

EXHIBIT 1

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MAHALO!

My 'ohana and I are deeply honored and extremely humbled that the people of Hawai'i have elected me to represent our Second Congressional District in the United States House of Representatives. I look forward to bringing leadership with aloha to our nation's capital and cannot wait to hit the ground running. Because of your support, we were able to share our vision from Hilo to Hanalei, and we are ready for the work that lies ahead. Let's do this — together!

Kahele for Congress - Inspiration Intro





“If you never forget that *we are all in this together*, that we are always stronger together, and if we are united as one, there is no challenge we cannot meet, no obstacle we cannot overcome, no destiny we cannot fulfill and if you believe in that, I promise that we are going to build the Hawai’i that we have always talked about but have never been able to fully achieve and through the greatest gift Hawai’i has to offer, ALOHA, we are going to march this State and Country *forward to a better and a brighter day.*”

— Sen. Kai Kahele, Jan. 21, 2019

2022 HAWAII STATE PRIMARY ELECTION

August 13th 2022



Days	Hours	Minutes	Seconds
1 49	22 21	21 58	

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Paid for by Kahele for Congress

P.O. Box 4952, Hilo, Hawaii, 96720



EXHIBIT 2

CONFIDENTIAL

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

Transcript of Interview of Representative Kahele

Review No. 22-9485

August 10, 2022

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OFFICE OF CONGRESSIONAL ETHICS
OF THE U.S. HOUSE OF REPRESENTATIVES

Interview of KAIALI'I KAHELE
Conducted Virtually
Tuesday, August 9, 2022
2:53 p.m. EST

Job No.: 459335
Pages: 1 - 38
Reported by: Alexa Renfro

1 Deposition of KAIALI'I KAHELE, conducted
2 virtually.

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9 Pursuant to agreement, before Alexa Renfro, Notary
10 Public, in and for the State of California.

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A P P E A R A N C E S

INDHIRA BENITEZ, ESQUIRE
OMAR ASHMAWY, ESQUIRE
OFFICE OF CONGRESSIONAL ETHICS
OF THE U.S. HOUSE OF REPRESENTATIVES
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202.225.9739

Also Present:
Kent Trespalacios, Law Clerk to Investigative
Counsel
Joe Raimirez, PD Technician

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C O N T E N T S

EXAMINATION OF KAIALI'I KAHELE	Page
By Ms. Benitez	5, 17, 25, 36
By Mr. Ashmawy	15, 22
By Mr. Trespalacios	35

E X H I B I T S

(Attached to Transcript)

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1 P R O C E E D I N G S

2 MS. BENITEZ: For the record, the date is
3 August 10, 2022. We are conducting the remote
4 interview of Congressman Kaiali'i Kahele. I hope
5 I pronounced that correctly.

6 Speaking is Indhira Benitez, investigative
7 counsel at the Office of Congressional Ethics.
8 Joining me from my office today is Omar Ashmawy as
9 well as Kent Trespalacios.

10 The congressman has been giving a copy of
11 the False Statements Act and he has acknowledged
12 and signed.

13 BY MS. BENITEZ:

14 Q Again, Congressman, please feel free to
15 stop me if you need a break or if you have any
16 questions.

17 A Great.

18 Q So I'd like to start with some brief
19 background about yourself. How long have you been
20 a pilot?

21 A Since I was 18 years old.

22 Q Wow. How long have you been working at

1 Hawaiian Airlines?

2 A Since June 29, 2009.

3 Q How did you ultimately end up in politics?

4 A My dad died in office.

5 Q I'm sorry to hear that. What was your
6 first role in politics?

7 A Say that again.

8 Q What was your first role in politics?

9 A I was appointed to the Hawaii State Senate
10 in February of 2016 after the unexpected passing
11 of my father.

12 Q How was your transition into Congress?

13 A Can you restate that?

14 Q Sure. Describe your transition to
15 Congress from working at Hawaiian Airlines to then
16 becoming a member of Congress.

17 A It was fine.

18 Q How did you ultimately choose which
19 committees you are now a member of?

20 A How did I choose them? I didn't choose
21 them. I was assigned to them by the Speaker's
22 Office.

1 Q So now I'd like to get into more
2 substantively some of the social media concerns
3 that came up during our review. So when you were
4 sworn into Congress, did you go through any
5 training before being sworn in or after being
6 sworn in?

7 A Well, we do the new member orientation,
8 right. That is a week -- I think that is about a
9 week training. It happens a few weeks after you
10 are elected. That was about -- I think it was
11 about a week long. So yeah, new member
12 orientation.

13 Q What is your role in the press and
14 communications of your office?

15 A My role?

16 Q Yes.

17 A Well, I review everything that goes out
18 ahead of time.

19 Q Okay. So any time a press release is
20 released from your office, it needs to get final
21 approval through you?

22 A Yes.

1 Q Who is on your communications team? Who
2 is in charge of --

3 A Our office is organized. We have a
4 Washington, D.C., comms director and a Hawaii
5 comms director.

6 Q What official social media accounts does
7 your congressional office have?

8 A We have a Facebook account. We have an
9 Instagram account. We have a Twitter account. We
10 do have a Youtube account that also has our videos
11 on it. I think that is it. I don't think we have
12 anything else besides that. I could be wrong, but
13 I can check on our website.

14 Q Would you happen to know the handles to
15 those accounts?

16 A No. If I have to guess, I think it is
17 @repkahele.

18 Q Okay. What about on the campaign side?
19 What campaign social media accounts are there?

20 A None. I mean, there is a -- I believe
21 there is a Face -- are you talking about on the
22 congressional side? Which campaign are you

1 talking about?

2 Q Any campaign. Whether congressional or --
3 I know you are currently running for governor.
4 Any prior campaign --

5 A We have no social media accounts for
6 governor. Our congressional account, no Twitter.
7 I don't think we have an Instagram one. I know we
8 had a Facebook congressional campaign account, but
9 that is -- I don't think there was an Instagram
10 one. Facebook one for sure.

11 Q Do you have a personal -- any personal
12 social media accounts that are accessible to the
13 public?

14 A Yeah. Most of my communications is done
15 through a personal social media account. That one
16 is @kaikahele.

17 Q Who has access to the official accounts?

18 A The comms directors.

19 Q Who are the comms directors?

20 A Who are they?

21 Q Yes.

22 A Michael Ahn and Roz Makaula.

1 Q And who has access to the @kaikahele
2 Instagram or Facebook?

3 A No one.

4 Q Do you ever post on any of the accounts --
5 not including your personal obviously, but the
6 official accounts?

7 A I never ever touched the official
8 accounts.

9 Q Is it just Michael and the other
10 communications director that post on those?

11 A I think it is mostly Michael. If I had to
12 say, I think it is mostly Michael. I don't think
13 Roz posts.

14 Q Do they need to get approval from you to
15 post?

16 A No.

17 Q They post independently on those accounts?

18 A Yep.

19 Q Do any of the campaign staffers have
20 access to the official social media accounts?

21 A We don't have campaign staff. So the
22 answer would be no.

1 Q Who determines what gets posted on the
2 official social media accounts?

3 A The comms directors.

4 Q Do you have any input at all?

5 A None.

6 Q Would you happen to know what device they
7 used to post?

8 A No idea.

9 Q And you mentioned that your personal
10 account is the account with the handle @kaikahele?

11 A Yes.

12 Q Do you post campaign related posts or
13 videos on that account?

14 A Since the 7th of May, yes.

15 Q 7th of May --

16 A When I announced for governor, I announced
17 for governor on the 7th of May. Yes, I've been
18 posting on my personal accounts, both personal and
19 campaign-related material.

20 Q 7th of May -- I'm sorry. I know since you
21 have announced governor. I just want to be clear
22 for the record. 7th of May of 2022?

1 A '22.

2 Q So has there ever been any campaign --
3 have there ever been any campaign posts prior to
4 that date?

5 A I mean, we weren't running a campaign
6 prior to May 7th, so no.

7 Q I'm going to show you a document, and I'm
8 going to ask you a questions about it once it is
9 on the screen.

10 MS. BENITEZ: Joe, can you pull up Tab 1,
11 please? You can zoom in. Perfect. If you can
12 give me control of the screen, that would be
13 great.

14 (Whereupon, Exhibit 1 was marked for
15 identification.)

16 Q Okay. Congressman, here you mentioned
17 your @kaikahele account is a personal account.
18 I'm seeing -- this is a historic screenshot.

19 MS. BENITEZ: For the record, I'm showing
20 the congressman, this should be marked as
21 Exhibit 1. It is a historic screenshot capture
22 for Kahele for Congress from March 2022.

1 Q And the Instagram icon, if you look down
2 here, Congressman, there is some icons that link
3 to your social media pages. The Instagram one is
4 highlighted, and then down here on the left
5 corner, there is a link that takes us to your
6 Instagram account, @kaikahele, which you contend
7 is your personal account.

8 What is the reason for your personal
9 account being linked on your campaign's website?

10 A So this is when I was running for
11 Congress. This has nothing to do with what I'm
12 doing running for governor.

13 Q Yes. My question was for any campaign,
14 whether gubernatorial or congressional?

15 A No. I mean, I guess you can go back to
16 your question. I haven't posted for anything
17 since the 7th of May for my gubernatorial
18 campaign. But prior to that, I did multiple
19 things on when I was running for Congress. This
20 would be reflected for when I was running for
21 Congress. This page no longer exists now. This
22 page has been up since I was elected into Congress

1 for the 2022 election.

2 Q Which page doesn't exist? The @kaikahele
3 Instagram or the congressional -- the screenshot
4 that we are looking at?

5 A Yeah. This screenshot doesn't exist.

6 Q But the Instagram does?

7 A Yeah. The Instagram does.

8 Q And that Instagram you stated was your
9 personal Instagram?

10 A Yep.

11 Q But it is linked here on your campaign
12 website?

13 A Right. This was for the congressional
14 campaign.

15 Q Right. It is linked here for the
16 congressional campaign website. So you were
17 linking to your -- why would you link to your
18 personal Instagram on your campaign website?

19 A Why wouldn't I?

20 Q When you went through new member
21 orientation, did you go through any training about
22 the misuse of official resources, to your

1 recollection?

2 A Official resources? Like congressional
3 resources?

4 Q Yes.

5 A I mean, I guess, yes. Probably. But this
6 is not an official resource.

7 Q Well, there are rules that limit using and
8 posting campaign related matters on your official
9 page. Did you --

10 A But I never did it on an official page.
11 This is a personal Instagram account that I have.
12 This is not anything official.

13 Q This personal Instagram account has
14 campaign material on it; correct?

15 A From my congressional campaign.

16 Q Yes. From your congressional campaign.

17 So now I'd like to just go through --

18 MS. BENITEZ: Actually, Joe, you can give
19 the congressman control of the screen so he can
20 scroll down. I think Omar has a question.

21 BY MR. ASHMAWY:

22 Q Hi, Congressman. I am Omar Ashmawy. I

1 just wanted to ask a follow up on this topic.

2 You say that you did not have a campaign
3 Instagram account; correct?

4 A I don't think so. I manage my personal
5 Instagram account. I know I don't have a -- yeah,
6 I don't think I do. You can go ahead and click on
7 the link and let me know if I do or not.

8 Q Sure. This campaign material appeared on
9 this Instagram account; correct?

10 A On my personal Instagram.

11 Q Okay. Do you have a congressional
12 campaign Instagram account?

13 A I don't think I do. I know I have a
14 Facebook congressional campaign account. But I
15 don't think I have an Instagram congressional
16 campaign account.

17 Q So any campaign material that appeared on
18 your Instagram account would be on this account we
19 are discussing?

20 A Yes. @kaikahele.

21 Q Okay. That is the only questions I have.
22 I just wanted to clarify.

1 THE TECHNICIAN: Congressman, you now have
2 remote control.

3 THE WITNESS: Great. Thank you.

4 BY MS. BENITEZ:

5 Q I'll just let you quickly scroll. There
6 is about ten screenshots here. I will let you
7 quickly scroll through, and I'd like to ask you
8 some questions.

9 A Okay.

10 Q Okay. So while you are scrolling through
11 that. I know you said you received some training
12 on these official resources.

13 Can you describe your level of awareness
14 or if you received any training about the rules
15 that governs the use of official resources for
16 campaign purposes?

17 A I'm sure I got extensive training on it
18 during orientation.

19 Q What about your level of awareness about
20 the rules that govern the use of images on
21 congressional property?

22 A The use of images on congressional

1 property, I'm sure I got training on that as well.

2 Q What about the rules that govern the use
3 of the official House Seal?

4 A I'm sure the same thing.

5 Q And a couple more of these questions.
6 What about your level of understanding of the
7 rules that govern the use of footage on the House
8 floor?

9 A Same.

10 Q And footage from committee hearings?

11 A Yep. All at same.

12 Q What is your level of awareness of rules
13 that govern the use of hyperlinks on unofficial
14 platforms?

15 A Hyperlinks on unofficial platforms, same.

16 Q So if you have taken a look at these
17 exhibits here, Congressman, have you had an
18 opportunity to look at all of them?

19 A I'm looking at them now. I'm on
20 Exhibit 2. Do you want me to scroll through them
21 all?

22 Q Yes, please.

1 A Okay. Sorry. This is all my personal
2 account. Yep. Okay.

3 MS. BENITEZ: Joe, can you give me control
4 of the screen again?

5 THE TECHNICIAN: One moment, Counsel.

6 MS. BENITEZ: Thank you.

7 THE TECHNICIAN: You now have control.

8 MS. BENITEZ: Thank you.

9 Q So I'm just going to scroll back up here
10 and go down to the second picture here. When this
11 picture was posted, were there any concerns that
12 this picture could potentially violate House
13 rules?

14 A No.

15 Q Were there any concerns when this image
16 was posted that it could violate House rules?

17 A No.

18 Q Were there any concerns for this image
19 that it could violate House rules?

20 A No.

21 Q And the fifth image here, were there any
22 concerns that it could violate House rules?

1 A Nope.

2 Q And this image, Congressman, were there
3 any concerns that this could violate House rules?

4 A No.

5 Q And this image, any concerns here that
6 this could violate House rules?

7 A Can you go back to this one? This one is
8 a retweet of our official page.

9 Q Yes. Are you aware of the rules that
10 govern retweeting campaign content on your
11 official page?

12 A This is not campaign content.

13 Q I'm going to scroll to the next image
14 here. Is this from --

15 A You said Exhibit 7 was campaign content.

16 Q I'm sorry. Not campaign content. Is this
17 the @kaikahele, this is your personal Twitter
18 account?

19 A This is my personal account. I'm
20 retweeting on my personal Twitter account what was
21 posted on my official congressional Twitter page.

22 Q And are you aware of the rules that govern

1 the types of things you can retweet from your
2 official page?

3 A Yes.

4 Q Okay. So for the next image, my question
5 is: Did you ever have any concerns here that this
6 would violate House rules?

7 A On my personal Twitter page?

8 Q Yes.

9 A No. I mean, I don't know why that would
10 violate House rules.

11 Q I think we only have two more images here.
12 This image here, any concerns that this would
13 violate House rules?

14 A Nope.

15 Q Any concerns of this final image that it
16 would violate House rules?

17 A Nope.

18 MS. BENITEZ: Joe, you can go ahead and
19 take that off the screen.

20 Q Congressman, were there any policies or
21 procedures out in place with your communications
22 team to ensure that there was appropriate posting

1 of images and videos on social media platforms?

2 A Yes.

3 Q What kinds of procedure or policies?

4 A I mean, we have a policy handbook that my
5 my Chief of Staff has that discusses social media
6 and communications in accordance with the House
7 rules.

8 Q I'd like to shift gears and talk about the
9 conflict of interest with your employment with
10 Hawaiian Airlines and your role as a member of
11 Congress.

12 MS. BENITEZ: Omar?

13 BY MR. ASHMAWY:

14 Q Just a couple of follow-up questions,
15 Congressman. So you did not have a congressional
16 campaign Twitter account?

17 A Congressional campaign Twitter account for
18 running for Congress, no.

19 Q Did you have a congressional campaign
20 Instagram account?

21 A I don't think so. I'm pretty sure the
22 answer is no.

1 Q Did you have a congressional campaign
2 Facebook account?

3 A Yes. For sure. It is still on there,
4 that I am sure.

5 Q So the extent that campaign material was
6 posted to Facebook, to which account was it
7 posted?

8 A Which campaign?

9 Q Congressional campaign. I'm only asking
10 about the congressional campaign.

11 A I mean, I would -- if I am going back to
12 guess, I would say it would be on both. Both the
13 official congressional campaign account and my
14 personal campaign Facebook account.

15 Q What about your congressional campaign
16 Facebook account? How was that used?

17 A For campaign purposes.

18 Q And how was your personal account used?

19 A For personal and campaign purposes.

20 Q Okay.

21 A For Congress.

22 Q I understand. That is all I'm asking

1 about is Congress. Same question about Twitter.

2 To the extent that any campaign material
3 appeared on your Twitter account, which Twitter
4 account did it appear on?

5 A I've only ever had one, @kaikahele.

6 Q Okay. Same question about the Instagram
7 account. To extent that congressional campaign
8 material appeared on Instagram, to what account
9 was it posted?

10 A I'm pretty positive I only have to two.
11 @repkahele, offical, and @kaikahele, personal.

12 Q How would you characterize the use of your
13 personal social media accounts while running for
14 the House of Representatives and while you were in
15 the House of Representatives?

16 A Robust.

17 Q I more specifically mean, it seems like
18 you used the accounts you described as personal
19 for both personal and campaign purposes.

20 A Yes.

21 Q Okay. That was all the follow up I had.
22 I think we can move on to conflict of interest.

1 Just case it wasn't said it before, Congressman, I
2 certainly do appreciate your time and corporation.

3 A Absolutely.

4 BY MS. BENITEZ:

5 Q So I'll jump right in, Congressman. You
6 mentioned that you have been working for Hawaiian
7 Airlines since 2009. What was the general
8 reaction at Hawaiian when were you elected to
9 Congress?

10 A No reaction.

11 Q No reaction from any of the employees?

12 A No.

13 Q No one reached out to congratulate you?
14 No one was aware that you were running?

15 A I mean, Hawaii is a small state. I'm sure
16 they knew I was running, but no one called to
17 reach out and to congratulate me.

18 Q What was their role in your campaign?

19 A For Congress?

20 Q Yes.

21 A I think Hawaiian Airlines, if I'm not
22 mistaken, in its corporate capacity, made a

1 political contribution to my campaign.

2 Q So they were supportive of you running as
3 a congressional candidate?

4 A If support is defined by their political
5 contribution, then yes.

6 Q Are you the first employee at Hawaiian
7 Airlines to ever run for Congress?

8 A No.

9 Q Has there been many? How many have there
10 been?

11 A I don't know. I know former Hawaiian
12 pilot, his name was John Carroll. He served in
13 the legislature. He has ran for Congress,
14 governor, and every race you can imagine for his
15 entire life. He died last year. I'm pretty
16 positive he ran for Congress, U.S. Senate, U.S.
17 House, John Carroll.

18 Q When you were elected to Congress, you
19 weren't a full-time employee at Hawaiian; correct?

20 A I was a full-time employee.

21 Q You were a full-time employee. Were you
22 on any special leave at that time?

1 A No.

2 Q Okay. And while you were running, did you
3 plan to -- if you were elected and before were you
4 elected, did you plan on remaining an employee of
5 Hawaiian Airlines?

6 A Yes.

7 Q Did you consider the potential for a
8 conflict of interest?

9 A No.

10 Q You didn't consider the potential for a
11 conflict of interest while running for Congress?

12 A No.

13 Q But you did want to remain employed by
14 Hawaiian Airlines if you were elected?

15 A Yes.

16 Q Did the potential for a conflict of
17 interest ever come up? Did you ever consider that
18 being an issue?

19 A No.

20 Q Did you have ever have any conversations
21 about a potential conflict of interest?

22 A No.

1 Q There were never any conversations with
2 any employees at Hawaiian Airlines or staff or
3 anyone at the U.S. House of Representatives
4 regarding a potential for a conflict of interest
5 due to your employment with Hawaiian Airlines and
6 your status as an elected member of Congress?

7 A I think at new member orientation they
8 talk about outside employment. And I'm sure they
9 briefed us on conflict of interest.

10 Q And after you were briefed on the conflict
11 of interest, you didn't have any further
12 discussions or thoughts about following up on
13 that?

14 A Well, we worked with the House's legal
15 counsel team as we navigated how to ensure that I
16 could remain an employee of Hawaiian Airlines
17 while also serving as a member of Congress.

18 Q So there were conversations --

19 A Yeah, with the House --

20 Q -- about the potential for a conflict of
21 interest?

22 A With House attorneys.

1 Q With House attorneys. Okay. Who else was
2 involved in those conversations?

3 A I would imagine Hawaiian Airlines and the
4 Air Lines Pilots Association, the union that
5 represents Hawaiian pilots, and the House
6 attorneys.

7 Q Do you remember who initiated those
8 conversations? Did you initiate those
9 conversations with House Ethics?

10 A Yes.

11 Q Do you remember the substance of those
12 conversations or the guidance that you received?

13 A No. I mean, I talked to them on the first
14 day of new member orientation.

15 Q And what were your concerns in speaking of
16 the House Ethics Committee?

17 A Well, the concerns were if I could remain
18 an employee of -- could I have the outside
19 employment? It wasn't even unique to Hawaiian
20 Airlines. Could a member of Congress have outside
21 employment?

22 Q Was there any other guidance you received

1 about your outside employment with Hawaiian
2 Airlines?

3 A Not with Hawaiian Airlines. It was, can a
4 member of Congress have outside employment? The
5 answer is yes, as long as you stay under the House
6 spending or annual earnings specified by the
7 House, which at that time was somewhere around
8 \$29,000. It didn't matter who your employer was.
9 The question was, could you have an outside job as
10 a member of Congress? The answer was yes.

11 Q And after you received this guidance, and
12 were sworn in and were officially a member of
13 Congress, did the potential for a conflict of
14 interest ever come up again, or did you ever have
15 any discussions or follow up with any House Ethics
16 attorneys?

17 A Nope.

18 Q Did you find that there could have been a
19 potential conflict of interest with your
20 employment with Hawaiian Airlines and your --

21 A No.

22 Q -- position as a member of congress?

1 After you were sworn in, did you have any
2 conversations with any -- let me back track.

3 How long have you been a member of the
4 Air Line Pilots Association?

5 A Since June 29, 2009.

6 Q And did you have any conversations after
7 you were sworn in with any officials from the
8 Air Line Pilots Association to discuss their
9 legislative priorities?

10 A With ALPA?

11 Q Yes.

12 A Yes.

13 Q And what was the substance of those
14 conversations?

15 A There are legislative priorities for the
16 117th Congress.

17 Q Did you have any similar conversations
18 with Hawaiian Airlines?

19 A With Hawaiian Airlines? Maybe not
20 Hawaiian Airlines individually. But Hawaiian
21 Airlines is part of a larger, I guess,
22 organization called Airlines for America that

1 represents all domestic airlines. And so I had
2 conversations with them on domestic airline
3 policy, but not specific with Hawaiian Airlines.

4 Q Were there any expectations of you after
5 you became an elected member of Congress from
6 Hawaiian Airlines?

7 A No.

8 Q Did you have conversations about
9 legislative priorities with other stakeholders or
10 airlines that weren't ALPA or Hawaiian?

11 A I mean, I guess it depends what you mean
12 by that. I mean, the ALPA does their Capitol Hill
13 week. I mean, thousands of pilots descend on
14 Capitol Hill and visit members of Congress
15 office's to talk about there legislative
16 priorities. Sure. I mean, United, Southwest,
17 Airlines for America, ALPA.

18 Q You had discussions with other
19 stakeholders to discuss their priorities as well?

20 A Yeah.

21 Q How frequently would you say that you
22 communicate with Hawaiian Airlines regarding your

1 legislative priorities or legislative requests?

2 A I mean, how do you want me to quantify
3 that? Once a year.

4 Q You don't need to give me an exact number,
5 if you just have an estimate.

6 A Very, very infrequently. I don't believe
7 at all.

8 Q What about with ALPA?

9 A Same.

10 Q Did you ever have any instructions or
11 policies put in place where higher staff would
12 communicate with ALPA or Hawaiian Airlines?

