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1st Session

HOUSE OF REPRESENTATIVES

REPORT
112–336

IN THE MATTER OF ALLEGATIONS RELATING TO REPRESENTATIVE DON YOUNG

R E P O R T

OF THE

COMMITTEE ON ETHICS

DECEMBER 20, 2011.—Referred to the House Calendar and ordered to be printed

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LETTER OF SUBMITTAL

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ETHICS,
Washington, DC, December 20, 2011.

Hon. KAREN L. HAAS,
Clerk, U.S. House of Representatives,
Washington, DC.

DEAR MS. HAAS: Pursuant to clauses 3(a)(2) and 3(b) of Rule XI of the Rules of the House of Representatives, we herewith transmit the attached Report, "In the Matter of Allegations Relating to Representative Don Young."

Sincerely,

JO BONNER,
Chairman.
LINDA T. SÁNCHEZ,
Ranking Member.

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House Calendar No. 103

112TH CONGRESS *1st Session* } HOUSE OF REPRESENTATIVES { REPORT 112–336

IN THE MATTER REGARDING ALLEGATIONS RELATING TO REPRESENTATIVE DON YOUNG

DECEMBER 20, 2011.—Referred to the House Calendar and ordered to be printed

Mr. BONNER, from the Committee on Ethics, submitted the following

R E P O R T

I. INTRODUCTION

The Committee on Ethics (the Committee) submits this Report pursuant to Rule XI, clause 3(a)(2), of the Rules of the U.S. House of Representatives (House Rules), which authorizes the Committee to investigate any alleged violation by a Member, officer, or employee of the House of Representatives, of the Code of Official Conduct or any law, rule, regulation, or other standard applicable to the conduct of such Member, officer, or employee.

On December 31, 2007, Representative Don Young entered into a trust agreement establishing the Congressman Don Young Legal Expense Trust (the Trust). In a letter dated January 2, 2008, Representative Young sought formal approval of the Trust from the Committee in accordance with the Committee's Legal Expense Fund Regulations. On January 9, 2008, the Committee approved the Trust.

On April 20, 2011, Representative Young filed the Trust's required quarterly report with the Committee for the reporting period ending March 31, 2011. The quarterly report indicated that, among other donations, twelve limited liability corporations (LLCs) located in Louisiana each contributed $5,000 to the Trust. The LLCs were owned by the same individual or group of individuals.

On June 23, 2011, the Office of Congressional Ethics (OCE) commenced a preliminary review of allegations that Representative Young had accepted contributions to his Trust in excess of the limits established by applicable rules. Pursuant to its organizing resolution, OCE was required to notify both Representative Young and the Committee that it had begun a preliminary review. In a letter dated July 6, 2011, Representative Young sought guidance from

the Committee related to the $5,000 contributions from the twelve LLCs located in Louisiana. Representative Young indicated that, prior to accepting the contributions, guidance was sought from Gail R. Schubert, the trustee of his Trust, regarding whether contributions from companies that are separate legal entities and operate under separate financial records were subject to the same contribution limit. The trustee's opinion was that such contributions are permissible and not subject to the same contribution limit if the companies are separate legal entities and operate under separate financial records.

On October 13, 2011, the Committee received a referral from OCE recommending further review of allegations that Representative Young "may have accepted contributions to his legal expense trust in excess of the limitations of $5,000 per calendar year from any individual or organization."[1] Upon receipt of OCE's Report and Findings (Report and Findings), the Committee sent a copy of the Report and Findings to Representative Young and offered him an opportunity to respond. Representative Young submitted a response to OCE's Report and Findings on November 4, 2011.[2]

On November 17, 2011, the Chairman and Ranking Member authorized an investigation pursuant to Committee Rule 18(a) to gather additional information related to the allegations in OCE's Report and Findings. The Committee also conducted a review of the advice generally given to individuals with legal expense trust funds in interpreting the Legal Expense Fund Regulations issued by the Committee on June 10, 1996 (1996 LEF Regulations). Based on the information gathered during the 18(a) investigation, as well as the Committee's review of the advice generally given, the Committee voted unanimously to resolve the issues surrounding Representative Young's outstanding request for guidance from the Committee and the allegations regarding Representative Young by OCE, by issuing a letter to Representative Young and releasing this report.[3]

With respect to Representative Young's request for guidance from the Committee, the Committee, in guidance issued contemporaneously with this Report, determined that the contributions by the twelve Louisiana LLCs to Representative Young were permissible under the 1996 LEF Regulations issued by the Committee, and that the Trust's acceptance of the contributions did not violate House rules. The Committee also adopted revised LEF Regulations, issued contemporaneously with this Report, that provide clarity on several matters related to legal expense funds, including restrictions on contributions from multiple entities owned by the same individual or individuals.[4]

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[1] Report and Findings in the Matter of Representative Don Young, OCE Review No. 11–3175, October 13, 2011. A copy of OCE's Report and Findings is attached as Appendix A to this Report.

[2] Letter from Representative Young to the Committee, November 4, 2011. A copy of Representative Young's response to OCE's Report and Findings is attached as Appendix B to this Report.

[3] Pursuant to Committee Rule 3(j), the Committee will not release any of its letters to Representative Young at this time.

[4] The Committee adopted revised Legal Expense Fund Regulations in order to provide greater guidance and clarity on several issues related to legal expense funds, including the issue addressed in this Report. The Committee also elected to define contributions from multiple entities owned by the same individual or individuals in a manner consistent with the Federal Election Commission's definition used for campaign donations from multiple entities owned by the same individual or individuals. See 11 C.F.R. § 110.1(e)(1). The Committee recognized that adopting this definition would help to prevent the formation of shell companies for the purpose of evading

With respect to the referral from OCE, the Committee determined that, based on the 1996 LEF Regulations and long-standing Committee advice, multiple entities owned by the same individual or individuals were permitted to make contributions up to $5,000 per entity if they were separate legal entities. The twelve Louisiana LLCs are separate legal entities and are separately registered with the Louisiana Secretary of State. Further, the entities provide separate and distinct products or services and were formed at different times.

Because the contributions by the twelve LLCs were permissible under the Committee's 1996 LEF Regulations, the Committee dismissed the allegations in the OCE referral. However, the Committee is concerned that the identical ownership of the twelve entities challenges the principles of the contribution limits of the 1996 LEF Regulations. Because the 1996 LEF Regulations did clearly permit contributions from multiple entities owned by the same individual or individuals, and because Representative Young did appear to inquire of the nature of the entities and their permissibility, the Committee does not believe a violation of House Rule XXIII, clause 2 may be found as it does not appear Representative Young himself intended to violate the spirit of the 1996 LEF Regulations. However, to prevent this situation in the future the Committee is amending the LEF Regulations to attribute contributions by certain types of entities, such as LLCs, to the owners of those entities. The revised LEF Regulations will take effect on January 1, 2012, and will apply to all existing LEFs and all LEFs approved by the Committee in the future.

II. HOUSE RULES, LAWS, REGULATIONS AND OTHER STANDARDS OF CONDUCT [5]

House Rule XXV, clause 5(a)(3)(E)

"The restrictions in subparagraph (1) [generally, the House gift rule] do not apply to the following:

> (E) Except as provided in paragraph (e)(3), a contribution or other payment to a legal expense fund established for the benefit of a Member, Delegate, Resident Commissioner, officer or employee of the House that is otherwise lawfully made in accordance with the restrictions and disclosure requirements of the Committee on Ethics."

1996 Legal Expense Fund Regulations, ¶ 8

"A Legal Expense Fund shall not accept more than $5,000 in a calendar year from any individual or organization."

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the contribution limits. A copy of the Legal Expense Fund Regulations adopted by the Committee on December 14, 2011, is attached as Appendix C to this Report.

[5] Beyond the rules and regulations cited in this section, OCE also points to guidance issued in the 2008 House Ethics Manual as controlling. The guidance states "[a] gift received from an individual affiliated with an organization counts against the annual gift limitations of both the individual and the organization." 2008 House Ethics Manual at 6. In a footnote, OCE's Report and Findings also discusses guidance provided by the Senate Select Committee on Ethics. The Senate guidance states that although the Senate Committee "generally recognizes the separate legal status of related entities (e.g. a parent and its subsidiary entity will be treated as distinct sources for the purposes of the Gifts Rule), such entities will NOT be accorded separate source status if the entities are acting in concert or as agent for the other with respect to a particular gift." OCE acknowledges that guidance provided by the Senate is not controlling.

House Rule XXIII, clause 1

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

House Rule XXIII, clause 2

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

III. FACTS

Based on OCE's referral, the Committee's review of information gathered during the 18(a) investigation, and relevant Committee guidance, the following is the background in this matter.

A. ESTABLISHMENT OF LEGAL EXPENSE TRUST

Representative Young is the representative for Alaska At-Large. On December 31, 2007, Representative Young established the Congressman Don Young Legal Expense Trust (the Trust) to pay legal expenses related to an ongoing investigation by the Department of Justice concerning his conduct as a Member of the House of Representatives. Representative Young signed a trust agreement on December 31, 2007, naming Gail R. Schubert, an attorney, as trustee.[6] The Committee, by letter dated January 9, 2008, approved the Trust.

According to quarterly reports of the Trust filed with the Committee, the Trust began receiving contributions during the reporting period ending July 30, 2008. Over the course of the next two-and-a-half years, the Trust continued to receive contributions from donors. However, there was no organized fundraising plan in place.

During the reporting period ending March 31, 2011, the Trust received contributions from twelve LLCs owned by the same individual or group of individuals. Each LLC contributed $5,000 to the Trust—the maximum permissible contribution under the 1996 LEF Regulations for any year—via checks dated January 6 or 7, 2011.

On May 3, 2011, Roll Call published an article entitled "A Family Comes to Rep. Young's Defense." The article reported that Gary Chouest, President of Edison Chouest Offshore, and other members of the Chouest family, controlled twelve entities that each made a $5,000 contribution to Representative Young's legal expense trust. The article questioned whether the contributions were permissible under the 1996 LEF regulations or were a circumvention of House rules.

OCE's preliminary review began on June 23, 2011. On July 6, 2011, Representative Young requested an advisory opinion from the Committee as to whether contributions by the twelve Louisiana companies were permissible.

[6] Letter from the Committee to Representative Young, January 9, 2008.

B. OCE AND COMMITTEE INVESTIGATIONS

OCE commenced its initial review of this matter on June 23, 2011.[7] On July 22, 2011, OCE voted to initiate a second-phase review. OCE voted to extend the second-phase review on August 13, 2011.[8] OCE voted to refer the matter to the Committee on September 27, 2011, and transmitted its Report and Findings to the Committee on October 13, 2011.[9] Upon receipt of OCE's Report and Findings, the Committee sent a copy of the Report and Findings to Representative Young and offered him an opportunity to respond. Representative Young submitted a response to OCE's Report and Findings on November 4, 2011.[10] On November 17, 2011, the Chairman and Ranking Member authorized an investigation pursuant to Committee Rule 18(a) to gather additional information related to the allegations in OCE's Report and Findings. On December 5, 2011, Representative Young submitted an additional response to the Committee.

OCE's investigation revealed that sometime around December 2010 and January 2011, Representative Young had a telephone conversation with Gary Chouest. During the conversation, Mr. Chouest offered to raise funds for Representative Young's legal expense trust. The funds would be contributions from the companies owned by the Chouest family. After the conversation, Representative Young's Chief of Staff contacted the trustee of the Trust to ask whether it was permissible to accept contributions from the companies.[11] According to the Chief of Staff, the trustee advised that contributions up to $5,000 would be permissible from each company that filed separate tax returns and held separate insurance policies.

On or around January 14, 2011, Representative Young attended a fundraising event in Texas hosted by Mr. Chouest. At the event, Mr. Chouest gave Representative Young an envelope. According to Representative Young, he never opened the envelope. The envelope and its contents were forwarded to the trustee for deposit into the Trust account. Checks from twelve companies in the amount of $5,000 each were deposited into the Trust account on March 31, 2011.[12] Neither Mr. Chouest nor any other Chouest family member contributed personal funds to Representative Young's legal expense trust.

According to information provided to the Committee during its 18(a) inquiry, the owners of the twelve companies authorized that checks be issued to Representative Young's legal expense trust from each company. Each company issued a check from an account owned by that company. No check was drawn on the same account. The checks were all issued on January 6, or 7, 2011, and were all

[7] Report and Findings in the Matter of Representative Don Young, OCE Review No. 11–3175, October 13, 2011.

[8] *Id.*

[9] *Id.*

[10] Representative Young Letter to Committee, November 4, 2011.

[11] OCE's Report and Findings ¶¶ 39, 40. According to OCE's Report and Findings, the trustee did not recall this conversation with Representative Young's Chief of Staff. However, the trustee did acknowledge a general discussion with the Chief of Staff about contributions from affiliated entities.

[12] OCE's Report and Findings ¶¶ 44–46. According to OCE's Report and Findings, Representative Young recalled sending the envelope directly to the trustee. However, Representative Young's Chief of Staff recalls that Representative Young gave the checks to her and she sent them to the trustee.

signed by Dionne Chouest Austin, the registered agent for each of the companies.[13]

Based on the Committee's review of information gathered during the 18(a) investigation, the twelve companies that contributed to Representative Young's legal expense trust are a part of the Edison Chouest Offshore (ECO) family of companies. The twelve ECO companies that each contributed $5,000 to Representative Young's Trust are:

- Alpha Marine Services, LLC
- C-Innovation, LLC
- C-Port, LLC
- C-Port 2, LLC
- Galliano Marine Services, LLC
- Marine Technologies, LLC
- Martin Holdings, LLC
- Nautical Solutions, LLC
- Nautical Ventures, LLC
- Offshore Support Services, LLC
- North American Fabricators, LLC
- North American Shipbuilding LLC

Each of the companies listed above, as well as ECO, are registered with the Louisiana Secretary of State as separate entities. Each company has a unique tax identification number and, for the companies that file income tax returns, they file separately. The companies provide different services or products related to the maritime industry. Several of the companies maintain separate Web sites that are directly accessible or accessible through links from the ECO Web site.

Based on public records, Edison Chouest Offshore, LLC was registered in 1970.[14] North American Fabricators, LLC was registered on October 17, 1996. Galliano Marine Service, LLC was registered on December 24, 1996. Alpha Marine Services, LLC was registered on December 24, 1996. North American Shipbuilding, LLC was registered on December 24, 1996. C-Port 2, LLC was registered on December 12, 1997. Offshore Support Services, LLC was registered on November 4, 1998. Martin Holdings, LLC was registered on October 4, 2000. Nautical Ventures, LLC was registered on September 20, 2001. Marine Technologies, LLC was registered on July 3, 2002. C-Port, LLC was registered on January 10, 2006. C-Innovation, LLC was registered on April 9, 2007. Nautical Solutions, LLC was registered on August 16, 2007.

According to the information obtained by the Committee, eleven of the contributing companies are owned by Gary Chouest, his wife, and their five children (though the interests of two children are held in trust) or some combination of those seven individuals. One separate company which partly or wholly owns four of the contributing companies is itself owned by the Chouest family as well. One of the contributing companies is wholly owned by another separate company that is wholly owned by Gary Chouest alone. Each of the owners has the authority to sign checks on behalf of the companies. Gary Chouest and other members of the Chouest family are listed

[13] Ms. Austin also serves in various capacities, such as manager, of most of the companies.

[14] The corporation was initially registered on May 27, 1970, as Chouest Boat Rental, Inc., Edison. After several mergers and name changes, the corporation is currently registered as Offshore Service Vessels, LLC.

as registered agents or officers of each ECO company. The corporate registrations list Gary Chouest as a registered agent and a member of the North American Fabricators, LLC; North American Shipbuilding, LLC; and C-Innovation, LLC. Mr. Chouest is listed as a registered agent and manager of Nautical Solutions, LLC; Galliano Marine Services, LLC; and Alpha Marine Services, LLC. Mr. Chouest is also listed as a manager of Nautical Ventures, LLC. Dionne Chouest Austin is listed as a registered agent for each of the twelve companies and also serves as a manager or member of five of the corporations. Several other Chouest family members serve in various capacities for the corporations.

The companies appear to provide separate and distinct products or services. Several of the companies have offices, including principal offices, in foreign countries and on different continents. Several of the companies have presidents from, and serving in the foreign countries.

