODY MULLINS And T.W. FARNAM

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.



Associated Press

From left, Reps. Alcee Hastings, Eliot Engel and Solomon P. Ortiz, and U.S. Ambassador William Brownfield, in Rio Negro, Colombia, in 2008.

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

"If that was the policy, you could never get many members traveling," said Rep. Solomon Ortiz, a Texas Democrat. Mr. Ortiz said he had never returned any money.

"There's a tacit understanding that if lawmakers don't spend the money, they get to keep it," said Rep. Sue Kelly, a New York Republican who was defeated in 2006.

Former Rep. Tom Davis, a Virginia Republican, said lawmakers often used leftover money "for shopping or to buy souvenirs to bring back to constituents. That's fairly standard."

Rep. Joe Wilson (R., S.C.) said he once bought marble goblets in the Kabul airport as gifts for constituents. Rep. Mark Souder (R., Ind.) said he dipped into his funds to buy a \$200 painting of an estuary in Turkey, which hung in his office for a while and was now in his house.

Lawmakers who said they sometimes keep excess funds said the amounts were small. "I won't deny that sometimes I have a little left, but it's not much—maybe 80, 90, or 100 dollars," said Rep. G.K. Butterfield (D., N.C.).

Congress has no system for tracking how the cash payments, called per diems, are being spent. Lawmakers aren't required to keep receipts and there are no public records.

In the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips, according to congressional travel records.

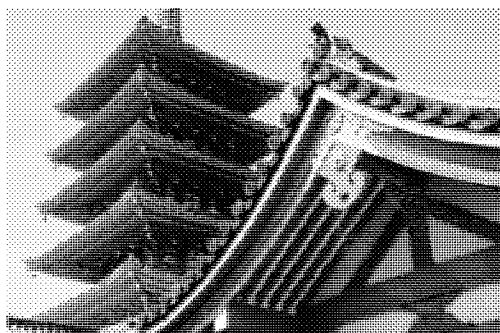
House lawmakers received between \$375,000 and \$625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

"You are all concerned about nickels and dimes, and I'm not," said Rep. Alcee Hastings (D., Fla.). "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt—I don't speak Kazakh."

In a subsequent interview, Mr. Hastings said he had time to gather receipts, but didn't.

Travel Allowances for Selected Cities

Tokyo: \$214 a Day



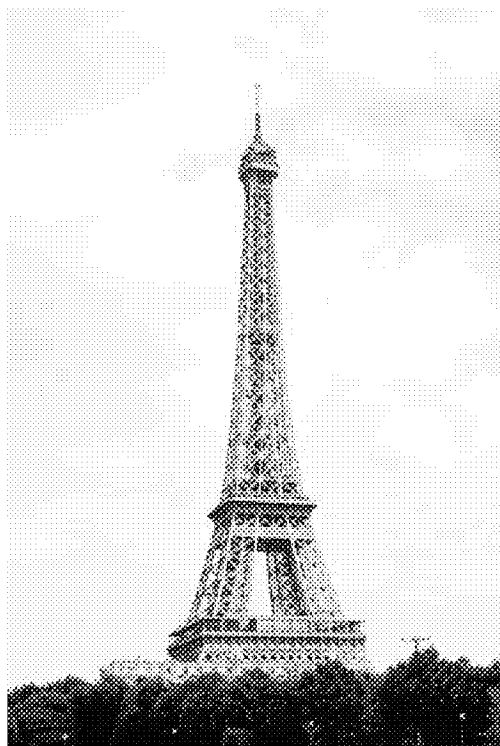
Zuma Press

Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said.

"I'm a generous spirit and a courteous spirit," Mr. Hastings said. "I stand accused."

Some lawmakers are assiduous about returning surplus cash. Sen. Arlen Specter, a Pennsylvania Democrat, has returned to the U.S. Treasury about \$8,500 of the \$25,000 he was given for 11 trips since August 2005, according to documents provided by his office.

Paris: \$178 a Day



Bloomberg News

The per diem program is administered by the State Department. According to department officials and publications, when lawmakers arrive in a foreign country, U.S. government officials give them an envelope with cash in the local currency. The total stipend is set by the State Department based on surveys of local prices. It is meant to cover three meals and incidental expenses, which federal travel regulations say include transportation and tips for baggage handling and other services.

The amounts range from \$28 a day in Kabul to more than \$250 a day in Awashima, Japan.

When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

Many of the lawmakers' daily expenses are picked up by U.S. embassies, foreign governments or military liaisons, according to travel documents and interviews.

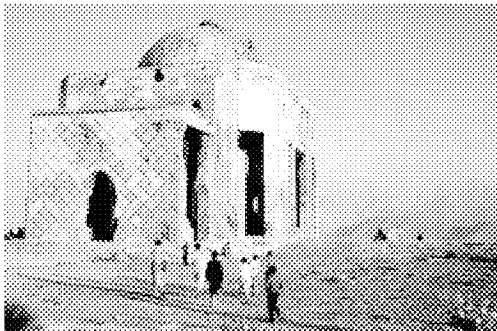
House and Senate rules say per diems can be used only for legitimate travel expenses. Any leftover money must be returned. The cash is for lawmakers, not their spouses.

London: \$114 a Day



Zuma Press

Kabul: \$28 a Day



Getty Images

Lawmakers can request an extra \$50 a day if they believe the allowance is insufficient.

"The extra money and the plus-ups are really for the spouses," said Mr. Souder, the Indiana Republican.

Last summer, a dozen lawmakers of both parties flew to Lithuania to a conference of the Helsinki Commission, an independent U.S. government agency made up of members of Congress and others that was born during the Cold War to promote democracy, security and human rights. The lawmakers were given \$941 each in local currency to cover expenses for the six-day trip, said one attendee, Sen. Richard Durbin (D., Ill.).

When they got home, Mr. Durbin returned \$401.08 to the Treasury, according to documents provided by his office. Sen. Benjamin Cardin (D., Md.) returned \$86. No one else returned any money, according to travel records for the trip and interviews with the lawmakers.

One lawmaker on the trip, Rep. Robert Aderholt (R., Ala.) said he didn't return cash. "I don't keep up with it penny for penny," he said.

Mr. Butterfield said he didn't recall if he had any leftover funds, and that he sometimes kept the extra cash.

Sen. Tom Coburn (R., Okla.) said he once tried to return surplus cash to the State Department, but "they wouldn't take it. They said, 'We don't have a way to handle that.'" Mr. Coburn said he sent a personal check to the U.S. Treasury.

Write to Brody Mullins at brody.mullins@wsj.com and T.W. Farnam at timothy.farnam@wsj.com

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EXHIBIT 6

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE: Representative Joe Wilson
REVIEW No.: 10-0754
DATE: June 11, 2010
LOCATION: 2120 Rayburn HOB
Washington, DC 20515
TIME: 11:05 a.m. to 11:50 a.m. (approximately)
PARTICIPANTS: Omar S. Ashmawy
Kedric L. Payne
Mark Braden

SUMMARY: Representative Joe Wilson is a Member of the United States House of Representatives and represents the 2nd District of South Carolina. He was interviewed pursuant to Review No. 10-0754. We requested an interview with Representative Wilson and he consented to an interview. Representative Wilson (the “witness”) made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning.
2. The witness’ primary reason for going on Congressional Delegations (“CODELs”) is to meet American soldiers and to thank them.
3. He has been on eleven CODELs to Iraq and nine to Afghanistan.
4. His general practice when he goes on a CODEL is to withdraw \$200 cash before he leaves. When he arrives at the U.S. Embassy, Embassy personnel give him his per diem. The per diem generally deducts the hotel costs. He will then receive the balance for his other expenses.
5. During the course of the trip, the Members on the CODEL are accompanied by escort officers who pay for the group’s expenses, such as meals in restaurants, and who are then reimbursed at the end of the trip. The witness explained that the tradition is that the escort officer tells the Members how much money they owe while on the plane back to the United States. However, while that is the norm, there have been times when the witness has been billed for what he owes the escort after he has returned to Washington, DC.

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6. In all the trips the witness has attended, he has always returned with less than the \$200 he withdrew before he left.
7. The witness then recounted what he could recall from specific CODELs that he has attended. However, it is not the witness' practice to take notes. Instead he takes photographs, which he then puts into albums. He used these photographs as references.
8. When recounting the CODEL to Turkey, he highlighted an occasion when the group attended a dinner at a restaurant. He described the restaurant as very elegant and expensive. Although the escort officer paid the check for the entire group at the end of the evening, each member of the CODEL would be billed later for their dinner.
9. The witness explained that he has also used his personal credit card while attending CODELs. He did not know if he had ever reimbursed himself with money from his per diem for any of these charges. He explained that "it gets all mixed up."
10. When asked what he uses the per diem for, the witness answered that he uses it for the pictures he takes – *i.e.* the film and the processing. He also uses it for tips and transportation costs.
11. When specifically asked about souvenirs, the witness stated that he may have used some of his per diem for souvenirs. As an example, he described a small statue of Kamal Ataturk that he bought in Turkey and which currently sits on his desk in his Congressional office. He also described using per diem to purchase flags from foreign countries which he also has in his Congressional office.
12. The witness also described a practice of his by which he asks the Embassy of the country he is visiting to purchase \$100 in the smallest currency circulated. When he returns home, he gives this currency to individuals as souvenirs and to teach Americans about the change occurring in the foreign country. One example is when he showed people the difference between currency from Iraq that bore the image of Sadaam Hussein and the new currency that did not bear his image. It was not clear if the witness used his per diem to purchase the currency.
13. The witness used to keep his vouchers from the CODELs, but no one ever asked for them so after some time he stopped keeping them.
14. When specifically asked about his purchase of marble goblets from Afghanistan, the witness stated that he has brought back marble goblets in the past. He describes a shop in the arcade of the airport in Kabul where one can buy a set of six goblets for either \$10 or \$12 – the witness could not recall. He has purchased two sets. When he returned from the CODEL he would write "Afghanistan 2009" on the bottom of the goblets and then

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give them to veterans and people who have served in Afghanistan and to their family. The witness did not think he used per diem to purchase the goblets because he bought them at the end of the trip and he did not think he had any per diem left.

15. The witness has never had to convert his per diem or his \$200 into foreign currency because everywhere he went American dollars were accepted.
16. The witness has never been told what to do with excess per diem. However, he knows that he has not had any per diem left at the end of the CODELs because he vividly recalls only having enough money for a cab home.
17. When asked about the *Wall Street Journal* article and the context of his quote, the witness told the OCE that he was in the Speaker's Lobby when the journalist asked him "What do you do with per diem?" The witness recalled saying that he used it for souvenirs. However, the witness explained to the OCE that he should have told the journalist what he did with the money specifically and that the things he purchased were more than souvenirs, and that the word "souvenir" might not be the right word to describe his purchases. The witness explained that he did not provide this level of detail because the journalist did not "grill" him.
18. When asked if the quote, itself, was accurate, the witness told the OCE that it was accurate.
19. The witness stated he did not have any unused per diem on CODEL Skelton because his wife was on that trip. When asked what he meant by that, the witness replied that he had to reimburse others for money that his wife borrowed. He also thought that before leaving on the trip he probably withdrew \$600, as opposed to his usual \$200, because he knew it would be an expensive trip.
20. When asked if he had any unused per diem after his trip to Seoul, Korea, the witness replied that Seoul was a very expensive city.
21. CODEL Murphy was the CODEL to Afghanistan that he had detailed earlier in the interview. He had no unused per diem after that trip. The witness then explained that while he could not certify he had no per diem left over on every trip, he was absolutely certain as to CODEL Murphy because he remembered having only a \$20 bill to pay for a taxi home.
22. Regarding CODEL Tsongas, the witness did not think he had any leftover per diem. The witness stated that 99% of the time he is confident he has only \$20 left at the end of the CODEL.

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23. The witness defined left over per diem as enough per diem to deposit into his account – something he has never done.
24. When asked if he thought he could keep unused per diem, the witness replied that no one ever told him what to do with leftover per diem. He also explained that he would be very happy to do a reporting after the CODELS, but no one has ever asked.
25. When asked if he had any per diem left over from CODEL Ackerman, the witness replied that Cyprus is very expensive. The witness gave the same response for CODEL Costello.
26. The witness repeatedly referred the OCE investigative counsels to the escort officers who attended the CODELS for additional details.

This memorandum was prepared on June 15, 2010, based on the notes that the OCE staff prepared during the interview with Representative Wilson on June 11, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Wilson on June 11, 2010.

Omar S. Ashmawy
Investigative Counsel

EXHIBIT 7

JOE WILSON
U.S. District Court, District of Columbia

ASSISTANT ATTORNEY GENERAL

COMMITTEES:
ARMED SERVICES
Banking, Personnel, Space and Technology
FOREIGN AFFAIRS
EDUCATION AND LABOR
HOUSE POLICY

Congress of the United States House of Representatives

July 19, 2010

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W. BRUCE BELL
CHIEF OF STAFF
with children

Hon. David Skaggs, Chair
Hon. Porter Goas, Co-Chair
Congress of the United States
House of Representatives
Office of Congressional Ethics
P.O. Box 895
Washington, DC 20515

Re: Initiation of a Preliminary Review -- Review No. 10-0754

Dear Members of the Committee:

As I travel to foreign nations as part of my official duties on the House Foreign Affairs and Armed Services Committees, I am provided with a per diem. In regards to the above-referenced Review, I do not believe I misused per diem funds or that my conduct violated House rules. As I understand, this matter was opened because of a March 2, 2010 Wall Street Journal article in which it was stated that I once bought marble goblets in the Kabul airport as gifts for constituents. I did buy a set of six, small, 3-inch high goblets in Kabul for a total of ten dollars as gifts for constituents. The constituents were spouses of veterans or veterans of Afghan military service and were given as my gratitude for their service.

I always travel with \$200 of personal funds in cash with me on such trips and typically return with twenty dollars for cab fare. For the trip in question, my recollection is that I returned with only twenty dollars in cash, photographs, some souvenirs and a handful of Afghan currency of no value in the United States. I cannot now reconstruct all incidental travel expenses from this trip, but I had more than sufficient personal funds available with me for any gift items. The Afghanistan per diem of twenty-six dollars (\$26.00) covered meals, including those at the Embassy snack bar.

At the time of this trip, I do not believe there was a formal process in place for the return of excess per diem funds or expense recordkeeping requirement. Even if such a process was in place in 2009, I do not believe I would have had per diem funds to return at the end of the trip.

Very truly yours,



Joe Wilson
Member of Congress

My Home Office
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West Des Moines, IA 50319
(515) 281-2041
Fax: (515) 281-1671

212 Cannon House Office Building
Washington, DC 20515-4002
(202) 225-2452
Fax: (202) 225-2455
www.joewilson.house.gov

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July 21, 2010

E. Mark Braden
direct dial: 202.861.1504
MBraden@bakerlaw.com

The Honorable David Skaggs, Chair
The Honorable Porter Goas, Co-Chair
Congress of the United States
House of Representatives
Office of Congressional Ethics
P.O. Box 895
Washington, DC 20515

Re: Initiation of a Preliminary Review - Review No. 10-0754

Honorable David Skaggs:
Honorable Porter Goas:

On April 14, 2010, the Board of the Office of Congressional Ethics initiated a preliminary review into allegations that Congressman Joe Wilson may have violated House rules.¹ Apparently, the review is based upon a March 2, 2010 story in the Wall Street Journal.² A line in the article states: "Rep. J. Wilson, (R., S.C.) said that he once bought marble goblets in the Kabul airport as gifts for constituents." This is the sole reference to Congressman Wilson in the story. The Congressman did buy six goblets at the Kabul airport in 2009 as gifts for constituents.³ The total expenditure referred to in this Wall Street article is \$10.00. The article might be read to indicate that this ten-dollar purchase was with money from the congressman's per diem, but that is certainly not clear from the article. The facts surrounding the trip do not support a conclusion that per diem money was used for the goblets purchase.

¹ House Rule 10, Clause 8.

² The Wall Street Journal "Lawmakers keep the Change", March 2, 2010.

³ Two of the goblets were given to General Bob Livingston and the other two went to a South Carolina State Representative, James Smith (D), both veterans of Afghan military service.

Chicago Cincinnati Cleveland Columbus Costa Mesa
Denver Houston Los Angeles New York Orlando Washington, DC

10-0754_027

Rep Wilson explained to the Board that his routine practice for official trips overseas was to obtain \$200 in cash from his personal bank account and use those funds for personal expenses and small gift items, such as the goblets. He customarily returned from the trips with only sufficient cash in hand to pay for the taxi expense from the Rayburn House Office Building back to his residence (approximately \$20 dollars).

The per diem provided to Rep. Wilson for the Afghanistan trip referenced in the article was nominal (total: \$26 for two days). In light of the fact that the congressman brought \$200 in personal funds with him on the trip and returned with approximately \$20 dollars, there is no reason to conclude that the ten dollars spent on the goblets was per diem money.

There are two methods by which a government body or any organization can deal with the incidental expenses of an individual travelling on their official business: "Expenses" or "per diem" arrangements. The obvious purpose of a per diem arrangement, rather than a direct expense arrangement, is to avoid the difficulties of documenting and accounting for small incidental expenditures involved in travel. An individual's carfares, vendor snacks, lunches, tips and all other de minimus expenses that arise from travel are often dealt with on a per diem basis. Many organizations conclude this leads to substantial cost savings for the organization involved because of the expense of processing receipts or records for such nominal expenditures.

As the Wall Street Journal article points out, "there is no system for tracking these payments, nor are there any requirements that members of Congress keep records for these de minimus payments." As this Board must be aware, at the beginning of the 111th Congress, Speaker Pelosi sent a letter to each House committee chairman, setting forth guidelines for foreign travels by members and staff of their committees⁴. On May 13, 2010, the Speaker sent a second letter⁵ on the same subject to committee

⁴ Attached February 2009 letter from the Speaker to Chairman Ike Shelton.

⁵ Attached May 13, 2010 letter from the Speaker to Chairman Ike Skelton.

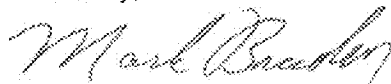
The Hon. David Skaggs, Chair
The Hon. Porter Goas, Co-Chair
Office of Congressional Ethics
July 21, 2010
Page 3

chairmen with an additional bullet point, including the new sentence: "Excess funds are to be returned to the Treasury." This was not in the original directive to committee chairmen. It is clear from this action by the Speaker, the lack of any system for repayment, and the statements of the various other members in the WSJ article that there was no House practice of per diem accounting or repayment. Even if Congressman Wilson had left-over per diem fund, which he did not, there was no process in place for its return. Congressman Wilson intends to comply with the new rules on future official travels.

As he stated in his interview, Congressman Wilson has no specific memory of other personal expenses on the trip that would not be standard and usual travel expenses appropriate under any analysis for per diem funds. In light of the fact that he returned to the US with approximately \$20 dollars and a deminis amount of Afghan currency (as souvenirs but with no monetary value in the US), there were no per diem funds to return.

Because of the de minimus funds involved and the lack of **any** evidence of misused per diem, the continuation of this review by the Board or the Committee on Standards of Official Conduct would be an imprudent use of time and resources. This matter should be immediately closed.

Sincerely,



E. Mark Braden

103472173

10-0754_029

EXHIBIT 8



OFFICIAL FOREIGN TRAVEL GUIDE FOR THE U.S. CONGRESS



UNITED STATES DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS

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**OFFICIAL FOREIGN TRAVEL GUIDE
BY THE DEPARTMENT OF STATE
FOR THE U.S. CONGRESS**

A

This guide is provided to support official foreign travel by Members of Congress and their staff. It describes the support available from the Department of State for official travel and how this support can be requested. We hope this package will assist you through the process.

B

TAB

A	Congressional Guide for Official Foreign Travel	Describes the support available from the State Department and the procedures to obtain this support.	C
B	Fiscal Information Sheet	Explains per diem rates, transportation and other expenses, and how the funding is handled domestically and overseas.	D
C	Sample Authorization Letters	Illustrates appropriate letters and what information needs to be included; supplies the legal authority to expend USG funds.	E
D	Foreign Travel Data Sheet	Solicits information needed by the State Department to ensure a successful trip.	
E	Questions and Answers	Responds to frequently asked questions.	

Although travel plans are often understandably subject to change, early notice of travel needs greatly enhances our capacity to provide assistance. Therefore, a signed letter of authorization, itinerary, desired agenda, and meeting requests should be provided to the Department of State's Congressional Travel Office at least two (2) weeks before the planned departure whenever possible. This timely notification will allow us to instruct U.S. missions abroad regarding program, administrative, and logistical requirements, and to receive their country clearance, threat assessment, and suggestions for the trip.

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

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CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

Effective and expeditious support for congressional travel abroad requires that both the travel authorization and background information reach the Department of State promptly. Whenever possible, a copy of the signed Letter of Authorization should be faxed to the Department of State's Congressional Travel Office (CTO) -- fax number 202-203-7700 -- at least two (2) weeks before the planned departure or sooner if possible; scanned and emailed copies of the authorization letter are also acceptable. The CTO will arrange for subsequent messenger pick-up of the original letter(s) from the authorizer(s). Additionally, please e-mail an itinerary, desired agenda and any meeting requests for Codels or Staffdels to: H_CTO@state.gov. Revisions to any of the above information should be faxed or e-mailed promptly.

Once the CTO receives notification of a trip, several things will happen. First, a domestic travel coordinator and a travel specialist will be assigned to the trip. These professionals will provide points of contact in the embassy, and assist with logistical arrangements, scheduling and briefings. There are many components to a successful trip so please contact us via phone, fax or email very early in the planning process, so that we can provide the best assistance possible.

Department of Defense (DOD) transportation and support must be requested separately by letter to the Secretary of Defense. For your convenience, a DOD-approved sample letter is enclosed in this package (TAB C).

1. LETTERS OF AUTHORIZATION

Letters of Authorization constitute legal authority for the State Department to expend or disburse U.S. Government funds in support of official foreign travel by Members of Congress or congressional staff. The fiscal information under TAB B lists the types of expenditures that can be authorized for specific trips and gives guidance as to how authorization for such expenditures should be formulated. The full extent and range of support desired should be delineated as clearly as possible in the authorizing letter. Letters of authorization are signed by one of the following officials:

SENATE

Majority Leader
Minority Leader
President Pro Tempore
Full Committee Chairman
•for Member or employee of
the Committee or employee
of Committee Member

HOUSE

Speaker of the House
Full Committee Chairman
•for Member or employee of the
Committee

JOINT COMMITTEE CHAIR

• for Member or employee of the Joint Committee

Letters must list by name all persons being authorized to receive USG-funded support. Members or staff traveling with a committee with which they have no association must be authorized separately by either the Leadership or the Chairman of a committee with which they are associated. (See sample authorization letters TAB C.)