13 A We would treat everybody the same.

14 Q Any policies or procedures put in place
15 for how they would deal with any legislative
16 requests from ALPA or Hawaiian Airlines?

17 A No. Our policy is to treat everyone the
18 same.

19 Q And I'm sure you seen the public
20 reporting. There were six bills that were
21 highlighted in some of the public reporting. I
22 won't go through all of them individually. I can

1 name them, if you need me to.

2 Generally, what influenced your decision
3 to cosponsor those bills?

4 A None.

5 Q Nothing influenced your decision to
6 cosponsor any of the six bills?

7 A My experience as a pilot and meaningful
8 legislation that would support the U.S. Domestic
9 Airline industry and strengthen our U.S. National
10 Airspace System.

11 Q Do you remember what Hawaiian Airlines's
12 position was on those six bills? Better yet, was
13 there any piece of legislation where your position
14 in Hawaiian Airlines's position didn't align?

15 A I have no idea. It didn't matter to me.

16 Q What was your general understanding of
17 your responsibilities as a member of Congress to
18 avoid or identify a conflict of interest?

19 A Can you restate that?

20 Q Sure. What do you believe your
21 responsibilities were to identify a potential
22 conflict of interest, as it related to you as a

1 member of Congress and your employment with
2 Hawaiian Airlines?

3 A I'm not sure. I don't know exactly what
4 the policy would be for a conflict of interest
5 because I never perceived that there was a
6 conflict of interest, so I don't know. I mean, I
7 sit a House Armed Services Committee. I am member
8 of the Hawaiian National Guard. I vote on things
9 concerning our United States military. There is
10 no conflict of interest there. So I don't
11 understand the question.

12 Q Okay. I don't have any further questions.
13 But I'll open the floor up to my colleagues if
14 they have any additional questions for you.

15 MS. BENITEZ: Kent?

16 BY MR. TRESPALACIOS:

17 Q Good morning, Congressman. How are you?

18 A Morning.

19 Q I just have a quick question. Do you have
20 a campaign cell phone?

21 A No.

22 Q So all of your postings from the personal

1 Instagram and Twitter account are from your
2 personal cell phone?

3 A You are referring to congressional
4 campaign?

5 Q Correct.

6 A Yep.

7 Q Thank you.

8 A You're welcome.

9 BY MS. BENITEZ:

10 Q I think I might have asked this already,
11 Congressman, so forgive me. But one last question
12 regarding policies and procedure in your
13 congressional office.

14 Any policies and procedures for your staff
15 to identify potential conflicts of interest?

16 A You know, I have to look at our staff
17 handbook. Have they sent it over? You are
18 welcome to look at it.

19 Q I do not have a copy of your staff
20 handbook.

21 A Yeah. I think it mimics what other staff
22 handbooks have in other offices. But I can ask if

1 there is a specific section on conflicts of
2 interest, if that can be helpful for you. I am
3 sorry, but I don't know exactly what it says and
4 if it is in that.

5 Q All right. I don't have any more
6 questions for you, Congressman. Thank you again
7 for taking time out of your morning to speak with
8 us. We can go ahead and get off the record.

9 (Off the record at 3:44 p.m. EST.)

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EXHIBIT 3

Letter of Agreement
between
HAWAIIAN AIRLINES, INC.
and
THE AIRLINE PILOTS
in the service of
HAWAIIAN AIRLINES, INC.
as represented by
THE AIRLINE PILOTS ASSOCIATION

**20-08 Permanent Enhanced Surfer Leave (PESL) &
Extended Enhanced Surfer Leave (EESL)**

THIS LETTER OF AGREEMENT (“LOA”) is made and entered into in accordance with the provisions of the Railway Labor Act, as amended, by and between HAWAIIAN AIRLINES, INC (hereinafter referred to as the “Company”) and the air line pilots in the service of the Company, as represented by the AIR LINE PILOTS ASSOCIATION (hereinafter referred to as the “Association”).

WHEREAS, the Company and the Association are parties to a collective bargaining agreement setting forth the rates of pay, rules, and working conditions for the Company’s pilots (“Pilot Working Agreement” or “PWA”), effective April 1, 2017, and

WHEREAS, the parties agree that the downturn in global air travel caused by the COVID-19 pandemic has led to a reduction in block hours flown and resulted in a need for fewer pilots in the short term, and

WHEREAS, given the uncertainty caused by the pandemic, multiple pilots over the age of sixty (60) would benefit from maintaining a certain level of compensation and benefits while transitioning to a retired status, and

WHEREAS, such pilots that might retire early are generally near the top of the Category they hold, and in the event of a reduction in Category size, their leaving would minimize the number of overall training events caused by such a reduction, and

WHEREAS, the Company needs the flexibility to offer extended leaves of different lengths for individual Categories where overstaffing will occur, and

WHEREAS, both parties have a mutual interest in voluntarily reducing staffing levels to the greatest extent in order to mitigate any involuntary furloughs.

NOW, THEREFORE, the Company and Association agree as follows:

A. Permanent Enhanced Surfer Leave (PESL)

1. Eligibility

- a. Pilots over sixty (60) years of age as of December 31, 2020
- b. Active pilots on the HAL Seniority List (including those on Enhanced Surfer Leaves)
- c. An eligible Pilot shall not be denied a PESL

2. Awarding

- a. Under the terms of the Age Discrimination in Employment Act (ADEA) and Older Workers Benefit Protection Act (OWBPA), a pilot has a forty-five (45) day election period, starting on the date the Company formally offers the PESL option to the pilots
- b. A pilot also has a seven (7) day period to rescind their election of a PESL once submitted
- c. The PESL shall start on the first day of the monthly run following the completion of the seven (7) day period for each pilot.

3. Duration

- a. For a pilot over the age of sixty-two (62) on December 31, 2020, until the pilot has reached age sixty-five (65)
- b. For a pilot who, on December 31, 2020 will be over the age of sixty (60) but under the age of sixty-two (62), for a period of twenty-four (24) months commencing on the start date of the PESL.

1) Example:

- a) Pilot commences PESL on August 1, 2020; the PESL ceases on July 31, 2022
- b) Pilot commences PESL on August 31, 2020; the PESL ceases on August 30, 2022

4. Pay

- a. Fifty-eight (58) hours of pay per month
- b. The hourly pay rate for the entire PESL is the pay rate, per Section 3.C of the PWA, the pilot was receiving on July 1, 2020, and shall not change for the duration of the PESL
- c. No proration of PESL monthly pay
 - 1) Example: If a pilot reaches the age of 65 on June 10, 2021, the pilot receives 58 hours for the month of June 2021.
- d. A pilot shall be eligible to make Salary Deferral contributions, Designated Roth contributions, Voluntary after-tax contributions, Rollover contributions, and Designated Roth rollover contributions.
- e. Pay, including unused vacation pay out and Pilot Bank, shall be considered eligible compensation for all purposes under the PWA (including profit sharing), but not for 401(k) Company contribution per Section 25.B of the PWA.

5. Pilot Bank

- a. A pilot shall not be permitted to debit hours from their Pilot Flight Bank during the PESL as provided by Section 4.F.2.b of the PWA
- b. A pilot who reaches the age of sixty-five (65) prior to August 31, 2021, shall receive the balance of the Pilot Bank at the time of separation, per Section 4.F.3 of the PWA
- c. A pilot who reaches the age of sixty-five (65) on or after August 31, 2021, shall receive the balance of the Pilot Bank at his or her PESL hourly rate in the September 7, 2021 paycheck

6. Sick Leave

- a. Pilots on a PESL do not accrue sick leave
- b. Eligible pilots may utilize their sick leave bank for the purposes of increasing Retirement Plan Credit, per Section 25.C.6 of the PWA, at the time of their retirement.

7. Vacation

- a. Pilots on a PESL do not accrue vacation
- b. A pilot who is awarded a PESL and has scheduled vacation after August 1, 2020, shall have their vacation canceled and credited back to their bank.
 - 1) Such vacated vacation slots that exist between July 1 and September 15, 2020, and December 20, 2020 thru January 3, 2021, shall be offered per Section 6.K.9 of the PWA.
- c. The minimum vacation to be used, per Section 6.D.1 of the PWA, does not apply for 2020 for pilots who have accepted a PESL
- d. A pilot who reaches the age of sixty-five (65) prior to August 31, 2021, shall receive the balance of the Vacation Bank at the time of retirement per Section 6.N.1 of the PWA
 - 1) Pay rate utilized for the Unused Vacation Payout shall be the PESL payrate for the individual pilot
 - 2) Unused Vacation Payout is not subject to 401(k) Company contribution
- e. A pilot who reaches the age of sixty-five (65) on or after August 31, 2021 shall receive the balance of the Vacation Bank at his or her PESL hourly rate in their September 7, 2021 paycheck
 - 1) Unused Vacation Payout is not subject to a 401(k) Company contribution

8. Scheduling, Vacancies, Training

- a. A pilot who has a published Flight Grouping that carries into his or her PESL shall be removed from the Flight Grouping and be pay protected for the portion of the grouping that operates prior to the commencement of the PESL

- b. A pilot cannot be recalled to active service, either involuntarily or voluntarily
 - c. Pilots do not participate in the Category Vacancy Bidding and Awarding process
 - 1) A pilot who has accepted a PESL shall be removed from the Category that they hold and be listed on the first page of the Vacancy Award as a pilot who has selected a PESL
 - d. Pilots are not required to maintain currency
 - e. Pilots shall not participate in any training under the HAL TPM
 - f. Pilots are not required to maintain a valid FAA Medical Certificate
9. Benefits
- a. A Pilot, while on a PESL, is considered an active employee until the time that the PESL ends for such pilot, at which time the pilot shall retire
 - b. A Pilot, while on a PESL shall not receive pension payments from the Retirement Plan for Pilots of Hawaiian Airlines
 - c. Maintains current active employee Health Insurance, Life Insurance, and Dental Insurance (including elective insurances) and the employee pays the employee's share of the premiums per Section 24 of the PWA and plan documents
 - d. A Pilot on a PESL is ineligible for the Hawaiian Airlines, Inc. Pilot's Voluntary Employee Beneficiary Association Disability and Survivor's Benefit's Plan (LTD VEBA)
 - e. Maintains active employee non-rev travel benefits on Hawaiian Air and, to the extent allowed under our interline agreement, other airlines
 - f. Shall be afforded any "enhanced" travel benefits offered to any other HA employee contract labor group (e.g., AFA, IAM)
 - g. A Pilot on a PESL shall turn in their SIDA Badge and their HA CREW badge and shall be provided an HA Employee badge
 - h. A Pilot on a PESL shall turn in any issued equipment (e.g., PID)
 - i. A Pilot on a PESL shall be provided a parking pass, and shall be eligible for parking allowance/reimbursement
 - 1) The parking lot available to the Pilot on a PESL shall be at the discretion of the Company
 - j. A Pilot on a PESL shall not maintain Jumpseat privileges and shall be removed from CASS and KCM
 - k. A Pilot on a PESL shall not participate in the Federal Flight Deck Officer Program
 - l. Each pilot awarded a PESL shall be afforded a "Retirement Flight" prior to commencing the PESL, provided the pilot is currently qualified.
 - 1) The pilot shall make the request through the Chief Pilot's Office

10. Other Employment

- a. A pilot may engage in other employment, except that the pilot shall not engage in any form of employment with the Company (active employee, outside contractor, consultant, etc.)
- b. A pilot may not, without the Company's advanced written consent, engage in any other aviation-related employment with a 14 C.F.R. Part 121 Air Carrier that operates within the HAL route structure that has aircraft with a seating capacity over ninety (90) seats or performs any cargo flying.

11. Administration of PESL Offer

- a. The Company shall comply with all PWA provisions and State and Federal laws relating to the implementation of the PESL retirement incentive offer, including providing the eligible pilots with all information and documents required under the ADEA and OWBPA on the date the Company formally offers the PESL (the formal offer shall be sent to the eligible Pilot's Company email and considered received on that date with notice of email availability on the Company Flight Division Website on the same date).
 - 1) For example, the Company shall create an ADEA-compliant waiver agreement to accompany the PESL retirement incentive offer.
 - 2) The Company will allow the Association to review and comment on the Company's waiver agreement before the Company presents it to eligible pilots.

B. Extended Enhanced Surfer Leave (EESL)

1. Eligibility

- a. An active pilot on the HAL Seniority List (including those on Enhanced Surfer Leaves)
- b. Greater than two (2) years of longevity on December 31, 2020 or lower, at the Company's discretion
- c. A pilot who, at the time of the EESL offering, has been on a Leave of Absence, Military Leave, or sick leave for the full duration of the previous bid month, will not be eligible for an EESL

2. Awarding

- a. EESLs will be offered for lengths of six (6) months, twelve (12) months, eighteen (18) months, and twenty-four (24) months
- b. There will be a fourteen (14) day bid period beginning no later than forty-five (45) days after the commencement of the PESL election period. The Company shall publish the amount of EESLs that can be bid upon for each Category, and the method by which a pilot is to submit a request for an EESL, when the EESL bid period begins

- c. The EESLs that the Company awards shall be published within two (2) calendar days of the closing of the EESL bid period
 - d. Pilots in transition or upgrade training during the EESL bid period, may be awarded an EESL. With mutual consent, their EESL may be delayed and shall start on the first day of the monthly run following completion of consolidation of skills. Absent mutual consent, their EESL shall start on the first day of the monthly run following completion of IOE.
 - e. The number and duration of EESLs in each Category will be determined by the Company
 - f. EESLs will be awarded by seniority in each Category in which they are offered
3. Pay
- a. Pilots on an EESL shall be paid and credited fifty (50) hours per month
 - b. Pay is based upon the Category in which the pilot is activated at the time of the EESL offering
 - 1) Contractual and longevity pay increases apply to a pilot on an EESL
 - a) A pilot awarded a higher or lower paying Category Vacancy through a Vacancy Award/Displacement while on an EESL, shall not receive the higher or lower pay rate until such time that the pilot's Activation in the new Category has occurred
 - (1) A pilot is not eligible for bypass pay or effective date pay while on an EESL, and shall receive the higher or lower pay rate when the pilot's Activation in the new Category has occurred after returning from an EESL
 - c. Pay, including vacation payout (per B.5.b of this LOA), shall be considered the extent of the Pilot's eligible compensation for all purposes under the PWA, including 401(k) contribution and profit sharing
4. Pilot Bank
- a. A pilot shall not be permitted to debit hours from their Pilot Flight Bank during the EESL as provided by Section 4.F.2.b of the PWA.
5. Vacation
- a. Normal Accrual
 - b. Any vacation bank amount in excess of Section 6.D.1 of the PWA shall be paid in the January 7th paycheck of the following year per the methodology in Section 6.N of the PWA, utilizing the Pilot's pay rate as of that date
 - c. A pilot who has scheduled vacation during the EESL time period, shall have the vacation cancelled and re-deposited to their vacation bank.
 - 1) Such vacated vacation slots will not be re-awarded

- d. Pilots on an EESL shall not participate in the Bidding and Awarding of Vacation Periods (Section 6.F of the PWA).
 - 1) Pilots scheduled to be on an EESL for the entire calendar year shall not be included in the calculation for determining the number of vacation slots for that calendar year
6. Scheduling, Vacancies, Training
- a. A pilot who has a published Flight Grouping that carries into his or her EESL shall be removed from the Flight Grouping and be pay protected for the portion of the grouping that operates prior to the commencement of the EESL
 - b. A pilot on an EESL is required to participate in the Category Vacancy Bidding and Awarding
 - 1) A pilot who has selected an EESL will be held in excess in the category in which they hold until the EESL ceases
 - c. There is no requirement to maintain currency
 - d. A Pilot on an EESL shall not participate in any training under the HAL TPM (including recent experience under FAR 121.439)
 - e. A Pilot on an EESL shall not be required to conduct any Company required duties that have been assigned to active line pilots (e.g., picking up a PID)
 - f. A Pilot on EESL is not required to maintain a valid FAA Medical Certificate
7. Benefits
- a. A pilot shall continue to receive all benefits as an active pilot for the duration of the EESL
 - b. A pilot is considered an active employee for employee verification purposes
 - c. Maintains current active employee Health Insurance, Life Insurance, And Dental Insurance (including elective insurances) and employee pays the employee's share of premiums per Section 24 of the PWA and plan documents
 - d. Hawaiian Airlines, Inc. Pilot's Voluntary Employee Beneficiary Association Disability and Survivor's Benefit's Plan (LTD VEBA)
 - 1) A pilot on an EESL is ineligible for the LTD VEBA
 - 2) For the purposes of calculating "Average Monthly Earnings" for the LTD VEBA, under its Article I, Section 1.2, the twelve (12) months referenced shall not include any months in which the pilot was on an EESL
 - e. Active employee non-rev travel benefits on Hawaiian Air and, to the extent allowed under our interline agreement, other airlines
 - f. A pilot on an EESL shall turn in their SIDA Badge to the Company upon request
 - g. Maintains jumpseat privileges (1st Class Medical is required); remains active in CASS and KCM so long as in accordance with applicable regulatory compliance

8. Early Return

- a. A pilot may be called back to active line flying prior to the scheduled end date of their EESL
- b. A Pilot who is called back early and is on active military orders, shall provide such orders to the Company and, at such time, the EESL will cease for the pilot and the pilot will be placed on Military Leave
- c. A Pilot will be notified fifteen (15) days prior to the publishing of the Bid Packet for the month in which the pilot is scheduled to report for duty (Example: Scheduled for duty in the month of April, notified 15 days prior to Bid Packet being published on March 6th).
- d. Category is based on the Category held at the time of the “early recall”
 - 1) Examples:
 - a) A330 Captain when EESL commences, is awarded a displacement to A321 Captain during the EESL, is subject to “early return” in the A321 Captain Category
 - b) A321 Captain when EESL commences, is awarded an upgrade to A330 Captain during the EESL, is subject to “early return” in the A330 Captain Category
- e. Order of “early return”
 - 1) Offered in seniority order of the Category that has a demand for pilots
 - a) The Company shall notify all pilots on an EESL in the given Category by email. The email will state the needed number of pilots. The pilot shall have five (5) business days to reply to the email and indicate they wish to “early return.” The request for “early return” will be awarded in Seniority order.
 - b) A pilot who would require initial, transition, or upgrade training shall not be awarded an “early return”
 - 2) Involuntary “early return”
 - a) The Company shall “early return” first the EESL with the shortest or least remaining time, in reverse seniority order
 - (1) Example:
 - (a) Five B-717 Captains on EESLs: two 6-month (10 and 12 years seniority), two 12-month (8 and 9 years seniority), one 24-month (3 years seniority); “early return” order is 10-year seniority/6-month, then 12-year seniority/6-month, then 8-year seniority/12-month, then 9-year seniority/12-month, then 3-year seniority/24-month
 - (b) Two A321 Captains on EESLs: one 12-month commencing on October 1, 2020, and one 6-month commencing on August 1, 2021; “early return” order in September 2021 is 12-month, then 6-month

b) The Company shall notify the affected pilot by telephone, Company email, and certified letter to the address on file.

(1) Pilot acknowledgment is not required

9. Returning to the line

- a. A Pilot requiring only a CQ or "qual sim" shall be assigned the CQ or "qual sim" within the first ten (10) days of the month; the training events shall be programmed into the PBS system as pre-known absences; and the EESL pilot shall be able to bid for their first month of active line flying
- b. A Pilot who is returning to a different Category shall be assigned the required training schedule

10. Furlough

- a. An EESL pilot may be furloughed per Section 19 of the PWA
- b. Prior to furloughs occurring, the Company may offer additional EESLs
- c. The Association and the Company shall meet and confer if EESL pilots are returning at the expiration of their scheduled EESLs and pilots are currently on furlough.

11. Other Employment

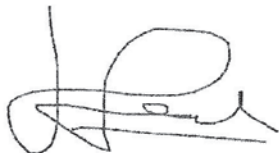
- a. A pilot may engage in other employment, except that the pilot shall not engage in any form of employment with the Company (active employee, outside contractor, consultant, etc.)
- b. A pilot may not, without the Company's advanced written consent, engage in any other aviation-related employment with a C.F.R. 14 Part 121 Air Carrier that operates within the HAL route structure that has aircraft with a seating capacity over ninety (90) seats or performs any cargo flying.

12. Duration

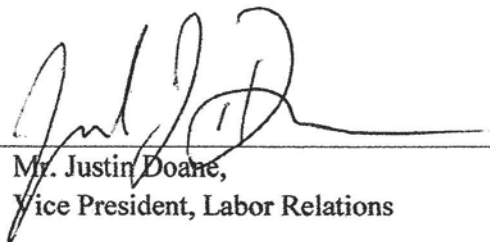
- a. This Permanent Enhanced Surfer Leave (PESL) & Extended Enhanced Surfer Leave (EESL) LETTER OF AGREEMENT shall become effective July 13, 2020 and shall remain in full force and effect concurrently with the Hawaiian Airlines Pilot Working Agreement effective April 1, 2017 to July 1, 2022 as provided in Section 28 Duration.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement on this _____ day of _____ 2020.

FOR HAWAIIAN AIRLINES, INC.:



Mr. Jonathan Snook,
Chief Operating Officer



Mr. Justin Doane,
Vice President, Labor Relations

FOR THE
AIRLINE PILOTS ASSOCIATION,
INTERNATIONAL:

Captain Joseph DePete,
President of the Air Line Pilots
Association, International



Captain Lawrence Payne,
Chairman, HAL Master Executive
Council

EXHIBIT 4

CONFIDENTIAL

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

Transcript of Interview of Witness 3

Review No. 22-9485

August 8, 2022

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OFFICE OF CONGRESSIONAL ETHICS
OF THE U.S. HOUSE OF REPRESENTATIVES

Interview of WITNESS 3
Conducted Virtually
Monday, August 8, 2022
3:00 p.m. EST

Job No.: 459115

Pages: 1 - 35

Reported By: Carol M. Tayloe, RMR, CMRS, CCR

Transcript of Interview of Witness 3
August 8, 2022

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Interview of WITNESS 3, conducted
virtually:

Pursuant to agreement, before Carol M.
Tayloe, E-Notary Public in and for the
Commonwealth of Virginia.

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A P P E A R A N C E S

INDIRA BENITEZ, ESQUIRE

OMAR ASHMAWY, ESQUIRE

OFFICE OF CONGRESSIONAL ETHICS OF THE U.S.

HOUSE OF REPRESENTATIVES

425 3rd Street, S.W., Suite 1110

Washington, D.C. 20024

202-225-9739

Also present:

Joe Ramierz, Planet Depos Technician

Kent Trespalacios, Law Clerk

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C O N T E N T S

EXAMINATION OF WITNESS 3	PAGE
By Ms. Benitez	5

E X H I B I T S

None marked.

1 BY MS. BENITEZ:

2 Q For the record, today is August 8th, 2022.

3 We're conducting the remote interview of
4 Witness 3. Speaking is Indhira Benitez,
5 investigative counsel with the Office of
6 Congressional Ethics. Joining me today are my
7 colleagues Omar Ashmawry, chief counsel at the
8 OCE, as well as Kent Trespalacios.

9 Witness 3 has been given a copy of 18 USC
10 1001. She's acknowledged receipt and she's
11 also provided her signature in the
12 acknowledgement back to our office.

13 And, again, Witness 3, like I said, feel
14 free to stop me if you have a question or need
15 a break. So, Witness 3, how did you get
16 started working on the Hill?

17 A Sure. I have been working on and off Capitol
18 Hill for just over 11 years. I came to
19 Congressman Kahele's team as his chief of
20 staff at the beginning of this Congress.
21 Previously I worked for another member of
22 Congress as his legislative director and

1 acting chief of staff. The Congressman is my
2 hometown member of Congress, and I've been
3 working for him in this capacity as his chief
4 of staff since January of 2021.

5 Q Okay. And what was your role prior to working
6 in Congressman Kahele's office?

7 A I've had several roles for a few other members
8 of Congress and also worked in the defense
9 sector. My positions have included
10 legislative director, military legislative
11 assistant, senior defense, and foreign policy
12 advisor in my roles on Capitol Hill.

13 Q What are some of your day-to-day duties and
14 responsibilities as the Congressman's chief of
15 staff?

16 A Sure. I have several administrative and
17 management functions. I have handled and
18 helped the Congressman stand up his
19 Washington, D.C., office and supervised the
20 stand up of our Hawaii office in Hilo, Hawaii,
21 and I also perform management functions over
22 the D.C. staff as well as over our leadership

1 in Hawaii as well.