During its 18(a) investigation, the Committee received information from Gary Chouest, Director of Edison Chouest Offshore, via a telephone interview and through documents submitted by Mr. Chouest. The information provided by Mr. Chouest demonstrated that each company is a separate legal entity. Each company has a board of directors. The companies are owned by Mr. Chouest, his wife, and their five children, or some combination of those seven individuals. Each of the owners has the authority to sign checks on behalf of the companies. In addition, the companies each have separate tax identification numbers and file separate tax returns, although three of the companies did not file tax returns because they are "disregarded entities of a parent company." [15]

IV. FINDINGS AND CONCLUSIONS

A. COMMITTEE'S RESPONSE TO REQUEST FOR GUIDANCE

1. Restrictions on Contributions to Legal Expense Funds

a. Legal Background

Under the gift rule, "a contribution or other payment to a legal expense fund established for the benefit of [the official] that is otherwise lawfully made in accordance with the restrictions and disclosure requirements of the Committee on Ethics" is a permissible gift.[16] Under the 1996 LEF Regulations, a Member may not receive or solicit donations to such a fund without prior approval of the trust agreement by the Committee.[17]

The 1996 LEF Regulations also provide the following restrictions on contributions made to a legal expense fund:

1. A Legal Expense Fund shall not accept more than $5,000 in a calendar year from any individual or organization; [18]
2. A Legal Expense Fund shall not accept any contribution from a registered lobbyist or an agent of a foreign principal; [19]
3. Other than as specifically barred by law or regulation, a Legal Expense Fund may accept contributions from any indi-

[15] Mr. Chouest first told the Committee that each company filed separate tax returns, but later clarified that three companies do not file returns.
[16] House Rule XXV, clause 5(a)(3)(E). See generally 2008 House Ethics Manual at 63–65.
[17] 1996 LEF Regulations ¶¶ 1, 11.
[18] 1996 LEF Regulations ¶ 8.
[19] 1996 LEF Regulations ¶ 9.

vidual or organization, including a corporation, labor union, or political action committee (PAC).[20]

The 1996 LEF Regulations do not explicitly limit contributions from business entities controlled by the same individual or group of individuals.

b. Analysis

Representative Young's legal expense trust received $60,000 from twelve LLCs controlled by a businessman and his family members. Each of these LLCs is a separate legal entity with separate financial records. As a result, each LLC is a separate organization under the 1996 LEF Regulations and Representative Young's legal expense trust was permitted to receive, and therefore is permitted to retain, these donations.

However, the Committee has adopted revised Legal Expense Fund Regulations that will prohibit similar contributions in the future.

B. COMMITTEE'S DISPOSITION OF THE OCE REFERRAL

According to the OCE referral, during the reporting period ending March 31, 2011, twelve LLCs owned by members of the Chouest family each made contributions of $5,000 to Representative Young's legal expense trust. Based on the Committee's review of information gathered during the 18(a) investigation, the 1996 LEF Regulations, and long-standing Committee advice, multiple, legally separate organizations owned by the same individual or individuals were permitted to make contributions up to $5,000 per organization. Therefore, the Committee votes to dismiss the allegations, but is amending its LEF Regulations to prohibit similar contributions in the future.

1. Contributions in Excess of the Annual Limit

a. 1996 LEF Regulations

As noted above, contributions to a legal expense fund are limited to $5,000 per year from an individual or organization, and, except as barred by law or regulation, contributions may be accepted from any individual or organization other than a federally registered lobbyist or an agent of a foreign principal. The 1996 LEF Regulations do not impose any limitation on contributions from entities or organizations controlled or owned by the same individual or individuals.

The gift rule includes a general rule on the acceptance of gifts and 23 provisions that describe specific kinds of gifts that may be accepted.[21] The general rule prohibits the acceptance of gifts from a registered lobbyist, an agent of a foreign principal, or a private entity that retains or employs such individuals, and limits the value of any gift from acceptable donors to less than $50 per gift, and a total annual limit of less than $100.[22] In its guidance regarding the general gift rule, the Committee has stated that a gift from an individual affiliated with an organization is a gift from both the individual and the organization.[23] The Committee's guidance states

[20] 1996 LEF Regulations ¶ 10.
[21] See 2008 House Ethics Manual at 30. House Rule XXV, cl. 5.
[22] House Rule XXV, cl. 5(a)(1)(A)(ii) and 5(a)(1)(B)(i).
[23] 2008 House Ethics Manual at 36.

that this ruling specifically applies to the general gift rule.[24] However, the guidance also makes it clear that provisions applicable to the general gift rule are not necessarily applicable to specific gift rule exceptions, such as contributions to a legal expense fund.[25]

In addition, the 2008 House Ethics Manual also provides that a gift that meets one of the specific exceptions to the gift rule may be accepted even if it does not meet the requirements of the general gift rule exception.[26] For example, if a gift meets all the requirements of a specific provision, the gift would be acceptable even when the donor is a registered lobbyist, an agent of a foreign principal, or an entity that retains or employs such individuals.[27] Committee guidance provides:

> When a gift satisfies each of the requirements of any of the specific provisions of the gift rule on acceptable gifts—for example, a book under the "informational materials" provision (House Rule 25, clause 5(a)(3)(I))—the gift may be accepted even if its value is $50 or more. Furthermore, in that circumstance, the value of the gift does not count against the donor's annual gift limitation of less than $100.[28]

The universe of rules applicable to a legal expense fund is contained within the legal expense fund regulations issued by the Committee—currently the 1996 LEF Regulations. Contributions to a legal expense fund are an exception to the gift rule which prohibits Members, officers, and House employees from receiving gifts. Whether a contribution to a legal expense fund is an exception to the gift rule, and therefore permissible, is solely governed by the 1996 LEF Regulations issued by the Committee. This interpretation is consistent with the Committee's guidance regarding other exceptions to the gift rule. For example, the Committee's advice regarding the Foreign Gifts and Decorations Act (FGDA), and the Mutual Educational and Cultural Exchange Act (MEACA) has been that the universe of rules applicable to a gift under these provisions is contained within the relevant statute, and guidance provided by the Committee on aspects of the general gift rule does not apply to these types of gifts.

The contributions made by the twelve LLCs to Representative Young's legal expense trust were from separate entities, did not exceed $5,000, and were not from a lobbyist or an agent of a foreign principal. As such, the contributions were technically permissible under the 1996 LEF Regulations.

b. House Rule XXIII, clause 2

House Rule XXIII, clause 2 is applicable to conduct that may technically comply with relevant House Rules, but circumvents the spirit of the applicable Rule. Thus, even though the contributions were technically permissible under the 1996 LEF Regulations, if the contributions circumvented the spirit of the 1996 LEF Regulations governing contributions to a legal expense fund with Representative Young's knowledge, Representative Young's acceptance

[24] *Id.*
[25] *Id.* at 38.
[26] *Id.*
[27] *Id.*
[28] *Id.* (emphasis in original).

of the contributions may be perceived as violative of clause 2 of House Rule XXIII.

The 1996 LEF Regulations establish a $5,000 contribution limit per individual or organization.[29] The Regulations also specifically state that contributions may be accepted from "any individual or organization, including a corporation . . ." other than as specifically barred by law or regulation.[30] No law or regulation specifically prohibits contributions to a legal expense fund from separate organizations that are owned by the same individual or group of individuals—such as the corporations in this matter. Because the 1996 LEF Regulations permit contributions from any organization, including corporations, and there is no law or regulation that prohibits contributions from corporations that are owned by the same individual or individuals, Representative Young's acceptance of the contributions falls squarely within the language of the 1996 LEF Regulations.

Furthermore, the evidence indicates that Representative Young inquired of his trustee about the requirements for related entities, and the advice he was given did appear to apply to the relevant corporate entities. The companies are separate legal entities, with separate functions, services, or products. While they are all owned by members of the same family, and the checks were all signed by the same family member, none of these facts clearly violate the plain rules or the advice of the trustee.

To be clear, the Committee is concerned that five people and two trusts were in essence making twelve maximum contributions. However, the evidence, as described above, did not convince the Committee that Representative Young intended to violate the spirit of the 1996 LEF Regulations. Therefore, based on its findings, because the contributions did not violate any rule and because Representative Young's conduct did not clearly violate the spirit of the Rules, the Committee determined that OCE's referral should be dismissed.

The Committee directed the Chairman, upon providing the notices required pursuant to House Rule XI, clause 3(b)(8)(A), and Committee Rule 17A(b)(2), to file this Report with the House, and copies of OCE's Report and Findings in this matter, along with any response filed, all of which are made a part of this Report and appended hereto.[31] The filing of this Report, along with its publication on the Committee's Web site, shall serve as publication of OCE's Report and Findings in this matter, pursuant to House Rule XI, clause 3(b)(8)(A), and Committee Rule 17A(b)(3) and 17A(c)(2).

V. STATEMENT UNDER RULE XIII, CLAUSE 3(c) OF THE RULES OF THE HOUSE OF REPRESENTATIVES

The Committee made no special oversight findings in this Report. No budget statement is submitted. No funding is authorized by any measure in this Report.

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[29] An organization is defined by Black's Law Dictionary as, "[a] body of persons (such as a union or corporation) formed for a common purpose." Black's Law Dictionary (9th ed. 2009), organization.

[30] 1996 LEF Regulations ¶ 10 (emphasis added).

[31] See House Rule XI, clauses 3(a)(2) and 3(b).

APPENDIX A

CONFIDENTIAL

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 11-3175

The Board of the Office of Congressional Ethics (the "Board"), by a vote of no less than four members, on September 27, 2011, adopted the following report and ordered it to be transmitted to the Committee on Ethics of the United States House of Representatives.

SUBJECT: Representative Don Young

NATURE OF THE ALLEGED VIOLATION: Representative Don Young may have accepted contributions to his legal expense fund in excess of the limitation of $5,000 per calendar year from any individual or organization. The Congressman Don Young Legal Expense Trust's disclosure report for the first quarter 2011, filed by Representative Young with the Committee on Ethics on April 20, 2011, lists twelve $5,000 contributions from twelve affiliated entities that may have been directed by a single individual.

If the twelve contributions came from a single source, the contributions may have exceeded the annual $5,000 per organization or individual contribution limit provided for in House rules and Committee on Ethics regulations governing legal expense funds.

RECOMMENDATION: The Board recommends that the Committee on Ethics further review the above allegations because there is substantial reason to believe that Representative Young accepted contributions in excess of the annual contribution limit to his legal expense fund.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

ABSTENTIONS: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON ETHICS: Omar S. Ashmawy, Staff Director & Chief Counsel.

CONFIDENTIAL

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 11-3175

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OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 11-3175

On September 27, 2011, the Board of the Office of Congressional Ethics (the "Board") adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*).

The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

A. Summary of Allegations

1. Based on the information before the Office of Congressional Ethics ("OCE"), there is substantial reason to believe that Representative Don Young accepted contributions to his legal expense fund in excess of the annual limitation of $5,000 per individual or organization provided for in the Committee on Ethics legal expense fund regulations.

2. Representative Young may have accepted twelve $5,000 contribution checks, for a total contribution of $60,000, from a single source: twelve affiliated entities under the direction of a single individual.

B. Jurisdiction Statement

3. The allegations that were the subject of this review concern Representative Don Young, a Member of the United States House of Representatives from the state of Alaska. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution."[1] The House adopted this Resolution on March 11, 2008. Because the conduct under review occurred after March 11, 2008, review by the Board is in accordance with the Resolution.

[1] H. Res 895, 110th Cong. §1(e) (2008) (as amended).

C. Procedural History

4. The OCE received a written request for preliminary review in this matter signed by at least two members of the Board on June 22, 2011. The preliminary review commenced on June 23, 2011.[2] The preliminary review was scheduled to end on July 22, 2011.

5. At least three members of the Board voted to initiate a second-phase review in this matter on July 22, 2011. The second-phase review commenced on July 23, 2011.[3] The second-phase review was scheduled to end on September 5, 2011.

6. The Board voted to extend second-phase review for an additional period of fourteen days on August 30, 2011. The additional period was scheduled to end on September 19, 2011.

7. Pursuant to Rule 9(B) of the OCE Rules for the Conduct of Investigations, Representative Young submitted a written statement to the Board on September 23, 2011.

8. The Board voted to refer the matter to the Committee on Ethics for further review and adopted these findings on September 27, 2011.

9. The report and its findings in this matter were transmitted to the Committee on Ethics on October 13, 2011.

D. Summary of Investigative Activity

10. The OCE requested documentary and, in some cases, testimonial information from the following sources:

    (1) Representative Young;

    (2) Representative Young's Congressional office;

    (3) Representative Young's Chief of Staff;

    (4) The Congressman Don Young Legal Expense Trust;

    (5) The Trustee of the Congressman Don Young Legal Expense Trust;

    (6) Edison Chouest Offshore, LLC/Offshore Service Vessels, LLC;

    (7) Alpha Marine Services, LLC;

    (8) C-Innovation, LLC;

[2] A preliminary review is "requested" in writing by members of the Board of the OCE. The request for a preliminary review is "received" by the OCE on a date certain. According to the Resolution, the timeframe for conducting a preliminary review is thirty days from the date of receipt of the Board's request.

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

(9) C-Port, LLC;

(10) C-Port-2, LLC;

(11) Galliano Marine Services, LLC;

(12) Marine Technologies, LLC;

(13) Martin Holdings, LLC;

(14) Nautical Solutions, LLC;

(15) Nautical Ventures, LLC;

(16) North American Fabricators, LLC;

(17) North American Shipbuilding, LLC;

(18) Offshore Support Services, LLC;

(19) Dionne Chouest Austin;

(20) Gary Chouest; and

(21) Dino Chouest.

11. The following individuals and entities were determined to be non-cooperating witnesses:

(1) Edison Chouest Offshore, LLC/Offshore Service Vessels, LLC;

(2) Alpha Marine Services, LLC;

(3) C-Innovation, LLC;

(4) C-Port, LLC;

(5) C-Port-2, LLC;

(6) Galliano Marine Services, LLC;

(7) Marine Technologies, LLC;

(8) Martin Holdings, LLC;

(9) Nautical Solutions, LLC;

(10) Nautical Ventures, LLC;

(11) North American Fabricators, LLC;

(12) North American Shipbuilding, LLC;

(13) Offshore Support Services, LLC;

(14) Dionne Chouest Austin;

(15) Gary Chouest; and

(16) Dino Chouest.

II. CONTRIBUTIONS TO REPRESENTATIVE YOUNG'S LEGAL EXPENSE FUND

A. Laws, Regulations, Rules, and Standards of Conduct

12. Code of Conduct

House Rule 23, clause 1 states that "[a] Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House."

House Rule 23, clause 2 states that "[a] Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof."

13. Legal Expense Fund Regulations

House Rule 25, clause 5(a)(3)(E) provides that "a contribution or other payment to a legal expense fund established for the benefit of a Member, Delegate, Resident Commissioner, officer, or employee of the House that is otherwise lawfully made in accordance with the restrictions and disclosure requirements of the Committee on Ethics" is exempt from the House gift rule.

Legal Expense Fund regulations issued by the House Committee on Ethics provide that "[a] Legal Expense Fund shall not accept more than $5,000 in a calendar year from any individual or organization."[4]

The Legal Expense Fund regulations require the beneficiary of such a Fund to submit quarterly reports to the Committee on Ethics and the Legislative Resource Center disclosing, among other things, "any contribution (or group of contributions) exceeding $250 in a calendar year from any single source . . . ."[5]

[4] Comm. on Ethics, Legal Expense Fund Regulations ¶ 8 (June 10, 1996).
[5] *Id.* at ¶ 13.

14. Gift Rules

House Rule 25, clause 5(a)(1)(B)(i) permits a Member to accept a gift (other than cash or cash equivalent), provided that the gift is not from a registered lobbyist, agent of a foreign principal, or private entity that retains or employs such individuals, if the Member reasonably and in good faith believes the gift to have a value of less than $50, "and a cumulative value from one source during a calendar year of less than $100."

The House Ethics Manual provides that "[a] gift received from an individual affiliated with an organization counts against the annual gift limitation of both the individual and the organization."[6] *The Manual further states that "[i]t is important to bear in mind that a gift from an individual who is employed by or similarly affiliated with any organization is deemed to be a gift from both that individual and the affiliated organization . . . ."*[7]

15. Financial Disclosure

As described in the House Ethics Manual, the Ethics in Government Act, 5 U.S.C. app. 4 § 102(a)(2), requires disclosure by a reporting individual of gifts "aggregating more than $335 from a single source during the year. . . ."[8] *Gifts include contributions to a legal expense fund.*[9]

B. <u>Representative Young Established a Legal Expense Fund in December 2007</u>

16. On December 31, 2007, Representative Don Young executed a Trust Agreement establishing the Congressman Don Young Legal Expense Trust (the "Trust").[10]

17. The Trust Agreement provides that the "sole and exclusive purpose of the Trust is to provide a proper means for the acceptance of money, property and services, including, if necessary, pro bono legal services, to provide for all reasonable, necessary and appropriate legal fees or charges incurred by the Trustor in connection with his official duties and position in Congress (including election thereto), and matters bearing on his reputation or fitness for office."[11]

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[6] House Ethics Manual 36 (2008). The Senate Ethics Manual provides: "Also, while the Committee generally recognizes the seperate [*sic*] legal status of related entities (e.g. a parent and its subsidary [*sic*] entity will be treated as distinct sources for purposes of the Gifts Rule), such entities will NOT be accorded seperate [*sic*] source status if the entities are acting in concert or as agent for the other with respect to a particular gift." Senate Select Comm. on Ethics, 108th Congress, Senate Ethics Manual 55-56 (2003). The Board acknowledges that the Senate Ethics Manual is not controlling authority, but is nonetheless instructive.