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

In the letter of authorization, please define the objectives of travel, identifying where possible specific program requests at each stop. When appointments with specific individuals are desired, it would be helpful to indicate the topics to be addressed. If any activities have already been arranged directly with local organizations or persons, please provide scheduling data so that other events can be arranged around them. Embassy/Consulate briefings are highly recommended prior to meetings with host country government officials. Briefings by Department officials prior to departure from the United States are also available and can be very useful.

3. LIST OF TRAVEL PARTICIPANTS

The following are travel participants that are normally authorized under letters of authorization:

- Members of Congress (please include state and party affiliation)
- Spouses/family members (please include first names)
- Staff members (with titles)
- Executive branch/private sector invitees (with titles)
- DOD escorts (with rank and titles)

4. TRAVEL AND ITINERARY

Please book all airline reservations with the Combined Airline Ticket Office (CATO) to expedite ticketing and delivery of prepaid tickets to the Hill. The Department cannot pre-pay airline tickets which are booked with private travel agents.

When booking, you should inform CATO that the tickets will be pre-paid by the Department of State. CATO offices are located on Capitol Hill (Senate Russell Building, Room B24 and House Longworth Building, Room B22) as well as in Rosslyn, Virginia. CATO's reservation number is 703-522-2286.

5. PASSPORT AND VISA INFORMATION

Travelers must have valid passports for all overseas travel. Please ensure that your passport is current and valid for at least six months beyond the travel dates. Official passports are available at no charge and are issued for the purpose of conducting official business abroad. The Department of State strongly encourages both Members and staff to obtain official passports. Blue "Tourist" passports should be used only for tourism, but may be used if the traveler does not possess an official passport.

Some countries require visas. It is the responsibility of the traveling party to obtain ALL necessary visas. For assistance with visa issues please contact the Special Issuance Agency at 202-955-0198.

Travelers should coordinate passport/visa requirements directly with Passport Services well in advance of the trip. Travelers may call Passport Services at 202-955-0200. For information regarding visa requirements travelers may call 202-955-0198. Sometimes passport data will be required by foreign posts. In those cases CTO will contact you for you passport details.

For delegations with DOD escorts, the escorts collect the passports, obtain visas, and send data to appropriate foreign posts.

A variety of information including current travel warnings, passport forms, visa requirements, country background notes, adoption issues, exchange rates and more can be viewed at www.state.gov/travel.

FISCAL INFORMATION SHEET

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FISCAL INFORMATION SHEET

By longstanding agreement, funds for official foreign travel are administered by the Department of State on behalf of the U.S. Congress. Upon receipt of written authorization from appropriate congressional offices, obligations and disbursements will be charged against specific congressional travel accounts held by the U.S. Treasury. The disbursements, which are permitted under PL 95-384, The International Security Assistance Act of 1978, fall into three distinct categories: Per Diem, Transportation (international and/or local), and Other Official Expenses. Each must be specifically authorized in order for expenditures within that category to be incurred. Under PL 95-384, all expenses charged by the traveler, the delegation, and the Department of State to the fund cite must be reported by the traveler/delegation to the authorizing committee upon return.

1. PER DIEM

Under Public Law 95-384, congressional travelers abroad receive local currency for per diem in amounts not to exceed the maximum per diem allowed by law. The authority for establishing per diem rates is found in Chapter 57 of Title 5 of the U.S. Code and set forth as the Federal Travel Regulation at 41 CFR Ch. 300-304.

Per diem payments are made directly to authorized individuals (Members and staff) to cover the cost of lodging, meals and incidental expenses (M&IE) while traveling abroad. The U.S. Government does not pay the expenses of accompanying spouses. Upon arrival in a foreign country, per diem normally is disbursed by the Embassy or Consulate for each night spent in country. Payment is made in local currency unless U.S. dollars are required by hotels or such payment has been specifically requested prior to departure from the U.S. Upon departure from the country, arrangements can be made for travelers to convert unused per diem into U.S. dollars. Per diem which for any reason has not been received abroad may be claimed in U.S. dollars after the traveler's return and upon presentation of hotel receipts to the Department of State, Bureau of Legislative Affairs, Congressional Travel Office.

In the event that no-cost lodging is provided, (e.g. the traveler stays in Government facilities or as a private guest), the traveler is allowed the applicable meals and incidental expenses (M&IE) rate. Note that this guidance is consistent with changes in the Federal Travel Regulation

- **FOREIGN PER DIEM RATE:** Per diem consists of two components: the lodging rate and M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the per diem rates and it is sufficient to authorize per diem payments based on those rates. This type of per diem payment is called an allowance. Allowances are provided in full and require no accounting. Foreign per diem rates are available on the State Department's website at: www.state.gov/m/als/prdhw/.

• **ENHANCED PER DIEM RATE:** The committee may authorize enhanced per diem to offset exceptionally high costs associated with price increases that can be found in certain locations. Unless a specific dollar enhancement is authorized (e.g. \$75 USD or \$100 USD), the default enhancement is an additional \$50 USD above per diem.

• **ACTUAL EXPENSE BASIS:** Per Diem can be calculated by adding the expenses of up to 300% of the applicable per diem rate. This rate may be authorized for lodging, M&IE, or both, when actual expenses exceed the established per diem rate. There is no authority to exceed this 300% ceiling. **To avoid problems caused by unexpected devaluation of the US dollar, the following language may be used in authorization letters: "actual lodging is authorized."**

• **ACCOUNTING:** If an individual is traveling on an enhanced per diem or actual expense basis, he or she must itemize all expenses, including meals, and account for unused per diem funds. In situations where only lodging or M&IE is on an actual expense basis, only that portion need be itemized. Itemization requires the traveler to write down specific expenses but does not require receipts. Upon completion of the trip, the authorizing committee requires travelers to reconcile their actual expenditures with the expenditures authorized prior to travel. Consistent with congressional rules and regulations, this reporting (and reconciliation when required) should be submitted to the congressional office that authorized the travel.

Posts may pay for hotel charges directly if arrangements with the Embassy/Consulate staff are made beforehand. In this case, posts will be directed to disburse M&IE only.

As the purpose of the per diem enhancement and/or the payment of actual lodging expenses is to offset unexpectedly high costs found in certain locations, if a traveler receives either of these authorizations reimbursements for any additional lodging or M&IE costs are not authorized.

2. TRANSPORTATION

When international travel is authorized, travelers make their own reservations through CATO (see item 4 of previous chapter, "Travel and Itinerary"). The Department arranges for prepayment of the tickets, which the authorizing committee makes available to the traveler. This arrangement requires that the Department be notified of the carriers used, the class of service, and the precise itinerary. For transoceanic flights, U.S. flag carriers must be used (PL 94-624, Fly America Act) **unless** the authorization letter has specified otherwise based on a determination that no U.S. flag carriers are available. **Use of charter aircraft is an extraordinary expense and must be specified in the authorization letter.**

Authorized **local transportation** within a foreign country is normally arranged by either the Embassy, the Consulate or paid personally by the traveler. Local transportation costs may include trains, ferries, rental car/van/bus (with or without driver), taxis, public transport, as well as overtime for drivers of U.S. Government vehicles. In many cities, staff delegations are encouraged to use taxis or public transportation and claim reimbursement. Upon presentation of receipts, the Congressional Travel Office will reimburse travelers for local transportation after their return to Washington, DC.

3. OTHER OFFICIAL EXPENSES

Other official expenses authorized for Codels and some Staffdeals include rental of control rooms, hospitality suites, special telephone lines, cell phones, copier/fax machines, wreaths and flowers for representational purposes, purchase of stationery supplies, interpreters, and employee overtime at posts.

If specified in the authorization letter, certain extraordinary or unusual expenses may be paid such as representation expenses, conference fees, media events, meeting hall rental, and travel and per diem expenses incurred by Post Personnel traveling outside of their duty station in support of Codel travel. These expenses, including any cancellation fees incurred, will be charged to the delegation fund cite and must be reported under PL 95-384.

4. TRAVEL ADVANCES IN U.S. DOLLARS

The Department will provide a U.S. dollar advance where hotels require payment in hard currency and the U.S. mission overseas has insufficient dollars to pay travelers. However, arrangements can also be made for U.S. dollar disbursements overseas where missions have access to U.S. dollars.

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

Unused per diem funds may be returned to the State Department by personal check made payable to the U.S. Treasury or Treasurer of the United States. The Department **cannot accept foreign currency in Washington**. The Department will reimburse travelers for out-of-pocket expenses previously authorized upon submission of receipts and a letter/memorandum from the authorizing committee. Unused airline tickets paid for by the U.S. Government must be returned to the Department of State, Congressional Travel Office for credit.

6. REPORTING REQUIREMENTS

PL 95-384 stipulates that travelers and delegations are responsible for reporting all expenses to the authorizer within 30 days of the completion of travel. Although the Department will assist travelers and delegations in obtaining the necessary financial information from foreign posts, PL 95-384 assigns none of the formal reporting responsibilities to the Department of State.

SAMPLE AUTHORIZATION LETTERS



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SAMPLE LETTER OF AUTHORIZATION (State)

The Honorable
(*insert name*)
Secretary of State
Washington, DC 20520

Dear (*Mr. or Madam*) Secretary:

This letter is to authorize (*travelers*) to travel on official business to (*Countries*) during the period of (*inclusive dates*) for the purpose of (*state the purpose*).

It is requested that the use of local currencies for per diem, transportation, including local transportation, and other official expenses be made available in accordance with provisions of Section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 95-384, Section 22(a).

Commercial and/or military transportation are authorized where appropriate, as is the use of non-U.S. air carriers. Airfare is authorized up to business class if needed.

We appreciate your assistance with this request. If there are any questions regarding this trip, please contact (*name of staff point of contact*) at (*telephone number*).

Sincerely,

(*Name*)

(*Title*)

Additionally, if any of the conditions below apply, please add the appropriate sentence:

- Enhanced per diem of \$50.00 is authorized.
- Actual lodging costs are authorized.
- Due to heightened security concerns, the cost of a security detail is also authorized.
- Spouses are authorized to travel for protocol purposes at no cost to the U.S. Government.
- Costs associated with Post personnel traveling outside of their duty station in support of the delegation are authorized.
- Charter aircraft are authorized.
- Representational funds are authorized.

SAMPLE AUTHORIZATION LETTER (DOD)

The Honorable
(insert name)
Secretary of Defense
Washington, D.C. 20301

Dear (Mr. or Madam) Secretary:

I hereby authorize (travelers) to travel on official business to (Countries) during the period of (inclusive dates) for the purpose of (state the purpose). **If applicable:** Spouses are authorized to accompany the delegation for reasons of protocol at no expense to the U.S. Government.

It would be appreciated if the Department of Defense could furnish such assistance as may be required, including transportation, to facilitate this trip. It would also be appreciated if the Department of the (Air Force, Army, Navy, Marine Corps) be assigned to escort the delegation/Member.

The expenditure of funds for payment of actual and necessary expenses and such transportation as may be required is authorized by 31 U.S.C. 1108

Sincerely,

(Name)

(Title)

FOREIGN TRAVEL DATA SHEET



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FOREIGN TRAVEL DATA SHEET

The following is a review of what the Department will require either in the authorization letter or other communication in order to initiate your country clearance cable with our foreign posts. It is also a reminder of the requirements for foreign travel.

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

What is the purpose of the visit in general? More specifically, what objectives does the delegation/traveler wish to accomplish? Please provide specific meeting requests if they are known. If the delegation/traveler is attending a specific meeting or has an agenda already prearranged, please advise us so that the post can schedule around it.

2. PARTICIPANTS (in protocol order) Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY Commercial
Military Air
Charter

PLEASE BOOK COMMERCIAL RESERVATIONS WITH THE COMBINED AIRLINE TICKET OFFICE (CATO) AT 703-522-2286 TO FACILITATE TICKETING.

4. PASSPORTS AND VISAS In most cases a valid passport and, in some cases, valid visas will be required. Visa requirements differ depending on the type of passport used. Call 202-955-0200 for passport requirements or 202-955-0198 for visa requirements. First Call may assist with passport issues. Please contact them at 202-225-8000.

TYPES OF PASSPORTS: Official (red; no fee, 5-year passport).
Tourist (blue; fee charged, 10-year passport).

IT IS THE RESPONSIBILITY OF THE TRAVELING PARTY TO OBTAIN THE NECESSARY VISAS. IF USING A TOURIST PASSPORT, THE TRAVELER IS RESPONSIBLE FOR ALL PASSPORT and VISA FEES.

5. SECURITY CLEARANCES
(staff only)

Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.

6. ACCOMODATIONS

Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate.

Hotel preferences/city

Delegation rooms (total number of singles/doubles)

Support Rooms

7. LOCAL TRANSPORTATION

Number of Sedans (with driver or self-drive)

Number of Buses (or passenger amount)

Number of Minivans (or passenger amount)

Number of other vehicles, if any

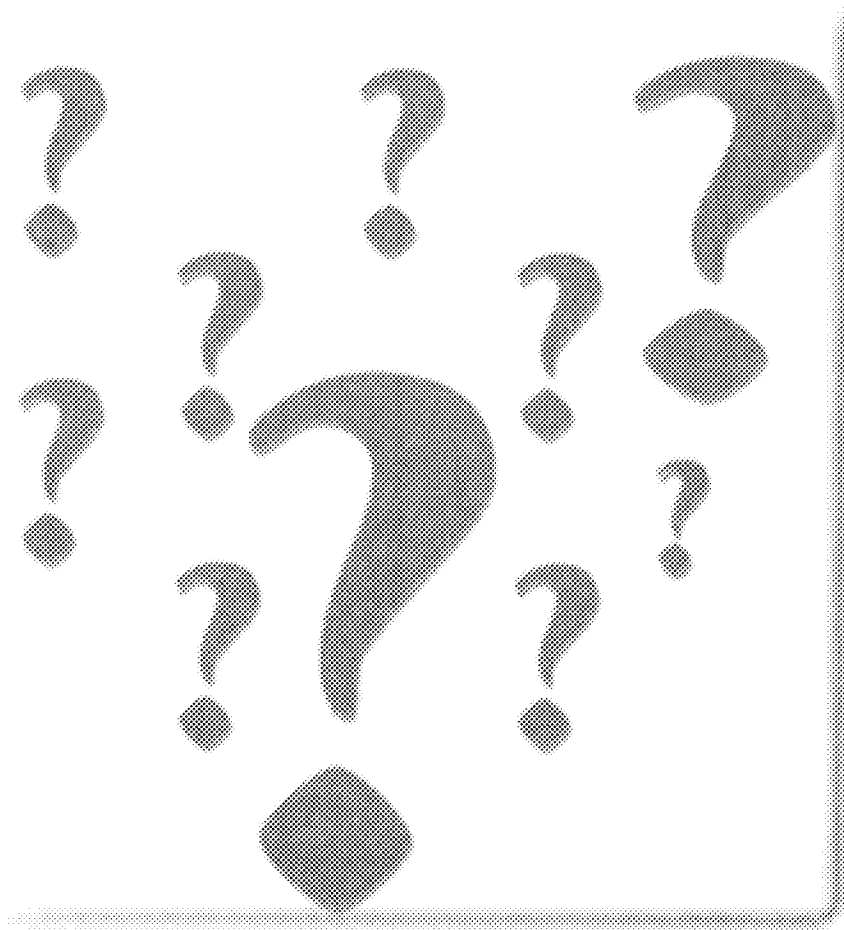
Public transportation (cabs, buses, trains, ferries).

8. POINTS OF CONTACT FOR TRIP

Name

Phone Number

QUESTIONS AND ANSWERS



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Questions and Answers

Q What do I do if I received more travel funds than I needed?

A It depends. If you traveled on a per diem allowance (the set rates) you may keep any "excess" funds, though your authorizing committee may have their own specific rules.

If you received funds in excess of that allowance (because actual costs were anticipated to exceed the allowance) you must itemize your expenses and reconcile any differences with the congressional office that authorized your travel. Unused per diem funds, authorized on an enhanced or actual cost basis, must be returned to the Department of State by personal check in U.S. dollars, made payable to the U.S. Treasury or to the Treasurer of the United States.

Q What do I do if I incur lodging expenses over 300% of the per diem rate?

A When you reconcile your travel expenses with the congressional authorizing committees, you will not be reimbursed for the excess of per diem expenses over the 300% maximum, or over the (lower) rate that was authorized.

Q Will I be given a travel advance in U.S. dollars or in foreign (local) currency?

A Congressional travelers will be given local currency when they arrive at the foreign post.

If the Congressional travelers are journeying to a foreign country that uses U.S. dollars, the advance in U.S. dollars will be given at post. Only in those cases where the post does not have sufficient U.S. dollars on hand will special arrangements be made to issue an advance in Washington D.C.

Q Will the Department book travel reservations for the Members and staff?

A The Department does not book reservations; rather, reservations should be made directly through CATO, which has locations on the Hill and in Rosslyn, Virginia.

Q Will the travel expenses of spouses be covered?

A No, current law prohibits the US Government from assuming the travel expenses of spouses, dependents or other non-official traveling companions.

Q Will the Department of State assist in obtaining visas?

A Assistance may be obtained by contacting the appropriate country desk officer.

Acronyms used in this Travel Guide:

CTO	Congressional Travel Office---Bureau of Legislative Affairs, Department of State
DOD	Department of Defense
DEPARTMENT	Department of State
MEMBER	Member of Congress
CATO	Combined Airline Ticket Office
M & IE	Meals and Incidental Expenses
FTR	Federal Travel Regulations
CODEL	Congressional Delegation
STAFFDEL	Staff Delegation
USG	United States Government
P.L.	Public Law
USC	United States Code

EXHIBIT 9

CODEL Skelton

Hawaii, Guam, Iwo Jima, Korea, & Okinawa (14 – 22 Feb 2009)



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Members of Congress (13)

Representative Ike Skelton (D- 4th – MO)

Representative Roscoe G. Bartlett (R – 6th –MD)

Mrs. Ellen Bartlett

Representative Solomon P. Ortiz (D-27th – TX),

***Representative Neil Abercrombie (D-1st-HI)*

Representative Howard "Buck" McKeon, (R-25th – CA)

Mrs. Patricia Kunz-McKeon

Representative Doug Lamborn (R-5-CO)

Mrs. Jean Lamborn

Representative Joe Wilson (R-2-SC)

Mrs. Roxanne Wilson

Representative Phil Gingrey (R-11th-GA)

Mrs. Billie Gingrey

Representative Madeleine Bordallo (D –Guam)

Representative Mike Conaway (R-11th-TX)

Mrs. Suzanne Conaway

Representative Hank Johnson (D-4th-GA)

Mrs. Mereda Johnson

Representative Carol Shea-Porter (D-NH-01)

***Representative Mazie Hirono (D-2nd-HI)*

Staff (5)

Ms. Erin Conaton, Staff Director

Mr. Andrew Hunter, HASC PSM

Mr. Paul Arcangeli, HASC PSM

Mr. Tom Hawley, HASC PSM

Mr. Kyle Wilkens, Special Assistant to the Chairman

Attending Physician (1)

LT Justin M. Cox M.D.