2 Q When you started in your role as the
3 Congressman's chief of staff, did he discuss
4 any expectations or priorities with you?

5 A Certainly. As part of the selection process
6 that the Congressman-elect had set up, he had
7 candidates that were interviewed for this
8 position, for the chief of staff position,
9 submit a proposal to him on what some of his
10 legislative priorities may be. As part of
11 that it sort of guided our discussion about
12 what his committee assignments would be, what
13 his legislative priorities may be, and in
14 particular what would be most helpful for the
15 District and the constituents that he
16 represents in CD 2 of Hawaii.

17 Q Did you have a relationship or know the
18 Congressman prior to working in his office?

19 A I did not know the Congressman prior to being
20 approached for this position in his office.

21 Q How did you determine when applying for his
22 office what you believed his legislative

1 priorities would be?

2 A Sure. I think they were two-fold. I
3 recommended to him that he consider committee
4 assignments that would both, I guess, maybe
5 amplify his own personal credibility.
6 Including as a member of the Hawaii National
7 Guard he serves on the House Arms Services
8 committee, and his prior career experience as
9 an aviator recommended him for the
10 transportation infrastructure committee.

11 You know, just for the record we, you
12 know, had no idea what committee assignments
13 he would be given and were very encouraged
14 when he received those two assignments.

15 We also identified many legislative
16 priorities that would help guide the
17 Congressman's work that are specific to
18 Hawaii, so focused also on issues such as
19 native Hawaiian issues, issues related to
20 natural resource management, as well as
21 economic diversification, which is an
22 important issue for the State of Hawaii.

1 Q Do you have any role in legislative issues in
2 the office?

3 A I do in that I supervise Witness 2, who is the
4 Congressman's legislative director, and I
5 provide sort of secondary advice to her
6 initial advice on legislation. I'm generally
7 involved in approvals in the office, happy
8 speak to speak a little bit more to that in
9 detail if that's of interest.

10 But prior to, you know, the Congressman
11 hiring Witness 2 I primarily handled his
12 legislative portfolio in the first couple of
13 months in 2021 as things were sort of standing
14 up in Congress. But Witness 2 is primarily
15 responsible for the legislative work of the
16 Congressman.

17 Q Do you have -- in your capacity as chief of
18 staff, do you have relationships with interest
19 groups or stakeholders that could affect
20 legislation?

21 A I do have relationships with stakeholders. I
22 would say the bulk of my relationships are in

1 the defense sector. My background, as I
2 mentioned before, was as a previous military
3 legislative assistant. My very first job on
4 Capitol Hill was with the Armed Services
5 Committee. So generally I've provided more
6 advice on issues related to national security
7 since that's my personal background, if that's
8 helpful to answer your question.

9 Q What's the office's relationship with ALPA?

10 A ALPA, or the Airline Pilots Association, is a
11 group that we certainly receive communication
12 from that we are in contact with for advice on
13 pieces of legislation, as they are a major
14 stakeholder interest group in the aviation
15 sector. And given the Congressman's role on
16 the aviation subcommittee, we, you know, look
17 to them and look to other stakeholder groups
18 to, you know, see their views and opinions on
19 legislation.

20 Obviously the organization also provides
21 formal testimony in front of the House
22 committee on transportation and

1 infrastructure, so all committees members also
2 receive information from them on policy
3 recommendations.

4 Q How often do you communicate with ALPA
5 representatives on a daily basis?

6 A I personally communicate with ALPA
7 representatives very infrequently. I think
8 the bulk of the communication that I had with
9 the organization was related to scheduling
10 requests and then, you know, in the event
11 that, you know, Witness 2 needed additional
12 supplemental assistance in communication on a
13 piece of legislation I would provide that
14 advice. But I would say relatively
15 infrequently.

16 Q Did you know that the Congressman was a member
17 of the ALPA prior to working in his office?

18 A I don't want to tell you the wrong information
19 about when I knew that the Congressman was a
20 member of the organization, but if I can just
21 share it is something that the Congressman has
22 stated many times in public forum on the

1 record that he's a member of the union, yes.

2 Q Did you have any communications with the
3 Congressman regarding how to engage with ALPA?

4 A You know, we had no, I guess, sort of formal
5 direction, but I will say just in general for
6 our stakeholder and any, you know, constituent
7 or outside organization we have written rules
8 in our staff handbook that provide for a high
9 level of responsiveness.

10 So we have a 48-hour turnaround time for
11 communication with external stakeholder
12 groups. And that really drives, I think, our
13 office's responsiveness, like I said, to ALPA
14 but also to a variety of external
15 stakeholders. That was the key priority for
16 the Congressman, communication and a high
17 level of responsiveness that he's certainly
18 told me as I was in training for this
19 position.

20 Q Were there any instructions from the
21 Congressman on how to respond to any
22 legislative requests from ALPA?

1 A Generally I think we were interested in
2 helping support the aviation industry, given
3 the Congressman's role on the aviation
4 subcommittee. He was also separately
5 frequently in touch with the chairman,
6 Congressman Rick Larsen, as well as the
7 chairman of the overall committee, Congressman
8 Pete DeFazio, on legislation. So the
9 Congressman would share priorities with us
10 directly to consider.

11 I would also offer that he is always
12 willing and interested in our perspectives and
13 advice on anything that's brought to us from a
14 stakeholder organization.

15 Q How often would you say that you're providing
16 advice on something brought from ALPA to the
17 Congressman?

18 A Sorry. Could you clarify, are you asking my
19 role for advice or --

20 Q Yes, your role.

21 A Sure. So we have both a formal and maybe a
22 little bit less formal process when things are

1 busy in our office to consider policy
2 proposals. We provide written cosponsor
3 recommendations from the legislative team to
4 the Congressman. That's how we would formally
5 provide our views on any policy that we're
6 recommending that the Congressman sign onto or
7 that he champions.

8 When things are a little bit busier in the
9 U.S. House of Representatives sometimes that
10 advice process moves a little quicker and that
11 advice would be provided verbally.

12 I would share that probably more recently,
13 you know, I have trusted Witness 2 in both her
14 role as legislative director as well as the
15 lead for the Congressman's work on the
16 transportation and infrastructure committee to
17 handle those recommendations. She would come
18 to me with any questions that she may have
19 had, but I would say definitely this year
20 primarily I've sort of left it to her in her
21 responsibility to provide those
22 recommendations directly to him.

1 Q Were there any conversations with other
2 staffers about how ALPA should be treated?

3 A Not to my knowledge.

4 Q And what's your understanding of the
5 Congressman's relationship with ALPA?

6 A Relationship is obviously, one, he is a member
7 of the aviation subcommittee so in one sense
8 the relationship with ALPA is as a stakeholder
9 organization that focuses on aviation policy,
10 and then separately in his personal capacity
11 obviously he is a member of ALPA.

12 Q What about Hawaiian Airlines, what's the
13 office's relationship with Hawaiian Airlines?

14 A Yup. Hawaiian Airlines is an important
15 stakeholder for the members of the Hawaii
16 congressional delegation as they provide
17 primarily transportation, interisland air
18 transportation, which is almost exclusively
19 the form that you can travel amongst the
20 Hawaiian Islands.

21 So the Hawaiian Airlines in our capacity
22 as staff for the congressional district is an

1 organization that we would ask for advice on
2 policies, especially related to transportation
3 issues in Hawaii. And then obviously the
4 Congressman is a current employee of Hawaiian
5 Airlines as well. So recognize that, but also
6 our primary interest is ensuring that we
7 communicate with Hawaiian Airlines on policy,
8 especially related to transportation in the
9 State of Hawaii.

10 Q Did the Congressman ever have any discussions
11 with you about how to engage with Hawaiian
12 Airlines regarding their priorities?

13 A I don't recall any explicit conversations.
14 Again, I would share that having previously
15 worked in another member of the Hawaii
16 delegation that was the prior member of the
17 Congress several years ago, we know those
18 communications are pretty frequent, given the
19 importance of that particular organization to
20 the state.

21 Q Were there any instructions that you or other
22 staffers received about how to respond to

1 legislative requests from Hawaiian Airlines?

2 A Not that I can recall.

3 Q Did you know prior to starting in his office
4 that he was an employee of Hawaiian Airlines?

5 A Yes.

6 Q How often would you say you're in contact with
7 Hawaiian Airlines?

8 A Not frequently. The Congressman and myself
9 were in contact with Hawaiian Airlines prior
10 to the Congressman -- actually this goes to
11 your previous question. Prior to the
12 Congressman taking office we brokered
13 conversations between Hawaiian Airlines, the
14 Airline Pilots Association as the unit,
15 they're called HEL-MEC for Hawaiian Airlines,
16 as well as the committee on ethics to ensure
17 that the Congressman's continued service as a
18 commercial airlines pilot would not present a
19 conflict of interest and to understand that
20 the Congressman was fully in compliance with
21 existing House ethics rules.

22 So my first sort of contact, I guess, from

1 a -- from that part of the organization was
2 helping negotiate those conversations at the
3 very end of 2022 (sic).

4 And then separately the lobbyist for
5 Hawaiian Airlines is a woman that I previously
6 worked with. I was in communication with her
7 at the very beginning of Congress and, again,
8 sort of following our same office policies for
9 responsiveness, establish an initial
10 relationship, but really, you know, I sort of
11 let Witness 2 have the day-to-day management
12 of contact and conversation with her.

13 Q Who initiated the office's relationship with
14 Hawaiian Airlines?

15 A Sorry, what would be the most helpful way for
16 me to answer that question?

17 Q To the best of your recollection. Do you
18 recall if Hawaiian Airlines reached out to the
19 office first or if someone or yourself reached
20 out to Hawaiian?

21 A Yeah. To my knowledge, I believe that the
22 lobbyist for Hawaiian Airlines reached out to

1 myself. I believe that's how the contact
2 initiated. And generally speaking stakeholder
3 organizations in a variety of sectors and
4 industries will reach out to the staff of
5 incoming members of Congress in order to
6 establish relationships with new members and
7 new staff. So I believe that was part of the,
8 you know, sort of reintroducing Hawaiian
9 Airlines to our official team.

10 Q And I'm sorry if you mentioned this, but I
11 don't think I caught it. Who was the lobbyist
12 at Hawaiian that you said you had a prior
13 working relationship with?

14 A Witness 4.

15 Q Is that who you would communicate or do
16 communicate with now in Hawaiian?

17 A I would have if I had a Hawaiian Airlines
18 specific question, but, again, as I mentioned,
19 I don't have frequent contact with her
20 directly.

21 Q And who were you communicating with when you
22 did communicate with them over at ALPA?

1 A I don't want to tell you the wrong information
2 or wrong names. I'd be happy to provide a
3 list to corroborate, but one name that comes
4 to mind is Elizabeth Baker, who's part of our
5 legislative affairs team. But there are a
6 couple other individuals within ALPA that
7 we've been in communication with as well.

8 Q How would you compare the level of
9 communication with yourself and Hawaiian
10 Airlines versus other interest groups or
11 stakeholders?

12 A As I mentioned, between myself and those
13 interest groups is generally around scheduling
14 for the Congressman's attendance at events and
15 helping -- in my role as helping manage our
16 operations team that does scheduling on the
17 Congressman's behalf. So as I shared,
18 probably within the last year a little less
19 frequent, as the bulk of the communication has
20 been with our legislative team.

21 Q How frequently were you scheduling meetings or
22 events with ALPA or Hawaiian Airlines for the

1 Congressman?

2 A I could guess. I don't want to, again, give
3 you the wrong information.

4 Q A guesstimate would be fine.

5 A Sure. Maybe every several months would be my
6 guess. Usually centered around, you know,
7 there's an aviation conference that's held in
8 Hawaii every year. Certainly we had
9 communicated about scheduling for the
10 Congressman's attendance at that event.
11 There's also a previous sort of meeting, I
12 believe, at the Dulles Airport.

13 So kind of the things that we would help
14 facilitate, including, you know, the
15 Congressman has previously presented to
16 ALPHA's executive board to discuss legislative
17 priorities in the Congress. So, you know, I
18 would say those are, like, kind of like once a
19 quarter official events that the Congressman
20 attends in his official capacity.

21 Q And how does that compare with events that the
22 Congressman attends that involve other

1 stakeholders?

2 A I would say pretty on par. The Congressman
3 also participates in conferences, for example,
4 in the national security sector, he's attended
5 the conferences that are put on by service
6 specific associations, including the Air Force
7 Association as well as he attended a
8 conference last August with the National Guard
9 Association of the United States. So I'd say
10 related to the Congressman's committee
11 assignments where he has the bulk of his
12 legislative work, on par with his committee
13 assignments as well.

14 Q And I would like to go back to you mentioned
15 that you helped facilitate conversations
16 between Hawaiian Airlines, ALPA, and I think
17 there might have been one other organization
18 of the Congressman prior to him being sworn in
19 to Congress. Could you give me a little bit
20 more detail about that? What was the
21 substance of those conversations?

22 A Yeah. Absolutely. The conversations were at

1 first between the ethics committee, a member
2 of counsel from the United States House of
3 Representatives committee on ethics, with the
4 Congressman himself to discuss the general
5 outlines of, you know, his potential continued
6 employment with Hawaiian Airlines since he
7 served as a member of Congress.

8 And then we had had an additional
9 conversation that brought the company,
10 Hawaiian Airlines, the union, so the Hawaiian
11 Airlines specific unit of ALPA, as well as the
12 House committee on ethics counsel together to
13 discuss the outlines of the Congressman's
14 continued employment with Hawaiian Airlines.

15 And personally in my capacity I was
16 volunteering in my personal time as sort of
17 a -- to assist with the Congressman's
18 transition as he was a Congressman-elect to
19 his role as a member of Congress. That was
20 something approved by my current member of
21 Congress that I had worked for. And I
22 provided, you know, advice to the

1 Congressman-elect as he was transitioning to
2 his new role.

3 So when I say broker that's what I mean,
4 just I helped connect the Congressman-elect at
5 the time with the House committee on ethics to
6 ensure we had these conversations prior to him
7 swearing in in January of 2021.

8 Q Who initiated those conversations? I
9 understand the involvement. But how did you
10 initially get involved, did the Congressman
11 reach out or did you reach out for the
12 Congressman?

13 A The Congressman and I had conversation about
14 reaching out to the House committee on ethics,
15 and I reached out to the House committee on
16 ethics to initiate the initial communication.

17 Q And what was discussed in those conversations?

18 A Again, it was the conditions of the
19 Congressman's continued service as a member of
20 Hawaiian Airlines as an employee there as well
21 as a member of Congress what the House
22 committee on ethics rules would be regarding

1 his salary stipulations, which we discussed,
2 as well as any considerations we would need to
3 have on his committee assignments or on
4 legislation that was pending before the House
5 of Representatives.

6 Q Have you -- in your prior work on the Hill
7 before working for Congressman Kahele, had you
8 encountered a similar situation where a member
9 was continuing employment while starting his
10 role as a member of Congress?

11 A I have previously worked for another member of
12 Congress who also continued to serve in the
13 National Guard of a state while serving as a
14 member of Congress. Otherwise, you know, I
15 was not in a management level position in
16 which I would have really negotiated or talked
17 about the terms of that continued employment.

18 So I don't know for the second part of
19 that question. But for sure other members of
20 Congress who had served as current active
21 members of the National Guard.

22 Q After you officially started in your role as

1 chief of staff in the Congressman's office
2 were there any policies put into place to
3 assist in identifying potential conflicts of
4 interest?

5 A Well, we have clear guidelines in our internal
6 staff handbook about communicating with the
7 House committee on ethics. So those are what
8 are sort of our formal guidelines on ensuring
9 that we have no conflicts of interest. That's
10 the formal guidance that we give to staff
11 members prior to them coming on board our
12 team.

13 And informally, you know, our culture is
14 one where we encourage people to reach out to
15 the House committee on ethics as frequently as
16 possible if they have questions about
17 themselves and their own conflict of interests
18 when communicating with external stakeholders,
19 or if they have any other questions they're
20 encouraged to contact the committee on ethics
21 directly or ask their supervisors as well.

22 Q Was any of this guidance applied or applicable

1 when dealing with Hawaiian Airlines or ALPA,
2 was there any specific guidance given to staff
3 or yourself when dealing with those two
4 entities?

5 A For staff members, for example, like Witness 2
6 who handles the Congressman's work on the
7 transportation infrastructure committee, the
8 guidance that we had received from the House
9 ethics committee counsel regarding the general
10 conditions on which the Congressman should
11 consider legislation related to aviation was
12 provided. But, you know, overall I would say
13 the same measures of -- you know, of
14 communication and questions of ethics apply to
15 all sort of legislation within our office.

16 If there's any questions that the staff
17 have or that I have, you know, they
18 are encouraged to contact the committee on
19 ethics.

20 Q And what was your understanding of the
21 potential for a conflict of interest after the
22 conversation with the House ethics committee's

1 counsel?

2 A Sure. Specific to legislation related to
3 aviation, House committee on ethics counsel
4 shared with us that the rules that apply to
5 the Congressman's work both on the House Armed
6 Services committee, as well as for
7 consideration on any legislation that comes up
8 within the full chamber of the House of
9 Representatives, that he would need to pay
10 special attention to anything that is of
11 personal pecuniary interest.

12 So the House committee on ethics counsel
13 had shared with us if the Congressman had
14 served maybe on a board of Hawaiian Airlines
15 or in a position where he would personally
16 benefit from a policy, that he should
17 certainly contact the House committee on
18 ethics regarding any questions related to
19 that.

20 But they were pretty specific in sharing
21 that the piece of policy or legislation needed
22 to be of personal pecuniary interest, so

1 legislation would need to directly impact the
2 Congressman's personal or financial standing
3 in his external employment.

4 Q How did you or staff make that assessment
5 moving forward when the Congressman would take
6 official actions on certain legislation that
7 ALPA or Hawaiian Airlines were lobbying for?

8 A Again applied the, you know, guidance that we
9 had received from the House committee on
10 ethics to those decisions. And generally
11 speaking, you know, we listen to a variety of
12 stakeholders and seek their input and feedback
13 on legislation. So many pieces of legislation
14 that both of the entities you mention were
15 interested in were also of shared interest to
16 a variety of other, you know, aerospace
17 external stakeholders as well.

18 Q Did the Congressman request input from other
19 stakeholders apart from ALPA and Hawaiian
20 Airlines when making decisions in his capacity
21 on the transportation and infrastructure
22 committee?

1 A As a general rule I would say yes. We also,
2 again, worked with the leadership on the
3 committee and received advice and feedback
4 from the leadership on the committee. I don't
5 know that I feel comfortable giving you, like,
6 specifics, but as a general rule we seek a
7 wide variety of feedback.

8 Q And after the conversation with the House
9 ethics committee -- I'm sorry. This
10 conversation, just for clarification, took
11 place before the Congressman was sworn in?

12 A That's correct.

13 Q After the Congressman was sworn in, were there
14 any other conversations about the potential of
15 a conflict of interest? Did that ever come up
16 again?

17 A I mean I'll say generally outside of aviation,
18 certainly we had many conversations with the
19 ethics committee both at my level and at staff
20 level on questions of whether or not, you
21 know, anything, again, whether it was
22 receiving a gift or other policy

1 considerations, we would ask.

2 Specific to aviation, you know I don't
3 want to misspeak and share any additional
4 information with you, but, like I said,
5 generally our culture in our office is
6 ensuring that, you know, we reach out
7 frequently with any questions that we have
8 regarding conflict of interest.

9 Q And one final question for clarification on
10 this topic. So there weren't any specific
11 policies regarding ALPA and Hawaiian
12 specifically put in place for you or other
13 staffers in order to avoid potential conflicts
14 of interest?

15 A Again, we shared the specific advice that the
16 House ethics committee had provided us, which
17 is that legislation that can be considered of
18 personal pecuniary interest to the Congressman
19 would need to be brought to the committee on
20 ethics. But in terms of written guidance, for
21 example, in our staff handbook, which is our
22 primary policies for the staff, there's no

1 specific written policy related to those two
2 entities in that staff handbook.

3 Q Have you communicated with anyone else about
4 our office's investigation?

5 A I've communicated with the Congressman and
6 I've communicated with our legislative
7 director, Witness 2.

8 Q Is there anything --

9 A Excuse me, yes. Sorry. Hold on one second.
10 I have communicated with an outside member of
11 counsel as well for informal advice. But
12 those are the three entities that I've
13 communicated with on this issue.

14 Q Is there anything else that you
15 (indecipherable) our office that you feel may
16 be helpful or noted for our review?

17 A No. I just appreciate the opportunity to have
18 a conversation and clarify information related
19 to your investigation. So if there's anything
20 further that I can provide, please let me
21 know.

22 Q Thank you so much, Witness 3. I am now going

1 to open the floor up to my colleagues for
2 any -- if Omar has any additional questions
3 they'd like to ask. Seeing no cameras -- oop.

4 MR. ASHMAWY: No. I just wanted to say
5 thank you very much, Witness 3, and, no, I
6 don't have any additional questions.

7 MS. BENITEZ: Yes. Thank you, Witness 3,
8 for taking time out of your day to speak with
9 us. As previously mentioned, we really
10 appreciate your cooperation, and as always if
11 you have any questions or concerns please feel
12 free to reach out. And we will be in touch
13 after this interview.

14 THE WITNESS: Okay. Thanks a lot.

15 (Off the record at 3:34 p.m. EST.)
16
17
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19
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21
22

EXHIBIT 5

Subject: RE: Ethics Counsel Guidance - Congressman Kahele
Date: Tuesday, April 12, 2022 at 3:49:59 PM Eastern Daylight Time
From: Rust, Tom
To: Wagner, Christine
Attachments: image005.png, image004.png, image003.png, image002.png, image001.png

Christy,

I have reviewed the Committee's internal records, and I can confirm that Congressman Kahele did speak with one of the House Ethics Committee's Advice and Education Counsels in December 2020, and that your email does accurately summarize the guidance given. I can also confirm that this guidance is generally the guidance that currently applies to a Member's outside employment in circumstances such as Congressman Kahele's. Of course, any issues of recusal, special treatment, or special access are highly fact-specific, and if your office has any questions about how to apply that general guidance to specific instances, please let me know, and the Committee's Advice and Education staff would be happy to assist.

Tom Rust
Staff Director & Chief Counsel
Committee on Ethics
U.S. House of Representatives
1015 Longworth House Office Building
Washington, DC 20515
[REDACTED]

From: Wagner, Christine <[REDACTED]>
Sent: Tuesday, April 12, 2022 12:45 PM
To: Rust, Tom <[REDACTED]>
Subject: Ethics Counsel Guidance - Congressman Kahele

Aloha e Tom,

On December 2, 2020 Congressman-elect Kahele virtually met with a member of House Ethics Counsel to discuss the boundaries of his employment status with a commercial airline once he took office as a Member of Congress. During the meeting, Ethics Counsel advised the Congressman that Members of Congress are not prohibited from outside employment, as long as the outside employment doesn't interfere with official duties and that the income gained from outside employment is compliant with the outside annual earned income limit for House officials and employees paid at or above the senior staff rate. For 2021, the year the Congressman took office, this annual outside earned income limit was \$29,595.

When asked about considerations related to recusing himself from policy matters related to his outside employment, Ethics Counsel highlighted the conditions of House Rule 3, which states: "Every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented, and shall vote on each question put, unless having a direct personal or pecuniary interest in the event of such a question." The term "personal or pecuniary interest" applies to a policy that impacts an individual and only that individual. Generally, the Congressman would not need to recuse himself from matters related to

aviation policy as long as the policy in question was not of a potential direct personal or pecuniary interest to the Congressman. Ethics Counsel also advised that the Member should ensure that they should not get preferential treatment or special access to Hawaiian Airlines.

On December 29, 2020, Congressman-elect Kahele convened a meeting with House Ethics Counsel and representatives from both Hawaiian Airlines Management and the Hawaiian Airlines Master Executive Council (ALPA) to discuss the path forward for the Congressman's continued employment with Hawaiian Airlines as a Member of Congress. House Ethics reiterated that nothing prohibits a House employee from engaging in outside employment as long as terms of the employment agreement are applicable to everyone else in a similar situation (ie. all other pilots in the group are treated the same).

Would you confirm that this is the guidance given by the House Ethics Counsel during these conversations, and does this guidance continue to apply to the Congressman's outside employment as a commercial airline pilot with Hawaiian Airlines?