[7] House Ethics Manual 37 n.25.

[8] *Id.* at 84 (emphasis added). Further, the Financial Disclosure Form instructions provide that "[a] group of items received from the same source at the same time are considered one gift and the total value should be added together." Comm. on Ethics, Instruction Guide for Completing Calendar Year 2010 Financial Disclosure Statement, Form A, 26 (2011).

[9] House Ethics Manual 259.

[10] Congressman Don Young Legal Expense Trust Agreement (Exhibit 1 at 11-3175_0003) (hereafter "Trust Agreement").

[11] *Id.*

18. By letter dated January 9, 2008, the Committee on Ethics approved the establishment of the Trust.[12] In its approval letter, the Committee noted that, "[i]t is our understanding that the specific purpose of the trust relates to an ongoing Department of Justice investigation concerning your conduct as a Member of the House of Representatives."[13]

19. The Trust Agreement named an attorney admitted to the bar in Alaska and New York as Trustee.[14]

20. As required under Committee on Ethics legal expense fund regulations, Representative Young, as the Trust beneficiary, filed a copy of the Trust Agreement with the House Legislative Resource Center.[15]

21. As required under Committee on Ethics legal expense fund regulations, Representative Young has filed quarterly reports with the Committee and with the Legislative Resource Center, disclosing certain contributions received and expenditures made by the Trust.[16]

22. According to those involved in administering the Trust, there is no organized effort or plan to raise funds for the Trust, although the Trustee has engaged in various efforts to raise money for the Trust.[17] According to those involved in administering the Trust, funds are raised primarily through unsolicited contributions, but the Trust has held a small number of fundraising events.[18]

23. According to the Trust's quarterly reports, as of June 30, 2011, the Trust had received $206,500.00 in contributions and made $111,851.95 in expenditures.[19] According to bank records, as of June 30, 2011, the Trust bank account balance was $95,518.79.[20]

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[12] Letter from Committee on Standards of Official Conduct to The Honorable Don Young, dated January 9, 2008 (Exhibit 2 at 11-3175_0011).
[13] *Id.*
[14] Trust Agreement (Exhibit 1 at 11-3175_0003).
[15] Comm. on Ethics, Legal Expense Fund Regulations ¶ 12; Trust Agreement (Exhibit 1 at 11-3175_0002).
[16] Comm. on Ethics, Legal Expense Fund Regulations ¶ 13; Quarterly Trust Reports, 2008 to 2011 (Exhibit 3 at 11-3175_0014 to 11-3175_0043).
[17] Memorandum of Interview of Representative Don Young, September 13, 2011 (Exhibit 4 at 11-3175_0045) (hereafter "Representative Young MOI"); Memorandum of Interview of Congressman Don Young Legal Expense Trust Trustee, September 7, 2011 (Exhibit 5 at 11-3175_0051) (hereafter "Trustee MOI").
[18] Representative Young MOI (Exhibit 4 at 11-3175_0045); Memorandum of Interview of Representative Young's Chief of Staff, September 1, 2011 (Exhibit 6 at 11-3175_0056) (hereafter "Chief of Staff MOI"); Trustee MOI (Exhibit 5 at 11-3175_0051).
[19] *See* Congressman Don Young Legal Expense Trust Quarterly Reports (Exhibit 3 at 11-3175_0014 to 11-3175_0043).
[20] *See* Congressman Don Young Legal Expense Trust Wells Fargo PMA Checking Account, June 2011 Statement (Exhibit 7 at 11-3175_0060). Several factors may affect amounts reported in quarterly reports versus those reported on bank statements including, but not limited to, bank fees, interest payments, and that contributions of $250 or less need not be included in the Trust's quarterly reports (unless the contribution is from a corporation or labor union).

C. Gary Chouest Arranged Contributions from Twelve Entities within the Edison Chouest Offshore Family of Companies to the Congressman Don Young Legal Expense Trust

1. Relationship Between Representative Young and Gary Chouest

24. Representative Young has known the Chouest family of Louisiana for approximately ten years, and he considers members of the family, including Gary Chouest, to be good friends.[21] Over the course of their relationship, Representative Young and Gary Chouest have attended a number of social events together, including dinners and fishing events.[22]

25. Gary Chouest and members of his family have made numerous contributions to Representative Young's congressional campaign.[23]

2. Gary Chouest and the Edison Chouest Offshore Family of Companies

26. Gary Chouest is the Managing Member of Edison Chouest Offshore, LLC ("ECO"),[24] a privately held marine cargo handling company based in Galliano, Louisiana.[25]

27. According to the ECO website:

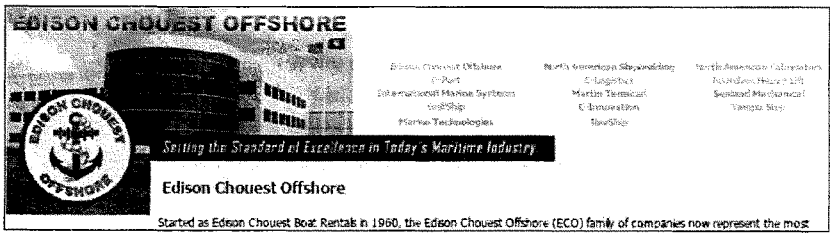
> Founded as Edison Chouest Boat Rentals in Galliano, Louisiana, in 1960, the Edison Chouest Offshore (ECO) family of companies is widely recognized today as one of the most diverse and dynamic marine transportation providers in the world. ECO's vast fleet of over 200 highly specialized new-generation service vessels, measuring up to 400 feet in length, serves a rapidly-growing customer base worldwide.
>
> Staying on the forefront of new technologies is an integral part of the Chouest business plan, as evidenced by recent advances in the areas of subsea support, integrated bridge systems and global communications.
>
> The ability to offer its customers a total marine solution – incorporating design, construction and operation, as well as field

[21] Representative Young MOI (Exhibit 4 at 11-3175_0045).
[22] *Id.*
[23] *See, e.g.*, Alaskans for Don Young, April 15th, 2011 Quarterly Report of Receipts and Disbursements, Federal Election Commission, available at www.fec.gov (disclosing $2,400 contributions from each of five Chouest family members: Carolyn Chouest, Casey Chouest, Gary Chouest, Ross Chouest, and Dionne Chouest Austin. The P.O. Box address for each of the five family members used on the FEC Report is the same address used in the corporate filings of the twelve companies that contributed to Representative Young's legal expense fund.).
[24] According to filings with the Louisiana Secretary of State, Edison Chouest Offshore, LLC changed its name to Offshore Service Vessels, LLC on June 16, 2006. *See* Exhibit 8 at 11-3175_0065. Because the company's website continues to use the name Edison Chouest Offshore, LLC, that name is used in this report.
[25] Dun & Bradstreet, Business Information Report: Offshore Service Vessels, LLC (September 22, 2011).

> development and field maintenance – has made Edison Chouest Offshore an unrivaled leader in the maritime industry.[26]

28. According to the ECO website, the ECO "family of companies"[27] includes several entities, including:

- C-Innovation;
- C-Port;
- Marine Technologies;
- Martin Terminal;
- North American Fabricators; and
- North American Shipbuilding.



[26] Edison Chouest Offshore Home Page, www.chouest.com (Exhibit 9 at 11-3175_0088).
[27] *Id.*

29. ECO and its affiliated entities, including the twelve ECO entities that contributed to Representative Young's legal expense fund, are managed by various members of the Chouest family, including Gary Chouest, Dino Chouest, Dionne Chouest Austin, and Damon Chouest. As indicated below, these members of the Chouest family are listed in varying combinations as officers, registered agents, or both.[28]

Company	Registered Agents/Officers
Alpha Marine Services, LLC	Gary Chouest Dionne Chouest Austin
C-Innovation, LLC	Gary Chouest Dionne Chouest Austin
C-Port, LLC	Dionne Chouest Austin Dino Chouest
C-Port 2, LLC	Dionne Chouest Austin Dino Chouest Damon Chouest
Galliano Marine Service, LLC	Gary Chouest Dionne Chouest Austin Dino Chouest
Marine Technologies, LLC	Gary Chouest Dionne Chouest Austin
Martin Holdings, LLC	Dionne Chouest Austin Dino Chouest Damon Chouest
Nautical Solutions, LLC	Gary Chouest Dionne Chouest Austin
Nautical Ventures, LLC	Gary Chouest Dionne Chouest Austin Dino Chouest
North American Fabricators, LLC	Gary Chouest Dionne Chouest Austin
North American Shipbuilding, LLC	Gary Chouest Dionne Chouest Austin Dino Chouest
Offshore Support Services, LLC	Dionne Chouest Austin Dino Chouest Damon Chouest

[28] Louisiana Secretary of State Filings (Exhibit 8 at 11-3175_0065 to 11-3175_0086).

30. According to filings with the Louisiana Secretary of State, each of the twelve contributing entities share the same domicile address (16201 East Main, Galliano, LA 70354) and the same mailing address (P.O. Box 310, Galliano, LA 70354).[29]

31. The OCE sent a Request for Information ("RFI") to Dionne Chouest Austin, the registered agent for each of the twelve contributing entities, on June 27, 2011. Among other things, the RFI sought information regarding the members, officers, and structure of each of the entities, as well as financial information. The OCE received confirmation that the RFI was delivered. Despite several attempts to follow up by telephone, the OCE received no response to the RFI.

32. The OCE sent separate RFIs to Gary Chouest and Dino Chouest, both of whom are officers of Offshore Service Vessels, LLC (formerly Edison Chouest Offshore, LLC) on August 10, 2011. Among other things, the RFIs sought information regarding members, officers, and structure of each of the entities, as well as financial information. The OCE received confirmation that the RFIs were delivered. Again, despite several attempts to follow up by telephone, the OCE received no response to the RFIs.[30]

3. <u>In the First Quarter of 2011, ECO Entities Contributed $60,000 to Representative Young's Legal Expense Trust</u>

33. On April 20, 2011, the Trust submitted a report for the first quarter of 2011, in which it reported receiving $92,000 in contributions during the quarter.[31]

[29] *Id.*

[30] In her interview with OCE staff, Representative Young's Chief of Staff stated that she had discussed the OCE's RFIs with a member of the Chouest family, who told her that responding to the OCE's requests would be "too laborious." *See* Chief of Staff MOI (Exhibit 6 at 11-3175_0058).

[31] Congressman Don Young Legal Expense Trust, First Quarter 2011 Disclosure Report (Exhibit 3 at 11-3175_0016).

34. Among the contributions received, as disclosed in the report, are twelve $5,000 contributions from twelve ECO entities.[32]

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending March 31, 2011

CONTRIBUTIONS:

Alpha Marine Services, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
C-Innovation, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
C-Port, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
C-Port 2, LLC P.O. Drawer 310 Galliano, LA 70354	$5,000.00
Galliano Marine Service, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Marine Technologies, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Martin Holdings, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Nautical Solutions, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Nautical Ventures, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
North American Fabricators, LLC 298 North American Court Houma, LA 75363	$5,000.00
North American Shipbuilding, LLC P.O. Drawer 580 Larose, LA 70373	$5,000.00
Offshore Support Service, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00

[32] *Id.*

35. The twelve ECO entities contributed a total of $60,000 – approximately 65 percent of the total amount raised for the quarter, and approximately 30 percent of the total amount raised by the Trust since its creation in 2007.

4. Gary Chouest Arranged $60,000 in Contributions to Representative Young's Legal Expense Fund from ECO Entities

36. On or about December 2010 or January 2011,[33] Representative Young had a telephone conversation with Gary Chouest, during which they discussed ways in which Mr. Chouest could help Representative Young raise money for the Trust.[34] According to Representative Young, he did not solicit Mr. Chouest for contributions to his Trust; rather, Mr. Chouest offered to raise money for the Trust.[35] Representative Young understood that Mr. Chouest intended to raise money from companies owned by the Chouest family.[36]

37. According to Representative Young's Chief of Staff, after the telephone conversation with Mr. Chouest, Representative Young asked her how Mr. Chouest could contribute to the Trust consistent with House rules and regulations.[37]

38. Representative Young did not recall having this conversation with his Chief of Staff, but stated that they always check with the Ethics Committee before a fundraiser.[38] In this instance, however, neither the Chief of Staff nor the Trustee contacted the Committee on Ethics prior to accepting the ECO entities' contributions to the Trust.[39]

39. The Chief of Staff told the OCE that, after speaking with Representative Young, she contacted the Trustee about the permissibility of accepting contributions from a number of ECO entities.[40] The Chief of Staff recalled that the Trustee gave her the advice that, as long as the entities had different tax forms and different insurance, the contributions would be permissible.[41]

40. When asked by the OCE whether she had any conversation with Representative Young's Chief of Staff about the permissibility of accepting contributions from the affiliated ECO entities, the Trustee said she did not.[42] When told that the Chief of Staff previously stated to the OCE that such a conversation took place, the Trustee then said that they had had a

[33] The Chief of Staff indicated that she believes the conversation took place at this time, but she was not certain. *See* Chief of Staff MOI (Exhibit 6 at 11-3175_0057). Representative Young could not recall when this conversation took place. *See* Representative Young MOI (Exhibit 4 at 11-3175_0046).
[34] Representative Young MOI (Exhibit 4 at 11-3175_0046); Chief of Staff MOI (Exhibit 6 at 11-3175_0057).
[35] Representative Young MOI (Exhibit 4 at 11-3175_0046).
[36] *Id.*
[37] Chief of Staff MOI (Exhibit 6 at 11-3175_0057).
[38] Representative Young MOI (Exhibit 4 at 11-3175_0046).
[39] Chief of Staff MOI (Exhibit 6 at 11-3175_0057); Trustee MOI (Exhibit 5 at 11-3175_0053).
[40] Chief of Staff MOI (Exhibit 6 at 11-3175_0057).
[41] *Id.*
[42] Trustee MOI (Exhibit 5 at 11-3175_0052).

"general discussion" about whether accepting contributions from affiliated entities may constitute a circumvention of the legal expense fund annual contribution limit.[43]

41. The Trustee did not conduct any research to determine whether the ECO entities did, in fact, have different tax forms and different insurance.[44]

42. The Trustee told the OCE that it was her understanding that as long as a contributor is a distinct, separate legal entity, it is subject to its own contribution limit.[45] The Trustee did not, however, contact the House Committee on Ethics, nor does she recall seeking any other guidance, regarding this issue.[46]

43. After speaking with the Trustee, the Chief of Staff told Representative Young that the Trust could accept contributions from the ECO entities.[47]

44. Representative Young attended a reception/dinner fundraising event in Texas, hosted by Mr. Chouest, on or about January 14, 2011.[48] At the event, Mr. Chouest gave Representative Young an envelope. Representative Young did not look in the envelope, nor did he ask Mr. Chouest what was in the envelope. He assumed that the envelope contained contributions to his legal expense trust.[49]

45. Representative Young recalled that he sent the envelope containing what he believed to be contribution checks to the Trustee without opening it.[50] His Chief of Staff stated that she believes that Representative Young brought the contribution checks back to Washington, DC, where he turned them over to his Chief of Staff.[51] The Chief of Staff in turn sent the checks to the Trustee sometime in February 2011 for deposit into the Trust bank account.[52]

46. Twelve contribution checks in the amount of $5,000 each (for a total of $60,000), from twelve ECO entities, were deposited into the Trust bank account on March 31, 2011.[53]

47. At some point after the Texas fundraising event, Representative Young called Mr. Chouest to thank him for the funds he had raised.[54]

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[43] *Id.* A subsequent letter, dated July 6, 2011, from Representative Young to the Committee on Ethics seeking a formal opinion on the issue of contributions from affiliated entities states that the Trustee rendered an opinion on whether the contributions were permissible. *See* Letter from Rep. Don Young to Rep. Jo Bonner, Chairman, House Committee on Ethics, July 6, 2011 (Exhibit 10 at 11-3175_0090).
[44] Trustee MOI (Exhibit 5 at 11-3175_0053).
[45] *Id.*
[46] *Id.*
[47] Chief of Staff MOI (Exhibit 6 at 11-3175_0057).
[48] *Id.*
[49] Representative Young MOI (Exhibit 4 at 11-3175_0046).
[50] *Id.*
[51] Chief of Staff MOI (Exhibit 6 at 11-3175_0057).
[52] *Id.*
[53] *See* Trust Wells Fargo PMA Checking Account, March 2011 Statement (Exhibit 11 at 11-3175_0093). The Trustee did not keep copies of the twelve contribution checks. She did, however, provide to the OCE copies of 11 of the check stubs removed before deposit. *See* Exhibit 12 at 11-3175_0101 to 11-3175_0104.