USMC Legislative Affairs (4)

Colonel Dave Furness - Director, Marine Corps Liaison Office

Major Toby Patterson – Military Escort, Marine Liaison Office

LT Phil MacNaughton - Military Escort, Navy Liaison Office

Sergeant Jennifer Evitts - Military Escort, Marine Corps Liaison Office

Attire

Casual – Comfortable attire for traveling and walking

Business Casual – Slacks, Jacket, Tie optional

Business – Suit

ITINERARY

Saturday, 14 Feb 2009

(Dress casual; Business casual for Dinner)

0600 Baggage Call at B-324 RHOB
0630 Baggage Departs RHOB for Andrews AFB
0700 Delegation departs RHOB for Andrews AFB
0745 Delegation arrives at Andrews AFB
0800 Depart Andrews (4.5 hour flight) (Breakfast on plane)
1050 Arrive Travis AFB (-3:00 hours) Refuel 1.5 Hour
1220 Depart Travis AFB (5.5 hour flight) (Lunch on plane)
1600 Arrive Hickham AFB, Honolulu HI (-2:00 hours)

1615 Delegation and Luggage depart for Outrigger Waikiki
1700 Delegation and Luggage arrive at Outrigger Waikiki
1700 Personal Time for Delegation
1830 Movement to HQ PACOM
1900 Dinner with COMPACOM ADM Keating
2115 Depart HQ PACOM for Outrigger Waikiki (40 Minutes)
2200 Delegation arrives at Outrigger Waikiki

RON Outrigger Waikiki

Sunday, 15 Feb 2009

(Dress casual)

0700 Buffet Breakfast. (Prior to Adm Keating's brief)
0730 Adm. Keating briefs members on PACOM AOR
0830 East-West Center and APCSS
0945 MARFORPAC Brief
0900 Spouses shopping IVO Outrigger Waikiki, Honolulu
1100 Movement to Hickham AFB
1200 Depart Honolulu (8.5 hour flight) (Lunch on Plane)

Monday, 16 Feb 2009

(Dress casual; Business Attire, Business casual for dinner)

- 1610 Arrive at Guam @ PGUM on **16 Feb 2009 (+ 20 hours, cross International Date Line)**
- 1615 Movement to Hotel (Movement Time 15 Minutes)
- 1630 Arrive at Outrigger Hotel
- 1630 Chairman's Personal Time
- 1845 Chairman, Rep Bordallo, Mr. John Whitt, Ms. Erin Conaton, and Col. David Furness, USMC move to University Of Guam Speaking engagement with Students. **(Business Attire)**
- 1900 Speaking Engagement, Chairman Ike Skelton with students from University of Guam. (University Lecture Hall, 200 seat capacity, 25 minute speech, Q&A) **(Business Attire)**
- 1930 The remainder of the delegation moves to Government House
- 1945 Chairman Skelton, Rep Bordallo, Ms. Erin Conaton PSM, and Col. David Furness, USMC move to Government House
- 1945 The Delegation Dinner with Governor of Guam
- 2100 Movement from Government House to Outrigger Hotel
- 2115 Refreshments available in the Voyager Room (21st Floor)

RON Guam → Outrigger Hotel

Tuesday, 17 Feb 2009

(Dress casual; Business casual for dinner)

- 0700 Delegation breakfast with Members of the Guam Legislature; Hosted by Rep Bordallo in Outrigger Hotel, Fort San Jose'
- 0800 Depart Outrigger on Guam Lay down brief given on bus
- 0830 Arrive Naval Base Guam Triple Pad Helicopter Safety Brief

- 0845 Group A - Aerial Tour of Guam Military Installations
Group B commence base tour – Navy base Tour will focus on Naval Hospital and Base Housing
- 0945 Group A lands Orote Triple Pad
Group B (9 pax) moves onto UH-60 helicopters
- 1000 Group B - Aerial Tour of Guam Military Installations
Group A commences Navy base tour
- 1100 Group B land Orote Triple Pad
- 1110 Depart Naval Base Guam
Briefing opportunity on bus for JGPO Forward
- 1120 Delegation lays a wreath at Asan Bay overlook at The War in the Pacific National Historical Park (20 minutes)
- 1200 CODEL departs for Chamber of Commerce Luncheon
- 1215 Luncheon with Guam Chamber of Commerce @ Hyatt Hotel
- 1320 Depart for AAFB
- 1340 Tour of AAFB:
- 1500 Depart for Outrigger
- 1500 Rep Ortiz visits the Adjutant General of the Guam Army National Guard JFHDQ
- 1520 Arrive Outrigger
- 1520 Personal Time for the Delegation (**This is time for the Chairman and can not be infringed upon**)
- 1720 Movement to Two Lovers Point for Reception hosted
- 1730 Reception hosted by Representative Madeleine Bordallo
- 2100 Refreshments available in Voyager (21st Floor) (optional)

RON Guam; Outrigger Hotel

Wednesday, 18 Feb 2009

(Dress casual; Business casual for dinner)

- 0700 Delegation breakfast Hosted by Rep Bordallo
- 0810 Delegation Press Conference at Outrigger Hotel Floor

0840 Movement to Airport
0900 Depart Guam (1.0 hour flight)
1000 Arrive Iwo Jima
1000 Tour Iwo Jima, Lay wreath at Mt. Surabachi memorial (1-2
hour) **64th Anniversary of the invasion of Iwo Jima**
1230 Depart Iwo Jima (3.0 hour flight) (Lunch on plane)
1530L Arrive Osan AFB, ROK (-1.00 hour)
1530 Clear customs and immigration, met by GEN Sharp
1600 Depart Osan AB en route to Yongsan H-264 via UH-60 (6
total); Escorted by GEN Sharp (Eagle 1); Aerial Tour of Humphreys,
Port of Pyongtaek and Seoul;

Spouses depart directly for Yongsan H-264 in separate helo

1650 En route to Westin Chosun
1720 Check into Westin Chosun and link-up with spouses
1900 En route to Hartell House via DV Bus; escorted by Mr. Shin
1930 Dinner hosted by GEN Sharp at Hartell House (CDR's Mess)
2130 En route to Westin Chosun Hotel via DV Bus

RON Seoul Westin Chosun Hotel

Thursday, 19 Feb 2009
(Business Attire)

0710 Depart Westin Chosun Hotel; en route to US Embassy;
0730 Modified Country Team Meeting moderated by Amb.
0830 En route to J2 SKIF at Yongsan via DV Bus
0900 Korea Update Brief and Readiness brief
1030 En route to Itaewon via DV Bus, escorted by Mr. Shin;
1045 Link-up with Spouses to shop at Itaewon for shopping
1210 Enroute to lunch with Spouses
1230 Hosted Lunch by MOFAT; GEN Sharp in attendance
1400 En route to Blue House

1430 Office Call with President Lee Myung Bak; w/ GEN Sharp
 1500 En route to Ministry of National Defense
 1530 Office Call with Minister of Defense
 1600 Enroute to Westin Chosen
 1630 Personal Time
 1845 En route to Dinner Location
 1900 Dinner hosted by Korean National Assembly Chairman of
 Defense
 2100 En route to Westin Chosun Hotel
 RON Seoul Westin Chosun Hotel

Friday, 20 Feb 2009

(Dress casual; Business casual for dinner)

0600 Breakfast in the control Room
 0645 load baggage
 0700 Check-out
 0715 Depart Westin Chosun Hotel; en route to USFK HQs
 0745 Office Call with GEN Sharp
 0815 En route to Yongsan H-264 via DV Bus; escorted by Mr. Shin
 0830 En route Osan AB via UH-60 luggage is on a CH-47
 0900 Load baggage on C-40, Depart Osan AB via MILAIR
 to Okinawa, Japan (1.5 Hour Flight) (Snack on plane)
 1050 Arrive at Kadena AFB Okinawa, Japan
 1050 Delegation arrives at Kadena AB, Okinawa (spot 1)
 1050 LtGen Zilmer and arrival party escort codel to DV lounge
 1110 **Spouses introduced to ConGen Naha Spouse Program
 Control Officers in commence parallel spouse program
 (see separate schedule).**
 1110 Overview Brief on FRF Construction and Okinawa
 1130 Delegation boards helicopters at spot 1 (2 CH-46s)
 1135 MILAIR HELO Transport to FRF Site (Kadena AB to Camp
 Schwab). (PAX: Total 32 = 23 Del, BGen Toolan, LtGen

- Zilmer, CG Maher, Control Kaneshiro, OAFO Col Bishop and SME briefers).
- 1150 Met at LZ main side, Camp Schwab by Camp Commander Col Daniel Yoo; delegation boards USMC bus and proceeds to DV Hill.
- 1205 View FRF project from DV Hill, Camp Schwab.
- 1225 Delegation proceeds to Beachhead Club.
- 1230 No-Host Working Lunch on Strategic Implications of Okinawa Realignment
Expense: US\$8.95 per person
- 1355 Comfort Break
- 1400 Delegation boards USMC bus and proceeds to LZ main-side; Schwab.
- 1405 Delegation departs Camp Schwab for Kadena AB LZ vicinity bldg 10 (18th Wing HQ) via MILAIR HELO (PAX TBC: 24 Del, 2 DoS, others TBC). Greeted on arrival by 18th Wing Force Support Group Commander Col. Kelly Fletcher.
- 1430 18th Wing Briefing on USAF readiness issues.
- 1500 Comfort break/change into business casual attire.
- 1520 ERT Okinawa Prefectural Governor's Office, Naha City.
- 1600 Meeting with Okinawa Governor Nakaima (requested).

End of parallel spouses program; spouses return to hotel by 1600.

- 1630 ERT hotel.
- 1700 Arrive ANA Laguna Garden (mil escort check-in for incidental expenditure billing to be expedited at control room).
- 1700-1900 Executive Time; vendors in control room (TBC).

PARTIAL DEL VISIT TO WWII SHURI LINE - OPTIONAL

- 1630 Mrs Wilson, Military Escort, and ConGen Naha officers arrive at OPG to join Mr. Wilson and any other delegation members that want to visit Shuri Castle at main lobby of the OPG Office Complex.
- 1630 Mr. Wilson and partial delegation ERT Shuri Castle
- 1700 Mr. Wilson and partial delegation tours Shuri Castle site with Consulate General staff and WWII tour guide (guide TBC).
- 1800 ERT ANA Laguna Garden Hotel.
- 1845 Check into hotel rooms; downtime.
- 1900 Enroute to III MEF-Sponsored No-Host Buffet Dinner.
- 1930 No-host dinner with officers and constituents.
Location: Camp Butler O'Club.
Expense: \$20 per person.
- 2100 ERT ANA Laguna Garden Hotel.
- RON Okinawa: ANA Laguna Garden Hotel.

SATURDAY, FEBRUARY 21 – DEPART OKINAWA (Dress casual)

- 0530 Control room re-opens until delegation departs hotel.
- 0700 Bag call and departure from hotel. USFJ to collect passports at hotel prior to departure to expedite CIQ.
- 0700 ERT Kadena AB O'Club.
- 0730 No-Host Buffet Breakfast at Kadena AB O'Club. Consulate General to provide reverse currency exchange during breakfast.
Expense: Cost: \$15.00
- 0830 Delegation met by 18th Wing protocol and escorted to DV lounge/flight line.
- 0845 Delegation boards MILAIR C40.
- 0900 Depart Kadena AB for Hawaii (9 hr 15 min flight). (Lunch and Dinner on plane)
- 1050 Arrive at Kadena AFB Okinawa, Japan

- 1050 Delegation arrives at Kadena AB, Okinawa (spot 1)
- 1050 LtGen Zilmer and arrival party escort codel to DV lounge; ConGen issues per diem and delegation completes Japanese customs and immigration processing.
- 1050 Load luggage; Luggage departs for ANA Laguna Garden
- 1110 Spouses introduced to ConGen Naha Spouse Program Control Officers in DV lounge; commence parallel spouse program (see separate schedule).
- 1110 Overview Brief on FRF Construction and Okinawa Consolidation Program. Location: Kadena AB DV Lounge large conference room. Note: LtGen Zilmer to provide overview remarks. Other briefers TBD.
- 1120 Delegation boards helicopters at spot 1 (2 UH-60s, 2 CH-46s). [NOTE: UH-1s deployed with 31st MEU. END NOTE.]
- 1130 MILAIR HELO Visual Reconnaissance (Kadena- MCAS Futenma-FRF site at Camp Schwab). SME briefing on southern island encroachment provided enroute.
- 1155 Met at LZ main side, Camp Schwab by Camp CDRCol Yoo
- 1205 View FRF project from DV Hill, Camp Schwab.
- 1220 Delegation proceeds to Beachhead Club.
- 1225 Lunch - Strategic Implications of Okinawa Realignment
- 1355 Comfort Break
- 1400 Delegation to LZ main-side, Schwab.
- 1405 Delegation departs Camp Schwab for Kadena AB
- 1430 18th Wing Briefing and Kadena AB orientation tour.
- 1520 ERT Okinawa Prefectural Governor's Office, Naha City.
- 1600 Meeting with Okinawa Governor Nakaima (requested).
- End of parallel spouses program; spouses return to hotel by 1600.**
- 1630 Depart for hotel.
- 1700 Arrive ANA Laguna Garden
- 1700 Executive Time; vendors in control room (TBC).
- 1900 En route to III MEF/USAF no-host dinner.
- 1930 Dinner with officers and constituents at Camp Butler O-Club.

2100 Depart for Hotel.

RON Okinawa: ANA Laguna Garden Hotel.

SATURDAY, FEBRUARY 21 – DEPART OKINAWA

(Dress casual)

0700 Bag call and departure from hotel
0700 Depart hotel for Tee House Restaurant.
0730 Breakfast at Tee House Restaurant.
0815 Delegation met by 18th Wing protocol
0815 ConGen provides reverse currency exchange
Location: Kadena DV lounge
0845 Delegation boards MILAIR C40.
0900 Depart Kadena AB for Hawaii (9 hr 15 min flight).
(Lunch and Dinner on plane)

Friday, 20 Feb 2009

(Dress casual)

2315 Arrive Honolulu, HI @ 2300L 20 Feb 2009
(- 19.0 hours, cross the International Date Line)
RON Honolulu: Outrigger Waikiki

Saturday, 21 Feb 2009

(Dress casual)

NO SCHEDULE

0900 Chairman Skelton will meet with guests Mr. Kelly and Kyoko O'Neill in the lobby of the Outrigger Waikiki Hotel.
1100 Optional Tours to Arizona Memorial, USS Missouri, or Pacific Aviation Museum.

No host Dinner

Chairman Skelton will have dinner and drinks with ADM Keating, VADM Barry Costello (Ret), another Flag Officer (TBD), Erin Conaton, and Col Furness.

- 1900 Baggage call at Hotel
- 1930 Baggage departs for Hickham AFB
- 2000 Delegation Departs Outrigger Hotel
- 2100 Depart Honolulu (9.5 hour flight) (Breakfast on plane)

Sunday, 22 Feb 2009

(Dress casual)

1130 EST Arrive at Andrews AFB - MISSION COMPLETE

Points of Contact

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Andrew Hunter 202-225-6703 Andrew.Hunter@mail.house.gov
PSM HASC

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202-468-4791

Director, Marine Corps Liaison Office
US House of Representatives
B-324 Rayburn House Office Building

Maj Toby Patterson 202-226-7859 toby.patterson@navy.mil
202-489-2157

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Comm Phone: 671-339-2392
Cell: 671-483-0667 - Fax: 671-339-7034

Rep. Robert Underwood - 671-727-7715 – cell

Matthew Herrmann

Military Legislative Assistant | Hon. Madeleine Bordallo

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<http://www.house.gov/bordallo/>

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Secretary Combined Joint Staff

UNC/CFC/USFK

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Col Bill "Sweet" Tart, USAF william.tart@osd.mil
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Office of the Assistant Secretary of Defense for Legislative Affairs
1300 Defense Pentagon (Rm 3D844)
703-697-6210

D. Y. Wingfield,
Director, Congressional Operations
Pentagon, RM 4C549
703-693-5764
571-236-6557 (cel)
703-614-7656 (Fax)

dilcia.wingfield@navy.mil

General Information

If you need to be contacted on travel:

8:00 am – 5:00 pm EST during the week, Marine Corps Liaison Office: (202) 225-7124.

After Hours:

Call the Navy Command Center at (703) 695-0231/0232 and ask for Congressional Delegation Skelton through the Office of Legislative Affairs.

Expenses: Official per diem will be issued in each country.

The per diem is for your meals and hotel bills, but if we dine as a group, your Marine escort will pay the bill and ask you for reimbursement upon our return to the U.S. As with other non-covered expenses, we will keep tabs and bill you upon return. Personal phone calls, souvenirs, recreation or after hours sightseeing will be a personal responsibility.

Camera: Cameras are encouraged. However, your Navy Liaison escort will have a camera to document the trip.

Medical Needs: A Navy Doctor, LT Justin M. Cox M.D., will be with the delegation the entire trip. Feel free to ask him if you have any medical needs.

Lodging Information

Honolulu, Hawaii

Outrigger Waikiki
2335 Kalakaua Avenue, Honolulu, Hawaii 96815
Ph: 800-442-7304
Fax: 808-921-9798

Guam

Outrigger Guam Resort
1255 Pale San Vitores Road
Tumon Bay, Guam, 96913
Ph: 671-649-9000
Fax: 671-647-9068

Seoul, South Korea

The Westin Chosun, Seoul
87 Sogong-Dong, Jung-gu ·
Seoul 100-070 · South Korea
Phone: (82)(2) 771 0500 ·

Okinawa, Japan

ANA Hotel
Laguna Garden Hotel
4-1-1 Mashiki
Ginowan, Okinawa, 901 2224
Japan
Phone: (81) 98-89721-21

Weather and Suggested Attire Forecast

Saturday, 14 February 2009 (DC)

Casual Attire (Flight) / Business Casual (Dinner)

Hi: 41 / Lo: 30 Chance of Showers

Sunday, 15 February 2009 (Honolulu)

Business Casual Attire

Hi: 74 / Lo: 62 Chance of Showers

Monday, 16 February 2009 (Guam)

Business Casual Attire

Hi: 87 / Lo: 77 Morning Showers / Clearing

Tuesday, 17 February 2009 (Guam)

Business Casual Attire

Hi: 85 / Lo: 78 Chance of Showers

Wednesday, 18 February 2009 (Iwo Jima / Korea)

Casual Attire (Flight) / Business Attire (Dinner)

Hi: 72 / Lo: 66 (Iwo Jima)

Hi: 40 / Lo: 28 (Korea) Cloudy/PM Sun

Thursday, 19 February 2009 (Korea)

Business Attire

Hi: 41 / Lo: 26 Cloudy

Friday, 20 February 2009 (Okinawa)

Casual Attire / Business Casual for Meeting with Governor

Hi: 66 / Lo: 60 Rain

Saturday, 21 February 2009 (Okinawa/Honolulu)

Casual Attire

Hi: 65 / Lo: 60 (Okinawa) Rain

Hi: 78 / Lo: 65 (Honolulu) Partly Cloudy

Sunday, 22 February 2009 (Honolulu /Washington DC)

Casual Attire

Hi: 38 / Lo: 20 Rain/Snow Flurries

TIME CHART

<u>Location</u>	<u>Local time ahead / behind Wash DC</u>
Hawaii	-10 hours
Japan/S. Korea	+9 hours
Guam	+10 hour

Hawaii	DC	Tokyo	Guam
7:00pm	Midnight	2:00 pm	3:00 pm
8:00pm	1:00 am	3:00 pm	4:00 pm
9:00pm	2:00 am	4:00 pm	5:00 pm
10:00pm	3:00 am	5:00 pm	6:00 pm
11:00pm	4:00 am	6:00 pm	7:00 pm
Midnight	5:00 am	7:00 pm	20:00 pm
1:00am	6:00 am	20:00 pm	21:00 pm
2:00am	7:00 am	21:00 pm	22:00 pm
3:00am	8:00 am	22:00 pm	23:00 pm
4:00am	9:00 am	23:00 pm	Midnight
5:00am	10:00 am	Midnight	1:00 am
6:00am	11:00 am	1:00am	2:00 am
7:00am	Noon	2:00am	3:00 am
8:00am	1:00 pm	3:00am	4:00 am
9:00am	2:00 pm	4:00 am	5:00 am
10:00am	3:00 pm	5:00am	6:00 am
11:00am	4:00 pm	6:00am	7:00 am
12:00pm	5:00 pm	7:00am	8:00 am
1:00pm	6:00 pm	8:00am	9:00 am
2:00pm	7:00 pm	9:00am	10:00 am
3:00pm	8:00 pm	10:00am	11:00 am
4:00pm	9:00 pm	11:00am	12:00 pm
5:00pm	10:00 pm	12:00am	1:00 pm
6:00pm	4:00 am	6:00 am	2:00 pm

Currency Converter

(as of 2 Feb 2009)

Korean Won

1 USD = 1,403.80 Won

1 Won = .0007 USD

Japanese Yen

1 USD = 91.965 Yen

1 YEN = 0.0109 USD

Per Diem Rates, Overseas (in USD)

(as of 22 Nov 2008)

	Lodging	M&IE	Total
Seoul	230	120	350
Okinawa	204	125	329

EXHIBIT 10

CODEL

Skelton

Delleney, Caroline

From: Patterson, Toby D Maj OLA, Marine House [toby.patterson@navy.mil]
 Sent: Tuesday, February 24, 2009 12:23 PM
 To: Calligan, Barb; Dodge, Candace; Delleney, Caroline; Morvis, Catherine; Rodill, Faith; Foertsch, Sean
 Subject: FW: CODEL Skelton Costs
 Signed By: There are problems with the signature. Click the signature button for details.

All,

Below are the costs for CODEL Skelton for your member and their spouse:

Date:	Event:	
Cost:		
2/19	Breakfast at Embassy (S. Korea)	\$18.91
2/20	Lunch at Officer's Club (Camp Schwab)	\$8.95
2/20 \$40.00	Dinner at Officer's Club (Camp Butler)	\$20.00(X2) =
2/21 \$11.95(X2) = \$23.90	Breakfast at Officer's Club (Camp Kadena)	
2/14-2/23 \$9.15(X2) = \$18.30	Meals on Airplane	
2/21	Spouses vehicle cost (shopping in Okinawa)	\$34.25

Total \$144.31

** All of the meals that were served on the flights that either originated or ended in the U.S. are covered by Navy travel. This leaves only one meal that must be covered by your member.

Please let me know if you have any questions or concerns.

R/S

Toby

Major Toby D. Patterson
 Marine Corps Liaison Office
 B-324 Rayburn Building
 Washington D.C. 20515
 (202)226-7859

EXHIBIT 11

Updated: 31 March 2009 - Version 5
For Official Use Only



**CONGRESSIONAL DELEGATION LED BY
CONGRESSWOMAN NIKI TSONGAS
KUWAIT, IRAQ, UAE, AFGHANISTAN
4 APRIL – 11 APRIL 2009**

Purpose

The Congressional Delegation would like to assess the progress of the economic, political and security developments in Iraq and Afghanistan.

Manifest

Members (5):

1. Rep. Niki Tsongas (D-MA)
2. Rep. John Hall (D-NY)
3. Rep. Larry Kissell (D-NC)
4. Rep. Jared Polis (D-CO)
5. Rep. Joe Wilson (R-SC)
6. Rep. Jason Chaffetz (R-UT)

Staff (2):

7. Bob DeGrasse – Senior Policy Advisor to the Chairman, HASC
8. Josh Holly - Professional Staff Member, HASC

Escort (2):

9. Maj Speros C. Koumparakis, USMC Escort
10. GySgt Darwin Leavell, USMC Escort

Total: 10

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Itinerary

Saturday, 4 Apr 2009 (Casual Attire)

6:45 PM CODEL meet at Rayburn Horseshoe
7:00 PM CODEL departs Rayburn Horseshoe for Dulles Int'l Airport
7:45 PM CODEL arrives at Airport
9:48 PM Depart Dulles (IAD) for Kuwait Int'l Airport (KWI) Kuwait City, Kuwait
Flight: United 982

Sunday, 5 Apr 2009 (Casual Attire)

5:15 PM Arrive at Kuwait Int'l Airport, Kuwait City, Kuwait
RON Kuwait City

Monday, 6 Apr 2009 (Casual Attire/Business Attire)

5:50 AM Depart Hotel for Departure Airfield -- Ali As Salem AB
(Request Box Breakfast)
7:15 AM Depart Ali As Saleem AB (OKAS) to Baghdad, Iraq via MILAIR
8:45 AM Arrive in Baghdad
9:00 AM Iraq Program

Requested Meetings:

- If available, US Ambassador, Multi-National Forces-Iraq Commander, General Odierno, Multi-National Forces-Corps Commander, Lieutenant General Austin.
- The regional affairs office and a briefing/tour of the compound.
- Iraqi Parliamentarians (specifically, any women parliamentarians).
- Visit a JSS.
- Meet with a PRT.
- The Congresswoman wants to discuss the re-deployment plan as U.S. presence draws down. This discussion needs to include: what equipment will stay/go and what will the force laydown look like once the draw down is complete.