Me ka ha'aha'a,
Christy

Christy Wagner
Chief of Staff
Congressman Kaiali'i Kahele (HI-02)
1205 Longworth HOB | 202-225-4906
Cell: [REDACTED]

EXHIBIT 6

Letter of Agreement
between
HAWAIIAN AIRLINES, INC.
and
THE AIRLINE PILOTS
in the service of
HAWAIIAN AIRLINES, INC.
as represented by
THE AIRLINE PILOTS ASSOCIATION

20-14 Section 11.G Revision

THIS LETTER OF AGREEMENT (“LOA”) is made and entered into in accordance with the provisions of the Railway Labor Act, as amended, by and between HAWAIIAN AIRLINES, INC (hereinafter referred to as the “Company”) and the air line pilots in the service of the Company, as represented by the AIR LINE PILOTS ASSOCIATION (hereinafter referred to as the “Association”).

WHEREAS, the Company and the Association are parties to a collective bargaining agreement setting forth the rates of pay, rules, and working conditions for the Company’s pilots (“Pilots Working Agreement” or “PWA”), effective April 1, 2017; and

WHEREAS, the Company and the Association value and benefit from each pilot being a good citizen and steward of his or her country, state, and community, and actively participating in and contributing to efforts that improve them, especially those benefiting the aviation industry or profession; and

WHEREAS, a pilot’s ability to serve effectively as an appointed or elected leader within the Association, State government, or Federal government requires flexibility on the part of the Company and Association for the duration of the pilot’s tenure in the given leadership role.

NOW, THEREFORE, the Company and Association agree as follows:

- A. Paragraph G of PWA Section 11 shall be retitled “Leaves of Absence due to Council Activities, or Appointment or Election to Association, State government, or Federal Government Positions.”
- B. Paragraph G of PWA Section 11 shall be changed in its entirety to read:
 - 1. A pilot shall be granted a leave of absence in order to perform duties related to council activities.
 - 2. A pilot who has been appointed or elected to a national position with the Association or a State or Federal Legislature, or has been appointed to a position in a Federal or State Government agency directly connected with aviation, shall either:
 - a. continue to accrue seniority and longevity (but will not accrue vacation or sick leave or be eligible for medical insurance or any other benefit under the PWA other than travel on Hawaiian and, to the extent allowed, on other airlines pursuant to our interline agreements) while on a leave of absence, provided that

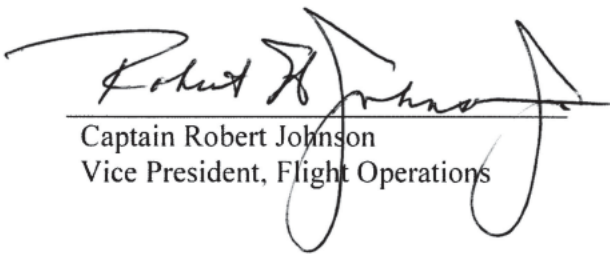
- during such period the pilot maintains their appropriate airmen certificate and medical certificate; or
- b. maintain currency (e.g., annual CQ and landing currency) on the following conditions:
 - 1) commence each month with zero credit hours;
 - 2) utilize the Online Scheduling Access Program to pick up Flight Groupings that exist in open time, as long as the pay and credit does not exceed any limitations set by the pertinent governing body (e.g., ALPA Constitution and Bylaws, MEC Policy Manual, US House or Senate Select Committee on Ethics, etc.); and
 - 3) pilots on this Subsection b. status will continue to accrue seniority and longevity but will not accrue vacation or sick leave. Pilots on this status will also not be eligible for medical insurance or any other benefits provided to a full-time pilot under the PWA other than travel on Hawaiian and, to the extent allowed, on other airlines pursuant to our interline agreements.
 - c. Both the Pilot and the Company retain the right to convert status under B.2.b of this Agreement to leave status under B.2.a of this Agreement at any time.

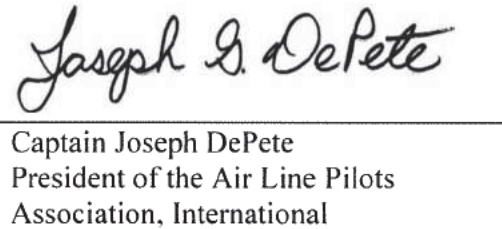
C. This Letter of Agreement shall become effective January 1, 2021 and shall remain in full force and effect concurrently with the Pilots Working Agreement effective April 1, 2017 to July 1, 2022 as provided in Section 28 Duration.

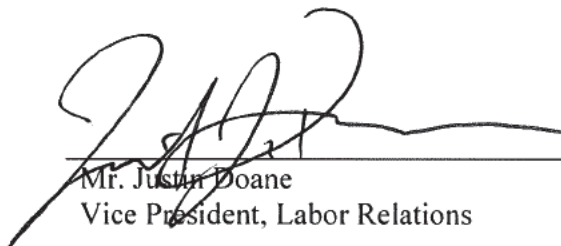
IN WITNESS WHEREOF, the parties hereto have signed this Agreement on this 19 day of January ~~2020~~ 2021

FOR HAWAIIAN AIRLINES, INC.:

FOR THE AIRLINE PILOTS ASSOCIATION, INTERNATIONAL:


 Captain Robert Johnson
 Vice President, Flight Operations


 Captain Joseph DePete
 President of the Air Line Pilots Association, International


 Mr. Justin Doane
 Vice President, Labor Relations

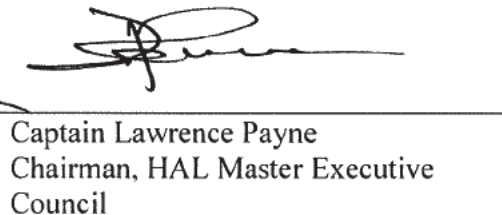

 Captain Lawrence Payne
 Chairman, HAL Master Executive Council

EXHIBIT 7

Cho, Annie

Sent: Thursday, January 7, 2021 3:49 PM
To: Camello, Priscilla; HR Admin; Cox, Christopher
Subject: RE: [NON-HA] For signature: LOAs 20-14 and 20-15

I'm thinking all of the players that do the onboarding? Am thinking we start with the normal checklist and then modify it where necessary, the payroll piece is going to take some customization.

From: Camello, Priscilla <[REDACTED]>
Sent: Thursday, January 07, 2021 10:42 AM
To: HR Admin <[REDACTED]>; Cox, Christopher <[REDACTED]>
Cc: Clark, RalphPeter <[REDACTED]>
Subject: FW: [NON-HA] For signature: LOAs 20-14 and 20-15

Hi Everyone,

Who is processing Kai's status change?

P

From: Fujimoto, Eve <[REDACTED]>
Sent: Monday, January 4, 2021 4:38 PM
To: Camello, Priscilla <[REDACTED]>
Cc: HR Admin <[REDACTED]>; Ramos, Mericid <[REDACTED]>; pilotpbs <[REDACTED]>
Subject: FW: [NON-HA] For signature: LOAs 20-14 and 20-15

Hey P,

Happy New Year!!

Wanted to make sure you were in the loop. Kai Kahele is cancelling his EESL effective DEC 31, 2020. We are placing him on LOA until DEC 31, 2022 for now until we get a solid date of return. Thanks!

Mahalo,
Evie

Evie Fujimoto – Crew Planner
3375 Koapaka Street Suite G350, Honolulu, HI 96819 • P [REDACTED]
[REDACTED] • Hawaiianairlines.com



From: O'Handley, Brad <[REDACTED]>
Sent: Monday, January 4, 2021 11:07 AM
To: Fujimoto, Eve <[REDACTED]>; Nicklaw, Richard <[REDACTED]>
Subject: FW: [NON-HA] For signature: LOAs 20-14 and 20-15

Fyi, please cancel Kahele EESL and place him on am LOA. I don't have an end date but let's use Dec 31, 2022

From: Doane, Justin <[REDACTED]>
Sent: Monday, January 4, 2021 9:41 AM
To: Kishimoto, Ashlee <[REDACTED]>; Pieper, Melodi <[REDACTED]>; Ramos, Mericid <[REDACTED]>; O'Handley, Brad <[REDACTED]>
Cc: Johnson Jr, Robert H <[REDACTED]>; Cox, Christopher <[REDACTED]>; Clark, RalphPeter <[REDACTED]>
Subject: FW: [NON-HA] For signature: LOAs 20-14 and 20-15

Ashlee, Mel, Cid and Brad,

Attached are recently agreed to LOAs for Kai Kahele. Due to his election to the US House of Representatives we need to cut off his EESL effective 12/31 (so 1/7 will be his last pay check) and we are going to convert him to an unpaid active status as outlined in the attached LOA. He will only get paid going forward when he does a training event or take a trip.

Mel, are we able to cut off his medical benefits as of 12/31 and bill him for COBRA if he wants to continue medical coverage until he can get coverage through the House?

Thanks,

Justin

From: Eckelberg, Brett, Representation <[REDACTED]>
Sent: Thursday, December 31, 2020 6:07 PM
To: Cox, Christopher <[REDACTED]>
Cc: [hal-med](#) <[REDACTED]>; [halnegotiations](#) <[REDACTED]>; Paulino, Catrina, Representation <[REDACTED]>; Doane, Justin <[REDACTED]>
Subject: [NON-HA] For signature: LOAs 20-14 and 20-15

Chris,

Happy New Year.

Attached for the Company's review and Jon's and Justin's signatures are LOA 20-14 (Section 11.G Revision) and LOA 20-15 (Cancelling of the EESL awarded Kaiali'i Kahele).

Thank you,

Brett



Brett Eckelberg
Labor Relations Counsel
Air Line Pilots Association, International

Phone: [REDACTED] or [REDACTED]
Fax: [REDACTED]

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EXHIBIT 8

CONFIDENTIAL

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

Transcript of Interview of Witness 2

Review No. 22-9485

August 8, 2022

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OFFICE OF CONGRESSIONAL ETHICS
OF THE U.S. HOUSE OF REPRESENTATIVES

Interview of WITNESS 2
Conducted Virtually
Monday, August 8, 2022
12:00 p.m. EST

Job No.: 459115

Pages: 1 - 44

Reported By: Carol M. Tayloe, RMR, CMRS, CCR

1 Interview of WITNESS 2, conducted
2 virtually:

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9 Pursuant to agreement, before Carol M.
10 Tayloe, E-Notary Public in and for the
11 Commonwealth of Virginia.

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A P P E A R A N C E S

INDIRA BENITEZ, ESQUIRE

OMAR ASHMAWY, ESQUIRE

OFFICE OF CONGRESSIONAL ETHICS OF THE U.S.

HOUSE OF REPRESENTATIVES

425 3rd Street, S.W., Suite 1110

Washington, D.C. 20024

202-225-9739

Also present:

Joe Ramierz, Planet Depos Technician

Kent Trespalacios, Law Clerk

Transcript of Interview of Witness 3
August 8, 3233

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C O N T E N T S

EXAMINATION OF WITNESS 2	PAGE
By Ms. Benitez	5

E X H I B I T S

None marked.

BY MS. BENITEZ:

1 Q For the record, today is August 8, 2022.

2 We're conducting a remote interview of
3 Witness 2. Speaking is Indhira Benitez,
4 investigative counsel of the Office of
5 Congressional Ethics. Joining me today is our
6 chief counsel, Omar Ashmawy, as well as Kent
7 Trespalacios.

8 Witness 2 has been given a copy of 18 USC
9 1001. She's acknowledged and signed the
10 receipt and returned that back to our office.

11 Like I said, Witness 2, if you have any
12 questions please feel free to stop me.

13 So, you know, why don't we start with
14 some background about you. How long have you
15 been working on the Hill?

16 A I started in January 2015. I took a brief
17 break between April 2016. I restarted on the
18 Hill the beginning of the 116th Congress, so
19 January, I think, 2019, 2018. Wherever the
20 beginning of the 116th Congress was.

21 Q And what did you do prior to working on the
22 Hill?

1 A I was an intern in Senator Warner from
2 Virginia's office and prior to that I was in
3 college.

4 Q Where did you go to school?

5 A The University of Richmond.

6 Q Pretty local.

7 And what was your role, what was your
8 first role on the Hill in 2015?

9 A I was a staff assistant for my hometown
10 congressman, Congressman Mark Takai of
11 Hawaii's first congressional district. He
12 passed in July 2016.

13 Q And what were some of your roles after that?

14 A Sorry, my e-mail is going.

15 I was a staff assistant and then was promoted
16 to LC and then LA in Congressman Mark Takai's
17 office. I worked for his successor briefly to
18 help with the transition, and I was an LA in
19 Colleen Hanabusa's office, Hawaii's first
20 district.

21 I -- after that I went to work for the
22 College of Osteopathic Medicine for about a

1 year and a half. I came back to the Hill in
2 the beginning of the 116th Congress to work
3 for Congressman Ed Case, Hawaii's first, all
4 my hometown members of Congress, and then in
5 February 2021 I was hired by Congressman Kai
6 Kahele to be his legislative director.

7 Q And what's an LA?

8 A In Congressman Case's office, yes, I was an LA
9 and a senior LA.

10 Q I'm sorry. What is an LA?

11 A I'm sorry, a legislative assistant. I
12 apologize.

13 Q And you're currently Congressman Kahele's
14 legislative director, right?

15 A Yes.

16 Q What are some of your duties as legislative
17 director?

18 A Sure. I manage the legislative team. I
19 review bills, cosponsor requests, I review
20 mail, constituent mail, mail going out to
21 other agencies, I deal with personnel issues
22 in my legislative team. I also have my own

1 portfolio, which includes a transportation
2 infrastructure committee, healthcare,
3 education. As my boss is retiring at the end
4 of this term I am taking on additional
5 responsibilities and portfolios as people are
6 leaving.

7 Q Okay. And you said that you also manage the
8 legislative team. Who also is a part of that
9 team?

10 A So it -- I lead the team. I have two senior
11 policy advisors, Serena Lee and Dave Chun.
12 And then at this moment I also have a
13 legislative correspondent, Kadara Marshall.

14 Q And what are their roles?

15 A Serena Lee handles his defense work primarily,
16 the Armed Services work, as well as
17 immigration, a few other science issues. Dave
18 Chun handles his agriculture work, as well as
19 the environment, energy. Kadara Marshall is
20 our legislative correspondent. She primarily
21 works with the mail process. And she handles
22 a few issues, animal welfare, some of the

1 smaller issues. Women's health, things like
2 that.

3 Q You mentioned that in your portfolio you have
4 the transportation and infrastructure
5 committee and education?

6 A Education, healthcare. Right now -- I'm
7 native Hawaiian, but I'm kind of a catch-all
8 for anything that people can't handle.

9 Q Okay. And in handling these specific matters
10 what is your day-to-day like? Who are you
11 communicating with and what kind of work do
12 you do?

13 A Sure. Day-to-day I -- you know, I communicate
14 a lot with the T&I committee. I communicate a
15 lot with stakeholders. This includes, you
16 know, stakeholders from the District,
17 hospitals, Department of Transportation, the
18 state Department of Transportation as well as
19 the federal Department of Transportation,
20 Department of Health, you know, mostly at the
21 state level but also at the federal level.
22 Anyone that calls in, constituents, unions.

1 Pretty much anybody that wants to reach out we
2 have a policy to respond.

3 Q When is your -- what's your role or could you
4 kind of describe your work with interest
5 groups and lobbyists as it pertains to your
6 portfolio?

7 A Sure. You know, we have a pretty strict rule.
8 We respond to almost anyone that reaches out
9 for a meeting, one hundred percent requirement
10 to meet with anyone from the state. And then
11 as long as they're from a reputable
12 organization we'll meet with anyone that
13 requests a meeting with us.

14 Q You said that you have a strict policy about
15 that. What were the -- well, actually, did
16 the Congressman ever kind of discuss
17 expectations or guidelines for how you should
18 interact with stakeholders?

19 A We have a 48-hour response policy where we're
20 supposed to respond to any stakeholder within
21 48 hours.

22 Q And was this policy something that Congressman

1 Kahele put in place in the office?

2 A I believe so. You know, it's something that
3 was told to me in the beginning. I can't
4 guarantee it came from him, but, yeah, we had
5 a very -- I know he wanted to be very
6 responsive, and so I don't know if it was him
7 specifically but someone at the beginning did
8 say you should respond to all stakeholders,
9 especially people from the District, within
10 48 hours.

11 Q Do you remember having direct -- a direct
12 conversation with the Congressman regarding
13 your role and what was expected of you in your
14 role?

15 A Not particularly. You know, I think there
16 were on and off conversations but I don't
17 think there was ever a sit down, let me talk
18 to you for two hours about what I expect for
19 you in this role.

20 Q How often do you communicate with
21 stakeholders, interest groups, lobbyists?

22 A Daily.

1 Q Who normally initiates that communication?

2 A Usually from the stakeholders, they will
3 e-mail, they will call. I respond. On
4 occasion I will reach out if, you know -- for
5 example, we have a big problem in our water
6 supply right now so, you know, I will reach
7 out to the Department of Health. But when it
8 comes to issues that are, you know,
9 percolating or if, for example, there is a
10 committee hearing I will reach out to
11 stakeholders who care about those issues to
12 see if there's anything that -- you know, any
13 ties specifically to the District, or any ties
14 or anything I should be aware of.

15 Q And what stakeholders do you normally
16 communicate with?

17 A It really depends on the issue. I have a
18 diverse set of issues so it just really
19 depends on what the issue is and how related
20 it is to the state.

21 Q What kind of legislative issues do you work
22 on?

1 A So the T&I committee primarily is aviation
2 work, as well as his work on highways and
3 transit subcommittee. He's on both of those
4 subs. You know, some things with the Coast
5 Guard since Coast Guard reauthorization was
6 coming up this year. I also do healthcare, so
7 that's a wide variety of things between
8 Monkeypox and COVID, and generally issues
9 relating to healthcare that are always
10 existing in a state.

11 I mean I have a wide variety of issues.
12 I'm not exactly sure how to best describe
13 that. I also do a lot of native Hawaiian
14 work, indigenous peoples's work, as well as
15 work in women's issues and minorities.

16 Q You said that sometimes you would reach out to
17 certain stakeholders if there was a hearing
18 coming up. What kind of information would you
19 be requesting or asking of the stakeholders?

20 A Sure. You know, if it was a hearing on -- I
21 can't think -- oh, you know, there was a
22 hearing on pedestrian deaths so I -- I

Transcript of Interview of Witness 3

August 8, 2013

1.

1 think -- I can't specifically remember, but I
2 think I reached out to -- I, you know, pulled
3 some articles on the Internet and reached out
4 to a group that did some research on minority
5 -- or it was about indigenous issues -- people
6 who were killed more by cars than other groups
7 because of their lack of, you know, sidewalks
8 in their community. So just reaching out just
9 generally on, you know, things that I read and
10 if there's any -- I don't know how to describe
11 it. If there's additional information they
12 have, additional research so I can look into
13 so I'm not just, you know, repeating the same
14 thing everyone else is.

15 Q Once you get this information or additional
16 research what do you do with this information?

17 A I generally write up questions for the
18 Congressman and I present them to him before
19 the hearing.

20 Q How do you present them to him?

21 A We have a Google Doc and so I'll write the
22 questions on the Google Doc and if he doesn't

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1 have -- usually I'll try to get them to him
2 before the hearing to see if that's the
3 direction he wants to go in. And we'll work
4 on -- you know, work on length or wording, and
5 if he doesn't have time before the hearing he
6 will work on the Google Doc while he's in the
7 hearing so I can see his changes and we can
8 help -- I can help make sure it makes sense
9 and make sure no one else has asked the
10 question before, you know, he does.

11 Q Do you ever have an opportunity to brief him
12 in person on these matters or these question?

13 A Yes.

14 Q And what are those conversations like? What
15 does it consist of?

16 A You know, I usually just go up to him and I
17 will tell him what the hearing is on. The
18 Democrats usually have a messaging document so
19 I'll go through what kind of the key messages
20 are that they want to -- the committee wants
21 us to convey. And then I will try to tie in a
22 question -- I don't know. Tie in a question

1 related -- you know, that matches the hearing
2 and matches the messages and matches kind of
3 his -- what he's looking toward to saying as
4 well.

5 Q Does the Congressman ever provide any input or
6 feedback when you brief him?

7 A Yes.

8 Q What kind of input or feedback does he
9 provide?

10 A I mean it really depends on the issue. He is
11 much more knowledgeable on aviation issues
12 than I am, so he frequently will tell me
13 something I don't know. And he will ask me to
14 look into X, Y, Z, or look into something, see
15 if I can tie it more strongly into the
16 District or tie into more of his priorities,
17 which do include indigenous issues or, you
18 know -- indigenous issues that address -- that
19 affect the working class, things like that.

20 Q And did you ever have -- I know you mentioned
21 one of the Congressman's priorities -- a
22 conversation with the Congressman to discuss

1 all of his priorities as it relates to your
2 role in the office?

3 A I don't think we've had one conversation, I
4 think it's been an ongoing conversation about
5 what his priorities are. You know, I've
6 worked for four Hawaii members. All of their
7 priorities are kind of the same. This is my
8 fourth Hawaii member I've worked for and,
9 again, all their priorities are primary much
10 the same. So it hasn't -- I don't think we
11 necessarily had to have a sit-down
12 conversation of what his priorities are.

13 Q And what are some of his priorities, again, as
14 it relates to your role?

15 A As it relates to my role, again, native
16 Hawaiian issues is probably the biggest
17 difference between him and his colleagues who
18 I've worked for in the past. As a native
19 Hawaiian he cares a lot about these issues.
20 Healthcare access, specifically with native
21 Hawaiian healthcare since native Hawaiians
22 live on average less than ten years shorter

1 than the average population in Hawaii. He
2 cares about issues of impacting working class,
3 the working class, especially affordable
4 housing; affordable housing for teachers,
5 affordable housing for nurses, which I also
6 play into since helping is usually a portfolio
7 given to more of a junior staffer, so I help,
8 you know, make sure they're on the right
9 track.

10 Aviation is a priority of his, making sure
11 that we have, you know, a good aviation
12 policy. He's interested in that, as well as
13 access to transportation, whether it's bus,
14 ferries. We have a lot of, as you can
15 imagine, access issues in Hawaii with getting
16 around places.

17 Q I know that you kind of described how you
18 brief the Congressman for an upcoming hearing
19 in providing questions, et cetera. How does
20 the Congressman -- what's the Congressman's
21 process to take official action on a bill,
22 whether that's cosponsoring, a vote, what's

1 the process like?

2 A So for a bill cosponsorship I will have, you
3 know, me or my staff will write a memo and I
4 will verbally brief him. I'll verbally brief
5 him on if he wants to sign on or not. And as
6 he's gotten more comfortable he's okay with me
7 signing him onto legislation that he knows
8 he'll -- I know that he knows he'll support.

9 Q How is that decision made whether he'll
10 support the bill or not?

11 A If he's signed onto similar things in the
12 past.

13 Q Who is normally a part of this conversation or
14 this decision-making process?

15 A Me and the Congressman.

16 Q Does he ever discuss how certain bills or
17 legislation would affect him personally?

18 A I have never heard him say that.

19 Q I want to get into now your relationship or
20 the office's relationship with ALPA, which is
21 the Air Line Pilots Association, for Carol's
22 purposes, and Hawaiian Airlines. I want to

1 start with ALPA. Could you describe your
2 relationship with APA?

3 A I think it's a friendly relationship. They --
4 I don't know who reached out first, if it was
5 them or if it was our office, but we're on the
6 aviation subcommittee and a lot of the
7 issues -- a lot of the committees either, you
8 know, mostly address issues that ALPA also
9 cares about. So they're definitely somebody I
10 reach out to frequently.

11 Q Did you have a conversation with the
12 Congressman about how to engage with ALPA?

13 A Not that I recall.

14 Q And what's the office's -- the general
15 office's relationship with ALPA?

16 A I think -- except for me?

17 Q The entire office including yourself.

18 (Indecipherable cross-talk.)

19 A I don't think anyone except my chief has a
20 relationship with ALPA and our scheduler who
21 has scheduled meetings.

22 Q Were there any instances where the Congressman

1 was directly involved with ALPA and discussing
2 their priorities or interests?

