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CHIEF COUNSEL AND STAFF DIRECTOR

ONE HUNDRED ELEVENTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515-6328

JO BONNER, ALABAMA
RANKING REPUBLICAN MEMBER

K. MICHAEL CONAWAY, TEXAS
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GREGG HARPER, MISSISSIPPI
MICHAEL T. McCAUL, TEXAS

TODD UNGERECHT
COUNSEL TO THE RANKING
REPUBLICAN MEMBER

SUITE HT-2, THE CAPITOL
(202) 225-7103

November 18, 2009

The Honorable Robert Brady
Chairman
Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

In accordance with the regulations of the Committee on House Administration, I am submitting herewith three copies of the monthly report for October including:

1. Summary of Progress and projected programs;
2. Statement of Expense under H.R. 279 (111th Congress, 1st Session); and
3. A listing of Committee employees showing addresses, duties, and gross monthly salaries.

This letter certifies that copies of this report are available to each Member of the Committee on Standards of Official Conduct.

Sincerely,



Zoe Lofgren
Chair

Enclosures

2009 NOV 19 PM 2:43
COMMITTEE
HOUSE ADMINISTRATION

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

October 2009

The Committee continued to fulfill its responsibilities to advise and educate Members and staff on the laws, rules and standards of official conduct. (An enumeration of those laws and rules is found in H. Rep. 110-938, *Summary of Activities, One Hundred Tenth Congress, A Report of the Committee on Standards of Official Conduct*, 110th Cong., 2d Sess. (Jan. 3, 2009).) As a general matter, the Committee's activities in receiving and responding to requests for advice from House Members and staff are conducted on a confidential basis. The Committee received 44 requests for advisory opinions in October of 2009.

In accordance with the Rules of the House of Representatives of the 111th Congress, the Committee continued to review and approve privately sponsored, officially connected travel. The Committee received 164 such requests in October of 2009. In addition, the Committee is required under the House rules to offer annual ethics training to each Member, Delegate, Resident Commissioner, officer, and employee of the House. Such training is mandatory for all House officers and employees, and new officers or employees must receive training not later than 60 days after beginning service to the House. The Committee continued to provide such training in October of 2009. The Committee provided training sessions attended by 259 individuals in October of 2009.

The Committee continued to fulfill its investigatory responsibilities, and publicly announced action with respect to several investigations.

Rep. Sam Graves. Pursuant to Committee Rules 7(d) and 7(g), the Committee released the following statement on October 29, 2009:

The Standards Committee unanimously voted today to release a public Report finding that Representative Sam Graves did not violate any provision of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to his conduct in the performance of his duties or the discharge of his responsibilities with respect to an invitation extended to testify before a Committee on Small Business hearing on issues facing the renewable fuels industry to Mr. Brooks Hurst, who held investments in the same renewable fuel cooperatives as Representative Graves' wife. The Committee considers the matter closed and no further inquiry is warranted.

In accordance with Clause 3 of House Rule XI and Rules 14(a)(3) and 18 of the Committee on Standards of Official Conduct, the Standards Committee unanimously voted to issue the attached Report to the House. The Report follows the receipt of materials forwarded to the Standards Committee by the Office of Congressional Ethics (OCE) and addresses the findings and conclusions of the

Standards Committee with regard to the conduct of Representative Graves. OCE's Report and Findings are contained within the Standards Committee's Report as is Representative Graves' response.

The Committee's Report is available on its web site, at <http://ethics.house.gov>.

Rep. Charles B. Rangel. The Committee voted unanimously on October 8, 2009, to expand the jurisdiction of the investigative subcommittee's inquiry regarding the Matter of Representative Charles B. Rangel to determine if Representative Rangel violated the Code of Official Conduct or any law, rule, regulation or other standard of conduct applicable to his conduct in the performance of his duties or the discharge of his responsibilities with respect to Financial Disclosure Statements and all amendments filed in calendar year 2009 by or on behalf of Representative Charles B. Rangel pursuant to Title I of the Ethics in Government Act.

The investigative subcommittee has collaborated in a bipartisan manner in the performance of its duties and obligations. To that end, the investigative subcommittee to date has: authorized the issuance of close to 150 subpoenas; interviewed approximately 34 witnesses resulting in over 2,100 pages of transcripts; reviewed and analyzed over 12,000 pages of documents; and held over 30 investigative subcommittee meetings.

The Committee's confidentiality rules restrict the disclosure of information under consideration by the investigative subcommittee, and we therefore will not comment further on this matter at this time.

Rep. Laura Richardson. In accordance with Clause 3 of House Rule XI and Rules 14(a)(3) and 18 of the Committee on Standards of Official Conduct, which authorize the Committee to establish an investigative subcommittee of its own initiative, the Committee unanimously voted to establish an investigative subcommittee to conduct an inquiry regarding Representative Laura Richardson.