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- The Congresswoman wants to meet with the Corps of Engineers to discuss: current projects and turn-over plan of those projects to the Iraqis, current project funding, and future plans for the Corps of Engineers and U.S. presence declines.
- Visit with MajGen Robert Caslen (Multi-National Division-North) or south to Basra/Umm Qasr (port).
- Units and soldiers from CODEL Member's districts

RON Baghdad

Tuesday, 7 Apr 2009 (Casual Attire)

08:00 AM Iraq Program
5:00 PM Depart Baghdad for Kuwait City via MILAIR
6:30 PM Arrive Ali Al Saleem Air Base (OKAS)
7:30 PM Arrive Hotel

RON Kuwait City

Wednesday, 8 Apr 2009 (Casual Attire/Business Attire)

08:30 AM Depart Hotel for Camp Arifjan (via Ground)
09:30 AM Arifjan Program
2:00 PM Depart Arifjan for Kuwait Int'l Airport
5:55 PM Depart Kuwait Int'l Airport (KWI) for Abu Dhabi Int'l Airport (AUH)
Flight: Kuwait Airways 6304J
8:35 PM Arrive at Abu Dhabi Int'l Airport, UAE
TBD Meet with Ambassador Olson

RON Abu Dhabi

Thursday, 9 Apr 2009 (Casual Attire/Business Attire)

Requested Meetings:

- US Ambassador William Wood and the country team.
- The regional affairs officer and representatives of his staff at their compound.
- General David McKiernan, Commander, International Security Assistance Force.

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- The Congresswoman wants to discuss where the increase of U.S. forces will take place, the new Afghan strategy, and logistics throughput.
 - Visit the Kabul JIOC.
 - Visit RC South in Kandahar.
 - A Provincial Reconstruction Team in Regional Command South.
- 06:00 AM Depart Abu Dhabi Int'l Airport (OMAA) for Kabul Int'l Airport (OAKB) via CENTCOM MILAIR (Request C-20)
**Flight Time: 2:30, Time Change: + 0:30
(C-130 Flight Time: 3:50)**
- 09:00 AM Arrive at Kabul Int'l Airport (OAKB)
- 09:30 AM Afghanistan Program
- 09:15 AM Meeting with Chargé / Staff --- VIP room KIA
- 10:30 AM Depart for Kandahar Air Field -Via Fixed Wing
- 12:00 PM Arrive Kandahar Air Field
- 12:15 PM Lunch with home State Troops - DFAC
- 1:30 PM Meeting with RC South Commanders
- 2:30 PM Meeting with Intel center in RC (South)
- 3:30 PM Meeting with Kandahar and DOS PRT Officers from RC South
- 4:45 PM Depart KAF for KIA/APOD – Via Fixed Wing
- 6:00 PM CODEL Flight arrives KIA International Airport
- 6:30 PM Arrive US Embassy Kabul, Afghanistan
- 7:00 PM Dinner at Embassy with UNDP for Elections briefing
- 8:00 PM Meeting with local constituent CPT Goodwin Strategic Communications Group
- 8:30 PM Embassy Tour
- RON Kabul**

Friday, 10 Apr 2009 (Casual Attire/Business Attire)

Updated: 31 March 2009 - Version 5
For Official Use Only

06:30 AM Wake Up and Luggage Call
07:00 AM Breakfast Embassy side cafe
07:30 AM Depart for ISAF
08:00 AM Meeting with General David McKiernan
09:30 AM Meeting with JIOC
11:00 AM Meeting with Major General Richard Formica (CSTC-A)
12:00 PM Lunch with home State Troops – Camp Eggers DFAC
1:00 PM Motorcade Movement to US Embassy Annex
1:30 PM Meeting with Regional Affairs Office US Embassy
3:00 PM Motorcade Arrives Kabul International Airport (KIA/APOD)
4:00 PM Depart Kabul Int'l (OAKB) for Dubai Int'l (OMDB), Dubai, UAE via MILAIR (Request C-20)
**Flight time: 3:00, Time Change: - 0:30
(C-130 Flight Time: 4:30)**
6:40 PM Arrive Dubai Int'l Airport, UAE
7:30 PM Dinner in Dubai
10:00 PM Arrive Dubai Airport.

Saturday, 11 Apr 2009 (Casual Attire)

00:10 AM Depart Dubai Airport to Washington Dulles Int'l Airport (IAD)
Flight: United 977
06:37 AM Arrive Washington Dulles
07:15 AM Depart Washington Dulles or utilize connecting flights to Districts
08:00 AM Arrive Rayburn House Office Building

MISSION COMPLETE

EXHIBIT 12

CODEL MURPHY/MCKEON

Monday, August 3, 2009

Dress: Travel Casual

- 11 AM** Luggage call Rayburn Horseshoe
- All luggage to be dropped & tagged
- 12:15 PM** Depart Rayburn Horseshoe for Andrews AFB MD
- Via 21-pass bus/Maryland Gate/police escort from gate to flightline
- 1 PM** Depart Andrews (Flight time 6hrs 35 min)
- Turkey Sandwich/Crackers & Cheese served en route
- Set watches ahead 5 hours

Tuesday, August 4, 2009

- 12:20 AM** Arrive Shannon, Ireland for refuel
- 1 hr 30 min ground time
- 1:50 AM** Depart Shannon for Ankara, Turkey (Flt time 4 hrs 20 min)
- Oatmeal/fruit/yogurt served en route
- Set watches ahead 2 hours
- 8:10 AM** Arrive Ankara, Turkey
Met by: Ambassador James F. Jeffrey or representative
Control Officer: Bill Henderson/Diane Kramer
Ground transportation in Sheraton Hotel
- 9:05 AM** Sheraton Hotel Ankara
- Room keys, per diem, itinerary distribution in control room
- Credit cards will be swiped for incidental expenses
- CODEL Refresh time (*Change into suit)
- 10:30 AM** Meet in Lobby; depart for US Embassy
Accompanied by: Bill Henderson/Diane Kramer
- 11 AM** Arrive US Embassy for brief office call
Met by: Ambassador James F. Jeffrey
- 11:15 AM** Proceed to conference room for Country Team Brief
- 12:15 PM** Briefing concludes, depart for Ministry of Foreign Affairs
- 12:30 PM** Lunch hosted by Undersecretary Apakan
- 2 PM** Lunch concludes depart for Anitkabir (optional)
(Ataturk Mausoleum complex)
- 2:30 PM** Arrive Anitkabir; met by Turgay Bascavus (Sergeant Turgay)
- 4 PM** Tour concludes; depart for hotel; delegation members proceed to rooms for refresh time
- 5 PM** Depart on foot for dinner at Tike restaurant (optional)
- 6:30 PM** Return to Hotel

RON Ankara, Turkey

Tuesday, August 4, 2009

Dress: Travel Casual (with overnight bag/bring sport coat/ie for mtgs/dinner)

- 3:30 AM** Baggage Call (prepare an overnight bag to bring into AFG)
- 3:45** Meet in Lobby to depart for Esenboga IAP
- Accompanied by: Bill Henderson/Diane Kramer
- 4:30 AM** Departure for Kabul, Afghanistan (Flt time 4 hrs 20 min)
- Scrambled eggs w/ricotta on baguette served en route
- Set watches ahead 1 hr 30 min
- 10:30 AM** Arrive in Kabul, Afghanistan

WILSON 00296

Wilson 0295

10-0754_087

CODEL MURPHY/MCKEON

Thursday, 6 August 2009

Dress: Travel casual

TBD Wake up calls as requested

6 AM Breakfast on own in dining facility US Embassy,
CMR for Rep Murphy and Rep McKeon

7 AM Depart Embassy for KLA

7:30 AM Depart for Camp Bastion, RC South (C-130)

9 AM Arrive Camp Bastion Helmand

9:15 AM Travel to Camp Leatherneck (Grnd trans)

9:30 AM Arrive Camp Leatherneck
- Meet with BGEN Larry Nicholson, 2 MEB/CC

11 AM Camp Leatherneck Lunch with Marines

Noon Depart Camp Leatherneck for Camp Bastion (Grnd)

12:30 PM Depart Camp Bastion for Kandahar Air Field (KAF)

1 PM Arrive KAF

1:15 PM Walk or Van to BG Nicholson's Office

1:30 PM Meeting with BG Mick Nicholson, RC South Deputy
Commander South

2:30 PM Depart KAF for Kabul Airport (air trans)

4 PM Arrive Kabul Airport

4:15 PM Depart Kabul Airport for New Kabul Compound

4:30 PM CFSOCC-A briefing from General Reader

5:30 PM Depart for Camp Eggars

5:45 PM Dinner with Constituents at Camp Eggars

6:30 PM Brief by MG Richard P. Formica, CSTC-A

7:30 PM Depart Camp Eggars for Kabul Airport

7:45 PM Arrive Kabul Airport

8 PM Depart for Doha International Airport, Qatar

10:25 PM Arrive Doha International Airport
- Flight time 3 hrs, 55 minutes
- Light dinner served en route
- Set watches back 1 hr, 30 minutes

11 PM Depart for Ritz-Carlton

11:30 PM Arrive Ritz-Carlton, check in/per diem distro

RON Doha, Qatar

WILSON 00297

Wilson 0296

10-0754_088

CODEL MURPHY/MCKEON

Wednesday, 5 August 2009

Dress: Business Casual /with overnight bag/bring sport coat/tie for mtgs/dinner

*CIGAR - Arnold
- Lou, Field*

- 3:30 AM Baggage Call (prepare an overnight bag to bring)
- 3:45 AM Meet in Lobby to depart for Esenboga IAP
 - Accompanied by: Bill Henderson
- 4:30 AM Departure for Kabul, Afghanistan
 - Flight time 4 hrs 30 minutes
 - Scrambled eggs w/ricotta on baguette served prior to landing
 - Set watches ahead 1 hr 30 min
- 11 AM Arrive in Kabul, Afghanistan
 - Greeted by Ambassador Joseph A. Musomeli, Assistant Chief of Mission
- 11:40 AM Depart airport for US Embassy
- Noon Arrive at US Embassy
- 12:30 PM Meet with Amb Eikenberry for Country Team Meeting including Embassy & USAID PRT
 - Lunch served
- 1:45PM Depart US Embassy walk to ISAF (via T-Gate)
- 2 PM Meet with COMISAF, Gen McChrystal and Lt Gen Rodriguez
- 3 PM Depart US Embassy for Ministry of Defense
- 3:30 PM Meet with Minister of Defense Wardak
- 4:15 PM Depart MoD for Presidential Palace
- 4:30 PM Meet w/ President Hamid Karzai
- 5:30 PM Return to US Embassy
- 5:40 PM Arrive US Embassy, check in, refresh at Quarters
- 7 PM Dinner at Embassy w/Amb Eikenberry, Dep Amb Ricciardone, COMISAF, MG Formica, LTG Rodriguez, GJRoA officials: Minister Wardak, Minister Atmar, Bismillah Khan and other senior ANA and ANP officers

RON Kabul

WILSON 00298

Wilson 0297

10-0754_089

CODEL MURPHY

Friday, 7 August 2009

Dress: Business Casual

- 6:30 AM Breakfast at Lagoon restaurant located on Level LL
 - Included in room rate
- 7:45 AM Bring Baggage to control room
 - Proceed to vehicles for departure
- 8:00 AM Depart for Embassy
- 8:30 AM Arrive Embassy for Country Team Brief
 - Met by: Amb Joseph LeBaron
- 9:45 AM Depart Embassy for Al-Udeid Airbase (AUAB)
- 11:00 AM Arrive AUAB Combined Air Operations Center (CAOC)
 - CAOC Brief/Tour with Maj Gen Hoog
- 1:20 PM Depart CAOC for AUAB Dining Facility (DFAC)
- 1:30 PM Arrive DFAC
 - CODEL lunch with troops from PA, FL, NM, SC
- 2 PM Depart AUAB for Doha Internat'l Airport DV Lounge
- 3:15 PM Arrive DIA DV Lounge
 - Customs Processing
- 3:45 PM CODEL departs via MILAIR for Kuwait
- 4:50 PM Arrive Ali Al Salem, Kuwait depart for Crowne Plaze
 - Met by: Control Officer Kristina Weiss
- 5:30 PM Arrive Crowne Plaza, Kuwait City
 - Hotel Check in, per diem issue
- 5:45 PM Members depart Hotel for US Embassy
- 6 PM Station Chief Brief
- 7 PM Return to Hotel for dinner

Saturday, 8 August 2009

Dress: Business Casual

- 5:30 AM Coffee/box breakfasts delivered to control room
- 5:45 AM Luggage call
- 6:15 AM Depart Crowne Plaza for Ali al-Salem
 - Drive time: 35 min
 - C-130 requires PAX arrive 45 mins prior to take-off
 - Issue PPE planeside
- 7:30 AM Depart for Baghdad, Iraq
- 9 AM Arrive Baghdad, Iraq
 - Met by: Diane Holcomb, control officer

WILSON 00299

Wilson 0298

10-0754_090

CODEL MURPHY

Saturday, 8 August 2009

Dress: Business Casual

Bag breakfast & coffee served starting at 5:30 AM

5:45 AM Luggage call

6:15 AM Depart for Ali Al Salem

7:30 AM Depart Ali Al Salem via C-130 for Iraq

9:30 AM Arrive Baghdad, Iraq proceed via ground trans to Al Faw Palace

10 AM Office call with Lt Gen Charles Jacoby, CG, MNC-1

10:45 AM Light lunch in Lt Gen Jacoby's conference room

11:15 AM Ground movement from Al Faw Palace to Camp Dublin (MNSTC-I)

11:45 AM Greeting by Maj Gen Giuseppe Spinelli (NATO D-COM) and Brig Gen Mark McDonald (MSTCI-DCG)

11:50 AM Carabinieri Training Brief

12:15 PM Ground movement to training site

12:20 PM View Carabinieri Training

12:45 PM Greeting by Lt Gen Kevin Mangum (Director, INCTF-TI)
- Move to ISOF facility area 4

12:55 PM Iraqi Special Operations Forces Demo

1:20 PM Transition to HLZ Raptor (Camp Dublin/ISOF Area 4)

1:30 PM Air movement from HLZ Raptor to LZ Washington

1:45 PM Ground movement from LZ Washington to Embassy

2:45 PM Transition to dinner with Lt Gen Mangum

2:45 PM Transition to Embassy Billerig

3 PM Check-in to Embassy Billerig

3:15 PM Transition to the Embassy Chancery

3:30 PM Office call with Ambassador Chris Hill and Gen Raymond Orlando, CG, MNC-1

5 PM Ground movement from Embassy to Adnan Palace

5:30 PM Meeting with Iraqi Deputy Minister of Interior Lt Gen Aiden Khalid Qad (Ferd)

6 PM Ground movement from Adnan Palace to Embassy

6:40 PM Transition to dinner

6:45 PM Dinner with Ambassador Chris Hill & Country Team

RON US EMBASSY, BAGHDAD

WILSON 00300

Wilson 0299

10-0754_091

CODEL MURPHY

Monday, 10 August 2009

- 8:20 AM Baggage call in lobby
- 8:30 AM Breakfast at Cannon with Major General
Bill Chambers (USAFE Vice Commander)
- 9:30 AM Depart Cannon for Contingency Aeromedical
Staging Facility (CASF) tour
- 9:40 AM Arrive CASF
- 10:30 AM Depart CASF for Landstuhl Regional
Medical Center (LRMC)
- 10:45 AM Arrive LRMC
- 10:50 AM Hospital tour followed by lunch with
constituents
- 1:00 PM Depart LRMC for Ramstein AB Base
Exchange (BX) ① *Chunee*
- 1:15 PM Arrive Ramstein AB BX ② *Christy's
arrivals*
- 1:45 PM Depart BX for flightline ③ *Bieren*
- 1:55 PM Arrive flightline *9012 Case ①*
- 2:00 PM Depart Ramstein AB, Germany for Andrews
AFB, Maryland
- 9 hours and 15 minutes enroute
- Set watches back 6 hours (-6)
- Dinner & snack served enroute
- 5:05 PM Arrive Andrews AFB, Maryland
- 5:15 PM Depart Andrews AFB for Rayburn
Horseshoe
- 5:40 PM Arrive Rayburn Horseshoe

WILSON 00302

Wilson 0301

10-0754_093

APPENDIX G

ROBERT B. ADERHOLT
4TH DISTRICT, ALABAMA

1433 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE: (202) 225-4876

WEB PAGE: www.house.gov/aderholt



COMMITTEE ON APPROPRIATIONS

RANKING MEMBER,
LEGISLATIVE BRANCH

COMMERCE, JUSTICE, SCIENCE

COMMITTEE ON THE BUDGET

The 111th Congress
U.S. House of Representatives

September 16, 2010

SWORN STATEMENT

R. Blake Chisam, Esq
Staff Director
House Committee on Standards of Official Conduct
Suite HT -2
US Capitol 20515-6328

Dear Mr. Chisam,

I attest that I have read and verify the information contained in this attached letter from J. Steven Hart, my counsel at Williams & Jensen, PLLC.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert B. Aderholt", written over a horizontal line.

Congressman Robert B. Aderholt

Cc: Clifford Stoddard

WILLIAMS & JENSEN, PLLC
Attorneys at Law

September 15, 2010

Dear Mr. Stoddard:

After consulting with my client, I have been directed to seek guidance from the Standards Committee on how to best resolve this matter quickly.

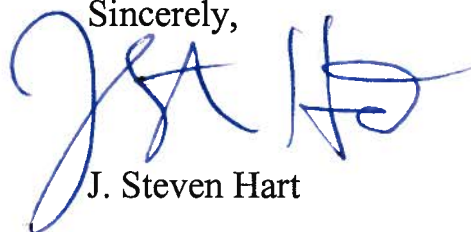
The traditional process by which per diems are handled, as opposed to reimbursements, is inconsistent with House Rule 10, clause 8. The Speaker, having recognized that there is substantial confusion among Members, has attempted as recently as May 13th to clarify the intent of House Rule 10, clause 8. This announcement by the Speaker occurred after the allegations were made by the Office of Congressional Ethics (OCE) against my client.

Mr. Aderholt has cooperated with the OCE investigation but was unable to satisfy their investigators. Mr. Aderholt was not able to contest the estimate because neither he, nor any Member, is required by House Rules to maintain any records.

Mr. Aderholt was unaware that Rule 10, clause 8 requires maintaining records. If record keeping is required, his non-compliance was clearly not intentional. My client is happy to maintain any such records in the future. The OCE and press reports clearly established that Mr. Aderholt believes he acted consistently with the manner by which the rule has been applied to all Members of Congress.

We believe Mr. Aderholt has complied with House Rules and request that this matter be dismissed.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Steven Hart". The signature is stylized and cursive, with the first letters of the first and last names being prominent.

J. Steven Hart

APPENDIX H

STROOCK

JOEL COHEN
DIRECT DIAL: 212-806-5644
DIRECT FAX: 212-806-2644
JCOHEN@STROOCK.COM

September 15, 2010

BY MAIL AND E-MAIL

R. Blake Chisam
Chief Counsel/Staff Director
U.S. House of Representatives
Committee on Standards of
Official Conduct
Washington, DC 20515-6328

Dear Mr. Chisam:

We are attorneys for Representative Eliot Engel and write in response to your letter on behalf of the Committee dated August 9, 2010,¹ in which you advised Representative Engel of a referral from the Office of Congressional Ethics (“OCE”) on July 30, 2010. Representative Engel, by his annexed oath, adopts this response as his own.

Representative Engel fully cooperated with OCE’s underlying investigation: he provided a written submission with enclosures on May 7, 2010; was interviewed by OCE’s staff and answered all of their questions on June 24, 2010; through counsel, and in response to OCE staff’s request, provided certain information to OCE Staff Director and Chief Counsel Leo Wise on June 25, 2010; and submitted an additional written submission to Hon. David Skaggs, OCE Chair, on July 21, 2010.

Representative Engel was first elected to the United States Congress in 1988, and is completing his eleventh term, representing the 17th District in New York. Among his more critical responsibilities, and most pertinent here, is his Chairmanship of the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs. As such, he has been responsible for leading many working trips to countries in the Western Hemisphere and other locales (“CODELS”). These trips consist of very intensive working sessions between and among the leaders and citizens of host countries, Representative Engel and other Members of Congress.

¹ The letter was inadvertently dated August 9, 2009.

Members are usually provided with transportation to foreign countries by the United States Air Force. In that the standards of living and the economies of those countries vary, the Members are provided with individualized *per diem* allowances, which are calculated based upon the living and travel standards of the individual countries. As a result, the *per diem* vary in amount from country to country, and neither Representative Engel nor other Members are involved in determining the *per diem* allowance for those countries.

Typically, when the Members are provided with foreign currency upon arrival, the cost of a Member's stay at a hotel has already been deducted in advance. Accordingly, if the *per diem* allowance for a three-day stay in Country "X" is, hypothetically, a total of \$900 and the hotel rate comes to a total of \$600 for the three days, each receives \$300. That total of \$300 is used for expenses within the country. Members are not required to obtain receipts for their expenses, and, in fact, the conditions and circumstances in many of the less-developed countries make it nearly impossible to obtain any such receipts.

As explained to OCE staff, Representative Engel's expenses were for sustenance, transportation and incidentals within a particular country (Exhibit 7, p. 2).² There were occasions when Representative Engel, particularly as the Chairman of the Subcommittee, hosted or treated leaders or residents to meals or entertainment in the country or, if time permitted, visited sites of interest within the country. Clearly, part of the duties of a Member traveling on behalf of the United States to a foreign country is to "experience" the country visited to report back to the Subcommittee, the Full Committee and, of course, an individual Member's constituents (*Id.*).

In the materials provided by us to OCE staff in an attachment to our letter of June 25, 2010, there was included an analysis of the total trips Representative Engel took or led for the requested period beginning March, 2008. These trips cover a total of 18 different countries over the course of 44 days. The sums in local currency Representative Engel received in those 18 countries totaled approximately \$4,200 in U.S. dollars -- after the deductions taken by the United States military for hotel stays. That amounted, accordingly, to less than \$100 in U.S. currency per day over the course of the overall 44-day travel period.

As Representative Engel advised the OCE staff, these trips are "jam-packed" with back-to-back meetings and functions; he takes his job as Member of Congress and Chair of the Subcommittee very seriously, and views these trips as a critically important part of his work as a legislator (Exhibit 7, p. 4). Moreover, Representative Engel told the OCE that he received the *per diems* and spent the monies properly (Exhibit 7, p. 2-3). In written submissions and during his in-person interview with OCE staff, Representative Engel advised OCE that the *per diem* was typically exhausted within the country for living expenses; in some instances, Representative

² References are to the Report issued by OCE accompanying your August 9, 2010 letter to Representative Engel.

Engel further advised, the *per diem* was not adequate to cover daily expenses, and that he would actually have to pay for such expenses from his own funds (Par. 48); and he often wrote checks from his own funds to reimburse the military for certain expenses incurred on his behalf (Exhibit 6, Par. 9).