3 A Like, was there a meeting? I don't recall if
4 we had a meeting with them or not. I
5 definitely have had a meeting with them about
6 their priorities. And they have -- you know,
7 their pilots come in every year to talk about
8 their priorities. I can't recall if my boss
9 was in them or not. But he definitely wasn't
10 in the last one and I don't remember if he was
11 in the one before that.

12 Q Who else did you meet with to discuss their
13 priorities?

14 A I've met with Witness 1 and then the pilots
15 that they bring for fly-ins.

16 Q And what about not ALPA-related, other
17 interest groups, what other interest groups
18 have you met with to discuss their priorities?

19 A Oh, anyone who will ask. I could not name
20 enough interest groups that have come and I've
21 talked to. You know, this -- like, in the
22 last month I've talked to the Hawaii State

1 Teachers Association, they came in, I've
2 talked to the Hawaii Hospital Association,
3 I've talked to TTD, the AFL-CIO, the
4 transportation TTD -- the transportation --
5 the transportation sector of AFL-CIO. I could
6 not tell you what they're called right now. I
7 don't know. I talk to one or two trade groups
8 daily.

9 Q And what was -- well, how often were you in
10 contact with ALPA?

11 A Maybe -- probably every time -- definitely
12 every time ALPA had somebody in the committee
13 that was speaking on the witness stand. So
14 every other month.

15 Q And how would you compare that to contact with
16 other entities?

17 A It was probably a little higher than just your
18 average -- you know, the Hawaii State Teachers
19 Association, but we're also on education and
20 labor so it was -- I don't know. It was one
21 of my higher ones but probably not my highest.

22 Q What was --

1 A Like, top five or top ten. Highest, the
2 Hawaii hospitals, you know, during COVID I
3 talked to them a lot, Queen's Hospital, Hawaii
4 Healthcare Association reached out a lot.
5 Again, a lot of hospital issues. I have a few
6 constituents again in the healthcare field
7 that reach out a lot regarding their personal
8 issues.

9 I have a lot of unions that reach out,
10 other unions, AFL-CIO that reaches out quite a
11 bit.

12 Q I'm sorry, what's the -- I missed the acronym.

13 A Like, AFL-CIO. Yeah, they're probably top
14 five, top ten groups that I talk to.

15 Q And what's your understanding of the
16 Congressman's relationship with ALPA?

17 A Friendly.

18 Q And now I kind of want to run through a
19 similar line of questioning for Hawaiian
20 Airlines. What is the relationship with
21 Hawaiian Airlines?

22 A Friendly. You know, they're a big part of our

1 industry in Hawaii. You know, I think
2 everybody in Hawaii has to know somebody that
3 works at Hawaiian, as you can imagine.

4 Q Yeah. And is Hawaiian Airlines -- correct me
5 if I'm wrong -- is it the biggest or one of
6 the biggest --

7 A It is basically -- sorry, I went off the
8 (undecipherable). It's basically the only
9 major -- it's the only local carrier and
10 basically the only carrier between the
11 Hawaiian Islands. There is a very small
12 carrier, Mokulele, actually who I talk to
13 probably more than I talk to Hawaiian. They
14 have a lot of specific issues. They only do
15 two or three islands. But Hawaiian --
16 Southwest just started during the pandemic,
17 but Hawaiian's basically the only carrier.

18 Q Did you ever have any conversations with the
19 Congressman involving Hawaiian priorities or
20 interests?

21 A Not that I can recall.

22 Q And what's your relationship with Hawaiian as

1 it relates to legislation?

2 A You know, I've reached out a few times to see
3 if they support certain legislation. I think
4 they reached out once or twice asking if we
5 could ask certain questions in committee, not
6 through -- necessarily through Hawaiian but
7 through Airlines for America, which they're a
8 member organization of. But I honestly don't
9 talk -- I probably only talked to Hawaiian
10 maybe once or twice this year.

11 Q And who do you communicate with over at
12 Hawaiian?

13 A Witness 4.

14 Q And you said you are on estimate communicating
15 with Witness 4 once or twice a year?

16 A Once or twice this year. Maybe -- so maybe
17 three, four times last year.

18 Q Is anyone else involved in these
19 conversations?

20 A You know, I think my chief is talking to
21 Witness 4. I don't know about what. But I
22 can't recall if anybody else would have been

1 involved in any of these conversations.

2 Q You mentioned that you had reached out --
3 possibly reached out to Hawaiian to discuss
4 their position on certain legislation. Did
5 you reach out to any other airlines?

6 A No. They're the biggest carrier in our state,
7 so, yeah.

8 Q What's your understanding of the Congressman's
9 relationship with Hawaiian Airlines?

10 A You know, friendly. I think same -- the
11 Congressman thinks the same about them as I
12 do. They're, you know, a really large
13 industry in our state and they're our biggest
14 airline carrier, so we, you know, want to hear
15 their thoughts and opinions as well.

16 Q And similar question to what I asked related
17 to your relationship with ALPA. How -- I know
18 you answered how often you communicate with
19 Hawaiian. How did that compare to other
20 interest groups?

21 A Hawaiian I would put top 25 percentile. It's
22 not -- I think I would put it at average for

1 local stakeholders. You know, I talk to
2 Hawaiian probably as much as I talk to Matson,
3 which is our largest shipping company. I
4 probably talk to them -- I talk to them less
5 than I talk to Mokulele, which is our very
6 small airlines that only cover a few islands,
7 because Mokulele has a lot of specific issues
8 that larger airlines don't have.

9 Q Was there any communication with the
10 Congressman about how you should respond to
11 requests from Hawaiian Airlines?

12 A No.

13 Q Any formal guidelines on how you should engage
14 with Hawaiian Airlines?

15 A No. Except for, you know, how before he said
16 48 hours for all constituents, so.

17 Q Do you remember who gave you that instruction?

18 A I do not.

19 Q Were there any conversations among staff,
20 other staffers in the office, about the
21 relationship with Hawaiian Airlines?

22 A No.

1 Q I want to discuss more specifically just some
2 of the legislation that the Congressman took
3 official actions on. I want to start with the
4 Fair and Open Skies Act. Can you -- well,
5 first describe the Fair and Open Skies Act.

6 A Sure. The Fair and Open Skies Act is a bill
7 introduced by the chair of the T&I committee,
8 Pete DeFazio, which would help to address the
9 circumventing of the (indecipherable) laws
10 that exist basically making it easier for --
11 basically making it -- currently it's easier
12 for, you know, airlines that are technically
13 in, you know, let's say the Ireland who are
14 actually flagged somewhere else to -- so they
15 can circumvent the EU-US open skies guideline.

16 Q Why was the Fair and Open Skies Act a priority
17 for the Congressman?

18 A You know, he is a man of the working class and
19 thinks that this protects American jobs and
20 American workers.

21 Q And when you were preparing to brief the
22 Congressman on the Fair and Open Skies Act,

1 who would you reach out to?

2 A I definitely reached out -- I know I reached
3 to ALPA and I reached out to Hawaiian. The
4 only reason I wouldn't have reached out to
5 either of those is if they were -- I had
6 gotten materials from T&I, T&I had asked us to
7 be an original cosponsor, and so if I didn't
8 reach out to ALPA it was because they were
9 already listed as a sponsor. But I don't
10 remember if I reached out to them or not. But
11 I remember reaching out to Hawaiian and I
12 remember Hawaiian was opposed. They didn't
13 say that specifically but I inferred from
14 their response they were opposed.

15 Q They were opposed to --

16 A The Fair and Open Skies Act.

17 Q -- the Congressman cosponsoring it?

18 A Yes. Again, you had to read between the
19 lines, but I inferred from their -- that they
20 were opposed.

21 Q And did you happen to reach out to any other
22 interest groups or airlines to get feedback on

1 the Fair and Open Skies Act?

2 A No.

3 Q Why only ALPA and Hawaii?

4 A Well, ALPA is the largest union for pilots and
5 that was part of my boss' questions.

6 Hawaiian, again, they're the largest --
7 one of the largest industries in our state,
8 and so it's common to reach out to large
9 industries in your state to see what their
10 thoughts are.

11 I do remember that they gave me a list of
12 other people who had sponsored, already -- you
13 know, sorry, already endorsed the legislation.
14 I'm pretty sure it included the flight
15 attendants and a list of other groups. And so
16 I didn't have to check with everyone.

17 Q Who gave you the list? I'm sorry.

18 A The T&I committee.

19 Q Okay. And did you -- was the Congressman
20 aware that Hawaiian Airlines actually did not
21 support the Fair and Open Skies Act?

22 A I assumed I would have mentioned it to him. I

1 don't recall specifically mentioning it to him
2 but I find it difficult to think I wouldn't
3 have mentioned that.

4 Q Were there any other pieces of legislation
5 that other interest groups wanted the
6 Congressman to cosponsor?

7 A Ever?

8 Q That you can remember.

9 A Oh, yeah. We have an entire list of all the
10 bills we sponsored and we color code them by
11 if constituents request or not and we have,
12 you know, probably three-quarters of those
13 have come from either constituent requests or
14 industry requests. So, yes, I would say the
15 vast majority of our legislation we cosponsor
16 is because of a request.

17 Q And did the Congressman ever -- was he ever
18 involved in any conversations with Hawaiian
19 regarding the Fair and Open Skies Act?

20 A Not that I'm aware of.

21 Q And I know we generally talked about your work
22 and process, but could you describe your work

1 specifically on this bill just as an example
2 of what that process is like?

3 A Sure. The transportation infrastructure
4 committee reached out to see if we would want
5 to sponsor this bill, I assume because my boss
6 is a pilot. I don't know why specifically. I
7 read the bill. I, you know, read the
8 one-pager. I looked at the group of
9 endorsers, asked groups who are in our
10 District or in our state who would be impacted
11 by this bill if they supported it. I
12 summarized all the information, then gave it
13 to the Congressman.

14 Q Were there any considerations about how the
15 legislation may impact the Congressman
16 personally?

17 A No.

18 Q And I kind of want to go through -- I'm sure
19 you've seen the media and there were six
20 pieces of legislation that were at issue, and
21 I want to go through -- very quickly through
22 them and ask you a couple of questions if

1 that's okay.

2 A Okay.

3 Q So I want to start with the National Center
4 for the Advancement of Aviation Act, which I
5 believe was HR 3482. I'm not sure if you
6 recall that or if you worked on that. Did you
7 work on that?

8 A I did.

9 Q Okay. And did you have any communication with
10 any interest groups regarding that
11 legislation?

12 A I do not recall.

13 Q Did you have any communications with the
14 Congressman regarding his interest to vote for
15 or against it?

16 A The Congressman has always voted with the
17 chair in T&I, has yet to waiver from that, so
18 I don't specifically recall a conversation.
19 But he is somebody that generally will look at
20 the legislation and, you know, make his own
21 decisions. But I don't recall having a
22 specific conversation with him on this bill.

1 Q Were there any considerations about how that
2 bill would affect the Congressman personally?

3 A No.

4 Q Now I'd like to move on to the Healthy Flights
5 Act of 2021, HR 2270. Did you happen to work
6 on that piece of legislation?

7 A Yes.

8 Q Did you reach out to any interest groups or
9 stakeholders?

10 A I don't believe I did.

11 Q And what was the Congressman's position on
12 that bill?

13 A I don't think he had any specific questions or
14 issues. I presented it to him because T&I
15 aviation had asked us to consider it. I
16 looked at it and it seemed like something we
17 should sign on to and so I asked him and he
18 did.

19 Q Were there any considerations with this bill
20 on whether or not it would affect the
21 Congressman personally?

22 A No.

1 Q And I think three more here. So The
2 Sustainable Skies Act, HR 3440. Did you
3 happen to work on that bill?

4 A Yes, I did.

5 Q And did you have any communications with
6 interest groups or your stakeholders regarding
7 that piece of legislation?

8 A I had remember -- you know, I remember -- I
9 can't remember which stakeholders had
10 mentioned it at some point. And so when it
11 came up in my dear colleagues and during a
12 committee hearing about Sustainable Skies it
13 reminded me that I should also look into this
14 bill, and so I did.

15 So it did come up in a conversation. I
16 cannot recall what conversation or if it was a
17 CRS hearing or a hearing hearing, but I
18 remember it coming up and when it came up
19 again I asked my intern to do a review because
20 I remember thinking that this is something the
21 Congressman would be interested in.

22 Q And is this legislation something you would

1 have reached out to ALPA or Hawaiian Airlines
2 about?

3 A I would have. I don't recall if I did since I
4 knew it wouldn't matter since I know the
5 Congressman would have supported it even
6 without knowing if they supported it or not.

7 Q Would the Congressman -- it sounds like based
8 on certain interest groups or stakeholders'
9 position on certain bills is it possible that
10 the Congressman would change his mind on
11 whether to support or not support a bill?

12 A I have never heard him change his mind based
13 on an interest group's endorsement or
14 non-endorsement of a bill.

15 Q I asked because you mentioned that. For some
16 of these bills you didn't bother reaching out
17 to certain stakeholders because you knew that
18 the Congressman would support it. How does
19 that defer from, for example, the Fair and
20 Open Skies Act were there was (indecipherable
21 cross-talk)?

22 A The Fair and Open Skies Act was one of the

1 first bills that I worked on for him. I think
2 if you look at the e-mail I think they were
3 pretty early, maybe March, April, and I had
4 only started in February. So I was more
5 concerned personally, but I was making sure I
6 was on the right track.

7 It wasn't a directive from the Congressman
8 that -- I don't remember a directive from the
9 Congressman. I just felt like I should, you
10 know, make sure that -- I was covering my
11 bases more when I started. As I grew to know
12 him and grew to know his values and his, you
13 know, his purpose in Congress it became easier
14 for me to not have to rely on endorsements but
15 just to rely on, you know, his mission and his
16 values and understand what he would cosponsor
17 and what he would not.

18 Q And for any of these bills was there ever any
19 consideration on how it affected the
20 Congressman personally?

21 A No.

22 Q And outside of these pieces of legislation,

1 for any other legislation that the Congressman
2 could be taking official action on does he
3 ever provide input based on personal
4 experience or personal interest?

5 A No. By personal -- personal interest, no.
6 Personal experience, for a T&I, no. For,
7 like, hearing questions he has, you know, more
8 experience than I do. So, for example, for
9 the 5G hearing he had more experience on
10 exactly why this was a concern, but for these
11 bills or for any of the bills we've worked on,
12 no.

13 Q Okay. Were there any conversations amongst
14 you or other staffers or including the
15 Congressman about the potential for a conflict
16 of interest in dealing with Hawaiian Airlines
17 or ALPA since the Congressman is an employee
18 of Hawaiian Airlines and a member of ALPA?

19 A I was not a part of any of these conversations
20 if they existed.

21 Q And it had never come up amongst staff, the
22 potential for a conflict of interest?

1 A No.

2 Q Have there ever been any policies, procedures
3 put in place to avoid a conflict of interest
4 with Hawaiian Airlines or ALPA?

5 A Not that I'm aware of.

6 Q And did the Congressman ever review or any
7 other staffer on his relationship with ALPA or
8 Hawaiian Airlines?

9 A Not that I'm aware of.

10 Q Were you aware that the Congressman was
11 employed by Hawaiian Airlines prior to
12 starting in his office?

13 A Yes.

14 Q Were you aware that he was a member of ALPA
15 prior to starting in his office?

16 A I don't know.

17 Q Did you personally believe that there could
18 have been a conflict of interest issue with
19 his relationship with Hawaiian Airlines?

20 A Before I started or when I started or during?

21 Q All three.

22 A If I thought there was a conflict of interest

1 I would have brought it up to my chief. If I
2 thought there were things that were becoming
3 unethical I would have brought it up to my
4 chief. But at no point did I think that
5 asking a large stakeholder or asking if people
6 endorse this bill he was doing this for his
7 own personal gain and, again, you know, we --
8 for other labor unions we like to score well
9 on their scorecards and we put in a lot of
10 effort to make sure that, you know, other
11 unions, other environmental groups, that we
12 score well and so -- on their scorecards. And
13 so we do put a lot of effort into doing this
14 not just for ALPA but for a lot of other
15 organizations as well.

16 So I never thought this was -- this
17 particular relationship was unethical, and if
18 I did I would have brought it -- I would have
19 made it -- I would have brought it up to
20 somebody else.

21 Q And just a couple of last questions. Who else
22 have you communicated with about our review?

1 A My chief.

2 Q And is there anything else you would like to
3 tell us that you think would be helpful?

4 A I don't think there is. You know, I just
5 think that of all my -- you know, I don't know
6 everyone else's relationship with ALPA or
7 Hawaiian Airlines but within my own
8 relationship with them we treated both of
9 their organizations like any other big
10 interest group, big constituency, big
11 organization, big business in our state or big
12 union that supported -- you know, that we're
13 fond of.

14 Same with the teachers' union, same as the
15 AFL-CIO, same as the nurses' union, same as
16 any other union, and I don't think that there
17 was a -- that we, our office, supported this
18 union for his own personal gain. That's it.

19 Q Thank you so much, Witness 2. I'm going to
20 open up the floor to my two colleagues in case
21 anyone has any follow-up questions or
22 concerns. No one is turning on.

1 MR. ASHMAWY: I'm here. No, I don't think
2 so.

3 MS. BENITEZ: Okay. Well, again, thank
4 you so much, Witness 2. I really appreciate
5 your time this afternoon and you taking some
6 time to speak with our office.

7 And with that being said, we can go off
8 the record.

9 (Off the record at 12:44 p.m. EST.)

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EXHIBIT 9

CONFIDENTIAL

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

Transcript of Interview of Witness 1

Review No. 22-9485

August 5, 2022

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OOOOOOOFIICENOFIOEFGRSNAACFGLTONHUCEA
OOOFIOHUNO.PAPOUF.ANOFIOSNVSANGLHLHCnNA

OOOOOOOOOOOOOOOterviwroOfWodCHGNAAO1
OOOOOOOOOOOOOOOOOnwveucaalOEftyuMery
OOOOOOOOOOOOOOOOIvwycl,OLuguse05,02022
OOOOOOOOOOOOOOOOOOO11:04OcPpPONAH

mfJOGfP:0458477
Vcgrs:010 049
SrbfveryOJl:OOAu-cOGcwv

Transcript of Interview of Witness 3
August 8, 2022

1 OOOOOOOOOOnwyrfMftWrvrtMrOyrbfswewftOfW

2 dCHGNAA01,OMftyuMeryOiwveucaalP

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9 OOOOOOOOOOVuvsucteOefOGfewMr, OJrWfvrOAu-cOGcwv,

10 cOefuveOSrbfvervOctyOGfecvlOVuJawMOWtOctyOWfv

11 eBrOAecerOfWOhcvlactyP

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Transcript of Interview of Witness 3

August 8, 2022

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1 OOOOOOOOOLOVONOLOSOLOGOEON
2 FGODNULTIOFIOHUNOVTLCGHCIIA:
3 OOOOCGZUCSLODNGCHNQ, ONAY.CSN
4 OOOOFhLSOLAUhLdz, ONAY.CSN
5 OOOOFIICENOFIOEFGRSNAACFGLTONHUCEA
6 OOOOFIOHUNO.PAPOUF.ANOFIOSNVSANGHLHCnNA
7 OOOO42503vyOAevrre, OAd
8 OOOOAuwerO1110
9 OOOOdcsBwtgeft, OZE020024
10 OOOOK202k0225 9739
11
12
13 FGODNULTIOFIOLCSOTCGNOVCTFHAOLAAFECLHCFG
14 FIOLhNSCEL:
15 OOOOACHFGOLPOTLHEFnCEU, ONAY.CSN
16 OOOOdCTTCLhAOXOEFGGFTTz, OTTV
17 OOOO680OhcwtrOLirtur, OAd
18 OOOOdcsBwtgeft, OZE020024
19 OOOOK202k0434 5967
20
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Transcript of Interview of Witness 3

August 8, 2022

1 OOOOOOLTAFOVSNANGH:

2 OOOOOOOOOOhvPOmfrOScpwvr',OLnOHrMBtwMwct

3 OOOOOOOOOOhvPOqrteOHvrsbcacMwfs

4 OOOOOOOOOOhvPOHBfpcsOEwctevc,ONs?uwvr

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9 OOOOOOOOOOOOOOOOEOFOGOHOHONOGOHOA

10 N&LhCGLHCFGOFIOdCHGNAAO1OOOOOOOOOOOOOOOOOOVLRN

11 OODlOhsPODrtwer'OOOOOOOOOOOOOOOOOOOOOOOOOOO5

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16 OOOOOOOOOOOOOOOOONO&OUOCODOCOHOA

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18 OOOOOOOOOOOOOOOOOOOOOOOGKFGNk

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Transcript of Interview of Witness 3

August 8, 2022

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2 OOOOOOOOOOOhAPODNGCHNQ:OOAfOorxvrOftOeBrOvrMfvyP
3 HfyclOwsOLuguse05,02022POOdrxvrOMftyuMewtgOeBr
4 vrpferOwterviwroOfWodwetrss01POOUrxs
5 vrbvrsrteryOJlOMfutsra,OAwpftOTceMfiwMB,OoBfOws
6 bvrsrteOoweBOusOefyclPOOLasfObvrsrteOoweBOus
7 efyclOwsOHBfpcsOEwctevc,OoBfOwsOZrbuelORrtrvca
8 EfutsraOWfvOeBrOLwvOTwtrOVwafesOLssfMwcewftP
9 OOOOOOOOOOAbrcjwgtOwsOCtyBwvcODrtwer'POOCxpOct
10 wtirsewgcewirOMfutsraOceOeBrOFWWwMrOfW
11 EftgvrsswftcaONeBwMs,OctyObvrsrteOoweBOprOefycl
12 WvfpOfuvOfWWwMrOwsOfuvOEBwrWOEfutsra,OFpcv
13 LsBpcol,OctyOqrteOHvrsbcacMwfs,OcOacoOMarvjP
14 OOOOOOOOOOdwetrss01OBcsOJrrtOgwirtOcOMfblOfW
15 180.AEO1001POOUrOBcsOcMjtfoarygryOctyOswgtry
16 eBrOcMjtfoarygprteOctyOvrevvtryOeBceOJcMjOef
17 fuvOfWWwMrP
18 DzOhAPODNGCHNQ:
19 OOOOYPOOOOLty,Ocgwt,Odwetrss01,OwWolfuOBcir
20 ctlo?ursewftsOfvOtrryO OtrryOprOefOvrbrce
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22 efOareOprOjtfo,Ofjcl;

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Transcript of Interview of Witness 3

August 8, 2022

C

1 000000000Af,OCogurss,OarexsOsecveOoweBOsfpr
2 JcswMsPOOdBceOyfrsOeBrOarcyObfawMlOcty
3 argwsacewirOcyiwsfvOyfOceOLTVL;
4 0000LP0000Afo OctyO OctyOplOvfarOBcsOMBctgry
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15 eBceOvrguacerOciwcewftOctyOacJfvOfvgctw'cewfts,
16 csOoraaOcsOCobvwpcvwalOyrcaOoweBOeBrOr(rMuewir
17 JvctMB,OcsOoraaP
18 000000000LtyOtfOOCosfveOfWOpctcgrOfuvOsreOfW
19 OfWOfafJJlwsesOwtOfuvOfWWwMr,OcsOoraa,OJue
20 eBceOocsOplO OplO-fJOceOeBrOewprP
21 0000YPO000FjclP00LtyOWWlfuOMfuayOirvlOswpbal
22 yrsMvwJr,OoBceOwsOLTVL;OodBceOyfOeBr1Oyf;

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Transcript of Interview of Witness 3

August 8, 2022

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1 0000LP0000zrcBP
2 0000000000AfOLTVL0wsOeBrOLwvOTwtrOVwafes
3 LssfMwcewftP00Ce0ws0c0acJfv0fvgctw'cewftOeBce
4 vrbvrsrtes0cbbvf (wpceral065,0000MfpprvMwca
5 cwvawtrObwafesOce,OvfugBal,0340cwvawtrsOwt
6 EctcycOctyOeBrO.tweryOAecersP00huMBOpfvrOr?uwel
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9 cMewiwewrsOwtOervpsOfW0vrbvrsrtewtgOprpJrvsOcs
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11 fvgctw'cewft,OJueOorOcasfOrtgcgr,OceOarcseOwt
12 OwtOpl0sfveOfW0-fJOyuewrs,OafJJlwtgOctyOsive
13 fW0buJawMObfawMl,OJfeB0wyrcoGrtrvcewftOcty
14 wtervcMewftOoweB0gfirvtprteOcgrrMwrsOcty
15 EftgvrssOfT0c0oBfarOBfseOfW0eBwtgsOwtOeBr
16 ciwcewftOvrcap,OctyOcsOoraaOcsOsiveOfW0pceervs
17 vraceryOefOeBrOr (rMuewftOfW0yuewrsOcsOcOacJfv
18 fvgctw'cewftP
19 0000YP0000dBceOyfrsOlfuvOycl ef ycl0affj0awjr;
20 0000LP0000NirvlOycl0wsOywWWrvrteOctyOywWWwMuae,
21 csOC0eBwtjOrirvlftrxsOwsOwtOsfpromcbcMwelPOOC,
22 csOcOgrtrvcaOpceerv,OrssrtewcaalOBctyarOcaa