During the course of the Committee's independent investigation, the Committee received a referral from the Office of Congressional Ethics regarding this same matter. As provided by House Rule X, clause 1(q) and Committee Rule 17A, the Committee has exclusive jurisdiction over the interpretation, administration and enforcement of the Code of Official Conduct. Consistent with the Committee's rules, it reviews OCE's report and findings without prejudice or presumptions as to the merit of the allegations.

Based on the Committee's initial investigation and review of OCE's report and findings, the Committee exercised its authority under House and Committee rules to empanel an investigative subcommittee to obtain and review additional evidence necessary to make a determination as to whether Representative Richardson violated House Rules or any applicable statutes.

Pursuant to the Committee's action, the investigative subcommittee shall have jurisdiction to determine whether Representative Laura Richardson violated House Rules, the Code of Official Conduct or the Ethics in Government Act by failing to disclose certain real property, income and liabilities on her financial disclosure forms (and amendments thereto) and whether Representative Richardson received an impermissible "gift" or received preferential treatment from her lender relating to the foreclosure, rescission of the foreclosure sale or loan modification agreement for or relating to her property in Sacramento, California.

Representative Ben Chandler will serve as Chairman of the investigative subcommittee, and Representative Gregg Harper will serve as its Ranking Republican Member. The other two members of the subcommittee are Representative Emanuel Cleaver and Representative Sue Myrick.

Rep. Maxine Waters. In accordance with Clause 3 of House Rule XI and Rules 14(a)(3) and 18 of the Committee on Standards of Official Conduct, which authorize the Committee to establish an investigative subcommittee of its own initiative, the Committee unanimously voted to establish an investigative subcommittee to conduct an inquiry regarding Representative Maxine Waters.

During the course of the Committee's independent investigation, the Committee received a referral from the Office of Congressional Ethics regarding this same matter. As provided by House Rule X, clause 1(q) and Committee Rule 17A, the Committee has exclusive jurisdiction over the interpretation, administration and enforcement of the Code of Official Conduct. Consistent with the Committee's rules, it reviews OCE's report and findings without prejudice or presumptions as to the merit of the allegations.

Based on the Committee's initial investigation and review of OCE's report and findings, the Committee exercised its authority under House and Committee rules to empanel an investigative subcommittee to obtain and review additional evidence necessary to make a determination as to whether Representative Waters violated House Rules or any applicable statutes.

Pursuant to the Committee's action, the investigative subcommittee shall have jurisdiction to determine whether Representative Maxine Waters violated the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to her conduct in the performance of her duties or the discharge of her responsibilities, with respect to Representative Waters' alleged communications and activities with, or on behalf of, the National Bankers Association or OneUnited Bank, a bank in which Representative Waters' husband owned stock and previously served on the board of directors, and the benefit, if any, Representative Waters or her husband received as a result.

Representative Kathy Castor will serve as Chairman of the investigative subcommittee, and Representative Mike Conaway will serve as its Ranking Republican Member. The other two members of the subcommittee are Representative Keith Ellison and Representative Marsha Blackburn.

In addition, the Committee learned that certain electronic files of the Committee may have been exposed to unauthorized and inappropriate access by persons outside the Committee. Neither the Standards Committee's nor the House's information systems have been breached in any way. Our initial review suggests that this unlawful access to confidential information involved the use of peer-to-peer file sharing software on the personal computer of a junior staffer, who is no longer employed by the Committee, while working from home. The potential exposure is limited to several specific documents.

The Standards Committee is taking all appropriate steps to deal with this issue and is working with House Information Security to ensure that the Standards Committee's information systems remain secure.

No matter how robust our cybersecurity systems are, they remain subject to individual error. House Members, Officers and employees are reminded to exercise caution when handling House documents. The Committee notes that the Committee on Oversight and Government Reform has been investigating the privacy and security risks of peer-to-peer networks. Although peer-to-peer technology may offer benefits to the users of such networks – whether consumers, businesses, or government – they should also be aware of risks that may be associated with their use.

At any one time, the Committee has dozens of matters regarding Members, Officers, and employees before it, including both investigations and requests for advice regarding House rules, financial disclosure, and travel, among other issues. No inference to any misconduct can be made from the fact that a matter is simply before the Committee. For these reasons, the range of matters before the Committee is, and should remain, confidential.

The Committee will have no further comment on the matter at this time.