48. On July 6, 2011, after the OCE initiated its investigation, Representative Young submitted a formal request to the Committee on Ethics for guidance on whether the twelve ECO entities shared a contribution limit under the Legal Expense Fund regulations.[55] As of September 7, 2011, Representative Young had not received a response from the Committee.

III. CONCLUSION

49. The House Gift Rule includes an exception to the general limitations on acceptance of gifts by Members for contributions to a legal expense fund established by a Member and approved by the Committee on Ethics, provided that the contributions are lawfully made in accordance with the restrictions found in the House legal expense fund regulations.[56]

50. House legal expense fund regulations prohibit a fund from accepting more than $5,000 in a calendar year from any individual or organization.[57] The regulations also require disclosure of contributions in excess of $250 per calendar year "from any single source. . . ."[58] Similarly, financial disclosure provisions require Members to disclose all gifts, including contributions to a legal expense fund, aggregating more than $335 per calendar year "from a single source."[59]

51. To prevent circumvention of the gift limits, the House Ethics Manual requires that gifts from certain affiliated individuals or entities must be considered as coming from a single source: "[a] gift received from an individual affiliated with an organization counts against the annual gift limitation of both the individual and the organization."[60] The Manual warns that "[i]t is important to bear in mind that a gift from an individual who is employed by or similarly affiliated with any organization is deemed to be a gift from both that individual and the affiliated organization...."[61]

52. Several factors indicate that the $60,000 in contribution checks for Representative Young's legal expense fund from the ECO entities were from a single source, subject to a single contribution limit. Mr. Chouest offered to raise money for the Trust; subsequently, twelve entities with which he is affiliated (and which are affiliated with each other) each made a $5,000 contribution to Representative Young's Trust. Mr. Chouest delivered contribution checks from the twelve ECO entities to Representative Young at the same

[54] Representative Young MOI (Exhibit 4 at 11-3175_0047).
[55] Letter from Representative Don Young to Representative Jo Bonner, Chair, Committee on Ethics, July 6, 2011 (Exhibit 10 at 11-3175_0090).
[56] House Rule 25, clause 5(a)(3)(E).
[57] Comm. on Ethics, Legal Expense Fund Regulations ¶ 8.
[58] Comm. on Ethics, Legal Expense Fund Regulations ¶ 13.
[59] House Ethics Manual 84.
[60] House Ethics Manual 36 (emphasis in original).
[61] *Id.* at 37 n.25. As previously noted, the Senate Ethics Manual is even more explicit on the aggregation of gifts from affiliated entities: "Also, while the Committee generally recognizes the seperate [*sic*] legal status of related entities (e.g. a parent and its subsidary [*sic*] entity will be treated as distinct sources for purposes of the Gifts Rule), such entities will NOT be accorded seperate [*sic*] source status if the entities are acting in concert or as agent for the other with respect to a particular gift." Senate Ethics Manual 55-56 (2003).

time, and Representative Young subsequently acknowledged and thanked Mr. Chouest for raising these funds.

53. Based on the evidentiary record before the Board, there is a substantial reason to believe that the twelve contributions from the ECO entities were from a single source and that Representative Young understood the twelve contributions to be from a single source.[62]

54. Further, as a result of the Chouest family's lack of cooperation, there is no information available to the Board to refute the evidence that the contributions were made from a single source. The OCE was unable to determine, for example, the tax status of the contributing ECO entities,[63] whether each entity has independent income, or how each entity accounts for the income it may or may not receive. Therefore, the OCE Board recommends that the entities named in paragraph 56 be subpoenaed.

55. For these reasons, the Board recommends that the Committee on Ethics further review the allegations described above concerning Representative Young.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN AND RECOMMENDATIONS FOR THE ISSUANCE OF SUBPOENAS

56. The following individuals and entities did not cooperate with the OCE's review:

    a. Edison Chouest Offshore, LLC/Offshore Service Vessels, LLC;

    b. Alpha Marine Services, LLC;

    c. C-Innovation, LLC;

    d. C-Port, LLC;

    e. C-Port-2, LLC;

    f. Galliano Marine Services, LLC;

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[62] While this review focused on the twelve contributions from ECO entities, similar issues may be implicated by other contributions from related entities, including contributions from Osborne Construction Company and George R. Osborne, Jr. in the second quarter of 2008, and contributions from Ocean Prowler, LLC and Prowler, LLC in the third quarter of 2008.

[63] Under IRS regulations, an LLC may be classified for federal income tax purposes as a partnership, corporation, or an entity disregarded as an entity separate from its owner (a "disregarded entity"). An LLC that is not automatically classified as a corporation may choose its classification. An LLC with at least two members may choose to be taxed as a corporation or as a partnership, and an LLC with a single member may choose to be taxed as a corporation or as a disregarded entity. *See* http://www.irs.gov/businesses/small/selfemployed/article/0,,id=205014,00 html.

If an LLC chooses to be treated as a partnership for tax purposes, it must file an annual information return to report the income, deductions, gains, losses, etc., from its operations, but it does not pay income tax. Instead, it "passes through" any profits or losses to its partners. Each partner includes his or her share of the partnership's income or loss on his or her tax return. *See* http://www.irs.gov/businesses/small/article/0,,id=98214,00 html.

g. Marine Technologies, LLC;

h. Martin Holdings, LLC;

i. Nautical Solutions, LLC;

j. Nautical Ventures, LLC;

k. North American Fabricators, LLC;

l. North American Shipbuilding, LLC;

m. Offshore Support Services, LLC;

n. Dionne Chouest Austin;

o. Gary Chouest; and

p. Dino Chouest.

57. As a result, the OCE was unable to obtain information regarding ECO and its affiliated entities. The OCE sent RFIs to each of the above-named individuals and made numerous attempts to follow up on the RFIs by telephone. The telephone calls were never returned.

58. The Board recommends the issuance of subpoenas to ECO, the twelve contributing entities, Gary Chouest, Dionne Chouest Austin, and Dino Chouest.

EXHIBIT 1

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
[redacted]

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

CHAIRMAN
COMMITTEE ON TRANSPORTATION
COMMITTEE ON RESOURCES
COMMITTEE ON HOMELAND SECURITY

January 14, 2008

VIA HAND DELIVERY

Legislative Resource Center
B-106 Cannon House Office Building
Washington, D.C. 20515-6612

Dear Sir:

Pursuant to Rule 4(h) of the House Committee on Standards of Official Conduct, enclosed for filing please find a copy of the Trust Agreement establishing the Congressman Don Young Legal Expense Trust, and the letter from the Committee on Standards of Official Conduct approving establishment of the trust.

Thank you for your attention to this matter. Please let me know if you have any questions.

Sincerely,

Michael G Anderson
Chief of Staff

RECEIVED
2008 JAN 15 PM 2:10
LEGISLATIVE RESOURCE CENTER

[redacted]

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST

This Trust Agreement dated this 31st day of December, 2007, by and between Congressman Don Young (hereinafter called "Trustor") and Gail R. Schubert (hereinafter called "Trustee"), establishes the Congressman Don Young Legal Expense Trust.

RECITALS

A. The Trustor, who is a member of the United States House of Representatives, has incurred legal expenses in connection with his official duties and position in Congress and matters bearing on his reputation and fitness for office, including cooperating with federal authorities.

B. It is the desire of the Trustor to provide a proper means to accept transfers of money, property and services, including pro bono legal services, for the sole purpose of defraying the legal costs that have been and will be incurred in connection with his official duties and position in Congress, and matters bearing on his reputation or fitness for office, in a manner consistent with and in compliance with the laws of the United States and the District of Columbia, and the Rules of the House of Representatives, including the Code of Official Conduct (Rule 23), the House gift rule (Rule 25), and the Legal Expense Fund Regulations issued by the House Committee on Standards of Official Conduct.

NOW THEREFORE, in accordance with the above stated purposes, laws and rules, the parties agree as follows:

1. Trust Property. The Trustor hereby transfers to the Trustee the sum of $10. This and all other property, whether real, personal or mixed, delivered, payable to or contributed to the Congressman Don Young Legal Expense Trust shall be held by the Trustee, in trust for the sole and specific purposes and on the conditions hereinafter set forth in paragraph 2 below. This Trust shall be known as the Congressman Don Young Legal Expense Trust (the "Trust"). All such property, regardless of its form, shall be considered as being contributed or donated to the Trust.

2. Trust Purpose. The sole and exclusive purpose of the Trust is to provide a proper means for the acceptance of money, property and services, including, if necessary, pro bono legal services, to provide for all reasonable, necessary and appropriate legal fees or charges incurred by the Trustor in connection with his official duties and position in Congress (including election thereto), and matters bearing on his reputation or fitness for office. To such end, the Trust shall be available to pay all reasonable, necessary and appropriate expenses of the Trustor's counsel and such other and usual customary expenses that have been or may be incurred in connection with the above stated purpose. The Trust may not be used to pay any legal expenses that arise in connection with a matter that is primarily personal in nature. Trust funds may be used for no purpose other than that specifically provided herein. All such payments may be made by the Trustee from either principle and/or income.

The Trustor shall have the sole and absolute right to name and designate an attorney or attorneys (and reach a fee agreement) as he may feel are necessary to provide proper legal representation to him for the above purpose and shall so notify the Trustee, in writing, of his choice or choices, as well as the agreed fee arrangement made with each attorney or firm.

Thereafter, upon the presentation of properly itemized statements for work done and expenses advanced by said attorney or attorneys to the Trustee; the Trustee shall make payments or disbursement to said counsel and to others, if necessary; the Trustee shall, in his absolute discretion, determine the reasonableness and accuracy of said statement which shall contain a certification by said counsel that said services are necessary, reasonable, and proper services and/or expenses incurred on behalf of the Trustor for the purposes set out herein. Payment by the Trustee in accordance with such statement, certification and demand, shall discharge the Trustee from all further liability hereunder, and the Trustee shall not be bound to inquire further into the validity, expediency, reasonableness or propriety of the statement, certification and demand.

3. Qualifications of the Trustee. The Trustee hereunder, or any successor Trustee appointed in accordance with this statement, if an individual, shall be at least 25 years of age. The Trustee shall not have any family, business or employment relationship with the Trustor and shall not be a related or subordinate party, as to the Trustor, within the meaning of Section 672(c) of the Internal Revenue Code of 1986, as amended. The Trustee herein named, and any successor Trustee, warrants and represents to the Trustor that he will at all times faithfully comply with the Legal Expense Fund Regulations issued by the House Committee on Standards of Official Conduct, with all applicable statutes of the United States and the District of Columbia, and with the Rules of the House of Representatives. The Trustee herein named, and any successor, further warrants, represents, and recognizes that he will be acting in a fiduciary capacity and will be bound by the laws of the District of Columbia regulating the conduct of such fiduciaries and by the strict terms of this instrument. It is understood that the powers, duties and rights of the Trustee are controlled by said laws and the terms of this instrument which are not inconsistent therewith.

4. Trustee's Powers. The Trustee shall have the powers, which shall be exercised in a fiduciary capacity, to pay all the above reasonable, necessary and appropriate expenses only in strict compliance with paragraph 2 above, and reasonably related to the purpose for which the Trust was established, including, but not limited to, all fees and expenses reasonably related to the legal proceedings and all incurred costs of administering the Trust. The Trustee, without diminution or restriction of the powers vested by law, or elsewhere in this instrument and subject to all other provisions of this instrument, without the necessity of procuring any judicial authorization therefore, or approval thereof, shall be vested with, and in the application of his best judgment and discretion on behalf of the Trustor, shall be authorized to exercise, the powers specifically enumerated as follows:

a. During the Trustee's administration of the Trust and subject to all the other provisions of this instrument, to receive all of the assets of the Trust, and to have exclusive possession and control thereof; all such assets shall be maintained in an account or accounts, established for the exclusive purpose of administering the Trust, and segregated from the personal, political, or official funds of the Trustor;

b. To enter into contracts binding upon the Trust (but not upon the Trustee in his individual capacity) which are reasonably incident to the administration of the Trust, and which the Trustee in the exercise of his best judgment believes to be for the best interests of the Trust;

c. To settle, by compromise or otherwise, claims or demands against the Trust, or held on behalf of the Trust;

d. To pay any federal, state and local taxes, should any be deemed to exist which are incurred as a result of the creation, operation, or administration of the Trust;

e. To invest liquid assets of the Trust, and from time to time exchange or liquidate such assets, pending distribution thereof, if and when such investments in the judgment of the Trustee will not impede or delay distribution thereof pursuant to the provisions of this instrument or as otherwise by law required, and in the judgment of the Trustee are advisable and for the best interests of the Trust;

f. To retain investments which initially come into the hands of the Trustee among the assets of the Trust, without liability for loss or depreciation or diminution in value resulting from such retention, so long as in the judgment of the Trustee it is not clearly for the best interests of the Trust, that such investments be liquidated, although such investments may not be productive of income or otherwise may not be such as the Trustee would be authorized to make;

g. At any time, and from time to time, to keep all or any portion of the Trust in liquid form, uninvested, for such time as the Trustee may deem advisable, without liability for any loss of income occasioned by so doing;

h. To deposit funds of the Trust in one or more accounts carried by the Trustee, in a clearly specified fiduciary capacity, in any one or more banks and/or trust companies whose deposits are insured under the provisions of the Federal Deposit Insurance Act as now constituted or as the same may be hereafter amended; and if the Trustee be itself a bank or a trust company, and is otherwise qualified, it may serve as such depository;

i. To deposit for safekeeping with any bank or trust company (including the Trustee itself if it is a bank or a trust company) any negotiable or nonnegotiable securities or other documents constituting assets or records of the Trust;

j. To bring and prosecute or to defend actions at law or in equity for the protection of the assets or interests of the Trust or for the protection or enforcement of the provisions of this instrument;

k. To employ attorneys, accountants, or other persons whose services may be necessary or advisable, in the judgment of the Trustee, to advise or assist him in the discharge of his duties, or in the conduct of any business constituting an asset of the Trust, or in the management, maintenance, improvement, preservation or protection of any property of the Trust, or otherwise in the exercise of any powers vested in the Trustee;

l. To procure and pay premiums on policies of insurance to protect the Trust or any of the assets thereof, against liability for personal injuries or property damage, or against loss or damage by reason of theft, embezzlement or other hazards against which such insurance is normally carried in connection with activities or on properties such as those with respect to which the Trustee procures such insurance;

m. To exercise in person or by proxy (with or without a power of substitution vested in the proxy) all voting rights incident to the ownership of corporate stock or the other securities constituting assets of the Trust; and to exercise all other rights and privileges incident to the ownership of such securities, including but not limited to the right to sell, exchange, endorse or otherwise transfer such securities, to consent to (or oppose) reorganizations, consolidations, mergers, or other proposed corporate actions by the issuer of such securities, to exercise or decline to exercise options to purchase additional shares or unites of such securities or of related securities, and to pay all assessments or other expenses necessary (in the judgment of the Trustee) for the protection of such securities or the value thereof; and

n. To do any and all other things, not in violation of any other terms of this instrument, which, in the judgment of the Trustee, are necessary or appropriate for the proper management, investment, and distribution of the assets of the Trust in accordance with the provisions of this instrument, and in his judgment are for the best interests of the Trust and the Trustor.

The Trustee shall be specifically authorized to exercise any and all powers to manage, maintain, improve, and preserve the Trust, paying reasonable, necessary and appropriate expenses incurred in soliciting, seeking or arranging for the acquisition of additional Trust property in accordance with paragraph 1, above. Such reasonable, necessary and appropriate expenses may include expenses incurred by the Trustor and agents of the Trustor rendering services to the Trust or to the Trustee in furtherance of the Trustee's exercise of this power; provided, however, that no such expenses incurred by the Trustor or by any agent of the Trustor may be paid by the Trustee unless the Trustee has authorized the expenses in advance and has received documentation of the expenses incurred in a manner or in a form which he deems appropriate and consistent with the purposes, terms and conditions of the Trust.

In addition to the powers enumerated above, the Trustee shall, subject to applicable law, determine in his sole discretion what is income and what is principal, to allocate to income or principal or apportion between them any receipt, gain, loss or expenditure as is deemed just and equitable in the circumstances of each case, as it arises. The exercise by the Trustee of any discretion granted hereunder in good faith shall be binding and conclusive on all persons.

5. Compensation of the Trustee. The Trustee, if an individual, may be compensated from either income or principal of the Trust in accordance with the usual and customary rates for such services. In the event that the Trustee shall be the trust department of a national banking institution, the Trustee shall be compensated in accordance with the usual, customary and published Trustee's rates of said institution for a trust of this type and size. The Trustee may waive compensation.