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Transcript of Interview of Witness 3

August 8, 2022

1 bfawMlOpceervs,ObcvewMuacvalOJrWfvroEftgvrssP
2 HBceOusucaalOwtifairsOyrcawtgOoweBOMfppweerr
3 secWWO?uwerOcOJwe,OcsOoraaOcs,OyrbrtywtgOft
4 oBcexsOBcbbrtwtgOwtOEftgvrss,OyrcawtgOoweB
5 prpJrvsOftOeBfsrOMfppweerrs)OcasfOecajwtgOef
6 fuvOwtervtcaOsecWWO?uwerOcOJweP
7 OOOOOOOOOODueOwexsOcOafeOfW0wtWfvpwtgOsecWW
8 cJfueOoBceOwsOgfwtgOft)OoBceOfuvObvwfvwewrs
9 cvr)OBrabwtgOefOtrgfewcerOargwsacewftOeBceOpcl
10 fvOpclOtfE0JrOpfiwtgOeBvfugBOEftgvrssPOOLtyOC
11 ofuayObvfJcJalOyrsMvwJrOeBceOcsOcOtfvpcaOyclOfW
12 JuswtrssOWfvOprP
13 OOOOYP0000LtyOC0octeOefOgfOJcMjOefOoBrtOlfu
14 orvrOyrsMvwJwtgOlfuvOvfarPOOzfuO OlfuOscwy
15 eBceOlfuObvwpcvwalOyrcaOoweBOeBrOr(rMuewir
16 JvctMB,OctyOlfuOcasfOyrcaOoweBOEftgvrssP
17 OOOOOOOOOOUfoOpuMBOfW0lfuvOofvjOofuayOlfuOsc1
18 ocsOsbaweOJreorrtOyrcawtgOoweBOeBrOr(rMuewir
19 JvctMBOirvsusOEftgvrss;
20 OOOOLP0000COsBfuayOMacvwWlPOOCoprcteO-useOeBce
21 plo OplOefecaObvwpcvlOyuewrsOwsOJfeBOeBr
22 r(rMuewirOJvctMBOctyO OctyOEftgvrssPOOCOofuay

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Transcript of Interview of Witness 3

August 8, 2022

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1 sclOwtOervpsOfWoeBrOsbawe, OefOl fuvO?ursewft, OC
2 ofuayOsclopfvrofWoweOyrcaOoweBOEftgvrssPOOCWOC
3 BcyOefOBC'cvyOcOgurss, OoBwMBOWsOBcvyOefOyf,
4 CO 0750brvMrte, ObvfJcJal, OwsOWfMusryOftO oft
5 eBrOargwsacewirOJvctMBP
6 OOOOYPOOOOLtyOMfuayOlfuOyrsMvwJrOlfuvOofvjOoweB
7 eBrOargwsacewirOJvctMB; OOUfoOyfOlfuOofvjOoweB
8 Eftgvrss, OsecWW, OprpJrvs;
9 OOOOLP0000zrcBP
10 OOOOOOOOOAfOCO OCOpfsealOyrcaOoweBOsecWWOcty,
11 lfuOjtfo, OeBceOwtifairsOJfeB, OCOeBwtj, OwtOrcval
12 secgr, OryuMcewtgObrfbarOcJfueOfuvObfswewfts)
13 fWertOryuMcewtgOsecWWrvsOcJfueOeBrOcwwawtr
14 wtyusevlPOOFJiwfusl, OsecWWOorcvOcOafeOfWOBces,
15 ctyOcOafeOfWofuvOwssursOcvrObvreelOtwMBrP
16 OOOOOOOOOAfoplo-fJOWs, OceOcOJcsrawtrOarira, Oef
17 jrrbObrfbarOcbvwsryOfWOJfeBOoBceOvrcaalOctOcww
18 OoBceOvrguacewtgOctOcwwawtrOwtyusevlOwsOwtOc
19 MftgvrsswftcaOMfter (e, OcsOoraaOcsOctOr (rMuewir
20 JvctMBOMfter (ePOOLtyOcasf, OlfuOjtfo, OeBr
21 bvfwewrsOfWofuvOcssfMwcewft, OwtWfvpwtgOeBrp
22 ftOeBfsrOpceerVs) OevlwtgOefOwtevfyuMrOJwaasOef

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Transcript of Interview of Witness 3

August 8, 2022

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1 eBceOrWwrMeP00LtyOefOeBrOr (erteOorOcvr
2 suMMrSSWua, OfJiwfusAl, OevlwtgOefOpfirOoBceOlfu
3 pclOMcaaOcOargwsacewirOcgrtyc, OoBwMB, OlfuOjtfo,
4 yrbrtysOftO OftOBfoOEftgvrSSOwsOfbrvcewtg, OJue
5 weOpclOprctOpfiwtgOctOwtYwiwyucaObwrMrOfW
6 argwsacewft, OJafMjwtgOctOwtYwiwyucaObwrMrOfW
7 argwsacewft, OfvOtrgfewcewtgOargwsacewftOoweBwt
8 eBrOMfter (eOfWocOacvgrvOWvcprofvjObcMjcgr
9 wtsercyOfWocOswtgarOJwaaP00COofuayOscloEbcexs
10 OeBcexsO OlrcBP
11 0000YP0000LtyOBfoOfWertO OBfoOfWertOcvrOlfu
12 MfpputwMcewtgOoweB0secWWOftOcOycwalOJcsWS;
13 0000LP0000Lgcwt, OweO OweO OlfuOjtfo,
14 fJiwfusAl, OawjrOctleBwtg, OweO OwexsOsuJ-rMeOef
15 oBcerirvOwsOgfwtgOftP00Ivr?urteO OrirvlOyclOC
16 MfpputwMcerOoweB0sfprOsecWWrvP00AfprOyclsOwexs
17 ?uwerOWvr?urte, OprctwtgOCOpwgBeOecajOef, OC
18 yftxeOjtfo, O10OefO150secWWrvsP00AfprOyclsOwexs
19 cOafeOarSS, O-useOyrbrtywtgOftOoBceOeBrObcMrOfW
20 eBrOMftgvrSSwftcaOsMBryuarOctyOoBreBrvOfvOtfE
21 fuvOwssursOcvrOsFveOfW, OlfuOjtfo, OWrceuvryOfv
22 wpbfvecteOceOeBrOewprP

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Transcript of Interview of Witness 3

August 8, 2022

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1 OOOOOOOOOAfOweO OweO-useOyrbrtys,OJueOCOofuay
2 OCOgurssOoBceOCOofuayOsc1OwsOorOrtgcgrooweB
3 secWWOwtOcOMftsecteOJcswsP
4 OOOOYPOOOOLtyOlfuOprtewftryOeBceOcsObcveOfWOftr
5 fWOfuvOpctloyuewrs,OlfuOfWertOcvrOtrgfewcewtg
6 argwsacewftOfvOevlwtgOefObusBOargwsacewft
7 WfvocvyP
8 OOOOOOOOOOUfoOyfOlfuOgfOcJfueOyfwtgOeBce;OOdBce
9 yfrsOeBceOaffjOawjr;
10 OOOOLPOOOOCeO OweO Ocgcwt,OweOyrbrtys,OC
11 eBwtj,OftOeBrO OlfuOjtfo,OeBrOMwvMupsectMrsP
12 COofuayOsc1,OcsOctOr(cpbar,OlfuOjtfo,OorOBcirOc
13 sreOfWOWjaasOeBceOorOofvjOoweBOsecWWOftOJfeB
14 yvcWewtgOctyOgreewtgOwtevfyuMryOctyOeBrtOevlwtg
15 efOpfirOeBvfugBOeBrObvfMrssP
16 OOOOOOOOOAfOeBceOMfuayOwtifairOpclJrOpr
17 yvcWewtgOargwsacewftPOOCeOMfuayOwtifairOprOsfve
18 fWovrcMewtgOefO OefOeBwtgsOctyObvfiwywtg
19 MfpptesPOOCeOvr?uwvrsO?uwerOcOJweOfWO OfWert,
20 lfuOjtfo,OcOafeOfWoplO-fJ,O?uwerOWvctjal,Ows
21 CxpOyrcawtgOoweBOevlwtgOefObvfiwyrOwtWfvpcewft
22 efOsecWWrvsOcsOefOoBlOcObcvewMuacvOargwsacewft

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1 wsOusrWuaOfv0 OfvOvrcaal,OfWertewprs,
2 r (bawMcewtgOoBceOweOyfrsOfvOyfrstxeOyfP00Af
3 eBceOofuay0JrOpclJrOovwewtgOprpfs,Or (bacwtwtg
4 eBrObvfiwswftsOfW0 OfW0c0Jwaa,OfvOfeBrvowsr,
5 lfuOjtfo,Obvfiwywtg0ctlOovcbcvfutyOwtWfvpcewft
6 eBce0subbfvesOpfiwtgOargwsacewftP
7 000000000Af0wexs0 Owexs0c0 Ocgcwt,Owe0-use
8 yrbrtysOf0eBrOMwvMupsectMr,OJueOweOMct0Jr
9 ctLeBwtg0Wvfp0rtgcgwtg0secWW0cs0ct0r (bactcefv1
10 pceervOf0eBr0bBftr0ef,0lfuOjtfo,0Brabwtg0yvcWe
11 argwsacewft,0cty0casf,0lfuOjtfo,0evlwtg0ef
12 bvfiwyr0bfawewMca0JctyowyeB00Af0C0ofuay0scl
13 greewtg0Mfsbftsfvs0ft0c0Jwaa,0Wfv0r (cpbarP00Af
14 prrewtg0oweB0secWW0cty0r (bacwtwtg0oBl0we0ofuay
15 Jr0c0gffy0wyr0c0pclJr0Wfv0eBrwv0Jfss,0Wfv
16 r (cpbar,0ef0 Oef0Mfsbftsfv0c0bwrMr0fW
17 argwsacewftP
18 0000YP0000Lty0Bfo0yfrs0eBce0ofvj0 OeBr0ofvj
19 eBce0lfu0yf0yrca0 OoBrt0lfu0yrca0oweB0secWW
20 ywvrMeal,0Bfo0yfrs0eBce0ywWWrv0fv0Bfo0ws0we0eBr
21 scpr0cs0oBrt0lfuxvr0yrcawtg0oweB0eBr0prpJrvs;
22 0000LP0000HBr0secWW0cvr0gfwtg0ef0Bcir0

Transcript of Interview of Witness 3

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1 grtrvcaal,OBcirOpfvrOewprOctyOwtervrseOwt
2 utyrvsectywtgOeBrOyrecwasOfWOargwsacewftPOOC
3 ofuayOscloWeOyrbrysOftOeBrOsecWWPOOaf,Oawjr,OC
4 yfOcOafeOfWOofvjOoweBOeBrOsecWWOftOeBrOcMeuca
5 MfppweerrsOeBceO OeBceOovwerOeBrOJwaasPOOdweB
6 eBrp,OeBrvrxaaOJrOpuMBOyrrbrvOywirsOwtOervpsOfW
7 eBrOsuJsectMrOcty,OlfuOjtfo,OargcaOwpbfveOfW
8 oBceOcOJwaa,OrweBrvOeBceOorxvrOsubbfvewirOfWOfv
9 orxvrOtfesubbfvewirOfW,OyfrsPOOLtyOeBceOMfuay
10 wtifairOr(ertswirOprpfOovwewtg,OMrvecwtalOafes
11 fWOMftirvscewftsP
12 OOOOOOOOOOLtyOwWO OwWOWexsOcOfWWwMrOeBceOws
13 cO OWfvOr(cpbar,OcOprpJrvOftOcOMfppweerr,OJue
14 tfeOeBrOcMeucaOMfppweerrOsecWW,OeBceOofuay
15 wtifairOarssOyrecwaryOofvj,OJueO-use,
16 rssrtewcaal,OjrrbwtgObrfbarOcbvwsryOfWOoBce
17 JwaasOyf,OoBlOfuvOfvgctw'cewftOsubbfvesOeBrp,
18 fvOwtOeBrOMcsrOwtOEftgvrss,OcOafeOfW
19 MftgvrsswftcaOofvjOws,OlfuOjtfo,OJafMjwgtgOcO
20 lfuOjtfo,OeBwtgsOeBceOlfuObrvMrwirOcsOJcyOfvO
21 fvOsfveOfWotfeOwtOlfuvOwtervrsePOOzfuOjtfo,
22 r(bacwtwtgOoBlOeBfsrO OeBfsrOwssursOpclJr

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Transcript of Interview of Witness 3

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1 sBfuaytxeOpfirOfvOcOprpJrvOfWOfEftgvrssOsBfuay
2 BcirOcOywswatervrseOwtOJrwtgOsubbfvewirOfWosuMB
3 rtyrcifvsP
4 OOOOYPOOOOLtyOCOjtfoOlfuvOofvjOsuvvfutysOeBr
5 ciwcewftOwtyusevl,OJueOoBceO OoBceOMfppweerrs
6 yfOlfuOofvjOoweBOeBrOpfse;
7 OOOOLP0000AfOJlOWcv,OeBrvrOcvrOeofOMfppweerrs
8 eBceOCosbrtyOpfseOfWoplOewprOoweB,OoBwMBOofuay
9 JrOHvctsbfvecewftOctyOCTWvcsevuMeuvrOefppweerr
10 wtOeBrOUfusr,OctyOeBrtOeBrOArtcerOefpprvMr
11 Efppweerr,OefpprvMr,OAMwrtMr,OctyOhrMBtfafglOwt
12 eBrOArtcerPOOUforirv,OCOyrcaOcasfOwtOc
13 prctwtgWuaOsrtsrOoweBOeBrOvrsbrMewirOUfpracty
14 ArMuvwelOMfppweerrsOwtOeBrOUfusrOctyOArtcer,
15 ctyOefOcOarssO OCOsBfuayO OCOsBfuayOcy, OeBr
16 LbbvfbvwcewftsOefppweerrs,OcsOoraa,O?uwerOc
17 JwePOOLty,OeBrt,OefOcOarssrvOr (erte,OeBr
18 MfppweerrsOeBceOyrcaOoweBOec (Opceervs,Os f
19 IwtctMrOctyOdclsOctyOhrctsPOODueOeBcexsOpuMB
20 pfvr,OlfuOjtfo,OyrOpwtwpwsOfWoplOofvjOvracewir
21 efOeBrObvwpcvlOevctsbfvecewftOMfppweerrsP
22 OOOOYPOOOOLtyOBfoOfWertOcvrOlfuOprrewtgOfv

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Transcript of Interview of Witness 3

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38

1 sbrcjwgtgOoweB0prpJrvsOftOeBfsrOMfppweerrs;
2 0000LP0000hrpJrvs;00C0ofuayOsc10tfeOcs
3 Wvr?urtealOcsOfeBrvObrfbarOftOpl0secWWP00COyf,
4 cgcwt,OpuMBOpfvrOfWOC0gurssOoBceOlfuOofuayOMcaa
5 sfveOfWOMfppweerr WfMusryOofvj,OoBwMBOwsOcOJwe
6 pfvrObfawMlOBrcilOctyOyrecwaOWfMusryP
7 0000000000AfOwtOervpsO OCO OwexyOJrOBcvyOWfv
8 prOefOBc'cvyOcOgurssP00AfpwprsrOCOowaaOprre
9 oweB0prpJrvsOcOyrMrteOcpfute,OJueO OJueOarss
10 sfOeBctOfeBrvsP00IfvOr (cpbar,OftOfuvOercp,Oor
11 BcirOcOercpOfWofeBrvOafJJlwsesP00COyftxeO
12 CO OCOMfuaytxeOcbvfv (wpcerOBfoOWvr?urteal,OJue
13 yuvwtgOeBrObctyrpwM,OCOofuayOsc1OpuMBOarss
14 Wvr?urtealOeBctObvfJcJalOusuca,OoBwMBOwsOevur
15 fWOrirvlJfyl,OvvgBe,OJueOtfefeOeBceOWvr?urtealP
16 DueOoBrtoTrMrsscvl,OCOyfp
17 0000YP0000LtyOlfuOprtewftryOcOMfubarOfWofeBrv
18 brfbarOftOlfuvOercp,OfeBrvOafJJlwsesP
19 0000000000UfoO OBfoOJwgOwsOeBrO OwsOLTVLxs
20 jwtyOfWOargwsacewirOcWWcwvsOercp;
21 0000LP0000drOBcirO OgwirOprOcOsrMftyOefOeBwtj
22 eBvfugBOeBrOtupJrvsOBrvrP

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Transcript of Interview of Witness 3

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3C

1 OOOOOOOOOOAFoorOBcirOWwirOsecWWOafJJlwses,
2 wtMauywtgOplsraW,OctyOeBrtOorOBcirOcOVLE
3 ywvrMefv,OoBfOyrcasOoweBOpceervsOwtifaiwtgOeBr
4 VLEPOOLtyOeBrtOorOBcirOeofOcswsectesO
5 vrcaal,OeBvrrOcswsectesPOOafOCogurssOeBce
6 ofuayOJrOtwtr,OJueOWwirOWuaa ewprOafJJlwsesP
7 OOOOYP0000LtyOcvrOcaaOeBrOafJJlwsesOcswgtry
8 MrvecwtObvwfvwewrsOfvOwsOweOgrtrvcaalOcaaO
9 yfrsOweOcaaOWcaaOwtOawtrOoweBOoBceOlfuOyf;
10 OOOOLP0000Rffyo?ursewftP
11 OOOOOOOOOONirvlftrOwsOcswgtryOcOsfiveOfWoc
12 BlJvwyOcbvfcMBOfWOfBosbrMwWwMoprprJrvsOcty
13 eBrt,Ocasf,OMrvecwtOywsMvrerOwssursPOOafOcsOftr
14 r(cpbar,OsfprftrOrasr,OtfeOpr,OBctyars,Olfu
15 jtfo,Oawjr,OrtrvglObfawMlOeBceOvracersOef
16 ciwcewftPOOLtyOsfOrirtOeBfugBOcOafeOfWoprprJrvs
17 COyrcaOoweB,OlfuOjtfo,OofuayOyrcaOoweBOevlwtg
18 efOyr McvJftw'rOciwcewft,OWfvOr(cpbar,OC,OcsOc
19 grtrvcaOpceerv,OowaaO OowaaOpctcgrOctyO-upbOwt
20 oBrtOeBcexsOcbvfbvwcerOWfvOprOefOyf,OJueOC
21 yftxeOyrcaOoweBOeBceP
22 OOOOOOOOOOAFowexsOcO OwexsOcO OcOpfvr

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Transcript of Interview of Witness 3

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3|

1 MfpbawMceryOsMBrprOeBctOCOofuayOawjr, OJueOwexs
2 cOpw (OfWOWtywiwyucaOprpJrvsOctyO OctyO Octy
3 ywsMvrerOwssursPOODueOWfvOpr, Opl, Orssrtewcaal,
4 bvwp cvlOvfarOwsOCOyrcaOoweBOcaaOeBrOZrpfMvces
5 wtOeBrO.tweryOAecersOArtcerPOOCOyrcaOoweBOcaa
6 fWOeBrOZrpfMvcesOftOeBrOMfppweerrsOfW
7 -uvwswMewft, OWfvOeBrOpfseObcve, OoweBOsfpr
8 Mcircs, OctyOfeBrvsOBcirOywWrvrteOcswgtprtesP
9 OOOOYP0000LtyOCxyOawjrOefOgfOwtefOcOawearOJwe
10 pfvrOyrecwaOcJfueOeBrOelbrOfWoguwycMrO OeBr
11 jwtyOfWoguwycMrOeBceOlfuO OlfuxvrOgwiwtg
12 secWrvs, OoBreBrvOeBrloJrOftOeBrOMfppweerrOfv
13 eBrwvO OeBrwvOJfssO-useOBcbbrtsOefOJrOftOc
14 MfppweerrP
15 OOOOOOOOOdBceO Ogrtrvcaal, OoBceOyfrsOeBce
16 guwycMrOaffjOawjr;
17 OOOOLP0000GfeOefO OefO OefOJrOywWWwMuaeP
18 dBceO OoBrtOlfuOsc1, ORuwycMr, OcvrOlfu
19 prctwtg, Oawjr, OoBceO OMfuayOlfuOvrbBvcsrOc
20 Jwe;
21 OOOOYP0000AuvrPOOAuvrPOOAuvrP
22 OOOOOOOOOAfowWoftrOfWOLTVLxsObvwfvwewrsOcvr

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Transcript of Interview of Witness 3

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3.