At no time did Representative Engel advise OCE, the referring body, that there was any excess monies from the *per diem* funds for the seven subject trips, or any other trips; at no time did Representative Engel advise OCE that he kept any excess monies from the *per diem* funds from the seven subject trips, or any other trips. He did not do so in public statements, in his written submissions to OCE, or, even assuming *arguendo* the total accuracy of OCE's Memorandum of Interview of Representative Engel's in-person interview with OCE staff on June 24, 2010 (Exhibit 6), in his oral statements to OCE. Given the agreed understanding that he had no receipts (and was not required to maintain any), Representative Engel could not have known and did not know whether there were, in fact, excess *per diem* funds.

None of the foregoing was disputed by OCE in its Report.

* * * * *

Accordingly, we respectfully submit it would be improvident for the Committee to take any action based upon OCE's Report, a matter, as it related to him, that was precipitated solely by a hypothetical off-the-cuff comment by Representative Engel contained in a *Wall Street Journal* story. The Committee should not proceed with respect to this referral for several reasons: OCE acted *ultra vires* in reaching a conclusion; OCE based its unauthorized conclusion upon a complete lack of evidence; and, in addition to its unsubstantiated and improper conclusion, OCE constructed and utilized an inherently flawed methodology to reach its conclusion. We furthermore urge that there is no basis for any *de novo* review by the Committee.

OCE acted *ultra vires* by concluding that it had "substantial reason to believe that [Representative Engel] may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2." In reaching this --or any such-- conclusion, OCE has acted beyond its authorized jurisdiction. Pursuant to the House of Representative's enabling Resolution,³ the Board is empowered only as follows:

³ See House of Representatives Resolution 895, dated March 11, 2008, which established OCE ("Resolution").

(C) Upon the completion of any second-phase review undertaken [the Board shall] –

(i) *transmit to the Committee on Standards of Official Conduct the following –*

(I) *a written report composed solely of –*

(aa) a recommendation that the committee should dismiss the matter that was the subject of such review;

(bb) *a statement that the matter requires further review; or*

(cc) a statement that the matter is unresolved because of a tie vote; and the number of members voting in the affirmative and in the negative and a statement of the nature of the review and the individual who is the subject of the review;

(II) *its findings, if any composed solely of –*

(aa) *any findings of fact;*

(bb) a description of any relevant information that it was unable to obtain or witnesses whom it was unable to interview, and the reasons therefor;

(cc) a recommendation for the issuance of subpoenas where appropriate, if any; and

(dd) a citation of any relevant law, rule regulation or standard of conduct;

but not the names of any cooperative witnesses or any conclusions regarding the validity of the allegations upon which it is based or the guilt or innocence of the individual who is the subject of the review; and

(III) any supporting documentation; and

(ii) transmit to the individual who is the subject of the second-phase review the written report of the board described in clause (i).

(Emphasis supplied.) Significantly, in that the Resolution provides at Sec. (C)(i)(I) that OCE's written report must contain only circumscribed options, which clearly do *not* include any "conclusions as to the conduct of a Member," the Resolution prohibited OCE from doing so.

By way of contrast to the absence of evidence relating to Representative Engel's situation, in a hypothetical instance, if a Member had actually admitted to the existence of *per diem* excess funds, and that she or he retained such monies, OCE might have just cause to issue the kind of report and referral it did here. In such an instance, OCE could properly have reported the "admission" with no need to draw a *verboten* conclusion. Here, lacking any admission whatsoever from Representative Engel, OCE apparently somehow saw wisdom in taking the erroneous step of going beyond its authority in order to make a referral.

Thus, in Paragraph 110 of its Findings of Fact and Citations to Law, OCE improperly found:

Based on the information available to the OCE during this Review, Representative Engel did not return any excess *per diem* for meal and incidental expenses. Therefore, *there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.*

(Emphasis supplied.) As such, OCE acted beyond its mandated jurisdiction, and arrogated to itself that which is the sole responsibility of the Committee.

OCE's *ultra vires* conduct in Par. 110 was not an isolated error. Its report is rife with extra-jurisdictional conclusions. At ¶38, for example, OCE found that "there is substantial reason to believe that Representative Engel had excess *per diem* after certain CODELs." Unauthorized conclusions are similarly found in Paragraphs 55, 62, 68, 76, 85, 91, 99 and 105.

In that OCE's referral exceeds the Resolution's jurisdictional mandate, the Committee is respectfully requested to dismiss its findings.

Beyond the fact that OCE's conclusions are unauthorized, they are based upon "findings" which have no substantiation in the record. Although the "Nature of the Alleged Violation" in the summary of the Report is careful to state only that Representative Engel "indicated that he *may have* retained excess *per diem*" (emphasis supplied), and again in Par. 4 of the "Findings of Fact and Citations to Law" ("During the Review, he acknowledged that...he *may have* had excess *per diem*") (emphasis supplied), OCE nevertheless, and contrary to Representative's hypothetical statements, time and again improbably concluded that there was "substantial reason to believe that Representative Engel had excess *per diem* after certain CODELs." (See Pars. 38, 55, 56, 62, 68, 76, 85, 91, 99 and 108.) Representative Engel made no such admission, and the record is devoid of any evidence that any such wrongful conduct had actually occurred.

Indeed, OCE's own Report repeatedly acknowledged that there was no evidence that Representative Engel ever had any excess *per diem*. See, e.g., "If there was anything left..." (Exhibit 5, Wall Street Journal, March 2, 2010)(emphasis supplied); "In that article, Representative Engel's statements indicated that he *may have* retained excess *per diem*..."

(Par. 30) (emphasis supplied). *See also* Par. 47 (“if he had any excess per diem”) (emphasis supplied); Par. 108 (“Representative Engel’s public statements indicate that he *may have* retained excess per diem.”) (emphasis supplied); Exhibit 6 (Memorandum of Interview of Representative Engel) (“The witness told the reporter *that he did not think he came back with any per diem* and, *if he did, it was negligible.*”) (emphasis supplied). The Report goes on to say that “[b]ased on the information before the OCE, the exact amount of [Congressman Engel’s] meal and incidental expenses for each CODEL is unknown” (Par. 39); and that “the available evidence does not establish the exact amount of actual expenses for Representative Engel’s CODELs” (Par. 56).⁴

In other words, although OCE appears to minimize Representative Engel’s clear and repeated statements that he did not know if there were any excess *per diem* funds, OCE’s Report impliedly admits that it lacked any direct testimonial or documentary evidence of wrongdoing by Representative Engel.

Thus, in addition to the fact that OCE’s conclusion was unauthorized, OCE’s Report clearly demonstrates that it lacked any evidence upon which to base such conclusion. In light of the absence of any admission by Representative Engel or other direct evidence of wrongdoing by Representative Engel, OCE has taken it upon itself to act beyond its jurisdiction, and construct and employ a wholly theoretical and unsubstantiated methodology to reach its otherwise unauthorized conclusion that there were excess *per diem* funds: faced with a lack of evidence, OCE “estimated” what expenses should have been attributed to various meals on a particular trip, inferred from advance itineraries which meals Congressman Engel may have paid for out of his *per diem* and which he did not; and thus “concluded” that there must have been excess *per diem* funds.

First of all, there is no authority for OCE to have employed this speculative analysis; it falsely assumes that if one part of the *per diem* is not used for a meal, it cannot be used for another proper expense. Second of all, even if this fabricated methodology were somehow appropriate, Representative Engel told OCE that there were occasions when he did not eat a meal during a scheduled official function; these were working meetings, and sometimes the food was of poor quality (Par. 44). Thus, OCE’s “estimates” were based either upon pure speculation, or at odds with the evidence that OCE actually had. *See, e.g.*, Par. 84 (“According to Representative Engel, he did not have any excess *per diem* on CODEL Engel (Apr 2009)...”). Finally, of

⁴ The Report’s inconclusiveness in this regard is consistent with what Representative Engel told OCE: he advised OCE that on some CODELs “his per diem did not cover all of his expenses” (Par. 48); he commingled his money with the per diem he received (Exhibit 6, Par 3); and he reimbursed the military for certain meals from his own funds (Exhibit 6, Par. 9). Indeed, there is no requirement for any Member to maintain receipts for any expenses during foreign travel, and in many of the foreign countries it was not practically possible to obtain any. OCE’s Report does not dispute this (Exhibit 7, p. 2).

R. Blake Chisam
September 15, 2010
Page 7

course, there was no evidence that advance itineraries, and thus some of the scheduled meals, accurately reflected the actual trip.

In short, then, OCE's unsubstantiated "estimates" constituted an unsound and improper basis upon which to reach its conclusion of probable wrongdoing by Congressman Engel.

For all these reasons, it is respectfully requested that this Committee reject OCE's Report, and take no action with regard to its referral.

Very truly yours,



Joel Cohen



Jerry H. Goldfeder

JC:yc

STATE OF NEW YORK)
)ss.:
 SC COUNTY OF BRONX)

ELIOT L. ENGEL, being duly sworn, deposes and says:

I have read the foregoing letter to R. Blake Chisam from my attorneys and adopt its contents as if they were my own.

Eliot L. Engel
 ELIOT L. ENGEL

Sworn to before me this 15th day of September, 2010

District of Columbia SS
 Subscribed and Sworn to before me
 this 15th day of September 2010
[Signature]
 Notary Public, D.C.
 My commission expires 1/14/2014

[Signature]
 Notary Public.



APPENDIX I

RECEIVED
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COMMITTEE ON STANDARDS

September 14, 2010

R. Blake Chisam
Chief Counsel/Staff Director
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington, DC 20515

Response to Findings of Facts and Citations to Law

Review No. 10-7960

I. INTRODUCTION

1. The cited Rule 10, clause 8 to be read in para materia is attached as Respondents **attachment 1:**

The characterization set forth by the Office of Congressional Ethics (herein after referred to as OCE) is dead wrong. The rule cited above says just the opposite, and says nothing regarding the return of per diem. It pointedly reflects the terms of applicable federal law. Federal law is silent on the subject use of per diem.

Further, the Speaker of the House's letter of May 13, 2010 does not, and should not be used to buttress the weak assertions of the OCE. OCE did not have jurisdiction.

Rule 1 (3) of the Rules of Office of Congressional Ethics states:

The office has jurisdiction to investigate allegations that a Member "has violated a law, rule, regulation, or other standard of conduct in effect at the time the conduct occurred...."

Respondent submits that there is no law, rule or regulation pertaining to use of per diem. While there is a rule establishing per diem, House Rules and Code of Conduct are silent regarding use of per diem allowances.

Respondent further submits that the standard of conduct in effect at the time is exactly the standard of conduct followed by Respondent: Per diem was and is used to cover expenses incidental to travel. Incidental is defined as “(1) happening or likely to happen in an unplanned or subordinate conjunction with something else. (2) likely to ensue as a chance or minor consequence.” Google.com. This definition clearly states that unplanned happenings may be incidental to travel. Respondent did not plan to be moved by the terrible circumstances of the Iraqi refugee family that he met in Lebanon. He had not planned to give money to an Iraqi child. He was moved by the circumstances of the mother to an Iraqi child. He was moved by the circumstances of the mother and son and by the desire to create goodwill towards his country by helping out this family. Soldiers have been known to share their chocolate and drinks with children in war zones in much the same way.

Respondent submits that all of his use of per diem was incidental to his travel on behalf of the USA. Nothing he has done falls outside of any guidelines or parameters established by Congress because there are none. That being so, OCE had no jurisdiction to proceed in this matter. And, the Committee on Standards of Official Conduct (herein after referred to as the Committee) should dismiss this matter.

The OCE seized itself jurisdiction and proceeded with their investigation of the Respondent.

2. To rebut the false assertions and characterizations set forth by OCE, the respondent turns to the Memoranda of the 3 Exhibits of OCE. These interviews show more than what is set out in number 2 of the OCE.

According to OCE’s memoranda the witness in Exhibit 2 also informed them of the following:

7. The witness explained that enhanced per diem, as much as an additional \$50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations (“CODELS”) and Staff Delegations (“STAFFDELS”) where he has been involved, the witness estimated that less than half had an enhanced per diem.

8. The witness believes that the per diem is to be used by Members of their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.

9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.

10. House Members and staff return unused per diem. He roughly estimated that 35 % or 40 % returned unused per diem.

11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.

12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

According to OCE's memoranda the witness in Exhibit 3 also informed them of the following:

10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.

11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.

12. The report is completed by Members for the Committee after they return from foreign travel is called Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.

13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.

I do not understand why anything regarding Congressmen Eliot L. Engel is being discussed or related in an investigation about the Respondent.

15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.

16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

17. With respect to Representative Engel's letter to Chairman Howard Berman, dated February 12, 2009, requesting representational funds for several receptions (HFAC 0007), the witness states that such requests are rare and happen less than 10 % of the time.

Again, I question the purpose of characterizing the witnesses' statements regarding Congressman Engel and Chairman Howard Berman.

According to OCE's memoranda the witness in Exhibit 4 also informed them of the following:

12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.

13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.

14. Members must sign for the per diem. Receipts for per diem are required to be turned into her at the end of the trip.

15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.

16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.

17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like "herding cats."

18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidentals expenses are spent.

20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.

21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.

22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.

23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

24. According to the witness, Members spend the per diem on what they want.
25. She has never been asked to define "incidentals" to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.
29. Enhanced per diem was generally for hotel costs that are higher than the government rate.
30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.
33. She has not had a Member seek additional reimbursement in the past four years.
34. She does not require Member to submit any receipts for the allowed per diem. It is up to the individual Member as to how the per diem is spent.
35. Members are highly encouraged by "word-of-mouth" to return any unused per diem. There is no formalized guidance regarding unused per diem.
36. She is not aware if any Members spend their per diem on souvenirs.
39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.
40. The reports she creates that are required to be filed with the Clerk are broken down by Member.
41. If any per diem is returned, she makes a copy of the check and includes it in her files.

The Respondent asks the Committee, as he is sure it will, to read all of the Memoranda of these three witnesses.

The Respondent asserts that the witnesses informed OCE that Members are not required to keep receipts, no instructions or guidance regarding per diem is given. One witness says travelers are encouraged to return unused per diem, and none of them define "incidentals."

Respondent asserts that "incidentals" are not defined in any rule, law, or regulation. A few examples are given but, etc. follows the two or three examples, suggesting that "incidentals" as used by Members are broad and all encompassing.

3. The OCE concludes, “The Board determined that fairness dictates upholding the standard state in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.

The Respondent avers that no standard is “stated in the rule.” Therein lies a part of the problem that needs a legislative fix.

4. The Respondent made clear to 3 reporters with the Wall Street Journal and 2 investigators that he did not separate per diem from his own money.

5. The Respondent reasserts that all of his use of per diem was incidental to his travel on behalf of the U.S.A.

6. The Respondent does not question the Resolution of the United States House of Representatives at this time.

However, the Respondent questions the “allegations” that were the subject of this review. Particularly, the origins of the allegations that will be discussed later in this response.

C. Procedural History

The Respondent does not question that time line as asserted by the OCE in 7, 8, 9, 10, 11, and 12 of this section.

However, the Respondent asserts that his statement and the facts before and after April 12, 2010, must be examined.

These facts are as follows:

On April 29, 2010, the Respondent was interviewed by Ms. Elizabeth A. Horton and Mr. Kedric Payne. Ms. Lale M. Mamaux, Chief of Staff of the Respondent took notes for the Respondent.

The beginning of the interview was set forth by Ms. Mamaux as follows:

Mr. Payne asked the question of a reimbursement from the Commission on Security and Cooperation in Europe (CSCE) to Congressman Alcee L. Hastings for \$392.00. Mr. Hastings confirmed that he had gotten the reimbursement for official business and that all documentation related to that reimbursement is public record and kept at the CSCE.

Mr. Payne indicated that it would be a narrow interview and that it was not a deposition.

Mr. Payne had Mr. Hastings sign a document regarding the False Statement Act (Section 1001).

Mr. Hastings asked about who had filed the complaint. He explained that if he were in a court of law that he would have filed a dismissal already.

Mr. Payne said that there was no complaint filed. He said that he was looking into the quotes that were attributed to Mr. Hastings from the March 2, 2010 *Wall Street Journal* article.

Mr. Hastings shared with Mr. Payne the initial Judicial Watch Complaint that was filed against him in 2007, when he became Chairman of the CSCE. Mr. Payne kept a copy of the complaint.

Mr. Payne said that two public sources were the reason for the investigation:

1. Two Board members of the OCE
2. *Wall Street Journal* article

The OCE report unfairly omits several matters, among them is the lawsuit filed against the Respondent by Judicial Watch (March 28, 2007). A copy of which was given to OCE investigators (**See attachment 2**). And, the April 14, 2010, letter/complaint filed by the OCE which attached the March 2, 2010 Wall Street Journal article.

In point of fact, Mr. Kederic Pay, OCE investigator, when asked who filed the complaint, replied that there was no complaint.

The Committee is requested to review the copy of the April 9, 2010 Judicial Watch web site wherein they characterize their letter to the OCE as a complaint (**See attachment 3**).

The Respondent questions why the OCE left this pertinent information out of their written report to the Committee.

D. Summary of Investigative Activity

The Respondent does not question the fact that the OCE requested documentary and testimonial information from the sources they set out in 13 of question D.

However, it may have been more instructive, and certainly more thorough had they sought information from the Navy, Army, and National Guard, since a lot of the "CODEL Cardin" and "CODEL Hastings" trips during the relevant time period was conducted by these branches of the service.

11. The Respondent reasserts that the OCE had no jurisdiction.

Since the OCE never defines per diem or incidentals and neither do the rules, law or regulations.

The Respondent interposes the following definitions from Webster:

Per Diem – by the day: a daily fee

Per Diem – a daily allowance paid by the day.

The above are from Webster's dictionary. As is the following definition of Incidental:

Incidental – minor items (as of expense) that are not particularized.

A. Applicable Law, Rules, and Standards of Conduct

The Respondent does not question the partial recitations 17 & 18 set out by the OCE. Again, the Committee is requested to review the full text of these Rules.

19. The Respondent denies that he conducted himself in any manner that violated House Rule 23, clause 1.

2. Federal Travel Regulations and Other Guidance

The OCE is mixing the Federal Travel Regulation and other guidance to support their conclusion.

The Respondent advised the OCE investigators of these provisions and supplied them a copy of the State Department Travel Guide. Further, the Respondent advised them that he had never seen this information prior to the OCE's launch of its investigation of him.

Also, repeatedly the Respondent advised that no investigations or guidance was ever presented to him by anyone at anytime.

28. The Respondent told the OCE that he spent all of his per diem and more on every trip. And did not retain any per diem excess or otherwise.

The exception being fractional coins given to a neighbor and \$30-40 in Tunisian currency that the respondent did not know he had it in his suitcase until weeks, if not months, after leaving Tunisia.

A. Representative Hastings Made Public Statements Indicating That He May Have Used Per Diem for Impermissible Purposes

Lines 29, 30, 32 are characterizations by 3 reporters from the Wall Street Journal that were on a mission. They shaped and misshaped the Respondents statements to suit their angle.

The OCE omitted the Respondents statement to them regarding the Wall Street Journal reporters. Ms. Mamaux characterization of the interview of the Respondent by the investigators is as follows:

Wall Street Journal –

Mr. Hastings indicated that he was hounded by a reporter from the WSJ. He first spoke to a reporter from the paper in the Speaker's lobby. After he spoke to him, the reporter was waiting for him at his car after votes. He spoke to him again. Then a second reporter called Mr. Hastings and he also got a call from third reporter. Mr. Hastings did say he said – "You all are worried about nickels and dimes and I am not."

Mr. Hastings noted that his quote regarding cabs in Kazakhstan (he said he was thinking of the movie "Borat") was facetious and not to be taken literally.

11/29/08 trip – Trip where Mr. Hastings bought ties for pilots/ravens. The *Wall Street Journal* says he bought gifts, but what Mr. Hastings had said was that he bought ties for the pilots/ravens.

34. Denied.

35. Respondent made it clear that any money spent was incidental to his responsibilities. And that he did not separate per diem from his own money.

36. The respondent used incidental expenses in all of the examples here except, "on ships," and for mailing costs associated with filing travel vouchers.

The respondent asserts that this law was written before faxes, blackberries, and the internet. Therefore, costs for Wi-Fi, room service, telephone calls back to the United States or to any foreign country would be prohibited by this provision. As would a plethora of other incidentals.

37. Admitted.

38. All of these were incidental to Respondents travel. And, in the context he did not separate his own money from per diem. Further, all per diem was spent as well as considerably more of his own money.

39. See 38.

40. Denied. Vehemently denied. The Respondent used the purchase of caps in the U.S. with his own money, as an example of his spending. He did not reimburse himself. As a matter of fact this was one of the most expensive trips he attended. And a great deal of his personal money was spent pursuing his duties on behalf of the United States.

41. Denied. The incident occurred in Lebanon. And is a long story that involves the fact that the Respondent is leading the legislative effort in the U.S. and elsewhere on behalf of Iraqi refugees.

43. Denied.

44. Denied. Did not keep any record of expenses.

45. Neither admitted nor denied.

46. Denied. This simply is the most ridiculous part of the OCE report. I have no idea how they could possibly deduce their conclusions.

47. See response to 46.

48. Denied. As the Respondent reads this it presumes intent to violate Rule 10, clause 8. The Respondent, nor any Members or staff were required to maintain records.

D. Representative Hastings did not return any excess per diem for meals and incidentals expenses.

49. Admitted.

50. This references the Tunisian currency and fractional coins. The Respondent had no other foreign currency. He did mention 4 European coins to the OCE that he still had. The Respondent asserts that this is de minimis.

51. Neither admitted nor denied.

52. Admitted.

53. Admitted.

54. Neither admitted nor denied.

55. Denied.

56. Through 110 are in the realm of abject confusion. I don't know how to respond. And find it totally absurd that someone would speculate in this manner.

III. Conclusion

111. See the full rule (See attachment 4).

112. Respondent had no per diem to return.

113. The Respondent faithfully followed this rule at all times as a Member of Congress.

114. Denied.

115. Denied.

116. The Respondent asserts that the Committee should not conduct a further review.

117. The Respondent avers that the U.S. Department of State has no record of him returning per diem.

118. The U.S. Air Force Congressional Liaisons could supply no more information than that already was disclosed by Respondent.

For these and other reasons the Respondent requests that the Committee dismiss this mater. And go no further in review as requested by the OCE.



Alcee L. Hastings
Member of Congress

See attachment 1

for investigations and studies by such select committee.

(c) Each committee described in paragraph (a) shall be entitled for each month during the period specified in paragraph (a) to 9 percent (or such lesser percentage as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(d) Payments under this clause shall be made on vouchers authorized by the committee involved, signed by the chair of the committee, except as provided in paragraph (e), and approved by the Committee on House Administration.