6. Prohibited Contributions. The Trustee may not knowingly accept any gift or donation that is prohibited by or is in excess of the limits established by the Legal Expense Fund regulations issued by the House Committee on Standards of Official Conduct, or that is prohibited by any other laws, rules or regulations governing such contributions as interpreted by the House Committee on Standards of Official Conduct. In particular:

a. The Trust shall not knowingly accept more than $5,000 in a calendar year from any individual or organization.

b. The Trust shall not knowingly accept any contribution from a registered lobbyist or an agent of a foreign principal.

c. The Trust shall not knowingly accept any *pro bono* legal service of a value more than $5,000 from any single source in any calendar year.

If any prohibited contribution is inadvertently accepted, the Trustee shall as soon as practical after becoming aware of the prohibited nature of the contribution, return it in its entirety to the donor (if from a prohibited source) or return the excess of $5,000 to the donor (if prohibited because of the amount).

7. Non-Disclosure and Disclosure Provisions. The Trustee is authorized and directed to comply fully and completely with the Ethics in Government Act of 1978, as amended, and to supply to the Trustor or his agent any and all information regarding contributions, gifts and expenditures as may be necessary and required by law to permit the Trustor to comply fully with the Legal Expense Fund Regulations issued by the House Committee on Standards of Official Conduct, the Ethics in Government Act of 1978, as amended, and any other applicable law regarding disclosure or reporting requirements for Members of Congress.

8. Term of Trust and Disposition of Assets. The term of the Trust shall be for an initial period of ten (10) years and shall be irrevocable. In the event, in the sole and absolute discretion of the Trustee, the purposes for which the Trust is created are fulfilled or no longer exist prior to the expiration of ten (10) years from the date of this instrument, the Trustee shall terminate the Trust. In the sole discretion of the Trustee, if he determines that the purposes for which the Trust is created have not been completed or still exist at the expiration of said ten (10) year period, the Trustee may extend said period by such time as he deems appropriate. Upon the completion of the Trust, any funds, assets or property of any kind, character, and description, whether the same be principal or income, which may be remaining in the hands of the Trustee after compliance with paragraph 2 above, shall be distributed by the Trustee, in the sole and absolute discretion of the Trustee, to the contributors to the Trust, pro rata.

9. Successor Trustees. In the event that the original named Trustee herein shall desire at any time to be relieved of his duties herein, the Trustee may resign by written notice to the Trustor, who may appoint a successor Trustee with the qualifications set forth in paragraph 3 above, and as approved by the House Committee on Standards of Official Conduct, as required by paragraph 13 below. The Trustor shall have the same power to appoint a substitute Trustee in the event of the death, incapacity, or failure to act in accordance with the terms of this instrument of any Trustee. In the event of the Trustor's inability to act as a result of incapacity or other reasonable cause, the proper legal representative of the Trustor shall have the right and authority to seek the appointment of a substitute Trustee in any court of competent jurisdiction for such purposes in the District of Columbia.

10. Liability of the Trustee and Bond Requirements. Neither the Trustee nor any successor trustee shall be required to give bond for the faithful and proper performance of the Trustee

duties hereunder. The Trustee or any successor trustee may, however, in his, her or its absolute discretion, purchase a bond in such amount as the Trustee or any successor trustee deems proper and pay the premium(s) from Trust funds.

11. Trustee's Accounts. The Trustee shall keep or, in the Trustee's sole and absolute discretion, shall cause others to keep, accurate written records and books of account of the Trust property, showing the manner in which the Trust property is invested and all receipts, disbursements, and other transactions involving the Trust property. All such records and books of account shall be the property of the Trustee during the duration of the Trust and they, together with the Trust property and all reasonable evidence thereof, plus any accounts, shall not be made available to the Trustor during the Trust term except as hereinafter provided or as required by applicable law.

12. Situs. It is the intent and desire of the parties of this instrument that the Trust be considered a District of Columbia trust, and its terms shall be construed and shall be administered in accordance with the laws of the District of Columbia.

13. Invalidity and Amendments. In the even that any provision of this instrument shall be determined or found to be invalid, illegal, unethical, or improper in any manner by the House Committee on Standards of Official Conduct, or any other appropriate authority, the Trustee shall have the right to make such written amendments to this instrument as may be necessary to comply with such determination or finding. Any such provision prohibited by law or unenforceable in any manner shall not affect the remaining provisions of this instrument. In the event that such invalidity cannot be corrected, the Trustee shall terminate the Trust in accordance with paragraph 8 above. No amendment of this agreement, or successor or substitute Trustee appointment, will be effective without written approval of the House Committee on Standards of Official Conduct.

14. Disclosure and Reporting Requirements. The Trustor shall file, and the Trustor will personally sign, quarterly reports with the House Committee on Standards of Official Conduct and the Legislative Resource Center, disclosing contributions to and expenditures of the Trust in accordance with paragraph 13 of the Legal Expense Fund Regulations issued by the House Committee on Standards of Official Conduct, including the name and street address of each person required to be listed as well as the dollar amount of each contribution (or group of contributions) and each expenditure required to be disclosed, as well as any disbursement to the Trustor or members of his immediate family to defray the costs of any expenses incurred in soliciting, seeking, or arranging for the acquisition of Trust property by date, dollar amount, and purpose.

IN WITNESS WHEREOF, the Trustor and the Trustee have signed this instrument, both parties intending that they shall be bound and that the Trust shall take effect on this date.

WITNESS our signatures this 31 day of December, 2007.

Congressman Don Young
Trustor

Subscribed and sworn to before me this 31 day of December, 2007.

Notary Public

My Commission Expires: 5-14-2010

Trustee

Subscribed and sworn to before me this ____ day of December, 2007.

Notary Public

My Commission Expires: _____

EXHIBIT 2

STEPHANIE TUBBS JONES, OHIO
CHAIRWOMAN
GENE GREEN, TEXAS
LUCILLE ROYBAL-ALLARD, CALIFORNIA
MICHAEL F. DOYLE, PENNSYLVANIA
WILLIAM D. DELAHUNT, MASSACHUSETTS
WILLIAM V. O'REILLY,
CHIEF COUNSEL/STAFF DIRECTOR
DAWN KELLY MOBLEY,
COUNSEL TO THE CHAIRWOMAN

ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515–6328

DOC HASTINGS, WASHINGTON
RANKING REPUBLICAN MEMBER
JO BONNER, ALABAMA
J. GRESHAM BARRETT, SOUTH CAROLINA
JOHN KLINE, MINNESOTA
MICHAEL T. McCAUL, TEXAS
TODD UNGERECHT
COUNSEL TO THE RANKING
REPUBLICAN MEMBER
SUITE HT-2, THE CAPITOL
(202) 225-[redacted]

January 9, 2008

The Honorable Don Young
U.S. House of Representatives
2111 Rayburn House Office Building
Washington, D.C. 20515

Dear Colleague:

This responds to your letter of letter of January 2, 2008 in which you seek Committee approval of the Congressman Don Young Legal Expense Trust, a copy of which was enclosed with your letter.

Under the Committee's Legal Expense Fund Regulations, contributions for a Legal Expense Fund may neither be solicited nor accepted prior to the Committee's written approval of a completed trust document that includes the identity of the trustee (Committee Regulations 1 and 11). The trustee named in your agreement is Gail R. Schubert, an attorney who is of counsel to the law firm of Reeves Amodio, LLC of Anchorage, Alaska. According to your letter, you have no family, business, or employment relationship with Ms. Schubert.

The Committee hereby approves the trust provided with your letter. In accordance with Committee Regulation 12, a copy of the agreement should be filed with the Legislative Resource Center (B-106 Cannon House Office Building) within one week of Committee approval. In accordance with Committee Regulation 13, you (not the Trustee) are responsible for filing quarterly reports with the Committee regarding certain receipts and expenditures. A copy of your quarterly report must also be filed with the Legislative Resource Center for public disclosure. In addition to the quarterly reports, any contributions of more than $305 in a calendar year (from other than a relative) must also be disclosed on Schedule VI of your annual financial disclosure statement.

Your letter indicates that the fund will be used to pay legal expenses incurred in connection with your "official duties and position in Congress, and matters bearing on [your] reputation or fitness for office." Recital B of the trust agreement contains a similar general statement of the trust's purpose. It is our understanding that the specific purpose of the trust relates to an ongoing Department of Justice investigation concerning your conduct as a Member of the House of Representatives. The Committee should be contacted for guidance before any trust funds are used for any purpose other than to pay legal expenses resulting from this matter.

The Honorable Don Young
January 9, 2008
Page 2

If you have any further questions, please contact the Committee's Office of Advice and Education at extension 5-[redacted].

Sincerely,

Stephanie Tubbs Jones
Chairwoman

Doc Hastings
Ranking Republican Member

STJ/DH:pvh

EXHIBIT 3

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
[illegible]
Telephone 202-225-[redacted]

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

COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN, SUBCOMMITTEE ON
INDIAN AND ALASKA NATIVE AFFAIRS
COMMITTEE ON
TRANSPORTATION & INFRASTRUCTURE
REPUBLICAN
POLICY COMMITTEE

HAND DELIVERED

2011 AUG 1 PM 4:02

August 1, 2011

Committee on Standards of Official Conduct
1015 Longworth Building
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending June 30, 2011

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending June 30, 2011

CONTRIBUTIONS:

None to report.

DISBURSEMENTS MADE:

None to report.

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2314 RAYBURN BUILDING
TELEPHONE 202-225-[redacted]

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

COMMITTEE ON
NATURAL RESOURCES

CHAIRMAN, SUBCOMMITTEE ON
INDIAN AND ALASKA NATIVE AFFAIRS

COMMITTEE ON
TRANSPORTATION & INFRASTRUCTURE

REPUBLICAN
POLICY COMMITTEE

U.S. HOUSE OF REPRESENTATIVES
2011 APR 21 AM 9:51
HOUSE RESOURCES COMMITTEE

April 20, 2011

Committee on Standards of Official Conduct
1015 Longworth Building
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending March 31, 2011

Visit Our Website
http://donyoung.house.gov

510 L Street
Suite 550
Anchorage, Alaska 99501
907-271-[redacted]

101 12th Avenue
Box 10
Fairbanks, Alaska 99701
907-456-[redacted]

612 W. Willoughby Avenue, Suite B
P.O. Box 21247
Juneau, Alaska 99802
907-586-[redacted]

905 Fireweed Road
Suite 210
Ketchikan, Alaska 99901
907-293-[redacted]

Toll Free Fax
1-866-587-[redacted]

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending March 31, 2011

CONTRIBUTIONS:

Alpha Marine Services, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
C-Innovation, LLC P.O. Box 210 Galliano, LA 70354	$5,000.00
C-Port, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
C-Port 2, LLC P.O. Drawer 310 Galliano, LA 70354	$5,000.00
Galliano Marine Service, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Jim Jansen [redacted] Anchorage, AK 99515	$5,000.00
Kodiak Kenai Fiber Link, LLC 2702 Denali Street, Suite 100 Anchorage, AK 99503	$5,000.00
Marine Technologies, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Martin Holdings, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Javier Ortiz [redacted] Atlanta, GA 30305	$5,000.00

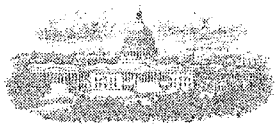
Nautical Solutions, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Nautical Ventures, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
North American Fabricators, LLC 208 North American Court Houma, LA 75363	$5,000.00
North American Shipbuilding, LLC P.O. Drawer 580 Larose, LA 70373	$5,000.00
Offshore Support Service, LLC P.O. Box 310 Galliano, LA 70354	$5,000.00
Trident Seafoods Corporation 5303 Shilshole Avenue NW Seattle, WA 98107	$5,000.00
Conchita Ballori [redacted] Guaynabo, PR 00966	$1,500.00
Mario Daniel Ballori [redacted] Washington, DC 20037	$1,500.00
Hernandez Almodovar [redacted] San Juan, PR .00936	$1,000.00
William Bass Or Cheryl Bass [redacted] Anchorage, AK 99515	$1,000.00
Jamie Fonalledas, Jr. [redacted] San Juan, PR 00830	$1,000.00

Perry Green [redacted] Anchorage, AK 99501	$1,000.00
Ricardo Laponte Parsi and/or Waleska Rodriguez De Jesus [redacted] San Juan, PR 00919	$1,000.00
Robert C. Penney [redacted] Anchorage, AK 99508	$1,000.00
P.J. Penney [redacted] Anchorage, AK 99508	$1,000.00
Ed Rasmuson [redacted] Anchorage, AK 99519	$1,000.00
Gail R. Schubert [redacted] Anchorage, AK 99507	$1,000.00

DISBURSEMENTS MADE:

Akin Gump Strauss Hauer & Feld 1333 New Hampshire Ave., N.W. Washington, D.C. 20036	$25,000.00
Color Art Printing 430 West 7th Ave. Anchorage, AK 99501	$436.70

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2111 RAYBURN BUILDING
TELEPHONE: 202-225-[redacted]



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

COMMITTEE ON RESOURCES
COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE

January 31, 2011

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending December 31, 2010

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending December 31, 2010

CONTRIBUTIONS:

Cruz Construction, Inc. Box 9823 Palmer, AK 99645	$5,000.00
Chugach Alaska Corporation 3600 Centerpoint Drive, Ste 601 Anchorage, AK 99503	$5,000.00
Neeser Construction, Inc. 2501 Blueberry Road Anchorage, AK 99503	$5,000.00
Specialty Supply, Inc. P.O. Box 110777 Anchorage, AK 99511.	$5,000.00

DISBURSEMENTS MADE:

None to report.

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2111 RAYBURN BUILDING
TELEPHONE: 202-225-[redacted]

COMMITTEE ON RESOURCES
COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE

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

HAND DELIVERED

October 14, 2010

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

Don Young
DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending September 30, 2010

[redacted]

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending September 30, 2010

HAND DELIVERED

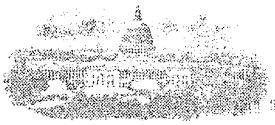
CONTRIBUTIONS:

Jim Jansen $5,000.00
[redacted]
Anchorage, Alaska 99515

DISBURSEMENTS MADE:

None to report

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
2111 Rayburn Building
Telephone 202-225-[redacted]



COMMITTEE ON RESOURCES
COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE

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

July 13, 2010

HAND DELIVERED

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending June 30, 2010

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending June 30, 2010

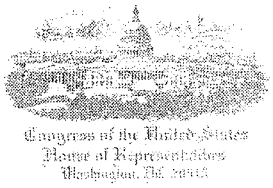
CONTRIBUTIONS:

None to report.

DISBURSEMENTS:

None to report.

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
2111 Rayburn Building
Telephone: 202-225-[redacted]



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

HAND DELIVERED

COMMITTEE ON RESOURCES
COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE

April 15, 2010

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending March 31, 2010

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending March 31, 2010

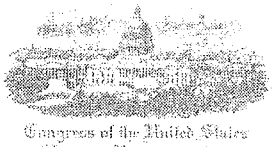
CONTRIBUTIONS:

None to report.

DISBURSEMENTS:

None to report.

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
2111 Rayburn Building
Telephone 202-225-[redacted]



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

COMMITTEE ON RESOURCES
COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE

January 29, 2010

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending December 31, 2009

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending December 31, 2009

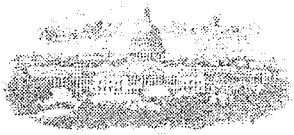
CONTRIBUTIONS:

None to report.

DISBURSEMENTS MADE:

None to report.

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
2111 Rayburn Building
Telephone: 202-225-[redacted]



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

COMMITTEE ON RESOURCES
CHAIRMAN, COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE
U.S. HOUSE OF REPRESENTATIVES

October 15, 2009

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending September 30, 2009

HAND DELIVERED

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending September 30, 2009

2009 OCT 15 PM 4:23

CONTRIBUTIONS:

1. Bering Straits Native Corporation — $2,500.00
   Box 1008
   Nome, Alaska 99762
   September 25, 2009

2. Chugach Alaska Corporation — $5,000.00
   3800 Centerpoint Drive, Suite 601
   Anchorage, Alaska 99503
   September 18, 2009

DISBURSEMENTS MADE:

1. Akin Gump Strauss Hauer & Feld LLP — $5,000.00
   1333 New Hampshire Ave., N.W. — 9/30/09 Check 1007

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
2111 Rayburn Building
Telephone: 202-225-[redacted]

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

HAND DELIVERED

COMMITTEE ON RESOURCES
COMMITTEE ON TRANSPORTATION
REPUBLICAN POLICY COMMITTEE

July 16, 2009

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning the Congressman Don Young Legal Expense Trust.

If there are any questions, please contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending June 30, 2009

HAND DELIVERED

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending June 30, 2009

2009 JUL 17 PM 3:20

There is no activity to report.

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
2111 Rayburn Building
Telephone: 202/225-[redacted]

HAND DELIVERED

RANKING MEMBER
COMMITTEE ON
RESOURCES

COMMITTEE ON
TRANSPORTATION

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

April 22, 2009

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Attached is a copy of the required quarterly report concerning The Congressman Don Young Legal Expense Trust.