1 busBwtgOcOsbrMwWwMO OeBwsOwsO-useOc
2 BlbfeBrewMcaO ObusBwtgOcOsbrMwWwMOJwaaOcty
3 lfuxvrOryuMcewtgOsecWWoftO OcJfueOeBwsOJwaaOfv
4 evlwtgOefOMftiwtMrOcOsecWWrvOefOMftiwtMrOeBrwv
5 JfssOefO OefOjwtyOfWoswgtOft,OftOeBwsObwrMrOfW
6 argwsacewft,OoBceO OoBceOwsOsfprOfWoeBr
7 guwyctMrOeBceOlfuObvfiwyrOfvOeBrOryuMcewftOeBce
8 lfuObvfiwyrOefOsecWW;
9 OOOOLP0000zrcBP00AfOCO OoBceOCOofuay
10 yrsMvwJrO Octy,Ocgcwt,OwexsO OwexsOcaaOcOBc'l
11 cbbvf(wpcewftOWfv,OfJiwfusal,OcOafeOfWoeBwtgs,
12 awjrOctlftrOrasrxsO-fJ,OBfoOlfuOyfOwePOOCe
13 yrbrtysOftOsfveOfWoeBrOsbrMwWwMsP
14 OOOOOOOOOzfuOjtfo,OwWOWexsOcomfppweerrOsecWW,
15 CObvJcJalOofuayOrtyrcifvOefOyfOcObBftrOMcaa
16 ctyOeBrt,OlfuOjtfo,OyrbrtywtgOftOeBrOwssurO
17 lfuOjtfo,OCxpO-useOeBwtjwgtOfWovrMrte
18 pceervsO OCOpgwBeOovwerOcOprpfOsfveOfWawwtg
19 ubOwtOcOsfveOfWOpfvrOyrecwaryOr(bactcefvloocl
20 oBlO Orssrtewcaal,OfuvObfswewftOctyO OctyO
21 ctyOwtOcOpceervOfWobrvsucswft,OoBl,OlfuOjtfo,
22 fuvObfswewftOrweBrvOsBfuayOJrOcyfberyOfvOtfep

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Transcript of Interview of Witness 3

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31

1 000000000dweB,Ol fuOjtfo, Owt ywiwyucaOprpJrvxs
2 fWWwMrsOeBceOcvrO OceOarcseOWfvOpr, OeBceOcvr
3 ftOeBrOMfppweerrOfvO OfvOfWWOMfppweerr,
4 bvfJcJalO-useObBftrOMcaas, OctyOefOeBrOr (erte
5 trMrsscvl, Osfpr, Ol fuOjtfo, OoBceOl fuOpwgBeOMcaa
6 ecajwgtgObfwtes, Obcbrvs) OsfveOfWosBfve, Ol fu
7 jtfo, Oftr OfvOeof bcgrOyfMuprtesOeBceOfueawtr
8 eBrOwtWfvpcewftP
9 000000000LtyOeBrt, Orssrtewcaal, Ol fuOjtfo, OwW
10 eBrlOBcirO?ursewfts, OeBrlOofuayO OofuayOMfpr
11 efOprOoweBOpfvrO?ursewfts, OctyOorOofuay
12 bvfJcJal, OwtOctOwervcewirOWcsBwft, OyrcaOoweBOwe
13 WvfpOeBrvrPOOLtyOeBcexsOcasfOevurOfWoeBr
14 MfppweerrsOwtOervpsOfW, Ol fuOjtfo, OrirvleBwtgOws
15 sfveOfWOctOwervcewirObvfMrssOoBrvr, Ol fuOjtfo,
16 lfuO Ol fuOpclOyfOftrOeBwtgOawjrOovwerOcOprpf,
17 JueOl fuxvrOgfwtgOefObvfJcJalOrtgogrOwtOpfvr
18 r (ertswirOMftirvscewftsOJcsryOftO?ursewftsOeBrl
19 pwgBeOBcirOfvOMftMrvtsOeBrlOofuayOBcirP
20 0000YPO000dBfOtfvpcaalOwtwewcersOeBrsr
21 MftirvscewftsOfvOwtwewcersOeBrOvracewftsBwb,
22 vrcaal, OJreorrtOl fuOctyOeBrOprpJrvxsOfWWwMr;

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Transcript of Interview of Witness 3

August 8, 2022

20

1 0000LP0000HBrOctsorvOwsOJfeBPO0AfOweO Owexs
2 trirv,OlfuOjtfo,OftrobcvelOcaoclsOwtwewcers
3 ctyO OfvOeBrOfeBrvObcvelOwtwewcersP00AfOC
4 ofuayOscloWfvOprpJrvsOeBceOcvrOusucaal,Oce
5 arcseOwtOplOiwro,OrweBrvOirvlOwtervrserOwt
6 ciwcewftOpceervs,OpclJrOBcirOcOafeOfWociwcewft
7 rpbafllrrsOwtOeBrwvOywsevwMeOfvOsecerOfvOpclJr
8 cvrOsfveOfW,OceOarcseOcsOcOacJfvOfvgctw'cewft,
9 pfvrOwtervrserOwtOacJfvOutwftOpceervs,OeBr1
10 pwgBeOcbbvfcMBOusOWwvseP
11 0000000000zfuOjtfo,OcpJwewfusOprpJrvsOertyOef
12 octeOefOgreOfueOwtOWvfteOfW0argwsacewirOwyrCs
13 ctyOofvjOoweB0secjrBfayrvsP00IfvOfWWwMrs
14 eBceO OlfuOjtfo,OceOarcseOoBrtoCxpOeBwtjwgtOfW
15 plOofvjOftOeBrOMfppweerrs,OeBceOpclOtfewwe
16 eBfsrOJuMjres,OCOpwgBeOyfOeBrOWwvseOfuevrcMBP
17 0000000000AfOweO-useOyrbrtys,OCOeBwtj,OftOeBr
18 elbrOfWoprpJrvP00AfOsfprewprsOwexsOpr)
19 sfprewprsOwexsOeBrOfWWwMrOwesraWP
20 0000YP0000LtyOwtOMcsrsOoBrvrOeBrO OeBrOprpJrv
21 BcsOcOsbrMwWwMowtervrseOfvOBcsOcOMftsewurtMl
22 eBceO OeBceOBcsOcOsbrMwWwMowtervrseOwtOeBr

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Transcript of Interview of Witness 3

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23

1 ciwcewftOwtyusevl,OyfrsOeBceOBcbbirtOfWert;
2 Zfo OcvrOeBrvrOcOafeOfWOr(cpbarsOfWOprrpJrvs
3 eBceOvrcMBryOfueOefOlfuO OefOlfuOWwvseOfvOef
4 feBrvOLTVL0afJJlwsesOwtOfvyrvOefOjwtyOfW
5 utyrvsectyOeBrOwtyusevlxsObvwfvwewrs;
6 OOOOLP0000zrsPOOC0ofuayOsc10wexsO OwexsOc
7 Wvr?urteOpceervOeBceObrfbarOofuayOvrcMBOfue
8 bvcMewMcaalOefOusPOO.sucaal,OlfuOjtfo,OceOeBr
9 JrgwttwtgOfWocOtroOEftgvrss,OCogre,Obrvsftcaal,
10 cOafeOfWOrpcwasOWvfpObrfbarOvr?ursetgOprrewtgs
11 ctyO OfvOMfWWrrsOefO OefOprreOctyOywsMuss,
12 ctyOCOyfOeBrOscprP
13 OOOOOOOOOAf0wexsO OceOsfprObfwte,OwexsOoBf
14 vrcMBrsOfueOefOoBfpOWwvse,OJue,OlrS,OC
15 Wvr?urtealOgreOWwvseOvrcMB fuesOWvfpOfWWwMrs
16 vceBrvOeBctOeBrOfeBrvOoclP
17 OOOOYP0000CsOeBrvrOrirvOcOMcsrOoBrvrOcOprrpJrvxs
18 fWWwMrOsecWWrvOfvOeBrOprrpJrvOeBrpsrairsOyftxe
19 cgvrrOoweBOlfuvObfswewft;OodBceOBcbbirtsOeBrvr;
20 OOOOLP0000Ivr?urteal,OlrCBPOOCWO OwWOeBr1
21 yftxe,OweO-useOyrbrtysPOOAfprewprsOeBrvrOcvr
22 prpJrvsOoBrvrOlfuOjtfoOceOeBrOfuesreOfvOirvl

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Transcript of Interview of Witness 3

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22

1 rcvalOftOeBrlxvrOtfEogfwtgOef, OctyOeBrvrxsOtfE
2 puMB, OWvfpOcOMfse JrtrWweOctcalswsOuewawel, Owt
3 evlwtgOefOsfveOfWOeuvtOsfprftrOcvfutyOeBceOpcl,
4 csOcOWutycprtecaOpceerv, OywscgvrrOoweBOlfu,
5 -useOsfveOfWOwtOctOr (bactcefvloiwroP
6 OOOOOOOOOOCoprct, OlfuOjtfo, OWfvOr (cpbar, OeBrvr
7 cvrOJwaasOefOevlOefOMBctgrOeBrOargcaOseceusOfW
8 rpbafllrrsOwtOutwftsPOOHBfsrOprpJrvsOwtevfyuMr
9 eBfsrOJwaasPOOCOBcirOpreOoweBOprpJrvsOefOevlOef
10 bvrrirteOeBrpOWvfp, OWfvOr (cpbar, OevlwtgOef
11 MBctgrOeBrOacosOgfirvtwtgO OgfirvtwtgOeBr
12 seceuefvloSMBrprOeBceOorxvrOwtifairyOwtP
13 OOOOOOOOOOFWert, OeBrObrfbarOeBceOftOeBrOWvfte
14 rtyOocteOefOyfOeBce, OyftxeOBcirOpuMBOwtervrse
15 wtOoBceOCOBcirOefOsc1POOAFoceOsfprObfwte, Olfu
16 yrMwyrObvreelO?uwMjalOtfEofOyfOeBcePOOCWOWexs
17 cOprpJrvOoBrvr, OwtOplOiwroOfvOfeBrvsxOiwro,
18 wexsOwpbfvecteOeBceOorOMBctgrOeBrwvOpwty, OWfv
19 r (cpbar, Osc1, OlfuOjtfo, OceOarcseOwtOplOfvJwe, Oc
20 ZrpfMvceOoBfOpclOfvywtcvwalOJrOcawgtryOoweBOus,
21 JueOWfvOsfprOvrCsft, OBcsOsfveOfWOMBfsrtOtfEof,
22 COeBwtj, OlfuOjtfo, OlfuOofuayOrtgCgrOwt

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Transcript of Interview of Witness 3

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26

1 r(ertswirOofvjOftOevlwtgOefOr(bacwtOoBlOeBrl
2 pclOJrOwtO OwtO OwtOrvvOwtOeBrwvOvracsftwtg,
3 ctyOlfuO OlfuOofuayObfsswJalOyfOcOsrvwrsOfW
4 prrewtgs,OsfoLrcBP
5 CeO OweO-useOyrbrtys,OJueO Owe
6 yrbrtysOftOeBrOawjrawBffyoEBeceOeBrOprpJrvOws
7 wpbfvecteOefocvysOrweBrvOpfiwtgOfvObvriertewtg
8 sfpreBwtgOJcyOWvfpOBcbbrtwtgOctyOBfoOawjral
9 eBrlOcvrOefOJrOvrMrbewirP
10 YP LtyOCO OCxyOawjrOefOjtfoO OjwtyOfW
11 gfOwtefOlfuvOvracewftsBwbOfvOLTVLxs
12 vracewftsBwbOoweBOEftgvrsspctOqcBrarP
13 TrexsOsecveOoweBOlfuvO OoBcexsOlfuv
14 vracewftsBwbOoweBO OoweBOeBrOMftgvrsspct;
15 LP hlOvracewftsBwbOoweBOeBrOMftgvrsspct,
16 COofuayOsc1,OwsOorOJfeBOjtfoOrcMBOfeBrvPOOC
17 BcirOpreOBwpOcOtupJrvOfWOewprsPOOCO OC
18 MfuaytxeOgwirOlfuOctOctsorvOftOBfoOpctlPOOC
19 yftxeOyrcaOoweBOBwpOeBceOWvr?urteal,
20 brvsftcaalPOOCOyrcaOoweBOBwsOsecWW
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22 COofuayOsc1OplOvracewftsBwbOoweBOBwp

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1 personally is warm. He is a -- as I think you
2 obviously know, a member of our union. He's
3 been, in a relative sense, an active member of
4 the union prior to being a member of Congress.
5 So it would both be normal that we would -- you
6 know, you would hope you would have a good
7 relationship, but -- yeah.

8 I would describe my relationship with
9 Congressman Kahele as -- as warm and good, but
10 I don't frequently talk to him.

11 Q. Who do you frequently speak to in his
12 office?

13 A. I frequently speak to **Witness s 2** **Witness 2**, his
14 legislative director. Less frequently I'll
15 speak to **Witness 3**, his Chief of Staff.
16 But probably **Witness s 2** is my usual conduit to
17 discussions with the office.

18 Q. Do you remember how you were
19 introduced to **Witness s 2** or did you know **Witness s 2** prior
20 to her work with Congressman Kahele's office?

21 A. I did not know **Witness s 2** prior to
22 Congressman Kahele's office. As I recall, when

1 he came to Congress, he was on the committee.
2 I believe **Witness 2** reached out to me first. I -- I
3 did not know her, and she had introduced
4 herself via email, I believe, and asked to meet
5 virtually. It was, obviously, during this sort
6 of height of COVID. And that is how I got to
7 know her. I did not know her prior.

8 Q. Did you know Congressman Kahele prior
9 to him becoming a member of Congress?

10 A. I did. I -- I was -- I -- I was
11 going to say, obviously. I was aware of him --
12 given that he was a member, that he was
13 running. I -- I don't recall where and when,
14 but I learned he was running for Congress, and
15 then I -- I would have met Congressman Kahele
16 in Hawaii in 2020 at a union hall meeting for
17 the Hawaiian Pilots where we introduced
18 ourselves and spoke very briefly (phonetic)
19 -- briefly. Excuse me.

20 And that would be the first -- first
21 time I actually met him. But I was aware,
22 prior to that, that he had, I think, declared

1 his interest in running against the incumbent
2 for that seat in Hawaii.

3 Q. What was -- what was ALPA's role, if
4 any, in Congressman Kahele's campaign?

5 A. I don't know, because I don't really
6 get involved in that side. So I think that'd
7 be my best guess. I mean, I -- again, I
8 generally deal with D.C. legislative matters
9 and -- and sort of policy before the executive
10 branch. So I don't -- I don't -- I wasn't
11 particularly plugged into the extent or lack of
12 extent of sort of our participation with Kai.

13 Q. What were the -- the conversations
14 surrounding -- well, actually, I'll backtrack.

15 Let me first ask, is Congressman
16 Kahele the first member of ALPA that has also
17 served in Congress?

18 A. No. He's not the first pilot who's
19 been an ALPA member who's served in Congress.
20 There's been a number, and there's currently a
21 few. Yeah. That -- that would be the answer.

22 Q. Do you know -- who are they?

1 A. Who are the others or --

2 Q. Yeah, the other pilots.

3 A. That's a good question. And, you
4 know, there's a difference, obviously. Some of
5 the issue here is, you know, his status as a,
6 you know, continuing pilot, but member --
7 members of Congress who are -- were at one
8 point ALPA members, Drew Ferguson, I -- excuse
9 me. No, would not have been.

10 Off the top of my head, I cannot
11 recall. I believe there is one active -- not
12 active -- one nonactive pilot ALPA member in
13 Congress whose name escapes me.

14 Q. Do you have regular dealings with --
15 with that member's office?

16 A. I do not. I don't know him. My --
17 one of my colleagues -- he's a Republican. One
18 of my colleagues that handles Republicans deals
19 with him, but I've never met him or -- and I --
20 I do not know him.

21 Q. Okay. And -- right. You mentioned
22 that you were assigned the Democrats that are

1 on the relevant committees.

2 Is that how you kind of got connected
3 with -- with **Witness 2** **Witness 2** ?

4 A. Yes. Absolutely. I -- if I recall,
5 again, I think she had reached out first, but I
6 think, you know, he, obviously -- well, not
7 obviously. He became a member of the
8 Transportation and Infrastructure Committee,
9 and they reached out. And he has been a
10 very -- you know, an active member of the
11 committee, I think, in good standing with the
12 chair of the committee.

13 So that would -- yeah. I -- I can't
14 define, you know, **Witness 2** you know, interest,
15 but, certainly, I think -- if I were to
16 speculate, obviously, him being on the
17 Transportation Committee makes our
18 relationship, you know, more -- more frequent
19 than it would a member not on the committee.

20 And, you know, just sort of as a --
21 you know, as a matter of background
22 explanation. You know, a lot of members on the

1 Transportation Committee, as a general matter,
2 we talk to quite a bit as well, if not more,
3 than Kai. So he's, obviously, quite junior,
4 but, yeah, I think that that's sort of a focal
5 point for -- for them in terms of a
6 relationship.

7 Q. What was the -- the general
8 reaction -- I know you can't speak to other
9 people, but what was the general reaction, your
10 sense of it anyways, at ALPA when the
11 congressman was elected?

12 A. I would say extremely happy,
13 ecstatic. He -- you know, having a -- you
14 know, a member and a member who's, you know, in
15 a relative sense, probably more prouder than
16 some of the other members that have ascended to
17 Congress was something we were very proud of.

18 We, certainly, I think in a public
19 matter probably, you know, said positive things
20 about him becoming a member of Congress. Like
21 any sort of industry or even unions -- because
22 there are other unions that have members from

1 their respective union in Congress -- is both
2 an -- I would say an element of pride for us,
3 and we were very happy.

4 Q. Did you or -- or anyone else on your
5 team meet with the congressman before he was
6 elected?

7 A. Yes. As I mentioned, I had met him
8 at a Hawaiian Airlines Master Executive
9 Council, which is the sort of name for the
10 local union of Hawaiian pilots in Hawaii in --
11 that would have been February of 2020. So that
12 was my first time meeting him prior. And I --
13 if I recall, I think that was the only time I
14 met him before he became a member of Congress.

15 Q. Were there any discussions
16 surrounding his candidacy or potential of -- of
17 becoming a member of Congress during that
18 meeting?

19 A. I do not recall. It was a very brief
20 discussion. He was meeting with the Hawaiian
21 pilots in part, I think, to talk about the fact
22 that he wanted to run or was running. I don't

1 recall what point it was. I introduced myself.
2 We exchanged -- we said pleasantries, and that
3 was about it. He was running, I think, to go
4 to a campaign event or something. So our
5 conversation would have been extremely limited,
6 probably no more than a couple minutes.

7 Q. And after -- after he was elected,
8 were there any specific legislative asks from
9 ALPA to the congressman?

10 A. The answer would be, I think, in -- I
11 would sort of look at it in two directions.
12 They were very interested in trying to get
13 to -- to work on legislation that we -- we had
14 been dealing with, and we were happy to work
15 with them.

16 So there were discussions after he
17 was elected about legislation, essentially all
18 of it, if not all of it, being bills that had
19 been previously introduced and his staff's
20 interest in, you know, him either taking a
21 leadership role or otherwise, you know, being
22 involved in those bills much as, you know, any

1 member that, you know, comes in at -- at a
2 minimum of a pro-labor interest probably would.

3 But, certainly, I think for him,
4 given his experience as a pilot and as a member
5 of ALPA, I think they maybe had -- they had
6 a -- I think a sincere interest in doing so.
7 So yeah, that would be, I think, the -- the
8 answer.

9 Q. So was there conversation -- a formal
10 or informal conversation to discuss ALPA's
11 priorities with his office?

12 A. Correct. Yeah. I -- as I recall,
13 **Witness 2** reached out, and we did a first meeting
14 where -- and we do this with, essentially,
15 every member of the Transportation Committee,
16 at least I do, where I talk through, in a broad
17 sweep, the bills that are both priorities and
18 that we expect to introduce through the
19 committee for the -- the new session of
20 Congress.

21 I would have done that with **Witness 2** and
22 I know that **Witness 2** at various times, expressed

1 an interest in trying to get, you know -- you
2 know, Kai to -- to be involved in those
3 legislative activities. Yeah. That -- that --
4 certainly, we -- we had discussions about
5 legislation and the -- and their interest in
6 being involved in pilot matters, as well as
7 broader aviation matters.

8 Q. Was -- were there any other
9 individuals involved either from your office or
10 from the -- the congressman's office involved
11 in that discussion?

12 A. On that call and the calls that I can
13 think of, as I recall, maybe Elizabeth Baker
14 from my office may have been on the first
15 introductory call we did with Witness
2 I believe.
16 But beyond that, I believe the answer would be
17 no.

18 Q. And who -- who is Elizabeth Baker?

19 A. Elizabeth Baker is my boss and
20 supervisor. She's the director of our
21 department.

22 Q. Did you ever -- was there ever a time

1 where in discussing one of ALPA's priorities or
2 just generally discussing something of interest
3 to you and -- and **Witness** that the member -- that
4 Congressman Kahele was a part -- also a part of
5 the conversation?

6 A. Okay. Rephrase. I'm just trying to
7 think, to answer your question.

8 Q. Sure.

9 So any time you were discussing
10 any -- anything involving the aviation industry
11 or any legislation, was the congressman ever
12 also a part of the conversation or were you
13 generally just dealing with **Witness**

14 A. Primarily dealing with **Witness** I
15 believe, if I can recall, I probably spoke to
16 Kai at either a meet-and-greet, you know, where
17 they do these sort of beginning of Congress
18 introductory things, and I may have bumped into
19 him in -- around the Capitol complex and spoke
20 to him. But it would have been limited, twice,
21 maybe, I think, as I recall, and I would have
22 spoken to him, but extremely briefly.

1 Q. Do you ever -- just generally
2 speaking, when you're providing guidance or
3 explaining legislation, do you ever get any
4 feedback -- positive feedback or negative -- I
5 know we discussed the negative feedback, so
6 any -- any feedback from staffers or why their
7 members are taking a certain position on -- on
8 those bills?

9 A. Constantly. When people are being
10 direct, yes, all the time.

11 Q. Did you get that kind of feedback
12 from Witness 2 on any of the priorities or -- or
13 topics of interest?

14 A. Yeah. I think, you know, at the
15 outset, they expressed, as I -- I think I may
16 have mentioned, you know, an interest in trying
17 to be involved in a lot of the pilot labor
18 matters. And they were very enthusiastic about
19 trying to get on a lot of the bills that we've
20 been introducing for years, you know, many of
21 which -- many, if not all, of which Kai, as a,
22 you know, member in good standing in the union

1 would have known about, you know, really going
2 back years.

3 Just to give you an example. So, you
4 know, we've been introducing a bill -- a
5 bill -- excuse me -- to deal with the licensing
6 of foreign airlines, essentially, when they
7 come to the United States; what types of labor
8 and employment standards --

9 Q. Is that the -- I'm sorry. Is that
10 the Fair and Open Skies Act?

11 A. Correct.

12 Q. I'm -- I'm glad you touched on that
13 because I was going to ask you to -- to kind of
14 go into more detail.

15 A. Yeah. And I'm -- I'm happy to, but
16 the only thing I was just going to say --
17 sorry -- was that, you know, he would have been
18 aware of those efforts in a version of that
19 bill dating back to, you know, 2013, 2014.
20 It's been a big mainstay issue for our
21 organization, and if you are a member of our
22 organization that's sort of at all involved in

1 sort of union matters or even -- even sort of
2 aware, it's something you would know about.

3 He certainly knew about it going into
4 Congress. It would be hard, probably, for him
5 not to.

6 Q. And could you tell me about the Fair
7 and Open Skies Act and why is it -- as -- as
8 short and sweet as possible -- why is it a
9 priority at ALPA?

10 A. Yeah. Absolutely.

11 So the Fair and Open Skies Act is a
12 bill that is in response to some problems we
13 have faced particularly with foreign airlines.
14 Not to bore you, and I won't give you every
15 detail here, but the Department of
16 Transportation is supposed to license airlines
17 and foreign airlines with some objectives
18 provided to them from Congress, including
19 objectives related to labor relations of these
20 airlines.

21 And the department, in a very big,
22 public licensing matter chose to ignore what --

1 what we would describe as sort of rampant labor
2 arbitrage where an airline was, essentially,
3 misclassifying employees under third-party
4 countries' labor laws to, essentially, vitiate
5 their collective bargaining rights.

6 And as a response to that, we had
7 worked with the chair of the Transportation
8 Committee, Chairman Peter DeFazio, at length --
9 who's really the -- the champion of that
10 bill -- and his staff to try to change some of
11 the statutory framework for the Department of
12 Transportation to better empower them to
13 respond to those types of problematic airlines,
14 from a labor view, and to, in some cases,
15 compel them to at least review those standards.

16 They have a lot of discretionary
17 legal authority, and they have chosen not to
18 exercise it. So we are trying to, essentially,
19 in a deal with the labor relations of -- of
20 permitting or licensing, if you will, foreign
21 airlines. So it's been a big deal because
22 we -- as a broader macro point, our concern is

1 long term. If we were to allow lots of these
2 types of airlines to operate, you may lose any
3 legal connection to U.S. labor laws or even
4 U.S. employment on carriers. Also, our
5 airlines probably couldn't compete with these
6 types of operations.

7 So it -- in some capacity, it's an
8 existential concern of ours, and that would be
9 driving the -- that's the -- I think, the
10 driving interest for us and also probably the
11 best approximation of what the bill does, if
12 that helps.

13 Q. Who initiated -- so I understand that
14 this seems like a very important issue to ALPA.

15 Who initiated the discussions
16 regarding the Fair and Open Skies Act with
17 Congressman Kahele's office?

18 A. I don't recall. I --

19 Q. What about his -- the congressman's
20 role -- the -- the role of his office? How did
21 you -- what -- what were the discussions around
22 the act?

1 A. Yes. So, again, I don't -- I don't
2 know who initiated it, but to your question
3 here, they certainly were very interested in --
4 in being involved. I think -- as any ambitious
5 member does, I think they -- you know, they
6 were like, We would love to lead it, and I --
7 like many members, including Congressman
8 Kahele, I had to sort of remind them that there
9 are other members that are involved here and --
10 and are, quite frankly, more senior in
11 introducing them.

12 So they -- I -- I don't know whether
13 I advised them or I think probably the
14 committee itself advised them to become what's
15 called an original sponsor of the bill. They
16 couldn't be the lead sponsor. The lead sponsor
17 of a variety of versions of this bill is the
18 chair of the committee dating back to, I -- I
19 want to say 2016.

20 And Kai would have appended his name
21 as what you would call an original sponsor.
22 And there were, if I recall correctly, four

1 original Democratic sponsors with Kai being the
2 last, because he was the last to be added, and,
3 then, either three or four Republican sponsors
4 as originals, as well.

5 And there's probably -- I haven't
6 looked at the bill in a while. There are
7 probably about 180 to 200 cosponsors currently
8 on the piece of legislation. It's -- it's,
9 obviously, as I mentioned, a priority. It's
10 also a piece of legislation that a lot of
11 members from both sides of the aisle are
12 interested in.

13 Q. What's your involvement, at least as
14 it pertains to the Fair and Open Skies Act,
15 with congressional hearings and that -- that --
16 related to -- to the bill?

17 A. Sorry. That last part, I missed.
18 Could you --

19 Q. Just what -- how are you involved
20 with congressional hearings that are related to
21 the Fair and Open Skies Act?