(e) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress until the election by the House of the committee concerned in that Congress, payments under this clause shall be made on vouchers signed by the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a member of the majority party in the present Congress.

(f)(1) The authority of a committee to incur expenses under this clause shall expire upon adoption by the House of a primary expense resolution for the committee.

(2) Amounts made available under this clause shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(3) This clause shall be effective only insofar as it is not inconsistent with a resolution reported by the Committee on House Administration and adopted by the House after the adoption of these rules.

Travel

8. (a) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States or its territories or possessions. Appropriated funds, including those authorized under this clause and clause 6, may not be expended for the purpose of defraying expenses of members of a committee or its employees in a country where local currencies are available for this purpose.

(b) The following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(1) A member or employee of a committee may not receive or expend local currencies for subsistence in a country for a day at a rate in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.

(3) Each member or employee of a committee shall make to the chair of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and funds expended for any other official purpose and shall summarize in these categories the total foreign currencies or appropriated funds expended. Each report shall be filed with the chair of the committee not later than 60 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(c)(1) In carrying out the activities of a committee outside the United States in a country where local currencies are unavailable, a member or employee of a committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for the expenses of such individual for a day, at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual unreimbursed expenses (other than for transportation) incurred during that day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside the United States unless the member or employee actually paid for the transportation.

(d) The restrictions respecting travel outside the United States set forth in paragraph (c) also shall apply to travel outside the United States by a Member, Delegate, Resident Commissioner, officer, or employee of the House authorized under any standing rule.

Committee staffs

9. (a)(1) Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote, not more than 30 professional staff members to be compensated from the funds provided for the appointment of committee staff by primary and additional expense resolutions. Each professional staff member appointed under this subparagraph shall be assigned to the chair and the ranking minority member of the committee, as the committee considers advisable.

(2) Subject to paragraph (f) whenever a majority of the minority party members of a standing committee (other than the Committee on Standards of Official Conduct or the Permanent Select Committee on Intelligence) so request, not more than 10 persons (or one-third of the total professional committee staff appointed under this clause, whichever is fewer) may be selected, by majority vote of the minority party members, for appointment by

the committee as professional staff members under subparagraph (1). The committee shall appoint persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of a person so selected are unacceptable, a majority of the minority party members may select another person for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(b)(1) The professional staff members of each standing committee—

(A) may not engage in any work other than committee business during congressional working hours; and

(B) may not be assigned a duty other than one pertaining to committee business.

(2)(A) Subparagraph (1) does not apply to staff designated by a committee as "associate" or "shared" staff who are not paid exclusively by the committee, provided that the chair certifies that the compensation paid by the committee for any such staff is commensurate with the work performed for the committee in accordance with clause 8 of rule XXIII.

(B) The use of any "associate" or "shared" staff by a committee other than the Committee on Appropriations shall be subject to the review of, and to any terms, conditions, or limitations established by, the Committee on House Administration in connection with the reporting of any primary or additional expense resolution.

(c) Each employee on the professional or investigative staff of a standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chair and that does not exceed the maximum rate of pay as in effect from time to time under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint by majority vote such staff as it determines to be necessary (in addition to the clerk of the committee and assistants for the minority). The staff appointed under this paragraph, other than minority assistants, shall possess such qualifications as the committee may prescribe.

(e) A committee may not appoint to its staff an expert or other personnel detailed or assigned from a department or agency of the Government except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists for such an appointment, the committee nevertheless may appoint under paragraph (a) a person selected by the minority and acceptable to the committee. A person so appointed shall serve as an additional

See attachment 2

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MARK S. MILOSCH)
213 Baden Street)
Silver Spring, MD 20901,)
Plaintiff,)

v.

ALCEE HASTINGS, in his official)
capacity as Chairman of the)
Commission on Security and)
Cooperation in Europe,)
2353 Rayburn House Office Building)
Washington, DC 20515,)
and)
COMMISSION ON SECURITY AND)
COOPERATION IN EUROPE,)
234 Ford House Office Building)
Washington, DC 20515,)
Defendants.)

Case: 1:07-cv-00594
Assigned To : Robertson, James
Assign. Date : 3/28/2007
Description: MILOSCH v. HASTINGS et al

COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF

Plaintiff Mark S. Milosch brings this action for declaratory and injunctive relief against Defendants Alcee Hastings and the Commission on Security and Cooperation in Europe for violating Plaintiff's rights under the Fifth Amendment to the United States Constitution. As grounds therefor, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e).

PARTIES

3. Plaintiff is a U.S. citizen and a resident of the State of Maryland. Plaintiff resides at 213 Baden Street, Silver Spring, MD 20901.

4. Defendant Alcee Hastings is the Chairman of the Commission on Security and Cooperation in Europe. Defendant Hastings also is a member of the U.S. House of Representatives and has his principal place of business at 2353 Rayburn House Office Building, Washington, DC 20515. Defendant Hastings is being sued in his official capacity as Chairman of the Commission on Security and Cooperation in Europe.

5. Defendant Commission on Security and Cooperation in Europe ("CSCE") is an independent agency of the United States Government. Defendant CSCE has its principal place of business at 234 Ford House Office Building, Washington, DC 20515.

STATEMENT OF FACTS

6. Defendant CSCE, also known as the "Helsinki Commission," was established by Public Law No. 94-304, 90 Stat. 661 (codified as amended at 22 U.S.C. § 3001-3009) for the purpose of monitoring and encouraging compliance with the Final Act of the Conference on Security and Cooperation in Europe, an international accord signed by participating nations in 1975 in Helsinki, Finland. Defendant CSCE has no direct legislative purpose or function.

7. By statute, Defendant CSCE is composed of twenty-one members, including nine members of the U.S. House of Representatives, nine members of the U.S. Senate, and one member each of the U.S. Department of State, the U.S. Department of Defense, and the U.S. Department of Commerce. Also by statute, the Chairman and Cochairman of Defendant CSCE are chosen at the beginning of each new Congress by the President of the Senate, on the

recommendation of the majority leader, or by the Speaker of the House of Representatives. For even-numbered Congresses, the Chairman is selected by the Speaker of the House of Representatives and the Cochairman is selected by the President of the Senate, on the recommendation of the majority leader. In odd-numbered years, the selection process is reversed.

8. The statute establishing Defendant CSCE also establishes both a commission staff and a personnel and administration committee composed of the Chairman, Cochairman, and the ranking commission member from the minority party in both the House of Representatives and the Senate. By law, “[a]ll decisions pertaining to the hiring, *firing*, and fixing of pay of Commission staff personnel shall be by a majority vote of the personnel and administration committee” 22 U.S.C. § 3008(b) (emphasis added).

9. By longstanding practice, the personnel and administration committee has made employment decisions amicably, through a “notification and right to object” process. When an employment action is proposed, other members are afforded a reasonable opportunity to object. If no objection is made, the proposed employment action proceeds.

10. In addition, Defendant CSCE has a long history of continuity of staff regardless of which party controls one or both houses of Congress. This non-partisan continuity of staff has been recognized and valued by Defendant CSCE’s members.

11. On information and belief, no member of Defendant CSCE’s staff has ever been fired without benefit of the statutory procedures defined in 22 U.S.C. § 3008(b). On one occasion in 1995, shortly after control of the U.S. House of Representatives changed hands, a proposed staff firing was abandoned in light of an objection raised by just one of the two

minority party members of the personnel and administration committee, even though by law two objections are required to block a firing.

12. Plaintiff holds a Bachelor of Arts in International Relations from Michigan State University, a Juris Doctorate from the University of Michigan Law School, a Certificate of Study from the Bologna Center of the John Hopkins University Paul H. Nitze School of Advanced International Studies, and a Doctorate of Philosophy in European History from the University of Iowa, among other academic achievements. Prior to 2006, Plaintiff served for three years as a Special Advisor to the Congressional-Executive Commission on China, where he focused on issues of religious freedom and population planning in China. He also has worked as an Instructor of History at the University of Iowa and as an attorney in private practice. In addition to his impressive academic and research credentials and extensive expertise, Plaintiff is a member of the State Bar of Michigan, a published author, and speaks multiple languages, including German, Italian, French, and Romanian.

13. On approximately November 30, 2006, Plaintiff was hired to serve as counsel to Defendant CSCE. Plaintiff's employment was effectuated through the "notice and right to object" process of longstanding use at Defendant CSCE. As counsel, Plaintiff's duties and responsibilities included monitoring rule of law issues and "country responsibility" for Romania, Germany, and France.

14. At all relevant times, Plaintiff carried out his duties and responsibilities at Defendant CSCE competently and professionally. Also at all relevant times, Plaintiff was aware of the majority-vote requirement for all decisions of the personnel and administration committee pertaining to hiring, firing, and fixing of pay of Defendant CSCE staff, the longstanding notice

and right to object practice of the personnel and administration regarding such decisions, and Defendant CSCE's history of non-partisan continuity of staff.

15. In January 2007, control of the U.S. House of Representatives changed hands. Because the new Congress was an even-numbered Congress, the new Speaker, Nancy Pelosi, gained the authority to designate the new Chairman of Defendant CSCE. Speaker Pelosi designated Defendant Hastings to serve as Chairman of Defendant CSCE.

16. As of January 2007, Defendant CSCE had a professional staff of approximately eighteen professional staff members, including Plaintiff.

17. In late January, 2007, shortly after assuming the chairmanship of Defendant CSCE, Defendant Hastings began efforts to terminate the employment of at least four members of Defendant CSCE's professional staff, including Plaintiff.

18. On February 2, 2007, the two incoming ranking members of the personnel and administration committee, Senator Sam Brownback and Representative Christopher H. Smith, sent a letter to Chairman Hastings objecting to the dismissal of Plaintiff and the other professional staff members. One of the professional staff members apparently agreed to resign.

19. Nonetheless, Defendant Hastings has ignored the objections of Senator Brownback and Representative Smith and proceeded with the termination of the other three professional staff members, including Plaintiff.

20. On March 20, 2007, Defendant Hastings' Chief of Staff verbally notified Plaintiff that Plaintiff had been fired. Plaintiff's congressional identification pass has not been renewed, and Plaintiff has been prevented from accessing his computer and the Internet, effectively precluding him from carrying out his duties and responsibilities. In addition, Plaintiff also has

been informed that the paperwork for removing him from the federal payroll has been submitted and is being processed.

COUNT 1

(Deprivation of Property Without Due Process of Law -- Violation
of the Fifth Amendment to the U.S. Constitution)

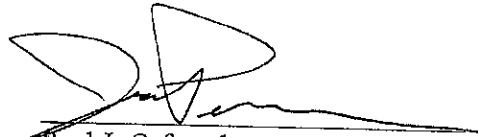
21. Plaintiff realleges paragraphs 1 through 20 as if fully stated herein.
22. Plaintiff enjoys a property right in his continued employment at Defendant CSCE.
23. Defendants have deprived Plaintiff of this property right without due process of law in violation of the Fifth Amendment to the U.S. Constitution. Specifically, Defendants have caused Plaintiff to be fired without a majority vote by the personnel and administration committee and over the objection of the two minority party members of the committee.
24. Plaintiff has been irreparably harmed by reason of Defendants' violation of his constitutional rights.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) declare Defendants' termination of Plaintiff's employment to be unlawful; (2) enjoin Defendants to restore Plaintiff to his pre-termination employment; (3) grant Plaintiff an award of attorney's fees and other litigation costs reasonably incurred in this action; and (4) grant Plaintiff such other relief as the Court deems just and proper.

Dated: March 28, 2007

Respectfully submitted,

JUDICIAL WATCH, INC.

A handwritten signature in black ink, appearing to read 'Paul J. Orfanedes', written over a horizontal line.

Paul J. Orfanedes

D.C. Bar No. 429716

James F. Peterson

D.C. Bar No. 450171

Meredith L. Di Liberto

D.C. Bar No. 487733

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Attorneys for Plaintiff



March 30, 2007

From the Desk of Judicial Watch President Tom Fitton:

Judicial Watch Sues Congressman Hastings Over Attempted Improper Firing



This week, Judicial Watch filed a lawsuit against Florida Democratic Congressman Alcee Hastings. You may recall that Hastings is one of only six federal judges ever to be removed from office through impeachment. (He was convicted by the Senate on eight articles of impeachment related to a bribery scandal.) Most recently, Hastings was rejected by House Speaker Nancy Pelosi for the chairmanship of the House Permanent Select Committee on Intelligence after Judicial Watch and others complained about his corrupt history.

So, what did Hastings do this time?

The Florida Congressman violated federal law by attempting to improperly terminate the employment of our client, Mark Milosch, and three other employees of the Commission on Security and Cooperation in Europe (also known as the Helsinki Commission). After rejecting Hastings for the sensitive intelligence post, Nancy Pelosi threw him a bone and installed him as Helsinki Commission Chairman. Judicial Watch filed a lawsuit on behalf of Mr. Milosch, the Commission's counsel, seeking a temporary injunction against Hastings to stop the firing from moving forward.

Here's why this is a shameless example of abuse of power on the part of Hastings, and a clear violation of the law: By law, "[a]ll decisions pertaining to the hiring, firing, and fixing of pay of [Helsinki] Commission staff personnel shall be by a majority vote of the personnel and administration committee..."

After taking over as Chairman, however, Hastings began efforts to terminate employees without properly seeking the approval of his colleagues. Hastings also ignored the strenuous objections raised by Congressmen Christopher Smith and Senator Sam Brownback, both Commission members, who noted Mr. Milosch's "impressive academic and research credentials" in a February 2, 2007 letter to Hastings. "The firings are illegal and simply cannot stand," they wrote. Indeed, the general counsel for the Commission issued a legal opinion that any firing/hiring action that does not have the support of the majority of the Commission leadership would be contrary to law.

Why did Hastings target these specific employees? Well, I'll tell you this. They share one thing in common (aside from their stellar credentials). They are all conservative and pro-life. Hastings is not. The attempted firings appear to be both political and illegal. (Interesting to compare and contrast this story with the U.S. Attorney "scandal.") Hastings seems to think that the Helsinki Commission is a political plaything rather than an independent

agency set up to monitor important international human rights, religious freedom, rule of law (!), and labor rights (!) issues on behalf of the United States.

The bottom line, legally speaking, is this: Congressman Hastings lacks the unilateral authority to fire Mr. Milosch. Judicial Watch asks the court for injunctive and declaratory relief to prevent Mr. Milosch's termination. A hearing is scheduled for April 16th.

As a result of our lawsuit, I understand that Hastings now says he won't fire Mr. Milosch unless he gets the necessary 3 out of 4 votes on the personnel and administration committee. Two members (Hastings and Maryland Democratic Rep. Ben Cardin) will vote in favor of termination. Rep. Smith (R-NJ) is a solid vote against termination. Senator Brownback (R-KS), who admirably co-signed a letter against the firings less than two months ago, is thought to now be on the fence. Feel free to call Senator Brownback at (202) 224-6521, or email him [here](#), and let him know what you think about Hastings's illegal attempt to turn the Helsinki Commission into his personal fiefdom. You can bet he'll get a lot of pressure from Hastings (and Cardin) to buckle.

Judicial Watch Files Lawsuit Against FDA Regarding Hillary Clinton and "Plan B"

Hillary Clinton's record of supporting abortion and her disdain for the sanctity of human life is nothing new. And if she is using the powers of her Senate office to force the Food and Drug Administration (FDA) to make dubious decisions, we want to hold her to account for it. And so, earlier this week, Judicial Watch filed a new open records lawsuit against the FDA regarding Hillary Clinton's drive to make the "emergency contraceptive pill," commonly known as the "morning after pill," available over-the-counter. We filed the lawsuit, on March 21, after the FDA failed to comply with our August 2006 Freedom of Information Act (FOIA) request seeking communications between the FDA and Hillary Clinton regarding ".75 levonorgestrel," which is also known as "Plan B."

Judicial Watch filed the original FOIA request in August 2006 after Senator Clinton threatened to block the July 2006 nomination of Dr. Andrew von Eschenbach to head the FDA until the agency made Plan B contraceptives available without a prescription (making it potentially accessible to underage girls.) After Hillary's bullying, the FDA approved Plan B for over-the-counter use on August 24, 2006, and Dr. von Eschenbach was confirmed in December 2006. The FDA's decision to approve Plan B seemed more about politics than science, especially given Hillary Clinton's role in the process. This was a simple request for documents, and the FDA's delay in producing them is curious, to say the least.

Proponents of the "morning after pill" claim it is a means of birth control without an abortion... but the drug can also act as an abortifacient. It can prevent an already fertilized egg from attaching to the uterine wall, in essence, ending a pregnancy. Serious side effects and health complications have also been associated with ingesting oral contraceptives such as the "morning after pill," which includes multiple doses of hormones.

This latest open records lawsuit is part of Judicial Watch's larger campaign to educate the public about how Hillary and Bill Clinton have subverted government processes to advance their radical pro-abortion agenda.

In 2001, Judicial Watch filed a lawsuit against the FDA related to the hasty approval of the dangerous abortion drug RU-486 in the waning days of the Clinton administration. In response, the FDA released thousands of documents showing serious health complications resulting from the use of the drug. As a result of our work here, many are calling for RU-486 to be pulled off the market for safety reasons.

Moreover, we have released several special reports about the Clinton abortion agenda, based on previously confidential records that we uncovered from the Clinton Presidential Library in Little Rock, Arkansas. I encourage you to visit our Internet site, www.judicialwatch.org, to read them.

"The Clinton RU-486 Files" details the drive to bring RU-486 – which has been linked to the deaths of at least six women – to market in the United States. The second, "New Clinton White House Records Raise Disturbing Questions About Hillary Clinton and Abortion" provides new documentary evidence of Hillary Clinton's central role in shaping pro-abortion policies in the Clinton White House.

Judicial Watch takes no position on candidates for public office, and Hillary Clinton is free to run for president, but we are also free to hold her (and the Bush administration's FDA, for that matter) accountable to the rule of law. And that is exactly what we plan to do.

Corruption Chronicles – Judicial Watch Blog is the One to Watch

If you haven't checked out the Judicial Watch blog, Corruption Chronicles, it's time to stop by and take a look. Corruption Chronicles provides inside information and analysis on government corruption that you won't read in your daily newspaper. We post several entries each day, giving you the most up-to-date information on government scandals. Read about illegal immigration, Hillary Clinton's latest antics, judicial corruption, and more. It is bad news for the politician or public official who makes it onto Corruption Chronicles.

Here are just a few of our recent entries:

Violations Force Feinstein Military Committee Resignation

A veteran California senator has resigned as chair of a powerful military construction committee after reports that for years she abused her position to award her husband's companies billions of dollars in government contracts...

Hillary Buys Another Big Endorsement

Just weeks after paying \$210,000 for the coveted endorsement of an influential southern black pastor, Hillary Clinton has agreed to double the money for the crucial endorsement of the leading politician in the state with the first presidential caucus...

U.S. Govt. Can't Account For 623,292 Fugitives

Although the U.S. government has spent hundreds of millions of dollars on a program to assure that deported foreigners who represent a threat actually leave the country, more than 600,000 of them are fugitives whose whereabouts are unknown...

Each month, *Corruption Chronicles'* readership grows, and so I encourage

you join readers and journalists nationwide who have made Corruption Chronicles a part of their daily routine.

Until next week...

Tom Fitton
President

Contributions to Judicial Watch are tax deductible to the fullest extent of the law.

Judicial Watch is a non-partisan, educational foundation organized under Section 501(c)(3) of the Internal Revenue code. Judicial Watch is dedicated to fighting government and judicial corruption and promoting a return to ethics and morality in our nation's public life. **To make a tax-deductible contribution in support of our efforts, [click here](#).**

See attachment 3



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Obamacare and the IRS



April 9, 2010

From the Desk of Judicial Watch President Tom Fitton:

JW Targets Rampant Congressional Travel Per Diem Abuse with Ethics Complaints



Members of Congress call it "standard policy." I call it "stealing."

What I'm referring to is the practice by many Members of Congress to pocket unused taxpayer funded travel per diems for their own personal use. *The Wall Street Journal* detailed the scandal in a story on March 2:

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

Former Rep. Tom Davis (R-VA), *The Wall Street Journal* notes, admitted that it's "fairly standard" policy for lawmakers to use the leftover money "for shopping or to buy souvenirs to bring back to constituents."

In other words, Members of Congress are using your tax dollars to go window shopping during congressional junkets.

To fully understand the depth of the problem, we would need to take a look at congressional records related to per diem use. The problem is there are none. Congress doesn't have a system in place to track per diems, and lawmakers aren't even required to keep receipts.

And as the *Journal* noted, in just the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips. So we're not talking about chump change.

I don't know about you, but I cannot imagine a more clear-cut example of the abuse of power than for Member of Congress to steal from the taxpayers and line their own pockets. (In fact, it may be a federal crime.) And for this reason, Judicial Watch [filed an official complaint with the Senate Ethics Committee](#) this week related to the per diem scandal. We also sent a [letter to the House's Office of Congressional Ethics](#) requesting "a full investigation and audit of House foreign travel expenditures and the pocketing of unused per diems."

As Judicial Watch argued in its letters of complaint, House and Senate rules governing the reimbursement of foreign travel expenses are explicit. For example, according to Senate rules: "A per diem allowance provided a Member, officer, or employee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member, officer, or employee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses." [Emphasis added].

"In the least, there is evidence of a general misunderstanding among lawmakers that unused per diems may be converted for personal use. At worst, members may be illegally pocketing taxpayer funds," Judicial Watch stated in its letters of complaint.

CORRUPTION CHRONICLES

- [Labor Dept. Helps Illegal Alien Workers](#)
- [Obama's Judicial Nominee Hides Leftwing History](#)

Areas Of Interest

- [Judicial Nominations Project](#)
- ["Top Ten Most Wanted Corrupt Washington Politicians" Lists](#)
- [Financial Crisis Investigation](#)
- ["Czar" Investigations](#)
- [Investigation of ACORN](#)
- [Pelosi Air Force Scandal](#)
- [Illegal Immigration](#)
- [Political Corruption](#)
- [Emoluments/Hillary Clinton](#)
- [Joe the Plumber Lawsuit](#)
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- [Attorney General Holder and President Obama's "Commitment" to Open Government](#)
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And Members of Congress wonder why they're stuck with a 16% approval rating.