If there are any questions, please feel free to contact my Chief of Staff, Pamela Day, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Attachment: The Congressman Don Young Legal Expense Trust
Reporting Period Ending December 31, 2008

HAND DELIVERED

2009 APR 22 PM 3:17

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending March 31, 2009

CONTRIBUTIONS:

Trident Seafoods Corporation 5303 Shilshole Avenue NW Seattle, WA 98107-4000 1/14/09	$5,000.00

DISBURSEMENTS MADE:

1. James E. Sharp, Esq. c/o Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Ave., N.W. Washington, D.C. 20036	$5,000.00 2/23/09 Check 1005
2. Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Ave., N.W. Washington, D.C. 20036	$1,000.00 3/27/09 Check 1006

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2111 RAYBURN BUILDING
TELEPHONE 202/225-[redacted]
WWW.HOUSE.GOV/DONYOUNG/

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

RANKING MEMBER
COMMITTEE ON
RESOURCES

COMMITTEE ON
TRANSPORTATION

January 29, 2009

Committee on Standards of Official Conduct
Capitol HT-2, U.S. House of Representatives
Washington, DC 20515

Attached is a copy of the required quarterly report concerning The Congressman Don Young Legal Expense Trust.

If there are questions, please feel free to contact my Chief of Staff, Mike Anderson, at 202-225-[redacted].

Sincerely,

DON YOUNG
Congressman for All Alaska

Atch
The Congressman Don Young Legal Expense Trust
Reporting Period Ending December 31, 2008

510 L STREET
SUITE 580
ANCHORAGE, AK 99501
907-271-[redacted]

101 12TH AVENUE
BOX 10
FAIRBANKS, ALASKA 99701
907-456-[redacted]

871 FEDERAL BUILDING
P.O. BOX 21247
JUNEAU, ALASKA 99802
907-586-[redacted]

110 TRADING BAY ROAD
SUITE 105
KENAI, ALASKA 99611
907-283-[redacted]

540 WATER STREET
SUITE 101
KETCHIKAN, ALASKA 99901
907-247-[redacted]

851 EAST WESTPORT DRIVE
SUITE 307
WASILLA, ALASKA 99654
907-352-[redacted]

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
Reporting Period Ending December 31, 2008

CONTRIBUTIONS:

None to report.

DISBURSEMENTS MADE:

1. Akin Gump Strauss Hauer & Feld LLP — $18000.00
   1333 New Hampshire Ave., N.W. — 10/27/08 Check 1003
   Washington, D.C. 20036

2. Akin Gump Strauss Hauer & Feld LLP — $8,000.00
   1333 New Hampshire Ave., N.W. — 12/15/08 Check 1004
   Washington, D.C. 20036

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2111 RAYBURN BUILDING
TELEPHONE: 202/225-[redacted]
WWW.HOUSE.GOV/DONYOUNG/

HAND DELIVERED

RANKING MEMBER
COMMITTEE ON
TRANSPORTATION
AND
COMMITTEE ON
RESOURCES

2008 NOV 17 PM 4:44
U.S. HOUSE OF REPRESENTATIVES

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

November 18, 2008

Committee on Standards of Official Conduct
The Capitol, HT-2
Washington, DC 20515

Re: The Congressman Don Young Legal Expense Trust

In accordance with Committee Regulation 13, and per conversation with Peg Perl, Counsel on the Committee of Standards of Official Conduct, I am filing an update to my quarterly report previously filed with the Committee.

The report was originally filed at the end of October 2008 as required. However, there were some headings that were inadvertently left off the report. This could have left some confusion as to what the nformation presented actually represented.

While I have corrected those headings, please note that the actual content of the previous report has not changed.

Sincerely,

DON YOUNG
Congressman for All Alaska

[illegible] STREET [illegible] 101 12TH AVENUE [illegible] 971 FEDERAL BUILDING [illegible] 110 TONGASS BAY ROAD [illegible] 540 WATER STREET [illegible] 881 EAST WASHINGTON DRIVE

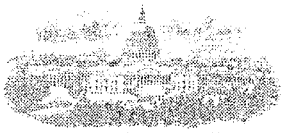
CONTRIBUTIONS RECEIVED:

Hachler Investments, LLC 1111 Sierra Pl Edmonds, WA 98020	$1000.00
William Northey Laura Northey [redacted] Brier, WA 98036-8087	$1000.00
Nellie M. Bohnert Shawn G. Bohnert [redacted] Seattle, WA 98105	$1000.00
NORTHLAND SERVICES, INC. PO Box 24527 Seattle, WA 98124	$5000.00
Ronald A. Duncan [redacted] Anchorage, AK 99503	$5000.00
OCEAN PROWLER LLC P.O. Box 1989 Petersburg, AK 99833-1989	$5000.00
PROWLER LLC P.O. Box 1989 Petersburg, AK 99833-1989	$5000.00

PAYMENTS MADE:

1. Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Ave., N.W. Washington, D.C. 20036	$18000.00 10/27/08 Check 1003

DON YOUNG
Congressman For All Alaska
WASHINGTON OFFICE
[redacted]



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

HAND DELIVERED

COMMITTEE ON TRANSPORTATION
COMMITTEE ON NATURAL RESOURCES
COMMITTEE ON HOMELAND SECURITY

July 30, 2008

VIA HAND DELIVERY

Legislative Resource Center
B-106 Cannon House Office Building
Washington, D.C. 20515-6612

Dear Sir:

Pursuant to House Rule 26, clause 5(a)(3)(E) and the regulations pursuant thereto, enclosed please find a copy of the July 30, 2008 contribution and disbursement report for The Congressman Don Young Legal Expense Trust.

Thank you.

Sincerely,

Congressman Don Young

Enclosure

HAND DELIVERED

THE CONGRESSMAN DON YOUNG LEGAL EXPENSE TRUST
JULY 30, 2008

CONTRIBUTIONS RECEIVED:

Aleutian Spray Fisheries, Inc. Suite 300 5470 Shilshole Avenue NW Seattle, Washington 98107	$5,000.00
Bering Pacific Services Company 7801 Schoon St., # B Anchorage, Alaska 99518	$5,000.00
Boyer Towing, Inc. P.O. Box 8000 Ketchikan, Alaska 99901	$5,000.00
Cruz Construction, Inc. 3852 N. Clark-Wolverine Rd. Palmer, Alaska 99645-8708	$2,500.00
William A. Corbus [redacted] Juneau, Alaska 99801	$2,500.00
Billy L. Evans/Renetta J. Evans [redacted] Bradenton, Florida 34209-3340	$2,000.00
Jim Jansen [redacted] Anchorage, Alaska 99515	$5,000.00
Chad R. Moore [redacted] Anchorage, Alaska 99515	$5,000.00
Osborne Construction Company P.O. Box 97010 Kirkland, Washington 98083	$5,000.00
George R. Osborne, Jr. [redacted] Kirkland, Washington 98083	$5,000.00

HAND DELIVERED

Starbound, LLC Suite 300 5470 Shilshole Avenue N.W. Seattle, Washington 98107	$5,000.00
Tatonduk Outfitters Limited d/b/a Everts Air Alaska d/b/a Evers Air Cargo P.O. Box 61680 Fairbanks, Alaska 99706	$2,000.00
Trident Seafoods Corporation 5303 Shilshole Avenue NW Seattle, WA 98107-4000	$5,000.00

DISBURSEMENTS:

1.	Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Ave., N.W. Washington, D.C. 20036	$24,832.71 6/1/08 Check 1001
2.	Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Ave., N.W. Washington, D.C. 20036	$24,582.54 7/1/08 Check 1002

MAY 0 2 2008

GAIL R. SCHUBERT, TRUSTEE
500 L STREET SUITE 300
ANCHORAGE, AK 99501

MEMORANDUM REPORT

TO: HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

CC: HOUSE LEGISLATIVE RESOURCE CENTER

RE: CONGRESSMAN DON YOUNG LEGAL EXPENSE FUND

DATE: May 2, 2008

This Report is filed in accordance with the House Ethics Manual Legal Expense Fund Regulations dated June 10, 1996. This will confirm that, for the first reporting period of the Congressman Don Young Legal Expense Fund ending on March 31, 2008, there is no activity to report as required by the Regulations.

Gail R. Schubert, Trustee
Date: May 2, 2008

EXHIBIT 4

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE:	Representative Don Young
REVIEW No.:	11-3175
DATE:	September 13, 2011
LOCATION:	2314 RHOB Washington, DC 20515
TIME:	5:00 p.m. to 5:30 p.m. (approximate)
PARTICIPANTS:	Scott Gast Kedric L. Payne Pamela Day

SUMMARY: Don Young is a Member of the United States House of Representatives for Alaska at Large. The OCE requested an interview with Representative Young on September 13, 2011, and he consented to an interview. Representative Young (the "witness") made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. He signed a written acknowledgement of the warning, which will be placed in the case file in this review.

2. According to the witness, Gail Schubert, as the Trustee, is responsible for administering his Legal Expense Fund (the "Fund"). The witness rarely communicates with the Trustee about the Fund but, when they do communicate, they generally only discuss the amount of money available in the Fund.

3. The witness said that there is no organized effort to raise money for the Fund. He does not solicit contributions to the Fund. Instead, people will come to the witness and ask him, "How is your defense fund?"

4. The witness does not know how much has been raised for the Fund since its inception, but he said he believes there is approximately $60,000 in the Fund.

5. The witness believes that he is not currently the focus of any outstanding legal matters. The witness believes he does not owe any outstanding legal fees.

6. The witness is not continuing to raise money for the Fund.

7. The witness said he is good friends with the Chouest family, and has had interactions with Gary Chouest and Dionne Chouest. The witness said he has known the family for

ten years. The witness met Gary Chouest because they both have had maritime businesses. The witness and Gary Chouest have attended social events together, including dinners and fishing events.

8. The witness said that he is not familiar with the Chouest family's business. He does not know how the various Chouest-owned business entities are structured.

9. The witness is aware that members of the Chouest family have made contributions to his political campaign committee. The witness said he has not asked Mr. Chouest to make contributions to any political party committees or to Representative Don Young's Leadership PAC.

10. The witness said that neither he nor his office have ever taken official action on behalf of the Chouest family.

11. The witness initially indicated that he did not know how the Chouest family business entities came to make contributions to the Fund, and that he did not know when the contributions were made.

12. The witness stated that he did not solicit the Chouest family for contributions to the Fund.

13. After further questioning by the OCE, the witness stated that Gary Chouest called him and asked the witness to visit Texas, where "they" could raise the witness some money. The witness understood "they" to refer to various companies owned by the Chouest family. The witness could not recall when this conversation took place.

14. The witness understood that the event was to raise money for his Fund. He said that neither he nor Gary Chouest discussed a specific amount to be raised at the Texas event.

15. The witness did not recall having a discussion with his Chief of Staff regarding the permissibility of accepting contributions from the Chouest companies, but added that he or his office always checks with the House Ethics Committee before a fundraiser.

16. When asked if he discussed the permissibility of accepting contributions from the Chouest companies with the Fund Trustee, the witness stated that he did not talk to her about ethics issues, but he is sure that she researched such issues to determine whether it was appropriate to accept the contributions.

17. The witness does not know whether the Trustee or anyone associated with the Fund researched the structure of the Chouest companies.

18. The witness said that he attended a reception/dinner fundraising event in Texas, where Gary Chouest handed him an envelope. The witness said that he did not look in the envelope, nor did he ask Gary Chouest what was in the envelope. The witness said he

assumed the envelope contained contributions raised at the event for his Fund. The witness said he sent the envelope to the Fund Trustee without opening it.

19. According to the witness, he learned from the Trustee after the event that the Fund had raised money at the event. At some point after the event, the witness called and thanked Gary Chouest for the funds he had raised. The witness did not send out thank you letters.

This memorandum was prepared on September 19, 2011, based on the notes that the OCE staff prepared during the interview with the witness on September 13, 2011. I certify that this memorandum contains all pertinent matter discussed with the witness on September 13, 2011.

Scott Gast
Investigative Counsel

EXHIBIT 5

CONFIDENTIAL

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE:	Trustee of the Representative Don Young Legal Expense Trust
REVIEW No.:	11-3175
DATE:	September 7, 2011
LOCATION:	OCE via Telephone 425 3rd Street, SW, Suite 1110 Washington, DC 20024
TIME:	2:00 p.m. to 2:52 p.m. (approximately)
PARTICIPANTS:	Scott Gast Kedric L. Payne

SUMMARY: The OCE requested an interview with the Trustee of Representative Don Young's Legal Expense Fund (the "witness"), and she consented to an interview. The witness made the following statements in response to our questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.

2. The witness is the President and CEO of the Bering Straits Native Corporation, one of thirteen regional corporations created by Congress under the Alaskan Native American Claim Settlement Act. The witness was named the President of the Bering Straits Native Corporation in December of 2009; she was promoted to CEO at the end of 2010.

3. The witness' duties include overseeing the organization's executive personnel and guiding the corporation.

4. The witness' duties occasionally bring her into contact with federal and state government officials. For example, a land bill related to re-settling land claim issues outside of Salmon Lake in Nome, Alaska, is currently before Congress. According to the witness, this bill has been pending in Congress for years; the witness travels to Washington, DC and meets with Members of Congress about this issue.

5. Prior to her position with the Bering Straits Native Corporation, the witness was the corporation's Executive Vice President and served as General Counsel (the witness continues to hold the General Counsel position).

6. The witness also worked as General Counsel for the South Central Foundation, a Native American healthcare delivery non-profit organization, for less than a year.

7. Earlier, the witness was an attorney with the law firm of Reed Stanley. The witness has worked at several law firms, including Fried Frank; Rogers & Wells; and Burch Horton; she worked for nineteen years in Alaska and eight years in New York. From 1984 to 1986, she worked for the Federal Reserve Bank of New York.

8. The witness has never worked for any Member of Congress. She has not done any work for political campaigns.

9. The witness is currently barred as an attorney in New York and Alaska.

10. The witness met Representative Young approximately 15 years ago through her cousin, who worked for Representative Young for approximately thirty years.

11. The witness believes that she was asked to serve as the trustee of Representative Young's Legal Expense Fund because of her legal background in trusts and estates law.

12. The witness does not recall who contacted her about the trustee position. It may have been Representative Young himself. The witness was a friend of Representative Young's wife. According to the witness, this relationship and her professional experience gave Representative Young a level of comfort and trust with her.

13. When the witness is in Washington, DC she will sometimes stop by Representative Young's office to say hello. The witness does not have many one-on-one meetings with anyone in Representative Young's office; however, she may discuss the Salmon Lake bill. She has dealt with Mike Anderson, Representative Young's former chief of staff, and Pamela Day, his current chief of staff.

14. The witness does not engage in much lobbying of Members of Congress. To the extent that she does so, it is typically in a group setting during scheduled congressional visits.

15. The witness has no relationship with Representative Young's campaign, other than having made contributions to Representative Young's campaign.

16. The witness does not know the Chouset family, nor has she had any email or phone conversations with the family.

17. The witness only knows about the Chouset family to the extent that it has been mentioned in the press. She understands that the family owns "a bunch of companies."

18. The witness does not know anything about Representative Young's relationship with the Chouset family or his congressional office's relationship with the Chouset family.

19. When read a list of companies affiliated with the Chouset family, the witness recognized one, C-Port, as an organization that made contributions to Representative Young's Legal Expense Fund, but she did not know the other entities. The witness has no understanding of how the companies are related or structured except what she has recently learned from the press. The witness believes that Pamela Day, Representative Young's chief of staff, may know more about the structure of these companies. Ms. Day is the witness's point of contact in Representative Young's office.

20. The witness does not know about any support the Chouset family has provided to Representative Young's campaign.

21. The witness believes Representative Young's Legal Expense Fund was created in 2008 with the help of Nicole Spritzer of the law firm Akin Gump. The witness is not aware of anyone else being involved in setting up the Fund.

22. The Fund was created to help pay legal expenses related to an investigation of Representative Young.

23. The witness has been the Trustee since the creation of the Legal Expense Fund. Her duties include overseeing the fund, taking in contributions, and paying legal bills certified by Representative Young's attorneys as related to matters covered by the Fund.

24. The witness said she has tried to raise money for the Fund in the past, and was somewhat successful. She tried to help with fundraisers conducted for the Fund, but they were not that successful. The witness recalled that she may have helped with fundraising events in Palm Springs and Las Vegas.

25. The witness explained that she had discussions with various people about potential donors to the Fund, but did not talk to Representative Young or anyone from his congressional campaign about identifying potential donors.

26. According to the witness, she had no discussions with Representative Young about raising money for the Fund or fundraising strategies; they did not discuss the amount of money in the Legal Expense Fund or expenditures. The witness had conversations with Representative Young's chief of staff about the balance in the Legal Expense Fund and payments from the Fund.