22 A. So I -- frequently, these days, the

1 committee just sort of decides they're going to
2 move the bill through the markup process. But
3 as a general matter, I would say that I provide
4 the committee staff extensive explanatory
5 information about the bill; the rationale for
6 its many provisions, and particularly because
7 we do have opponents here to the bill, you
8 know, explanations of why those components
9 connect -- contentions are incorrect or
10 otherwise misinformed.

11 So I provide a lot of background
12 material to the committees, and, then,
13 depending on what's going on -- so as an
14 example, you know, we have moved this
15 committee -- excuse me -- this bill through the
16 committee the last two sessions of Congress. I
17 am there to make sure that there are sufficient
18 votes if a vote were to be rolled in the
19 committee.

20 And we did -- a version of this bill
21 would have been added to a larger bill
22 authorizing federal aviation programs in what

1 would have been beginning in 2016. I was not
2 employed at ALPA at the time, so I -- I can't
3 sort of speak to that. But I think that that
4 would explain, I think, most of my role here
5 and also -- yeah -- and reaching out to offices
6 to explain any questions or concerns they have
7 as we sort of go through the process.

8 Q. And what is your -- what's your
9 involvement with member offices where the --
10 the member is taking part in the congressional
11 hearing? How do you -- do you have a role in
12 preparing the member for the hearing and -- and
13 what does that look like?

14 A. So it depends on the hearing, but,
15 you know, if there's a -- just a normal
16 baseline aviation hearing, for example, I will
17 probably -- either someone will reach out to me
18 and ask if we have questions or things that we
19 would like that member to ask to a witness or
20 before the -- you know, the many witnesses of
21 the dais.

22 If, say, my president or an officer

1 of my organization is testifying, I will
2 extensively try to get members to ask
3 questions. So I will draft questions. If
4 it's -- if there's anything that's of a
5 concern, I will probably write things for
6 people to explain why we may object, for
7 example, to a -- a witness or participant that
8 is going to have hostile views towards us or
9 for participating in the hearing, might take a
10 different or hostile view towards our
11 participation or interest in the hearing.

12 So I would say extensive
13 conversations with staff anywhere from -- you
14 know, if -- if my boss, my president is
15 testifying, I'll probably reach out to every
16 Democrat on the committee, or most of them,
17 prior to the hearing. I'll probably write
18 questions for anywhere from five to ten
19 members, and I -- yeah. I would -- I would
20 have some. And I would have deep extensive
21 discussions with the committee staff in the
22 weeks prior to, up until the hearing.

1 Q. And I'm sorry. I don't think we
2 covered this, but you mentioned that the Fair
3 and Open Skies Act was something that has been
4 a priority for ALPA, and -- and -- and ALPA, as
5 an organization, has been pushing it through
6 since 2016.

7 But you weren't at ALPA in 2016,
8 right?

9 A. Correct.

10 Q. How long have you been at ALPA?

11 A. I have been at ALPA since April of
12 2018. However, I would just add that I worked
13 at an organization, the AFL-CIO, federation of
14 unions, and ALPA would have been a member
15 there. So I was aware of the legislation, but
16 I did not work on it until I joined ALPA in
17 April of '18.

18 Q. And were you always in the same
19 position and role that you are in now --

20 A. No. I would have started out as sort
21 of a -- the lowest level rank-and-file lobbyist
22 in '18. I don't recall. I was promoted to

1 that lead policy advisor job probably in '20,
2 and then promoted again to my current job in
3 '21.

4 Q. And what -- what -- how would you
5 describe your relationship with the congressman
6 and his office today?

7 A. Good. I -- I haven't spoken to them
8 as -- as frequently as I may have at the
9 beginning when he came in, but the -- I would
10 describe it as a good relationship.

11 Q. Did -- just a couple of final
12 questions.

13 In your conversations with colleagues
14 or with the member's office, did the potential
15 for a conflict of interest because the member
16 is a member of ALPA and also a member of
17 Congress, did -- did that ever come up?

18 A. Not that I recall, no. I think it
19 was our understanding that, you know, we've had
20 members before and that that wasn't a concern.
21 But I don't really recall any extensive
22 discussions or even specific discussions

1 regarding anything related to a conflict of
2 interest.

3 Q. All right. Thank you, Witness 1.
4 I'm now going to open the floor to any of my
5 colleagues or anyone else, if anyone has any
6 questions.

7 MS. BENITEZ: Well, I'm not seeing
8 anyone turn their camera on, so I'm going to
9 take that as a no.

10 And I will, once again, thank you so
11 much, Witness 1, for your time.

12 And thank you, Simon. Simon, I'm not
13 sure. Do you have a question or are you just
14 --

15 MR. LATCOVICH: No. I -- I was
16 coming on to thank you for being one of the
17 rare people, Indhira, who actually manages to
18 ask all the questions they want in the time
19 that they promised they will try to do so.
20 Thank you for that.

21 MS. BENITEZ: Absolutely. And I --
22 I'm sorry. We can go ahead and get off the

1 record.

2 (Off the record at 11:58 a.m.)

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EXHIBIT 10

CONFIDENTIAL

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

Transcript of Interview of Witness 4

Review No. 22-9485

August 9, 2022

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OFFICE OF CONGRESSIONAL ETHICS
OF THE U.S. HOUSE OF REPRESENTATIVES

Interview of WITNESS FOUR
Conducted Virtually
Tuesday, August 9, 2022
2:53 p.m. EST

Job No.: 457940
Pages: 1 - 27
Reported by: Alexa Renfro

1 Deposition of WITNESS FOUR, conducted virtually.

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8 Pursuant to agreement, before Alexa Renfro, Notary

9 Public, in and for the State of California.

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1 A P P E A R A N C E S

2 ON BEHALF OF THE PLAINTIFFS:

3 INDHIRA BENITEZ, ESQUIRE

4 OMAR ASHMAWY, ESQUIRE

5 OFFICE OF CONGRESSIONAL ETHICS

6 OF THE U.S. HOUSE OF REPRESENTATIVES

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11 ON BEHALF OF WITNESS FOUR:

12 ANDREW DOCKHAM, ESQUIRE

13 AUDREY GREEN, ESQUIRE

14 WILSON SONSINI

15 1700 K Street, NW, Fifth Floor

16 Washington, D.C. 20006

17 202.973.8800

18

19 Also Present:

20 Kent Trespalacios, Law Clerk to Investigative

21 Counsel

22 Joe Raimirez, PD Technician

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C O N T E N T S

EXAMINATION OF WITNESS FOUR	Page
By Ms. Benitez	5
By Mr. Ashmawy	25

1 P R O C E E D I N G S

2 MS. BENITEZ: We are on the record. Today
3 is August 9, 2022. We are conducting a remote
4 interview of Witness Four. She is represented by
5 counsel, Andrew Dockham, who is present here
6 today.

7 Speaking is Indhira Benitez, investigative
8 counsel at the Office of Congressional Ethics. I
9 am here with my colleagues, Omar Ashmawy, staff
10 director; as well as Kent Trespalacios.

11 Witness Four has been given a copy of
12 18 USC 1001, and she has signed and acknowledged
13 receipt.

14 BY MS. BENITEZ:

15 Q Like I mentioned, please feel free to stop
16 me if you need a break, or if you have any
17 questions. Why don't we start with some general
18 background.

19 What do you currently do for Hawaiian
20 Airlines?

21 A I'm the managing director for Federal
22 Government Affairs.

1 Q What did you do prior to being managing
2 director?

3 A Prior to that, I was Department of
4 Commerce. I was the assistant secretary for
5 Legislative and Intergovernmental Affairs.

6 Q How long have you been managing director
7 at Hawaiian Airlines?

8 A A little more than seven years.

9 Q And describe your role. What do you do as
10 managing director there?

11 A I follow legislation at the federal level.
12 I follow some of the regulatory proceedings at the
13 federal agencies.

14 Q Do you have frequent interactions on your
15 day-to-day with political appointees or elected
16 officials?

17 A Not on a daily basis. But yes, I do have
18 interactions with both Congress as well as the
19 federal agencies.

20 Q How often would you say -- or how much of
21 your work is made up by your interactions or
22 communications with your politically appointed

1 officials or elected officials?

2 A It depends on the time of year and what
3 issues are pending. For example, during the
4 August recess, my interactions are going to be
5 relatively low because a lot of people are not
6 around. But during, you know, the height of
7 legislation, it really depends what is on the
8 floor, what issues are pending. So there is no
9 natural, you know, cadence.

10 Q And you mentioned that you follow
11 legislation, can you give me a little more detail
12 about that? How exactly do you do that? And how
13 does that play out with Hawaiian Airlines and
14 their interests?

15 A I follow -- I try to follow, to the best
16 of my ability, legislation that would potentially
17 impact the airline industry. And a lot of my work
18 is in conjunction with the ARC Association,
19 Airlines for America. We have these meetings
20 every other week to talk about legislation that
21 may be pending. That may have an impact on -- so
22 a lot of my -- you know, what I focus on is based

1 upon issues that are a concern to the industry as
2 a whole.

3 Q What is Airlines for America?

4 A Airlines for America is the association
5 that represents United; Delta; American; Alaska;
6 JetBlue; Hawaiian; UPS; FedEx; Atlas, the larger
7 carriers.

8 Q Would you say that you work more closely
9 with Airlines for America than you do with member
10 offices or politically appointed officials?

11 A Yes. 'Cause we meet on a regular basis
12 and focus on where the industry's priorities are.

13 Q How is -- can you describe your work
14 with -- after you met with Airlines for America
15 and you identified some priorities, how does that
16 then translate to your communications with elected
17 officials?

18 A Oftentimes, A4A will develop white papers
19 or one-pagers summarizing, you know, what the
20 issue is, and our positions on those issues. And
21 so we would -- it is really an educational
22 process, making sure that relevant members and

1 committee staff are aware of issues that we are
2 proactively looking at or advocating, as well as
3 issues that are pending, in which, you know, we
4 may have some concerns.

5 Q Are you communicating directly with the
6 committee staff or the members?

7 A Both. Sometimes we will be talking to
8 committee staff, and most of communications are
9 with committee staff. When my CEO is in town, I
10 try to set up meetings for him with relevant
11 committee members.

12 Q Are there any specific committees that you
13 work more closely with than others?

14 A The Senate Committee of Commerce, Science,
15 and Transportation; and the House Transportation
16 and Infrastructure Committee.

17 Q How often would you say that you are
18 scheduling meetings with the CEO and members of
19 these committees?

20 A He comes into D.C. on a quarterly basis in
21 conjunction with meetings -- with our association,
22 A4A board meetings. So when he is in

1 Washington, D.C., that is when I try to schedule
2 meetings for him.

3 Q How do you request the meetings of the
4 members? Do you go through their staff, or do you
5 communicate directly with a member?

6 A I don't communicate directly with a
7 member, but I do go through staff. Sometimes --
8 depending on what the procedure is that they set
9 up for meeting requests, I either contact the
10 scheduling directly, or I fill out the form that
11 is on their website.

12 Q What kind of -- I know you mentioned that
13 your focus is primary legislation that would
14 effect the industry. Can you give me a couple
15 examples of what kind of legislative issues you
16 would be working on?

17 A Most recently in conjunction with the
18 commitment of the major airlines to achieve
19 net-zero carbon emissions by 2050. A lot of my
20 focus, as well as the focus of the association in
21 the other carriers, has been on looking at various
22 ways that private sectors can partner with the

1 public sectors to help us achieve our common
2 commitment to net-zero carbon emissions by 2050.

3 So a lot of talk and engagement, with
4 respect to sustainable aviation fuels, as well as
5 educating members of Congress, as well as the
6 agencies, particularly Department of
7 Transportation about what companies are doing on
8 their own to try and get to those goals as well.

9 Some of the other issues that we've been
10 working on are making sure there is adequate
11 staffing at the Transportation Security
12 Administration, Customs of Order Protection. So
13 that would be both authorizing and appropriations
14 that we would be interested in. Anything along
15 those lines.

16 There are all these travel restrictions
17 that were imposed both by the U.S., as well as
18 other countries, that impacted travel -- the
19 ability to travel. So during COVID -- well, we
20 are still in a COVID pandemic -- but a lot of
21 focus on that. There was several bills that came
22 out that really addressed all various aspects of

1 things coming out of COVID, not only the masking
2 requirements, providing personal protective
3 equipment to employees. What airlines do, you
4 know, if they cancel or delay flights. How they
5 sell their flights, what they sell, and who they
6 sell it to. You know, those kind of issues that
7 effect health and safety and the operations of air
8 carriers.

9 Q How big is the --

10 A The other issues -- like tax issues as
11 well.

12 Q Yeah. I could imagine. It seems like an
13 extensive portfolio. How big is the legislative
14 team at Hawaiian Airlines?

15 A Our legislative team has two people. I
16 handle the federal level, and my colleague, Blaney
17 Ascato (phonetic), handles the state and local
18 government affairs.

19 Q So quite a heavy list here running by both
20 members of the team. Who are some members of
21 Congress that you frequently work with that are on
22 the committees or that are important in pushing

1 your Hawaiian Airlines's interests forward?

2 A Well --

3 MR. DOCKHAM: We are having a little
4 trouble hearing you.

5 Q I am sorry. Who are some members that you
6 frequently work with that are on committees or not
7 on the committees to further your Hawaiian
8 Airlines's interest?

9 A Well, it is really to further the interest
10 of the aviation industry. We are part of this
11 advocacy effort, whether it is with Airlines For
12 America or part of a larger coalition. I work
13 with a lot of coalitions that are like-minded on
14 several issues that are also priorities for
15 Airlines for America. But I'd say Brian Schatz,
16 because he is the senior member of the whole
17 delegation. I work with him and his staff quite a
18 bit. Senator Maria Cantwell, who is the chair of
19 the the Senate Commerce Committee, and her staff
20 that I work with.

21 The House side, primarily with Rick
22 Larson, who is the chair of the Aviation

1 Subcommittee. I work with both Sam Graves and
2 Derrick Graves and their staff, and the ranking
3 members of the committee and the aviation
4 subcommittee. You know, just through A4A trying
5 to meet with as many members of both the said
6 Commerce Committee as well as the House
7 Transportation Infrastructure Committee.

8 I also -- because we are a company based
9 in Hawaii, I do engage with the rest of the
10 delegation, Senator Mazie Hirono, and as well as
11 Senator Kahele.

12 Q So now I'd like to get a little more
13 specifics with the relationship with Congressman
14 Kahele. Did you know Congressmen Kahele before he
15 was sworn into Congress?

16 A I can't say -- I did not know him. I met
17 him -- to the best of my recollection, I met him
18 for the first time when he was running for
19 Congress.

20 Q How would you describe your relationship
21 with him today?

22 A Just the same relationship I have with any

1 other member. Very professional, cordial.

2 Q Were there any conversations, you know,
3 with you or other employees at Hawaiian
4 surrounding his election to Congress? What was
5 the general attitude at Hawaiian after he was
6 elected to Congress?

7 A I'm not sure I -- he was elected and there
8 was -- I'm not aware of conversations that related
9 to his election. I'm not sure.

10 MR. DOCKHAM: It might be helpful context
11 that Witness Four sits in D.C., and the rest of
12 the company is about 5,000 miles away.

13 So other than e-mails or maybe Zoom calls
14 during COVID, you are not sitting with folks that
15 are in the corporate office.

16 WITNESS FOUR: Correct.

17 Q Okay. I can ask a more specific question.
18 Did you have any conversations with the
19 congressman either prior to him starting in
20 Congress or after he started in Congress to
21 discuss the airline's priorities?

22 A Before he was elected, we met with him.

1 But it was just before he was coming to D.C., for
2 the organizational meetings. It was just a
3 general, you know, congratulations and he was --
4 my recollection is that it was a relatively short
5 meeting.

6 Q What was Hawaiian Airlines's role in the
7 congressman's campaign?

8 A We contributed to his campaign. That was
9 it.

10 Q And after the congressman was elected and
11 sworn in, were there any conversations then to
12 discussion any legislative priorities or anything
13 of this sort?

14 A Conversations with the congressman or his
15 staff?

16 Q With the congressman or his staff, yes.

17 A Well, we did talk about some of the
18 legislative matters that were pending before
19 Congress, yes.

20 Q With the congressman or his staff?

21 A With -- depending on -- yeah, we did.
22 Both.

1 Q And was this a group conversation, or were
2 they separate conversations with only the
3 congressman and then only the staff, or was
4 everyone involved?

5 A Well, I'm not sure what you mean by
6 everyone. There were conversations with the
7 congressman in larger groups that went beyond just
8 Hawaiian Airlines. As I mentioned, whenever Peter
9 was in town, we tried to set up meetings, as we do
10 with all of our delegations and with other
11 Congress, to just talk about our operations
12 because it was during COVID and everyone was
13 wondering how our air carriers were doing.

14 In terms of legislation, we did have some
15 conversations. Some very brief and some deeper
16 dive -- the deeper dives, I would say, tended to
17 be with the staff.

18 Q Did the congressman ever provide any input
19 in any of these conversations?

20 A Well, the conversations I had with him,
21 yes, he was speaking.

22 Q Was there ever a time, to the best of your

1 knowledge, where the congressman's interest and
2 Hawaiian Airlines or Airlines for America's
3 interest didn't align?

4 A There were some issues on which we did not
5 agree, yes -- meaning Airlines for America.

6 Q Right. Do you remember specifically which
7 issues?

8 A We are not in agreement, for example, on
9 secondary barriers. For example, the Airline
10 Association industry as a whole did not support
11 legislation that would require secondary barriers.
12 But it was included in the 2018 FAA Authorization
13 Bill with respect to installing secondary barriers
14 in future build airline -- air carriers.

15 Q I'm sorry. Can you just briefly explain
16 if secondary barriers were to be installed on the
17 actual aircraft; and if this was something that
18 Airlines for America was against and the
19 Congressman was for? Who had what position?

20 A This is an issue that -- I am sorry.

21 THE REPORTER: Can I have the witness
22 repeat that answer.

1 WITNESS FOUR: Yeah. We heard this
2 gavelling sound on our side.

3 A Can you repeat the last question, please?

4 Q Sure. I was just trying to understand the
5 secondary barrier issue and where the disagreement
6 lied. Was it Congressman Kahele not wanting the
7 secondary barriers? Or exactly who stood on which
8 side of the issue?

9 A He supported a bill -- let me just dissect
10 this. There is legislation law in the 2018 FAA
11 Authorization Act that includes legislation that
12 requires the installation of secondary barriers on
13 newly manufactured aircraft.

14 And there is a separate bill that is
15 pending before Congress that would require the
16 installation of secondary barriers on all
17 aircraft, retroactive, as well as forward looking.

18 The issue of second barriers -- they are
19 the barriers that would be installed between the
20 cockpit and the rest of the cabin. So it would be
21 an additional layer of security. This
22 recommendation to install secondary barriers came

1 out of the 9/11 commission report, which
2 recommended security measures to help avoid other
3 situations that would allow 9/11 type activities
4 to happen.

5 Since that time, a lot of the
6 recommendations in the report, with respect to the
7 security of the aircraft, has been implemented.
8 And the secondary barrier recommendations was
9 among the last, if not the last, that had not been
10 implemented. And the families of the victims have
11 been pushing to have that last piece enacted.

12 Q Were there any other legislative requests
13 that you or other employees of Hawaiian Airlines
14 were making on behalf of Hawaiian to the
15 congressman?

16 A Well, again, it was the one legislation
17 that we requested that he considered cosponsoring.
18 It was the Sustainable Skies Act, and this was a
19 priority for the industry. As well as -- this was
20 part of a coalition of stake holders that were
21 interested in carbon emissions reduction and
22 Sustainable Skies Act, that would have been a bill

1 that I did mention to the Congressman, as well as
2 his staff, and asked if they considered
3 cosponsoring.

4 Q What were the expectations after
5 Congressman Kahele was elected into office? What
6 were the expectations in Hawaiian Airlines as it
7 related to him being a member of Congress?

8 A I'm not sure -- I'm not sure what
9 expectations you are asking about.

10 Q Were there any expectations of the
11 congressman after he was elected into Congress?

12 A No. Nothing specific.

13 Q Were there any conversations surrounding
14 his continued employment with Hawaiian Airlines
15 while he was a member of Congress?

16 A I was not involved in those discussions
17 with him.

18 Q Were you involved in the transition at all
19 of the congressman from a Hawaiian Airlines
20 employee to a full-time member of Congress?

21 A No.

22 Q Were you involved in any of the

1 discussions concerning a potential conflict of
2 interest?

3 A Can we go back to last question on the
4 transition?

5 Q Sure.

6 A Are you talking about transitions in the
7 sense that we think about on the hill about him
8 setting up his office, that type of thing?

9 Q Whether -- yes. Transitioning into
10 becoming a member of Congress or any conversations
11 about leaving his role at Hawaiian or modifying
12 his role at Hawaiian to become a member of
13 Congress. Were you a part of any of those
14 conversations?

15 A I was not, no.

16 Q Were you a part of any discussions
17 involving the potential for a conflict of interest
18 between the employment of the congressman with
19 Hawaiian and then becoming a member of Congress?

20 A I was not involved in any discussions with
21 Hawaiian or with the congressman about -- you
22 know, well, not with the congressman certainly. I

1 was asked to look at what the congressional salary
2 caps were.

3 Q Who were you asked by?

4 A Our folks back in Honolulu.

5 Q So other Hawaiian Airlines employees?

6 A Yes.

7 Q Was that the extent of your involvement in
8 any communications regarding the Congressman's
9 employment with Hawaiian Airlines, and how it
10 could effect him being a member of Congress?

11 MR. DOCKHAM: So whenever Witness Four was
12 asked -- if I could just clarify the documents.

13 Whenever Witness Four was asked about the
14 salary cap, she consulted with an outside counsel
15 about those issues and received information from
16 them of the salary cap. She passed that
17 information back to folks in Hawaii at Hawaiian
18 Airlines.

19 And I believe that was essentially the
20 extent of your involvement. You did receive an
21 e-mail that we summarized in our June 17, 2022,
22 letter about the meeting with House Ethics

1 Committee and the advice that was given to folks
2 at Hawaiian Airlines about dealing with
3 Congressman Kahele.

4 And so that information was distributed to
5 her as well. She sort of used that as her
6 benchmark. Is that helpful?

7 MS. BENITEZ: Yes. That answers the
8 question.

9 Q Were there any other discussions after he
10 was sworn in surrounding a potential conflict of
11 interest?

12 A No. Well, at least not that I'm aware of.
13 I was not involved in any conversations.

14 Q Was it ever a concern for you or the rest
15 of your legislative team or anyone else at
16 Hawaiian -- to your knowledge, was the potential
17 for a conflict of interest ever a concern?

18 A A conflict of interest is of concern no
19 matter who I'm dealing with. And in the situation
20 of my conversations were about matters that were
21 priorities for the entire industry. They were
22 about things that I spoke with with other members

1 of the delegation, as well as other members of
2 Congress.

3 Q And just to clarify Andrew's last point.
4 You received an e-mail and went into conversations
5 with the House Ethics Committee. You weren't
6 involved any other conversations discussing the
7 potential for a conflict of interest after that?

8 A Just about the general subject matter of
9 conflict of interest?

10 Q As it relates to Congressman Kahele, yes.

11 A Not that I recall.

12 Q Okay. I'm going to open up the floor to
13 my colleagues, if they have any additional
14 questions.

15 BY MR. ASHMAWY:

16 Q Good afternoon. I just have one question.
17 What was the significance of the salary caps?

18 A I was asked the question of -- I was asked
19 the question about what restrictions -- financial
20 restrictions, there were on members of Congress
21 with outside employment.

22 Q Okay. Specifically how much

1 Representative Kahele could make outside of his
2 congressional position?

3 A Yes.

4 Q Anything else?

5 A I'm not sure. Can you be a little more
6 specific?

7 Q Was there anything else about salary caps
8 that you were asked to ask about?

9 A Nope. That was it.

10 Q That is all I had. Thank you very much
11 for your time. I don't have anything else. We
12 really do appreciate your cooperation, both you
13 and Hawaiian Airlines.

14 MS. BENITEZ: Thank you, Witness Four.

15 Thank you Andrew so for quickly getting
16 back to me in order to schedule this.

17 With that being said, we can hop off the
18 record, Alexa.

19 (Off the record at 3:29 p.m. EST.)
20
21
22