This travel expense scandal is serious. If you're as angered by it as I am, then take a moment to call to the House and Senate Ethics Committees and tell them you want lawmakers who steal from the public coffers to be held accountable. Here are the numbers:

- [Feds Probe University's Device To Help Illegal Border Crossers](#)
- [Another South Florida Politician Headed To Jail](#)
- [Islamic Radical Tours U.S. Thanks To Clinton Order](#)
- [Penn. Senator Criminally Charged](#)
- [School Board Member Chastised Over "Anchor Babies"](#)

House Office of Congressional Ethics: 202-225-9739.
 House Committee on Standards of Official Conduct: 202-225-7103.
 U.S. Senate Select Committee on Ethics: 202-224-2981.

Judicial Watch Supports Maryland Bill to Beef Up Illegal Alien Law Enforcement

If you've read the *Weekly Update* for any length of time, you've heard me sing the praises of a federal illegal immigration law enforcement training program called 287(g), which allows local law enforcement officers to learn skills to combat illegal immigration crime. I'm not alone. Even the Obama administration, which is often hostile to enforcing our nation's immigration laws, acknowledges that 287(g) is a "successful and popular partnership initiative."

How successful?

More than 1,075 local law enforcement officers have been trained in the program. And since January 2006, 287(g) has been credited with identifying more than 130,000 potentially deportable illegal aliens, mostly in local jails.

You can take a look at some specific success stories [here](#).

However, despite the effectiveness of 287(g), some states have been slow to embrace the program, including one state in Judicial Watch's own backyard — Maryland. To date, the Frederick County Sheriff Department is the only law enforcement agency in Maryland to take advantage of the program. A few other counties cooperate with Immigration and Customs Enforcement (ICE), with Ocean City's police department actually sharing its headquarters with ICE agents.

But new legislation aims to change the situation for the better. Maryland House Bill 866 would require law enforcement agencies in Maryland to participate in the 287(g) program. As you know, Judicial Watch is leading a nationwide campaign to enforce our nation's immigration laws. And I think it's fair to say that we have had something to do with the increased popularity of 287(g), as it has been a major component of our public education campaign.

And so, I recently sent a letter to the bill's chief sponsor, Maryland Delegate Patrick McDonough, to express Judicial Watch's support for his efforts and to offer our assistance.

According to my letter, sent on March 23, 2010:

The 287(g) program would give Maryland law enforcement personnel more tools to protect the public from violent criminals who are also illegal aliens. The program would also give better guidance to Maryland law enforcement officers as to the role they can play in helping enforce our nation's immigration laws.



The benefits to public safety would greatly outweigh any costs to Maryland law enforcement agencies. There have simply been too many examples of illegal alien criminals being apprehended and let loose by Maryland law enforcement agencies because of non-cooperation with ICE. These non-cooperation/sanctuary policies have demonstrably harmed the safety of law-abiding Maryland residents — both legal and illegal...

...Thank you for your leadership on this issue. Judicial Watch is available to assist you or your colleagues with any additional information you need about the 287(g) program.

This effort by the state legislature in Maryland to establish 287(g) partnerships stands in stark contrast to efforts at the federal level to undermine the program. Just last month, Janet Napolitano's Department of Homeland Security Office of Inspector General (OIG) published its "analysis" of 287(g). The report notes the effectiveness of the program, but rather than calling for its expansion, the OIG recommends stricter management and oversight. (In bureaucrat-speak, this means more red tape and less immigration enforcement.)

Take a look at the report's recommendations and you'll see the majority have to do with making it more difficult to participate as a partner in the program and less to do with expanding and improving what has been a very effective program in enforcing immigration laws.

(By the way, these new control measures are another thinly veiled attempt to target the Obama administration's favorite bogeyman, "America's Toughest Sheriff," Joe Arpaio, who continues to hold the hard line against illegal alien criminals.)

-  [Judicial Watch on YouTube](#)
-  [Judicial Watch RSS](#)

And then there's this [Washington Post](#) story noting that illegal immigration deportations are down because Obama and Napolitano are practicing a brand of "selective amnesty" by only deporting violent illegal alien criminals, while allowing others who are here illegally to stay in the country unimpeded.

There is no question in my mind we need a more robust 287(g) program. And most Americans agree. [According to a poll](#) we commissioned with SurveyUSA in December, 61% of likely voters thought local law enforcement officers should do more to enforce federal immigration laws. Let's hope Maryland passes HB 866 and that other state governments follow suit.

IRS to Target Tax Refunds for Health Insurance Penalties

So what would happen if you were to refuse to purchase "Beltway-approved" health insurance as mandated by Obamacare? IRS Commissioner Douglas Shulman stated during a press conference this week that "violators" could lose their tax refunds. According to [Reuters](#):

The Internal Revenue Service could tap individual tax returns to collect fines against people who fail to buy health insurance as required under recently enacted healthcare legislation, the U.S. tax commissioner said on Monday.

Most individuals are required to get health insurance under the new law, or face penalties that would be phased in over time. By 2016, people without coverage could see fines of 2 percent of their income...

...People who do not comply would be levied penalties, and if they don't pay them the penalties could be taken out of their tax refunds.

"Our role is going to be straightforward," Schulman said.

Oh, I don't doubt that. The IRS is nothing if not straightforward. Pay up, or else. It's a pretty basic relationship.

The article does note that the IRS will not have some of its other favorite tools to enforce Obamacare. Say, for example, seizing assets. But this is a distinction without a difference. The government may not consider a tax refund an "asset," but most Americans do. A tax refund belongs to the taxpayer, not the government. And the government has no business putting its hands on something that does not belong to it. So much for the rule of law.

(By the way, in order to enforce the Obamacare mandates some congressional estimates suggest the IRS will need \$10 billion and as many as 16,500 more IRS agents. According to press reports, this would represent the greatest expansion of the IRS since World War II.)

And here's something else I found both interesting and disturbing in the *Reuters* piece:

Shulman, appointed by former President George W. Bush and retained by Obama, said the U.S. health department and insurance companies would determine if individuals have purchased acceptable levels of coverage.

"There are not going to be IRS agents having discussions with the American people about the intimate details of their health insurance," Shulman said.

No, instead we'll be having these intimate conversations with some bureaucrat in Kathleen Sebelius's Department of Health and Human Services. That's right, under Obamacare, every U.S. citizen now answers to a cabinet official for their health insurance decisions.

This is the same Kathleen Sebelius whose [office is stonewalling us](#) for basic documents regarding her behind-the-scenes dealings for the Obamacare push.

Between the latest power grab by the IRS and the stonewalling shenanigans at HHS, Americans have good reason to worry about how Obamacare is going to operate and whether its bureaucrat-enforcers will be accountable to the law. You can be sure that your Judicial Watch will stand vigilant for you in the coming battles over Obamacare.

Until next week...





Tom Fitton
President

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POLITICS | MARCH 2, 2010

Lawmakers Keep the Change

Cash Left Over From Official Trips Overseas Is Often Used for Personal Expenses

By BRODY MULLINS And T.W. FARNAM

When lawmakers travel overseas on official business they are given up to \$250 a day in taxpayer funds to cover meals and expenses. Congressional rules say they must return any leftover cash to the government.

They usually don't.

According to interviews with 20 current and former members of Congress, lawmakers use the excess cash for shopping or to defray spouses' travel expenses. Sometimes they give it away; sometimes they pocket it. Many lawmakers said they didn't know the rules demand repayment.

"If that was the policy, you could never get many members traveling," said Rep. Solomon Ortiz, a Texas Democrat. Mr. Ortiz said he had never returned any money.

"There's a tacit understanding that if lawmakers don't spend the money, they get to keep it," said Rep. Sue Kelly, a New York Republican who was defeated in 2006.

Former Rep. Tom Davis, a Virginia Republican, said lawmakers often used leftover money "for shopping or to buy souvenirs to bring back to constituents. That's fairly standard."

Rep. Joe Wilson (R., S.C.) said he once bought marble goblets in the Kabul airport as gifts for constituents. Rep. Mark Souder (R., Ind.) said he dipped into his funds to buy a \$200 painting of an estuary in Turkey, which hung in his office for a while and was now in his house.

Lawmakers who said they sometimes keep excess funds said the amounts were small. "I won't deny that sometimes I have a little left, but it's not much—maybe 80, 90, or 100 dollars," said Rep. G.K. Butterfield (D., N.C.).

Congress has no system for tracking how the cash payments, called per diems, are being spent. Lawmakers aren't required to keep receipts and there are no public records.

In the past two years, hundreds of lawmakers spent a total of 5,300 days visiting 130 foreign countries on taxpayer-funded trips, according to congressional travel records.

House lawmakers received between \$375,000 and \$625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

"You are all concerned about nickels and dimes, and I'm not," said Rep. Alcee Hastings (D., Fla.). "You know, in a taxicab in Kazakhstan, I don't have time to get a receipt—I don't speak Kazakh."

In a subsequent interview, Mr. Hastings said he had time to gather receipts, but didn't.

Mr. Hastings said he sometimes used the extra taxpayer money to buy gifts, meals or drinks for military pilots, security officials and interpreters who travel with him. On a trip earlier this year to the Middle East, Mr. Hastings gave \$100 to an Iraqi refugee, he said.

"I'm a generous spirit and a courteous spirit," Mr. Hastings said. "I stand accused."

Some lawmakers are assiduous about returning surplus cash. Sen. Arlen Specter, a Pennsylvania Democrat, has returned to the U.S. Treasury about \$8,500 of the \$25,000 he was given for 11 trips since August 2005, according to documents provided by his office.

The per diem program is administered by the State Department. According to department officials and publications, when lawmakers arrive in a foreign country, U.S. government officials give them an envelope with cash in the local currency. The total stipend is set by the State Department based on surveys of local prices. It is meant to cover three meals and incidental expenses, which federal travel regulations say include transportation and tips for baggage handling and other services.

The amounts range from \$28 a day in Kabul to more than \$250 a day in Awashima, Japan.

When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

Many of the lawmakers' daily expenses are picked up by U.S. embassies, foreign governments or military liaisons, according to travel documents and interviews.

House and Senate rules say per diems can be used only for legitimate travel expenses. Any leftover money must be returned. The cash is for lawmakers, not their spouses. Lawmakers can request an extra \$50 a day if they believe the allowance is insufficient.

"The extra money and the plus-ups are really for the spouses," said Mr. Souder, the Indiana Republican.

Last summer, a dozen lawmakers of both parties flew to Lithuania to a conference of the Helsinki Commission, an independent U.S. government agency made up of members of Congress and others that was born during the Cold War to promote democracy, security and human rights. The lawmakers were given \$941 each in local currency to cover expenses for the six-day trip, said one attendee, Sen. Richard Durbin (D., Ill.).

When they got home, Mr. Durbin returned \$401.08 to the Treasury, according to documents provided by his office. Sen. Benjamin Cardin (D., Md.) returned \$86. No one else returned any money, according to travel records for the trip and interviews with the lawmakers.

One lawmaker on the trip, Rep. Robert Aderholt (R., Ala.) said he didn't return cash. "I don't keep up with it penny for penny," he said.

Mr. Butterfield said he didn't recall if he had any leftover funds, and that he sometimes kept the extra cash.

Sen. Tom Coburn (R., Okla.) said he once tried to return surplus cash to the State Department, but "they wouldn't take it. They said, 'We don't have a way to handle that.'" Mr. Coburn said he sent a personal check to the U.S. Treasury.

Write to Brody Mullins at brody.mullins@wsj.com and T.W. Farnam at timothy.farnam@wsj.com

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See attachment 4

for investigations and studies by such select committee.

(c) Each committee described in paragraph (a) shall be entitled for each month during the period specified in paragraph (a) to 9 percent (or such lesser percentage as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(d) Payments under this clause shall be made on vouchers authorized by the committee involved, signed by the chair of the committee, except as provided in paragraph (e), and approved by the Committee on House Administration.

(e) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress until the election by the House of the committee concerned in that Congress, payments under this clause shall be made on vouchers signed by the ranking member of the committee as it was constituted at the expiration of the preceding Congress who is a member of the majority party in the present Congress.

(f)(1) The authority of a committee to incur expenses under this clause shall expire upon adoption by the House of a primary expense resolution for the committee.

(2) Amounts made available under this clause shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(3) This clause shall be effective only insofar as it is not inconsistent with a resolution reported by the Committee on House Administration and adopted by the House after the adoption of these rules.

Travel

8. (a) Local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States or its territories or possessions. Appropriated funds, including those authorized under this clause and clause 6, may not be expended for the purpose of defraying expenses of members of a committee or its employees in a country where local currencies are available for this purpose.

(b) The following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(1) A member or employee of a committee may not receive or expend local currencies for subsistence in a country for a day at a rate in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day.

(3) Each member or employee of a committee shall make to the chair of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and funds expended for any other official purpose and shall summarize in these categories the total foreign currencies or appropriated funds expended. Each report shall be filed with the chair of the committee not later than 60 days following the completion of travel for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(c)(1) In carrying out the activities of a committee outside the United States in a country where local currencies are unavailable, a member or employee of a committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law.

(2) A member or employee shall be reimbursed for the expenses of such individual for a day, at the lesser of—

(A) the per diem set forth in applicable Federal law; or

(B) the actual unreimbursed expenses (other than for transportation) incurred during that day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside the United States unless the member or employee actually paid for the transportation.

(d) The restrictions respecting travel outside the United States set forth in paragraph (c) also shall apply to travel outside the United States by a Member, Delegate, Resident Commissioner, officer, or employee of the House authorized under any standing rule.

Committee staffs

9. (a)(1) Subject to subparagraph (2) and paragraph (f), each standing committee may appoint, by majority vote, not more than 30 professional staff members to be compensated from the funds provided for the appointment of committee staff by primary and additional expense resolutions. Each professional staff member appointed under this subparagraph shall be assigned to the chair and the ranking minority member of the committee, as the committee considers advisable.

(2) Subject to paragraph (f) whenever a majority of the minority party members of a standing committee (other than the Committee on Standards of Official Conduct or the Permanent Select Committee on Intelligence) so request, not more than 10 persons (or one-third of the total professional committee staff appointed under this clause, whichever is fewer) may be selected, by majority vote of the minority party members, for appointment by

the committee as professional staff members under subparagraph (1). The committee shall appoint persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of a person so selected are unacceptable, a majority of the minority party members may select another person for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(b)(1) The professional staff members of each standing committee—

(A) may not engage in any work other than committee business during congressional working hours; and

(B) may not be assigned a duty other than one pertaining to committee business.

(2)(A) Subparagraph (1) does not apply to staff designated by a committee as "associate" or "shared" staff who are not paid exclusively by the committee, provided that the chair certifies that the compensation paid by the committee for any such staff is commensurate with the work performed for the committee in accordance with clause 8 of rule XXIII.

(B) The use of any "associate" or "shared" staff by a committee other than the Committee on Appropriations shall be subject to the review of, and to any terms, conditions, or limitations established by, the Committee on House Administration in connection with the reporting of any primary or additional expense resolution.

(c) Each employee on the professional or investigative staff of a standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chair and that does not exceed the maximum rate of pay as in effect from time to time under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations may appoint by majority vote such staff as it determines to be necessary (in addition to the clerk of the committee and assistants for the minority). The staff appointed under this paragraph, other than minority assistants, shall possess such qualifications as the committee may prescribe.

(e) A committee may not appoint to its staff an expert or other personnel detailed or assigned from a department or agency of the Government except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a) is made when no vacancy exists for such an appointment, the committee nevertheless may appoint under paragraph (a) a person selected by the minority and acceptable to the committee. A person so appointed shall serve as an additional

APPENDIX J

SOLOMON P. ORTIZ
27TH DISTRICT, TEXAS

2110 RAYBURN HOUSE OFFICE BUILDING
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202-225-7742

DISTRICT OFFICES:
3649 LEOPARD ST., SUITE 510
CORPUS CHRISTI, TX 78408
361-883-5668

1805 RUBEN TORRES BLVD., SUITE B-27
BROWNSVILLE, TX 78521
956-541-1242

HTTP://ORTIZ.HOUSE.GOV

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

September 13, 2010

COMMITTEES:
ARMED SERVICES
SUBCOMMITTEES:
CHAIRMAN, READINESS
SEAPOWERS AND EXPEDITIONARY FORCES
TRANSPORTATION
AND INFRASTRUCTURE
SUBCOMMITTEES:
HIGHWAYS AND TRANSIT
WATER RESOURCES AND ENVIRONMENT
AVIATION

The Honorable Zoe Lofgren, Chairwoman
The Honorable Josiah Robins Bonner, Jr., Ranking Minority Member
Committee on Standards of Official Conduct
HT-2 Capitol Building
Washington, DC 20515-6328

Dear Representatives Lofgren and Bonner:

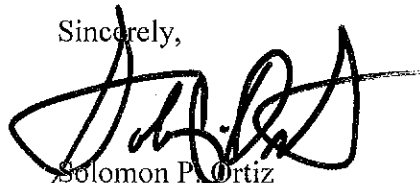
The Office of Congressional Ethics has submitted a report regarding per diem allowances and expenses for three CODELs that I travelled with during 2009. All three trips occurred prior to the Speaker's May 2010 proclamation clarifying the rules regarding per diem allowances and expenses.

With respect to each of the three trips I was not aware that I had any of unused per diem allowance at the end of the trip. I did not keep receipts for the expenditures from my per diem allowance. It was not my understanding that there was any requirement to do so. I do not recall any one informing me, in writing or otherwise, that I was required to maintain receipts for expenditures from my per diem allowance. I also do not recall any one informing me, in writing or otherwise, of any requirement to return any "excess" per diem on these trips or that Members of the House could not rely on the advice provided in the Official Foreign Travel Guide for the U.S. Congress that, in the absence of a specific rule of the Committee that authorized the trip, members "may keep any 'excess' [per diem] funds...." I was not aware of any other Member on these trips who returned any "excess" per diem.

Earlier this year the Speaker issued a letter clarifying certain rules and regulations regarding official foreign travel. I certainly intend to carefully follow all applicable rules regarding official foreign travel.

I state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Sincerely,



Solomon P. Ortiz
Member of Congress

SPO:mc

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COMMITTEE ON STANDARDS

APPENDIX K

Baker Hostetler

RECEIVED
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COMMITTEE ON STANDARDS

Baker & Hostetler LLP

Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, DC 20036-6304

T 202.861.1500
F 202.861.1783
www.bakerlaw.com

BY MESSENGER

September 15, 2010

E. Mark Braden
direct dial: 202.861.1504
MBraden@bakerlaw.com

The Honorable Zoe Lofgren
The Honorable Jo Bonner
U.S. House of Representatives
Committee On Standards of Official Conduct
HT-2 Capitol Building
Washington, DC 20515-6328

Re: Representative Joe Wilson

The report of the Office of Congressional Ethics ("OCE") is fatally flawed from its introduction to its conclusion. The report's introduction states that "Representative Wilson acknowledges publically (sic) before the commencement of the OCE's Review that he used per diem for expenses other than meals and incidentals."¹ This statement is based on a Wall Street Journal ("WSJ") article.² As was pointed out to the OCE,³ a close examination of the WSJ article does not support the statement. Yet, inexplicably, the statement is asserted as important evidence for the report's conclusion. In fact, Congressman Wilson is not quoted by the WSJ as saying that he used per diem money for expenses other than meals and incidentals. Rather, the WSJ headline talks about Members of Congress using per diem money for other expenses. The article quoted other Members as having made such statements, but Congressman Wilson is not quoted as saying that he used per diem money for expenses other than meals and incidentals. The relevant line in the article states: "Representative Wilson (R, SC) said that he once bought marble goblets in the Kabul airport as gifts for constituents." This is the sole reference in the story to Congressman Wilson. Congressman Wilson, in oral and written statements⁴ to the OCE and its investigators, expressly denied that per diem money was used for the purchase of the aforementioned goblets.

¹ OCE Review No. 10-10754 ("OCE Report"), Findings of Fact and Citations to Law, Introduction I-4, at 4.

² OCE Report, Ex. 5, Wall St. J., Lawmakers Keep the Change (Mar. 2, 2010).

³ OCE Report, Ex. 7, Counsel's letter of July 21, 2010, to Hon. David Skaggs and Porter Goas.

⁴ OCE Report, Ex. 8, Rep. Wilson letter of July 19, 2010, to Hon. David Skaggs and Porter Goas.

Chicago Cincinnati Cleveland Columbus Costa Mesa
Denver Houston Los Angeles New York Orlando Washington, DC

The complete WSJ article might indicate to a casual reader that the purchase of the tokens of appreciation, which cost \$10, was made with money from Congressman Wilson's per diem, but such certainly is not clearly stated in the article. Representative Wilson did not write the story and can bear no responsibility for any mistaken conclusion drawn from the article or its headline. For the OCE's report to continue to state that the WSJ article is a basis for claiming that Congressman Wilson "publicly acknowledges" this use of per diem money simply is wrong and grossly unfair to the Congressman.

One continuing source of confusion in this process, as is shown in the memorandum from the interview of Representative Wilson and the OCE interpretation of the WSJ story, is the meaning of "per diem funds." The specific foreign currency received by Representative Wilson as per diem, that is, the individual bills received, were used for items other than meals and incidental expenses. This does not mean, however, that Representative Wilson's per diem was improperly used because he had available other currency (his personal funds) and credit cards that he used to pay for items that were appropriate per diem expenses. Meals and incidental items purchased at U.S.-controlled facilities could be paid for with Representative Wilson's personal funds. Also, U.S. currency commonly is used for tips and other incidental expenses in many of the countries Representative Wilson visited. If an individual has \$200 in personal funds and receives \$200 in per diem money in the form of local country currency, and he chooses to use his personal U.S. currency to pay for per diem items and the local currency "per diem funds" to buy local souvenir items, such as goblets or flags, he has not improperly used the per diem funds. It simply is a matter of which currency is acceptable and more convenient for a particular purchase. The failure to make a clear distinction between per diem totals and the amount of actual local currency received as per diem funds is the root of confusion in both the WSJ story and the OCE report of the Representative Wilson interview.

This Committee cannot conclude that, in order to comply with House Rules, the specific local country currency (*i.e.*, the pieces of paper received as per diem) must be used for all per diem expenses. Rather, the issue should be the total amount of money – whether personal funds in U.S. dollars or per diem funds in country currency -- used for appropriate per diem expenses versus other personal expenses. In this case, Congressman Wilson's use of Afghan dinars (per diem) rather than U.S. dollars to purchase goblets at the Kabul airport does not mean he used per diem money improperly because he used his U.S. currency for appropriate per diem expenses. No one has disputed that Representative Wilson regularly traveled on CODELs with at least \$200 in personal funds for incidentals and returned with only \$20, or that, additionally, he used his personal credit cards for other expenses on CODELs. There is nothing in the OCE report to show that Congressman Wilson returned from any trip with items or local currency in excess of \$180 in value.