27. The witness said that she is the only person involved in administering the Fund. She is responsible for preparing the quarterly Legal Expense Fund disclosure reports filed with the Committee on Ethics.

28. The witness does not know if there are any outstanding legal fees owed to Representative Young's attorneys.

29. When asked how payments were made to Representative Young's attorneys at Akin Gump, the witness said that Nicole Spritzer would tell her how much to pay and when. The witness would receive written certifications from Ms. Spritzer about the fees owed to the law firm. She did not receive any invoices from the firm, nor does she know who may have received invoices. After speaking with Ms. Spritzer, the witness would review the balance in the fund and then write a check to the law firm. The witness does not believe that Ms. Day would have contacted her about this; rather, she believes that she was contacted by Ms. Spritzer.

30. The witness did not know whether the $25,000 payment to Akin Gump in January 2011 was the final payment to Representative Young's attorneys.

31. The witness explained that the remaining funds are for legal expenses; if there are no further legal expenses, the money should be returned to the contributors. The witness remarked that she "guess[es] we should discuss that."

32. The witness believes that she first learned of contributions from the Chouest companies when Ms. Day called to tell her that a package of contribution checks was being sent to the witness. The witness said that she believed this package included about ten contribution checks. When asked whether there could have been twelve contributions, she said that she believed that there were, in fact, twelve contributions.

33. When asked if the question of whether the $5,000 contribution limit applied separately to each of the Chouest entities, the witness first stated that this issue had not been discussed. When told that Ms. Day recalled a discussion about this issue with the witness, the witness said they had a "general discussion" about accepting contributions from related

entities. She was not sure when this conversation took place. She is not certain that this conversation related specifically to the Chouest entities.

34. The witness said that her understanding of the legal expense fund regulations is that as long as a contributor is a distinct, separate legal entity, it has its own contribution limit. She did not recall seeking any guidance on this issue. She did not contact the Ethics Committee for guidance on this issue.

35. The witness said that the Chouest contribution checks were sent to her in the same Federal Express package. She believes there may have been separate envelopes inside the package for each check.

36. The witness did not keep copies of the contribution checks. She did not recall any details about the checks; she did not notice whether the checks were signed by the same person.

37. The witness did not conduct any research to determine whether the contributing entities were actually separate legal entities.

38. When asked about the delay in the deposit of the checks, the witness explained that she was busy with her job and did not visit a downtown Anchorage law firm where they kept a folder for her.

39. The witness emails the quarterly Legal Expense Fund disclosure reports to Ms. Day who gets Representative Young's signature and then submits the report.

40. The witness has not spoken with the Committee on Ethics about determining if the contributions were from separate entities.

This memorandum was prepared on September 7, 2011, based on the notes that the OCE staff prepared during the interview with the witness on September 7, 2011. I certify that this memorandum contains all pertinent matter discussed with the witness on September 7, 2011.

Scott Gast
Investigative Counsel

EXHIBIT 6

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE:	Chief of Staff to Representative Don Young
REVIEW No.:	11-3175
DATE:	September 1, 2011
LOCATION:	2314 RHOB Washington, DC 20515
TIME:	2:00 p.m. to 2:50 p.m. (approximate)
PARTICIPANTS:	Scott Gast Paul Solis

SUMMARY: The OCE requested an interview with the Chief of Staff to Representative Don Young of Alaska, and she consented to an interview. The witness made the following statements in response to OCE questioning:

1. The witness was given an 18 U.S.C. § 1001 warning and consented to an interview. She signed a written acknowledgement of the warning, which will be placed in the case file in this review.

2. The witness has been Chief of Staff to Representative Young for approximately two and a half years. Prior to that position, she served as Representative Young's Deputy Chief of Staff, Legislative Director, and Senior Legislative Assistant. Before working for Representative Young, the witness worked for former Representative Ben Gilman.

3. As Chief of Staff, the witness oversees the operations of the district and DC offices; oversees budgets of both offices; schedules; facilitates policy decisions; and forms press statements. The witness has no duties with the campaign except as a volunteer.

4. The witness has limited duties with respect to Representative Young's Legal Expense Fund (the "Fund"): she contacts the Fund's Trustee each quarter to discuss preparation of the Fund's disclosure reports, and she physically files the reports with the Committee on Ethics. She has occasional conversations with the Trustee about questions that she or Representative Young may have about the Fund.

5. The witness stated that the Fund was established under her predecessor as Chief of Staff, Mike Anderson. According to the witness, the former Chief of Staff directed the staff to have a "limited role" with the Fund; she believes he did so because "it's cleaner." The witness believes that Representative Young, the Trustee, and the former Chief of Staff

were involved in the creation of the Fund. Representative Young, the Trustee, and the witness are the only individuals currently involved in administering the Fund.

6. The witness is not involved in raising money for the Fund. She stated that she was involved with only one fundraiser for the Fund, held in February 2011 in California. The event may have occurred because an Alaskan living in California volunteered to host it. The witness recalled that the event raised approximately $10,000 to $12,000, which was not considered a very successful event.

7. According to the witness, there were three primary ways in which the Fund raised contributions. First, Representative Young may have asked someone to host an event to pay off debts. Second, the Fund Trustee may have solicited contributions to the Fund. Third, individuals who already knew about the Fund would offer to hold events.

8. The witness has never solicited contributions for the Fund herself. The witness stated that Trustee is responsible for coordinating fundraising efforts for the Fund. The witness surmised that potential donors to the Fund may have been identified by the Trustee, by Representative Young, or by Representative Young's now deceased wife.

9. The witness stated that she believes that less than $150,000 has been raised for the Fund since it was established.

10. The witness believes that Representative Young met Gary Chouest through the Representative's work on the House Transportation and Infrastructure Committee. Representative Young and Mr. Chouest may have become friends because of their shared interest in the maritime business. The witness has never met anyone from the Chouest family.

11. The witness believed that Gary Chouest is the father of the Chouest family and runs different companies. The witness stated that she does not know anything about these companies, although she later stated that she knew that Gary Chouest leases out marine vessels to companies who need them for shipping. She did not know anything about how the Chouest companies are structured.

12. The witness stated that Representative Young has "gone down there" to visit the Chouests more than once and has had campaign events there. The witness believes that Representative Young and members of the Chouest family may have interactions a couple times a year.

13. The witness could not recall if Representative Young's office helped the Chouest family with casework, but she did not think so. The witness has never personally been involved with any legislative requests from the Chouest family.

14. When asked about if she was familiar with any of the Chouest companies, the witness stated that Galliano Marine Services, LLC "rang a bell" because the "we've reimbursed them" for lodging for fundraisers. The witness did not recall anything specific about any other companies.

15. The witness stated that the Chouest family has been very generous in contributing to Representative Young's campaign.

16. The witness did not think that the Fund Trustee solicited the Chouest family for contributions to the Fund.

17. The witness believes that Representative Young had a telephone conversation with Gary Chouest in or around December 2010 or January 2011, in which she believes Representative Young may have told Mr. Chouest that he was "coming down" there.

18. According to the witness, Representative Young approached her after his telephone call with Mr. Chouest to ask how Mr. Chouest could permissibly contribute to the Fund. The witness said she assumed that Representative Young had already discussed with Mr. Chouest the possibility of the Chouest companies making contributions to the Fund.

19. According to the witness, after Representative Young asked her how Mr. Chouest could support the Fund, she contacted the Fund Trustee, an attorney, to discuss permissible ways in which Mr. Chouest could contribute. According to the witness, the Trustee said that as long as the Chouest companies had different insurance and tax forms, they could each contribute to the Fund. The witness did not contact the Committee on Ethics about this issue; she did not know if the Trustee spoke with the Committee on Ethics at this time about this issue.

20. The witness stated that, after speaking with the Trustee, she told Representative Young that contributions to the Fund by the Chouest companies would be permissible.

21. After consulting Representative Young's calendar, the witness told the OCE that on January 14, 2011, Representative Young was in Texas, and she believes that Gary Chouest hosted a fundraising event in Texas at that time.

22. The witness believes that Representative Young returned to Washington, DC with contributions checks for the Fund, and that he gave the checks to her. The witness believes she mailed the contribution checks, which were from various Chouest companies, to the Trustee in February 2011.

23. The witness noted that the twelve contributions were each disclosed on the appropriate quarterly report filed with the Committee on Ethics and, if there were any problems with the contributions, she assumed the Committee would "red flag" them.

24. The witness stated that a $25,000 payment made by the Fund to Representative Young's attorneys on January 4, 2011 represents the final payment of any outstanding legal fees. She noted that a payment for a catering obligation will be included on the Fund's next disclosure report.

25. The witness stated that after various media outlets reported on the Chouest companies' contributions to Representative Young's Fund, she contacted the Committee on Ethics for guidance on accepting the twelve contributions. Representative Young subsequently submitted a formal written request for guidance to the Committee. According to the witness, Committee staff told her that she could expect a response sometime after Members returned to Washington after the August recess.

26. When asked if she had any contact with members of the Chouest family about the OCE Requests for Information sent to the Chouest business entities, the witness stated that someone from the family told her that OCE's requests were "too laborious."

This memorandum was prepared on September 19, 2011 based on the notes that the OCE staff prepared during the interview with the witness on September 1, 2011. I certify that this memorandum contains all pertinent matter discussed with the witness on September 1, 2011.

Paul Solis
Investigative Counsel

EXHIBIT 7

WELLS FARGO

PMA® Wells Fargo® PMA Package

CONG. DON YOUNG LEGAL EXPENSE FUND
GAIL SCHUBERT TTE
500 L ST STE 300
ANCHORAGE AK 99501-5910

Questions? Please contact us:

Wells Fargo Premier Banking Team℠
Available 24 hours a day, 7 days a week
Phone: 1-800-742-[redacted], *TTY:* 1-800-600-[redacted]
Spanish: 1-877-727-[redacted], *TTY:* 1-888-355-[redacted]
Chinese: 1-800-288-[redacted]

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A.
PO Box 6995
Portland, OR 97228-6995

June 30, 2011

Total assets:	**$95,518.79**
Last month:	$95,510.94
Change in $:	$7.85
Change in %:	0.01%
Total liabilities:	**$0.00**
Last month:	$0.00
Change in $:	$0.00
Change in %:	0.00%
Qualifying Balance :	**$95,518.79**

Contents *Page*

Overview. 2
PMA® Prime Checking Account. 3

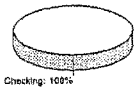
(569)
33436

Overview of your PMA account

Assets

Account (Account Number)	Percent of total	Balance last month ($)	Balance this month ($)	Increase/ decrease ($)	Percent change
PMA® Prime Checking Account [redacted]	100%	95,510.94	95,518.79	7.85	0.01%
	Total assets	**$95,510.94**	**$95,518.79**	**$7.85**	**0.01%**

Total asset allocation (by account type)



Checking: 100%

Interest, dividends and other income

The information below should not be used for tax planning purposes.

Account	This month	This year
PMA® Prime Checking Account [redacted]	7.85	31.67
Total interest, dividends and other income	**$7.85**	**$31.67**

The "Overview of your PMA Account" section of your statement is provided for informational and convenience purposes. The Overview shows activity and information from (1) deposit, credit and trust accounts with Wells Fargo Bank, N.A., and (2) brokerage accounts with Wells Fargo Advisors, LLC, HD Vest Investment Services or Wells Fargo Advisors Financial Network, LLC (members SIPC); brokerage accounts are carried and cleared through First Clearing, LLC; (3) Wells Fargo Funds Management, LLC provides investment advisory and administrative services for Wells Fargo Advantage Funds; other affiliates provide subadvisory and other services for the Funds; and (4) insurance products offered through non-bank insurance agency affiliates of Wells Fargo & Company and underwritten by unaffiliated insurance companies.

Shared ATM Deposits
Effective July 28, 2011, we will no longer accept deposits made at non-Wells Fargo STAR and Instant Cash Shared Network ATMs. To make an ATM deposit, please visit one of our 12,000 Wells Fargo or Wachovia a Wells Fargo company, ATMs.

WELLS FARGO

PMA ® Prime Checking Account

Activity summary

Balance on 6/1	95,510.94
Deposits/Additions	7.85
Withdrawals/Subtractions	- 0.00
Balance on 6/30	**$95,518.79**

Account number: [redacted]

CONG. DON YOUNG LEGALEXPENSEFUND
GAIL SCHUBERTTTE

Wells Fargo Bank, N.A., Alaska (Member FDIC)

Questions about your account: 1-800-742-[redacted]

Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Interest earned this month	$7.85
Average collected balance this month	$95,510.94
Annual percentage yield earned	0.10%
Interest paid this year	$31.67

Transaction history

Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
Beginning balance on 6/1					**95,510.94**
6/30	Interest Payment		7.85		95,518.79
Ending balance on 6/30					**95,518.79**
Totals			**$7.85**	**$0.00**	

Save time with Online Bill Pay

Save time, avoid late fees, and save on postage costs. Be at ease knowing your payments get there fast-with over 90% of our top payees able to receive payments in 2 days or less. You can even make same day payments to Wells Fargo credit accounts, and to other select merchants. Pay your bills efficiently with Wells Fargo Bill Pay-backed by our Payment Guarantee. We guarantee your payments will be paid as scheduled, on time, every time. Go to wellsfargo.com or wellsfargo.com/biz to sign up or sign on today.

WELLS FARGO

Worksheet to balance your checking account

1. Go through your check register and mark each check (this includes cancelled, converted and substitute checks that may appear on your statement), withdrawal, ATM transaction, payment, deposit or other credit listed in the "Transaction history" section of your statement. Be sure your register shows any interest or dividends paid into your account and any service charges, automatic payments or transfers withdrawn from your account during this statement period.

2. Using the chart below, list any outstanding, converted or substitute checks, as well as any ATM withdrawals, payments or any other withdrawals (including any from previous months) which are listed in your register but are not shown on your statement.

3. Balance your account by filling in the spaces below.

ENTER
A The ending balance shown on your statement $ _____

ADD
B Any deposits listed in your register or transfers into your account which are not shown on your statement
$ _____
$ _____
$ _____
$ _____
$ _____ → $ _____

CALCULATE SUBTOTAL
(Add parts A and B) $ _____

SUBTRACT
C Total of outstanding checks and withdrawals from the chart at right - $ _____

CALCULATE ENDING BALANCE
(Part A + Part B - Part C)
This amount should be the same as the current balance shown in your check register. $ _____

Items outstanding		
Check number	Amount	
Total	$	

General statement policies for Wells Fargo Bank

■ **To dispute or report inaccuracies in information we have furnished to a Consumer Reporting Agency about your accounts.** You have the right to dispute the accuracy of information that Wells Fargo Bank, N.A. has furnished to a consumer reporting agency by writing to us at Wells Fargo Servicing, P.O. Box 14415, Des Moines, IA 50306-3415. Please describe the specific information that is inaccurate or in dispute and the basis for the dispute along with supporting documentation. If you believe the information furnished is the result of identity theft, please provide us with an identity theft report.

■ **Checking account information.** After balancing your checking account, **please report any differences to us as soon as possible but no later than within 30 days.** Special provisions, including a reporting period of up to 60 days, apply if the difference involves an electronic funds transfer. These provisions are explained below.

■ In case of errors or questions about your electronic transfers, telephone us at the number printed on the front of this statement or write us at Wells Fargo Bank, P.O. Box 6995, Portland, OR 97228-6995 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

1. Tell us your name and account number (if any).

2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.

3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

■ Deposit and loan products, including PMA Prime Checking accounts and PMA Checking accounts, offered by Wells Fargo Bank, N.A., Member FDIC.