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Committee on Standards of Official Conduct

H. Res. Resolution: 279

Statement of expenses from 10/1/2009 to 10/31/2009

Whole Committee - Funding Limit

Report Done: Tuesday, November 17, 2009

Category	October 2009	Cumulative For Funding Resolution: 279	10/31/2009
Staff Salaries	\$201,871.65	\$1,633,978.09	
Overtime	\$0.00	\$226.09	
Transit Benefits	\$0.00	\$2,028.61	
Consultant Contracts	\$0.00	\$0.00	
Equipment	\$4,059.00	\$11,345.40	
Travel	\$0.00	\$552.72	
Rent, Communications and Utilities	\$2,366.41	\$18,485.41	
Printing and Reproduction	\$127.60	\$2,158.70	
Miscellaneous Other Services	\$12,254.16	\$29,646.78	
Specialized Training	\$0.00	\$0.00	
Training Expenses	\$0.00	\$0.00	
Representational Funds	\$0.00	\$0.00	
Supplies and Materials	\$8,593.99	\$37,284.35	
Grand Total	\$229,272.81	\$1,735,706.15	

United States House of Representatives
Committee on Standards of Official Conduct
Fund Balance Statement as of 10/31/2009

All BOC codes

Resolution: 279

Report Done: 11/17/2009

Whole Committee - Funding Limit

Less Expenses

Total Authorization \$2,735,247.00

Year	Month	
2009	January	\$133,847.97
2009	February	\$145,514.71
2009	March	\$166,502.65
2009	April	\$166,458.23
2009	May	\$159,343.73
2009	June	\$163,857.19
2009	July	\$169,680.38
2009	August	\$180,341.03
2009	September	\$219,977.45
2009	October	\$229,272.81
Total Committee Expenses to Date		\$1,734,796.15
Unexpended Authorization		\$1,000,450.85

United States House of Representatives
Committee on Standards of Official Conduct
Fund Balance Statement as of 10/31/2009

All BOC codes

Resolution: 279F

Report Done: 11/17/2009

Whole Committee - Funding Limit

Less Expenses

Total Authorization \$5,000.00

Year	Month	
2009	January	\$143.81
2009	February	\$86.36
2009	March	\$54.01
2009	April	\$23.88
2009	May	\$79.97
2009	June	\$22.08
2009	July	\$79.25
2009	August	\$32.56
2009	September	\$148.54
2009	October	\$43.48
Total Committee Expenses to Date		\$713.94
Unexpended Authorization		\$4,286.06

Committee on Standards of Official Conduct

H. Res. Resolution: 279F

Statement of expenses from 10/1/2009 to 10/31/2009

Whole Committee - Funding Limit

Report Done: Tuesday, November 17, 2009

Category	October 2009	Cumulative For Funding Resolution: 279F	10/31/2009
Staff Salaries	\$0.00	\$0.00	\$0.00
Overtime	\$0.00	\$0.00	\$0.00
Consultant Contracts	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Rent, Communications and Utilities	\$43.48	\$627.58	\$627.58
Printing and Reproduction	\$0.00	\$0.00	\$0.00
Miscellaneous Other Services	\$0.00	\$0.00	\$0.00
Specialized Training	\$0.00	\$0.00	\$0.00
Training Expenses	\$0.00	\$0.00	\$0.00
Representational Funds	\$0.00	\$0.00	\$0.00
Supplies and Materials	\$0.00	\$86.36	\$86.36
Grand Total	\$43.48	\$713.94	\$713.94

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

October 2009

STANDING COMMITTEE STAFF

<u>NAMES</u>	<u>ADDRESSES</u>	<u>DUTIES</u>	<u>MONTHLY SALARIES</u>
Kenyen Brown	White Plains, MD	Director of Advice And Education	\$14,224.67
Blake Chisam	Arlington, VA	Chief Counsel/Staff Director	14,375.00
Sheria Clarke	Woodbridge, VA	Counsel	5,833.33
Frank Davies	McLean, VA	Senior Investigator	8,500.00
Carol Dixon	Washington, DC	Counsel	12,482.32
Donna Hayes	Hyattsville, MD	Staff Assistant	2,753.63
John V. Jesaitis	Washington, DC	Committee Investigative	5,000.00
Amelia Johnson	Arlington, VA	Investigative Clerk	291.67
Amelia Johnson	Arlington, VA	Investigative Clerk	2,916.67
Peter L. Johnson	Alexandria, VA	System & Financial Disclosure Admin.	7,063.97
Morgan Kim	Arlington, VA	Deputy Chief Counsel	13,570.67
Paulicia Larkin	Alexandria, VA	Staff Assistant	3,231.91
Susan Olson	Arlington, VA	Counsel	12,482.32
Deborah Peay	Washington, DC	Senior Financial Disclosure Manager	9,589.30
Margaret Perl	Falls Church, VA	Counsel	10,640.00

<u>NAMES</u>	<u>ADDRESSES</u>	<u>DUTIES</u>	<u>SALARIES</u>
Thomas A. Rust	Arlington, VA	Counsel	8,333.33
Donald Sherman	Washington, DC	Counsel	6,250.00
Stan Simpson	Takoma Park, MD	Director of Financial Disclosure Review	11,172.00
Tonia Smith	Baltimore, MD	Counsel	11,172.00
Clifford Stoddard, Jr.	Clinton, MD	Counsel	8,333.33
Daniel Taylor	Arlington, VA	Counsel to the Chair	11,833.33
Todd Ungerecht	Herndon, VA	Counsel to the Ranking Republican Member	11,833.33
Joanne White	Ft. Wash., MD	Administrative Staff Director	9,652.87