Moreover, the OCE report's conclusion that Representative Wilson retained excess per diem is based, erroneously, on an estimate of expenses under the Federal Travel Regulation allocation formula and the assumption of "facts" that are wrong, incomplete, unknown or now unknowable. For example, a significant part of the excess per diem calculation is based on the subtraction of all costs for "Hosted" meals. This speculative

calculation is deeply flawed because the OCE staff did not ask Representative Wilson how many of the scheduled "Hosted" meals he attended, so the OCE staff does not know how many separate meals Congressman Wilson purchased in lieu of "Hosted" meals. In addition, Congressman Wilson told investigators that at some U.S. facilities meals (presumably denoted "Hosted" on the report's three charts) the Members contributed to their costs and at some other "Hosted" events, the Members later were billed for their share of the cost. Inexplicably, the report fails to account for these facts in its calculation of excess per diem. These omitted facts establish that the OCE's estimate of Representative Wilson's meal expenses are lower than his actual expenses.

Each of the CODELs that are the subject of the report were in conjunction with the Armed Services Committee. OCE staff interviewed the professional staff member who handled all financial and human resource issues on foreign travel matters.⁵ According to the staff's interview memorandum, it was up to each individual Member to determine how per diem would be spent, but that incidental expenses include meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.⁶ None of these expenses is addressed in the OCE report.

The OCE's failure to recognize additional appropriate per diem expenses is another striking flaw in its speculative analysis. There are for example no questions as to whether the Congressman had laundry done, whether the Congressman tips porters one, two or three dollars per bag, or how many bags the Congressman had. Had such questions been asked, OCE staff would have learned that Congressman Wilson regularly leaves tips in hotel rooms for housekeeping personnel. Neither did OCE investigators ask whether Representative Wilson purchased other travel items (toothpaste, shampoo, etc) or whether he traveled separately from the delegation to different locations. As an example, the Congressman told OCE investigators that he believed he should visit the most important Turkish civic monument, the Ataturk's Tomb. The OCE's estimate of Representative Wilson's per diem expenses do not include the cost of his travel to this monument, or any other travel that he may have taken separately from the delegation at any location.

There is nothing presented to this Committee in the OCE report to dispute Representative Wilson's repeated statements that he routinely took \$200 dollars with him on each trip and that he routinely returned with only \$20 in US currency, insignificant foreign currency and some minor "trinkets." The Congressman also used his personal credit/debit cards for expenses on trips.⁷ The total purchase price of these trinkets on any trip was significantly less than \$180 dollars, and the foreign currency that he brought back effectively has no value in the US. Representative Wilson did not

⁵ OCE Report, Ex. 4.

⁶ OCE Report, Ex. 4, at 2, para. 22.

⁷ See attachment A, Rep. Wilson personal Bank of America ATM and debit card statement for the period 7-29-09 through 8-26-09, showing debits on the CODEL for items such as for the Ataturk statue now in the Congressman's Washington office, an item the OCE report assigns to per diem funds. OCE Report para.34.

return from any official travel with any purchased items that he did not have sufficient personal funds to purchase.

On CODEL Skelton, Congressman Wilson took \$600 dollars in cash rather than the usual \$200 for personal expenses because his wife also was on the trip. Again, the OCE report fails to state this important fact in its "findings." Rather, its Skelton findings" read as follows:

Representative Wilson stated he did not have any unused per diem on CODEL Skelton because his wife was on that trip. He explained that he had to reimburse others for money that his wife borrowed, implying that his per diem was used for at least some of her travel expenses.

Spouses of Representatives may travel on CODELs, but must travel at no expense to the government.

There is nothing in the record to show that per diem funds were used for Mrs. Wilson's expenses. Reimbursing others for money his wife borrowed does not imply any misuse of per diem, unless the per diem was the only money Representative Wilson had on the CODEL, which was not the case. In fact, the reimbursement of others after the trip reveals that per diem was not used inappropriately. The report's conclusion that this finding supports a determination that per diem funds were misused, again, is inexplicable.

With respect to CODEL Skelton, the report also states:

Following the CODEL, Representative Wilson owed the military escort \$144.31 for meals and other expenses that were incurred on behalf of Representative Wilson and his wife.⁸ An invoice was sent to Representative Wilson, dated February 24, 2009.⁹

Yet, the report fails to provide this Committee with the relevant fact that Representative Wilson paid the military escort, Major Toby Patterson, \$144.31 with a check dated 03/19/09 for meals and other expenses that were incurred on behalf of Representative Wilson and his wife.¹⁰ Representative Wilson also told the OCE investigators that he paid every bill he ever received for CODELs expenses. Inexplicably, these facts do not appear in the report's finding of facts.

From the interviews of the Office of Manager of the Commission on Security and Cooperation in Europe (CSCE) and the Travel Coordination For the Committee on Foreign Affairs, the OCE investigators know that enhanced per diem (as much as an additional \$50 per day) was provided to some Members and staff traveling on CODELs.

⁸ OCE Report, Ex. 6, Wilson MOI.

⁹ OCE Report, Ex. 10, Email from Maj. Toby Patterson to Bard Calligan, *et al.*, dated February 24, 2009.

¹⁰ OCE Report, at 12. See Attachment B

Congressman Wilson did not ever request or receive an additional "enhanced" per diem for any trip. In fact, he never had heard of enhanced per diem. Again, this fact does not appear in the OCE report's analysis.

The second numbered paragraph of the report's introduction states:

According to the officials, Members and staff routinely return excess per diem to these entities.¹¹

This statement is not true and its "supporting footnote" makes this clear. The footnote provides no reference to any interview or statement of any Member. The three staff interview OCE memoranda do not support the statement. In fact, quite to the contrary, the interview memoranda would support the following statement: According to the officials and staff, excess per diem is not routinely returned to these entities.

From the Armed Services staffer interview, it is not clear whether any per diem other than "enhanced per diem" ever was returned to her office. Her interview, as summarized by the OCE's own investigators, does not support a statement that per diem routinely was returned. There is no statement to the effect that per diem was returned by any Member or staff who traveled with Representative Wilson on any of the CODELs that were arranged by her committee, the sole subject on the referral to this Committee.

Similarly, in its "memorandum of interview," the Office Manager of the CSCE does not state that "per diem was routinely returned." He did state that on CODEL Cardin or Hastings, no House Member or staffer returned any unused per diem. No mention can be found in any of these memoranda of interview of the key question whether any Member or staff returned any per diem from CODELs Skelton, Tsongas or Murphy.

The Office Manager estimated that only 35% to 40% of House Members and staff returned unused per diem. Comparing this data to the OCE analysis estimate that excess per diem apparently was routinely received by Members, the only logical conclusion is that 60-65% of Members or staff on CODELs are violating House rules.

The statement that comes closest to "routinely" is the 50% estimate from the travel coordinator of the Foreign Affairs Committee.¹² Of course, given that the coordinator stated the Foreign Affairs Committee always requested enhanced per diem for Member travel, it is not clear what relevance that observation has to the travel of Representative Wilson, who never has asked for enhanced per diem and whose travel in question was with a different committee, the Armed Services Committee. In the interview with the Armed Services Committee staffer, the investigators apparently failed to ask the most relevant questions concerning what percentage, if any, of Members had returned "excess per diem."¹³ This information, in the form of canceled checks to the U.S.

¹¹ OCE report, para. 2, Footnote 3.

¹² OCE Report, Ex. 3.

¹³ OCE Report, Ex. 2.

Treasury and the dates of execution, are maintained by the Armed Services Committee and should be available if excess per diem was returned by anyone.

It is vital for this Committee to understand that the OCE analysis would logically lead to a determination that many, if not most, Members and staff who have been on CODELs have acted in violation of House Rules. The OCE's conclusion vis-à-vis Representative Wilson is based simply upon comparing per diem received and estimated meals and incidentals expenses, which comparison yields a purely speculative excess per diem. This analysis, when applied to the other Members and staff who went on CODELs Skelton, Tsongas and Murphy, leads to the conclusion that every Member and staff member who went on these CODELs violated House Rules. This is the only conclusion that can be drawn from the OCE's report because there is no record of returned per diem from these CODELs.

The OCE's report states that Representative Wilson told them that he has not retained complete records of expenses that he incurred on CODELs from March 2008 to May 2010. A report attempting to even-handedly frame the facts and circumstances of this matter for the Committee would, at that point in the report, state that there was no requirement that Representative Wilson maintain such records, that there was no recommendation that anyone maintain such records and that, at least based upon the materials contained in the report, there is no indication that any Member or staff on these CODELs retained such records.

The OCE report claims that the House Members could frustrate the enforcement of clause (a) of Rule 10 simply by not maintaining any records of their expenses, but there is no place in this report for such a statement when, clearly, there is neither a requirement to maintain nor any practice of maintaining such records. If the House determines that it needs such records in order to adequately enforce this Rule, then it could simply place an additional recordkeeping requirement upon Members and staff embarking on such travel. It is unfair to penalize Representative Wilson for not keeping records that apparently were not required, and that were not kept by anyone else.

Congressman Wilson does not dispute the interpretation of the House Rules that unused excess of diem should be returned. However, as the WSJ article points out, "there is no system for tracking these payments, nor are there any requirements that Members of Congress keep records for these de minimus payments." As this Committee is aware, at the beginning of the 111th Congress, Speaker Pelosi sent a letter to each House Committee Chairman setting forth guidelines for foreign travels by Members and staff of their committees.¹⁴ On May 13, 2010, the Speaker sent a second letter¹⁵ on the same subject to committee chairmen with an additional bullet point, including the new sentence: "Excess funds are to be returned to the Treasury." This was not in the original directive to committee chairmen. This action by the Speaker makes clear the lack of any system for repayment, as do statements of various other Members in the WSJ article that there was no House practice of per diem accounting or

¹⁴ February 2009 letter from the Speaker to Chairman Ike Skelton.

¹⁵ May 13, 2010, letter from the Speaker to Chairman Ike Skelton.

repayment. As such, even if Congressman Wilson had had left-over per diem, which he did not, there was no specific process in place for its return.

As he stated in his interview, other than small souvenir items and Mrs. Wilson's expenses, Congressman Wilson has no specific memory of incurring any personal expenses on any trip that would not be standard, and considered usual travel expenses appropriate under any analysis for per diem funds. In addition, in light of the fact that Congressman Wilson returned to the U.S. with approximately \$20 dollars, minor trinkets and a de minimus amount of Afghan currency (as souvenirs, but with no monetary value in the U.S.), he had no per diem funds to return.

The OCE report repeatedly ignores relevant facts such as these. It draws unwarranted speculative conclusions from incomplete facts or flawed estimations. It ignores Congressman Wilson's expressed denials of the misuse of per diem, yet accepts an ambiguous response to an unknown question in a newspaper story as proof that the Congressman violated House Rules. There is no effort to explain on what Representative Wilson misspent the per diem since he had more than sufficient personal funds for all items purchased on the trips and for his wife's expenses. In Paris or Tokyo, significant per diem funds might easily be spent on entertainment expenses not appropriate for use of governmental funds, but the notion of such spending for a wild evening of Kabul nightlife, is, of course, ridiculous in that all CODELs Members remain on the Embassy compound.

Because of the de minimus funds involved and the lack of any evidence of misused per diem, the continuation of this matter by the Committee on Standards of Official Conduct would be an imprudent use of time and resources. In light of the fact that OCE staff has improperly provided information about this matter to a South Carolina newspaper,¹⁶ as an issue of fundamental fairness, this matter should be immediately closed by this Committee.

Sincerely,



E. Mark Braden

cc: R. Blake Chisam, Chief Counsel and Staff Director
Kelle A. Strickland, Counsel to the Ranking Republican Member

103534171

¹⁶ Attachment C – McClatchy Newspapers, September 4, 2010. "Congressional staff members with detailed knowledge of the probe said ethics investigators are examining Wilson's ...".

AFFIDAVIT OF JOE WILSON

- 1) I, Joe Wilson, am the Congressional Representative of the Second District of South Carolina. I am a Member of the House Committees on Armed Services, Education and Labor, and Foreign Affairs.
- 2) I traveled on three CODELs organized by the House Armed Services Committee in 2009 -- CODELs Skelton, Tsongas and Murphy.
- 3) I received the standard per diem for each of the above-mentioned trips as determined by the Committee staff. I neither requested nor received any enhanced per diem.
- 4) It is my practice to take on these trips \$200 in currency and my personal credit cards. On CODELs Tsongas and Murphy, I took at least this amount with me. On CODEL Skelton, I took \$600 in currency because my wife was accompanying me on the trip.
- 5) It is my practice to return with only sufficient US Currency (\$20) to pay for a taxi trip to the Capitol.
- 6) To the best of my knowledge, I paid for all personal expenses of myself and my wife. I have paid all bills that I have received following all CODELs for events paid initially by military escorts.
- 7) I regularly paid for or contributed to the cost of meals taken at US facilities messes during these CODELs.
- 8) I do not believe that I have excess per diem to return to the Government from any of these CODELs.
- 9) I did buy inexpensive tokens of appreciation items for constituents who were Afghan veterans or their spouses (goblets) or decorative items for my office (flags and a small statue of the Founder of the modern Turkish State). The value of these items from any single CODEL is certainly significantly less than a hundred dollars. Although some of these items may have been purchased with currency received as per diem, regularly I use my personal US currency, credit cards, and personal funds exchange for additional local currency to pay for normal and usual per diem expenses. The net result is all personal expenses are paid by personal funds.
- 10) I was unaware of any system for or practice of Members or staff returning per diem to the House Armed Services Committee staff following CODELs.
- 11) I do not have detailed receipts or records of my expenditures for personal items, meals or incidental expenses from these CODELs. I am unaware of any requirement of House Rules that such records be maintained. I understood a principal reason to provide per diem funds rather than to reimburse for such expenses was to avoid the burden and cost of maintaining such records.

FW
P-1

I do solemnly declare and affirm under the penalties of perjury that the facts set forth herein are true and correct.

By: Joe Wilson
Joe Wilson

Date: 15 Sept 2010

SUBSCRIBED AND SWORN TO BEFORE ME
This 15 day of September, 2010

[Signature]
Notary Public

My Commission Expires: May 14, 2012

District of Columbia: SS
Subscribed and sworn to before me, in my presence,
this 15 day of September, 2010
[Signature]
Notary Public, D.C.
My commission expires May 14, 2012



ADDISON GRAVES WILSON

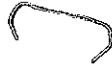
Attachment A

Page 3 of 9
Statement Period
07-29-09 through 08-26-09
B 17 0 1 P PI 17

Account Number: XXXXXXXXXX

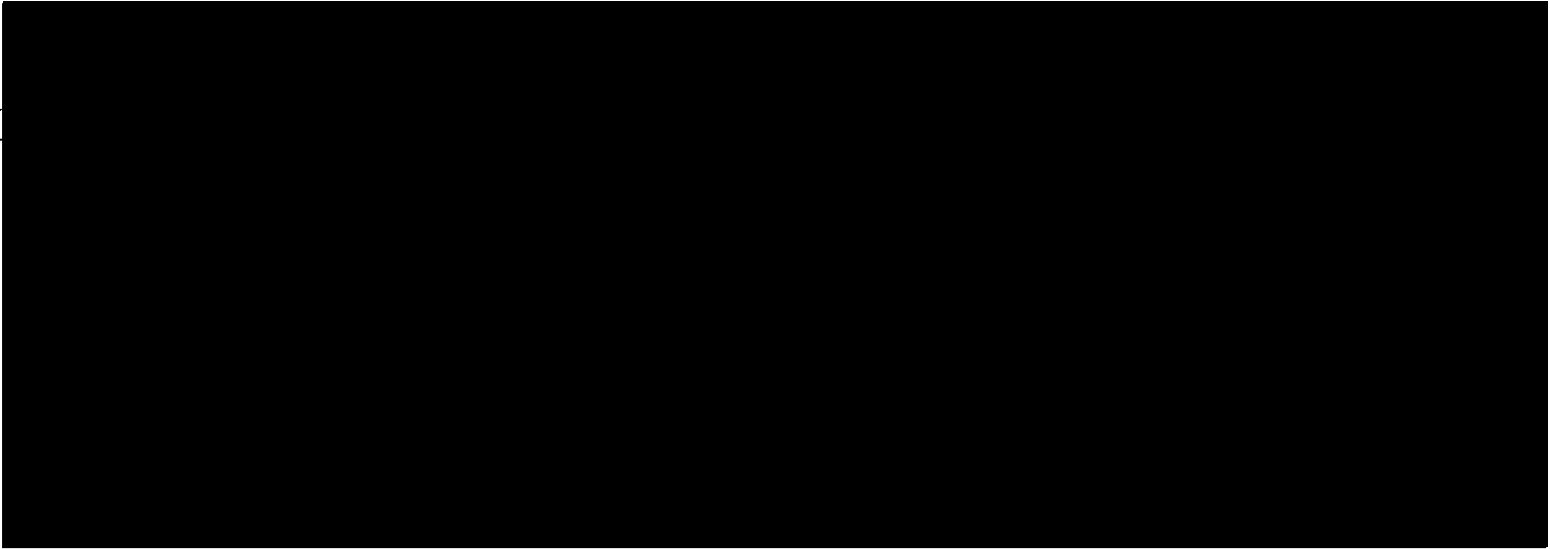
Interest Checking Additions

Deposits and Other Additions - Continued	Date Posted	Amount(\$)
--	-------------	------------



Interest Checking Subtractions

Check #	Posting Date	Amount(\$)	Check #	Posting Date	Amount(\$)	Check #	Posting Date	Amount(\$)
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Attachment B

Bank of America Advantage

ADDISON (JOE) GRAVES WILSON 04-76 1390
1700 SUNSET BLVD., SUITE ONE
WEST COLUMBIA, S.C. 29168

March 19, 2009 DATE

Pay to the order of John Patterson \$ 144.31
~~Bank of America forty four and 31/100~~ Dollars

Bank of America

Account Number 12345678901234567890
Routing Number 053000224

Signature: [Signature]
Name: Joe Graves Wilson

⑈0000024431⑈

Ref. No.: 813007392746962 Amount: 144.31

Attachment C

Posted on Saturday, September 4, 2010

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No lie: Ethics probe of Joe Wilson's travel wider than disclosed

Comments (89) | Recommend (25)
 By James Rosen | McClatchy Newspapers

WASHINGTON — The congressional ethics investigation of Rep. Joe Wilson, R-S.C., is broader than previously disclosed and goes well beyond his use of \$12 in per diem expense money to buy six decorative goblets in Afghanistan last year.

Congressional staff members with detailed knowledge of the probe said ethics investigators are examining Wilson's unusually high number of foreign trips — at least 30 in the past eight years — and his use of per diem expense money while traveling abroad.

Wilson, a relatively unknown lawmaker until he shouted "You lie!" as President Barack Obama addressed Congress last year, has a reputation among his peers as a frequent foreign traveler, these staff members said, speaking on condition of anonymity because they weren't authorized to speak publicly on the investigation.

Wilson confirmed earlier in the week that examiners with the Office of Congressional Ethics, an independent nonpartisan agency established in 2008 following a wave of lawmaker scandals, had recently interviewed him about his use of per diem expense money.

Wilson said then that their focus was on his use of \$12 to buy six small goblets in Afghanistan in August 2009.

However, Wilson acknowledged in an interview Thursday that the interrogation was more wide-ranging and covered other expenditures made on separate foreign trips, though he said he doesn't recall the details.

"I do not remember which trips they spoke about," Wilson told McClatchy. "I don't remember specifically."

Since he joined Congress after a December 2001 special election, Wilson's overseas travel has cost taxpayers about \$100,000 all told in itemized expenses, including roughly \$38,000 in per diem money intended to cover only meals and lodging.

That total puts Wilson at No. 29 among the 435 members of the House — and at No. 39 among 730 members who've served since 1994, according to data published in the Congressional Record, the official proceedings of the House and Senate and analyzed by Congressional Quarterly.

Because most of Wilson's trips have been to visit U.S. troops around the world, they've entailed significant additional costs beyond the \$100,000 — including large sums of non-itemized, taxpayer-covered funds to pay for U.S. Air Force planes used to transport him and other lawmakers.

Wilson strongly defended his trips abroad as forming an essential part of his duties as a member of the House Armed Services Committee and as the senior Republican on its military preparedness subcommittee.

"I stand by the (dollar) numbers," Wilson said. "I want to visit with the troops. That's a very important function of my job as a member of the military preparedness subcommittee. In my duties, I ought to know the individual concerns of troops and their families. That requires me to be with the troops on the ground."

Democrat Rob Miller, Wilson's general election opponent this year, is a former Marine Corps captain who served in Iraq. He ridiculed Wilson's participation in congressional tours of Afghanistan and Iraq.

"When I was in Iraq, I don't know how many times we had to take Marines and

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soldiers off missions so they could provide security for these political stunts," Miller told McClatchy. "That's simply unacceptable. These politicians need to get out of the way and let the military get the job done."

The Office of Congressional Ethics probe of Wilson's foreign travel expenses is examining four other lawmakers: Reps. Alcee Hastings of Florida, Solomon Ortiz of Texas and G.K. Butterfield of North Carolina, all Democrats; and Republican Rep. Robert Aderholt of Alabama.

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KhyberPass wrote on 09/07/2010 12:33:59 PM:

Oh, dear, Mr. Cheney had other things to do when his number came up. He was getting his wife pregnant again, I think I read.....honestly, did some guys get out of the draft because their wives were pregnant? If so, Cheney had a good time cheating our country out of his excellent services on the field of battle.

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dayfist66 wrote on 09/07/2010 11:43:18 AM:

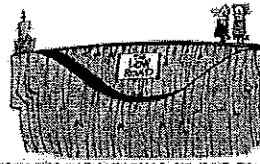
MS Madness,

You say, "If you took the time to notice, I back up my statements with facts and references"

What facts and references? I referenced FactCheck.org to show Nancy Pelosi was not in fact using a 757, but then you say she is, where is your link to a reputable source? Oh yea, there isn't one, because she never used a 757.

When I want to reply to something you said, I make sure you, and everyone else knows what I am talking about by quoting you. On the other hand when you lie about something you just make it up. Here is an example,

"I highlighted Democrats because you were highlighting Republicans."



"TRUTH ABOUT IT SEEMS TO BE THE BEST ROAD TO 'HONOR OFFICE'."

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