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33439

EXHIBIT 8

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
OFFSHORE SERVICE VESSELS, L.L.C.	Limited Liability Company	GALLIANO	Active

Previous Names

EDISON CHOUEST OFFSHORE, L.L.C. (Changed: 6/16/2006)

Business: OFFSHORE SERVICE VESSELS, L.L.C.
Charter Number: 34546673 K
Registration Date: 12/24/1996
State Of Origin:
Domicile Address
16201 EAST MAIN
GALLIANO, LA 70354
Mailing Address
C/O DIONNE C. AUSTIN
P. O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 12/24/1996
Last Report Filed: 12/1/2010
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY CHOUEST
Address 1: 16201 EAST MAIN
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/24/1996

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/1/2010

Officer(s)

Additional Officers: No

Officer: GARY CHOUEST
Title: Manager
Address 1: 16201 EAST MAIN
City, State, Zip: GALLIANO, LA 70354

Officer: DIONNE C. AUSTIN
Title: Manager

Address 1:	16201 EAST MAIN STREET
City, State, Zip:	GALLIANO, LA 70354

Officer:	DINO CHOUEST
Title:	Manager
Address 1:	16201 EAST MAIN STREET
City, State, Zip:	GALLIANO, LA 70354

Mergers (2)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
12/24/1996	**12/24/1996**	**MERGE**	**34546673K**	**OFFSHORE SERVICE VESSELS, L.L.C.**	**SURVIVOR**
			30502440D	EDISON CHOUEST OFFSHORE, INC.	NON-SURVIVOR
12/29/1999	**12/29/1999**	**MERGE**	**34546673K**	**OFFSHORE SERVICE VESSELS, L.L.C.**	**SURVIVOR**
			34433210K	EDISON CHOUEST OFFSHORE HOLDINGS, L.L.C.	NON-SURVIVOR

Amendments on File (4)

Description	Date
Merger	12/24/1996
Merger	12/29/1999
Name Change	6/16/2006
Appointing, Change, or Resign of Officer	11/3/2010

Print

Tom Schedler
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State of Louisiana
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COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
ALPHA MARINE SERVICES, L.L.C.	Limited Liability Company	GALLIANO	Active

Business: ALPHA MARINE SERVICES, L.L.C.
Charter Number: 34546665 K
Registration Date: 12/24/1996
State Of Origin:
Domicile Address
16201 EAST MAIN
GALLIANO, LA 70354
Mailing Address
C/O DIONNE C. AUSTIN
P. O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 12/24/1996
Last Report Filed: 12/1/2010
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY CHOUEST
Address 1: 16201 EAST MAIN
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/24/1996

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/1/2010

Officer(s)

Additional Officers: No

Officer: GARY CHOUEST
Title: Manager
Address 1: 16201 EAST MAIN
City, State, Zip: GALLIANO, LA 70354

Mergers (1)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
12/24/1996	12/24/1996	MERGE	34546665K	ALPHA MARINE SERVICES, L.L.C.	SURVIVOR

			34168814D	ALPHA MARINE SERVICES, INC.	NON-SURVIVOR

Amendments on File (2)

Description	Date
Merger	12/24/1996
Appointing, Change, or Resign of Officer	7/12/2007

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State of Louisiana
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COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
C-INNOVATION, L.L.C.	Limited Liability Company	GALLIANO	Active

Business: C-INNOVATION, L.L.C.
Charter Number: 36422672 K
Registration Date: 4/9/2007
State Of Origin:
Domicile Address
16201 EAST MAIN
GALLIANO, LA 70354
Mailing Address
C/O DIONNE C. AUSTIN
P.O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 4/9/2007
Last Report Filed: 4/4/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY CHOUEST
Address 1: 16201 EAST MAIN
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 4/9/2007

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 4/4/2011

Officer(s)

Additional Officers: No

Officer: GARY CHOUEST
Title: Member
Address 1: 16201 EAST MAIN
City, State, Zip: CUT OFF, LA 70345

Amendments on File

No Amendments on file

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
GALLIANO MARINE SERVICE, L.L.C.	Limited Liability Company	CUT OFF	Active

Business: GALLIANO MARINE SERVICE, L.L.C.
Charter Number: 34546671 K
Registration Date: 12/24/1996
State Of Origin:
Domicile Address
16201 EAST MAIN STREET
CUT OFF, LA 70345
Mailing Address
C/O DIONNE C. AUSTIN
P. O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 12/24/1996
Last Report Filed: 12/1/2010
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY CHOUEST
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 12/24/1996

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 12/1/2010

Officer(s)

Additional Officers: No

Officer: DINO CHOUEST
Title: Manager
Address 1: 16201 EAST MAIN
City, State, Zip: CUT OFF, LA 70345

Officer: DIONNE C. AUSTIN
Title: Manager
Address 1: 16201 EAST MAIN
City, State, Zip: CUT OFF, LA 70345

Officer:	GARY CHOUEST
Title:	Manager
Address 1:	16201 EAST MAIN
City, State, Zip:	CUT OFF, LA 70345

Mergers (1)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
12/24/1996	**12/24/1996**	**MERGE**	**34546671K**	**GALLIANO MARINE SERVICE, L.L.C.**	**SURVIVOR**
			29715500D	GALLIANO MARINE SERVICE, INC.	NON-SURVIVOR

Amendments on File (3)

Description	Date
Merger	12/24/1996
Appointing, Change, or Resign of Officer	2/10/2009
Domestic LLC Agent/Domicile Change	6/28/2011

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
C-PORT, L.L.C.	Limited Liability Company	GALLIANO	Active

Business: C-PORT, L.L.C.
Charter Number: 34515422 K
Registration Date: 1/10/1996
State Of Origin:
Domicile Address
16201 E. MAIN
GALLIANO, LA 70354
Mailing Address
C/O DIONNE C. AUSTIN
P.O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 1/10/1996
Last Report Filed: 1/10/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 1/10/2011

Officer(s)

Additional Officers: No

Officer: DIONNE C. AUSTIN
Title: Member
Address 1: 16201 E. MAIN
City, State, Zip: GALLIANO, LA 70354

Officer: DINO D. CHOUEST
Title: Member
Address 1: 16201 E. MAIN
City, State, Zip: GALLIANO, LA 70354

Amendments on File

No Amendments on file

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
C-PORT 2, L.L.C.	Limited Liability Company	GALLIANO	Active

Previous Names

C-PORT TWO, L.L.C. (Changed: 7/22/1998)

Business: C-PORT 2, L.L.C.
Charter Number: 34602096 K
Registration Date: 12/12/1997
State Of Origin:
Domicile Address
16201 E. MAIN
GALLIANO, LA 70354
Mailing Address
C/O DIONNE C. AUSTIN
P O BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 12/12/1997
Last Report Filed: 12/1/2010
Type: Limited Liability Company

Registered Agent(s)

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/1/2010

Officer(s)

Additional Officers: No

Officer: DINO D. CHOUEST
Title: Member
Address 1: 16201 E. MAIN
City, State, Zip: GALLIANO, LA 70354

Officer: DAMON C. CHOUEST
Title: Member
Address 1: 16201 E. MAIN
City, State, Zip: GALLIANO, LA 70354

Officer: DIONNE C. AUSTIN
Title: Member

Address 1:	16201 E. MAIN
City, State, Zip:	GALLIANO, LA 70354

Amendments on File (1)

Description	Date
Name Change	7/22/1998

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
MARINE TECHNOLOGIES, L.L.C.	Limited Liability Company	CUT OFF	Active

Business: MARINE TECHNOLOGIES, L.L.C.
Charter Number: 35299061 K
Registration Date: 7/3/2002
State Of Origin:
Domicile Address
16201 EAST MAIN STREET
CUT OFF, LA 70345
Mailing Address
C/O DIONNE C. AUSTIN
P O BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 7/3/2002
Last Report Filed: 7/6/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY J. CHOUEST
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 7/3/2002

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 6/7/2010

Officer(s)

Additional Officers: No

Officer: DIONNE C. AUSTIN
Title: Manager
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Amendments on File

No Amendments on file

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932[redacted] (Admin. Services)
225.932[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
MARTIN HOLDINGS, L.L.C.	Limited Liability Company	CUT OFF	Active

Business: MARTIN HOLDINGS, L.L.C.
Charter Number: 34994791 K
Registration Date: 10/4/2000
State Of Origin:
Domicile Address
16201 EAST MAIN STREET
CUT OFF, LA 70345
Mailing Address
C/O DIONNE C. AUSTIN
P.O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 10/4/2000
Last Report Filed: 10/5/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: DIONNE AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 9/10/2010

Officer(s)

Additional Officers: No

Officer: DIONNE C AUSTIN
Title: Member
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Officer: DINO CHOUEST
Title: Member
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Officer: DAMON C. CHOUEST
Title: Member
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Mergers (1)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
10/16/2007	**10/16/2007**	**MERGE**	**34994791K**	**MARTIN HOLDINGS, L.L.C.**	**SURVIVOR**
			35057353K	LOT 14, L.L.C.	NON-SURVIVOR

Amendments on File (3)

Description	Date
Appointing, Change, or Resign of Officer	10/25/2000
Merger	10/16/2007
Appointing, Change, or Resign of Officer	1/3/2011

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
NAUTICAL SOLUTIONS, L.L.C.	Limited Liability Company	CUT OFF	Active

Business: NAUTICAL SOLUTIONS, L.L.C.
Charter Number: 36519394 K
Registration Date: 8/16/2007
State Of Origin:
Domicile Address
16201 EAST MAIN ST.
CUT OFF, LA 70345
Mailing Address
C/O DIONNE C. AUSTIN
P.O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 8/16/2007
Last Report Filed: 8/1/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY CHOUEST
Address 1: 16201 EAST MAIN ST.
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 8/16/2007

Agent: DIONNE CHOUEST AUSTIN
Address 1: 16201 EAST MAIN ST.
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 8/16/2007

Officer(s)

Additional Officers: No

Officer: GARY CHOUEST
Title: Manager
Address 1: 16201 EAST MAIN ST.
City, State, Zip: CUT OFF, LA 70345

Mergers (1)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
12/30/2008	12/30/2008	MERGE	36519394K	NAUTICAL SOLUTIONS, L.L.C.	SURVIVOR

			35976683K	NAUTICAL TRANSPORT, L.L.C.	NON-SURVIVOR

Amendments on File (2)

Description	Date
Merger	12/30/2008
Appointing, Change, or Resign of Officer	10/27/2010

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
NAUTICAL VENTURES, L.L.C.	Limited Liability Company	CUT OFF	Active

Business: NAUTICAL VENTURES, L.L.C.
Charter Number: 35144818 K
Registration Date: 9/20/2001
State Of Origin:
Domicile Address
16201 EAST MAIN STREET
CUT OFF, LA 70345
Mailing Address
C/O DIONNE C. AUSTIN
P. O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 9/20/2001
Last Report Filed: 9/2/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: DINO CHOUEST
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 9/20/2001

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 8/26/2010

Officer(s)

Additional Officers: No

Officer: DIONNE C. AUSTIN
Title: Manager
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Officer: GARY CHOUEST
Title: Manager
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Mergers (1)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
12/30/2008	**12/30/2008**	**MERGE**	**35144818K**	**NAUTICAL VENTURES, L.L.C.**	**SURVIVOR**
			34543228K	CHOUEST OFFSHORE SERVICES, L.L.C.	NON-SURVIVOR

Amendments on File (3)

Description	Date
Restated Articles	12/16/2008
Merger	12/30/2008
Appointing, Change, or Resign of Officer	11/3/2010

Print

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State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
NORTH AMERICAN FABRICATORS, L.L.C.	Limited Liability Company	CUT OFF	Active

Business: NORTH AMERICAN FABRICATORS, L.L.C.
Charter Number: 34541107 K
Registration Date: 10/17/1996
State Of Origin:
Domicile Address
16201 EAST MAIN STREET
CUT OFF, LA 70345
Mailing Address
C/O DIONNE C. AUSTIN
P.O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 10/17/1996
Last Report Filed: 10/5/2011
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY J. CHOUEST
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 10/17/1996

Agent: DIONNE AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345
Appointment Date: 9/27/2010

Officer(s)

Additional Officers: No

Officer: GARY J. CHOUEST
Title: Member
Address 1: 16201 EAST MAIN STREET
City, State, Zip: CUT OFF, LA 70345

Amendments on File

No Amendments on file

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
NORTH AMERICAN SHIPBUILDING, L.L.C.	Limited Liability Company	GALLIANO	Active

Business: NORTH AMERICAN SHIPBUILDING, L.L.C.
Charter Number: 34546669 K
Registration Date: 12/24/1996
State Of Origin:
Domicile Address
16201 EAST MAIN
GALLIANO, LA 70354
Mailing Address
C/O DIONNE C. AUSTIN
P. O. BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 12/24/1996
Last Report Filed: 12/1/2010
Type: Limited Liability Company

Registered Agent(s)

Agent: GARY CHOUEST
Address 1: 16201 EAST MAIN
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/24/1996

Agent: DIONNE C. AUSTIN
Address 1: 16201 EAST MAIN STREET
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 12/1/2010

Officer(s)

Additional Officers: No

Officer: DINO CHOUEST
Title: Member
Address 1: 16201 E. MAIN ST.
City, State, Zip: GALLIANO, LA 70354

Officer: GARY J. CHOUEST
Title: Member
Address 1: 16201 E. MAIN ST.
City, State, Zip: GALLIANO, LA 70354

Mergers (2)

Filed Date	Effective Date:	Type	Charter#	Chater Name	Role
12/24/1996	**12/24/1996**	**MERGE**	**34546669K**	**NORTH AMERICAN SHIPBUILDING, L.L.C.**	**SURVIVOR**
			30525750D	NORTH AMERICAN SHIP BUILDING, INC.	NON-SURVIVOR
12/29/1999	**12/29/1999**	**MERGE**	**34546669K**	**NORTH AMERICAN SHIPBUILDING, L.L.C.**	**SURVIVOR**
			31926590D	OILFIELD WORKFORCE, INC.	NON-SURVIVOR

Amendments on File (2)

Description	Date
Merger	12/24/1996
Merger	12/29/1999

Print

Tom Schedler
Secretary of State

State of Louisiana
Secretary of State

COMMERCIAL DIVISION
225.925.[redacted]

Fax Numbers
225.932.[redacted] (Admin. Services)
225.932.[redacted] (Corporations)
225.932.[redacted] (UCC)

Name	Type	City	Status
OFFSHORE SUPPORT SERVICES, L.L.C.	Limited Liability Company	GALLIANO	Active

Business: OFFSHORE SUPPORT SERVICES, L.L.C.
Charter Number: 34704355 K
Registration Date: 11/4/1998
State Of Origin:
Domicile Address
16201 E. MAIN ST.
GALLIANO, LA 70354
Mailing Address
C/O DIONNE CHOUEST AUSTIN
P O BOX 310
GALLIANO, LA 70354

Status

Status: **Active**
Annual Report Status: **In Good Standing**
File Date: 11/4/1998
Last Report Filed: 11/4/2010
Type: Limited Liability Company

Registered Agent(s)

Agent: DIONNE CHOUEST AUSTIN
Address 1: 16201 E. MAIN ST.
City, State, Zip: GALLIANO, LA 70354
Appointment Date: 11/4/1998

Officer(s)

Additional Officers: No

Officer: DIONNE CHOUEST AUSTIN
Title: Member
Address 1: 16201 E. MAIN ST.
City, State, Zip: GALLIANO, LA 70354

Officer: DINO D. CHOUEST
Title: Member
Address 1: 16201 E. MAIN ST.
City, State, Zip: GALLIANO, LA 70354

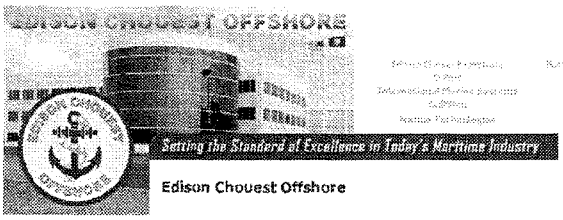
Officer: DAMON C. CHOUEST
Title: Member
Address 1: 16201 E. MAIN ST.
City, State, Zip: GALLIANO, LA 70354

Amendments on File

No Amendments on file

Print

EXHIBIT 9



Edison Chouest Offshore

Founded as Edison Chouest Boat Rentals in Galiano, Louisiana, in 1960, the Edison Chouest Offshore (ECO) family of companies is widely recognized today as one of the most diverse and dynamic marine transportation providers in the world. ECO's vast fleet of over 200 highly specialized new-generation service vessels, measuring up to 400 feet in length, serves a rapidly- growing customer base worldwide.

Staying on the forefront of new technologies is an integral part of the Chouest business plan, as evidenced by recent advances in the areas of subsea support, integrated bridge systems and global communications.

The ability to offer its customers a total marine solution -- incorporating design, construction and operation, as well as field development and field maintenance -- has made Edison Chouest Offshore an unrivaled leader in the maritime industry.

16201 East Main, Cut Off, LA 70345 - Phone: 985-601-[redacted] - Personnel Fax: 985-601-4237
An Equal Opportunity Employer M/F H/V
Copyright 2003 Offshore Service Vessels, LLC - All Rights Reserved

EXHIBIT 10

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2314 RAYBURN BUILDING
TELEPHONE 202-225-[redacted]

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

COMMITTEE ON
NATURAL RESOURCES

CHAIRMAN, SUBCOMMITTEE ON
INDIAN AND ALASKA NATIVE AFFAIRS

COMMITTEE ON
TRANSPORTATION & INFRASTRUCTURE

REPUBLICAN
POLICY COMMITTEE

July 6, 2011

Chairman Jo Bonner
Committee on Ethics
1015 Longworth Building
Washington, DC 20515

Dear Chairman Bonner,

I am writing today to request an opinion on recent donations made to the "Congressman Don Young Legal Expense Trust."

According to Page 4 of the Trust agreement, contributions are limited by the following:

> *6. Prohibited Contributions: The Trustee may not knowingly accept any gift or donation that is prohibited by or is in excess of the limits established by the Legal Expense Fund regulations issued by the House Committee on Standards of Official Conduct, or that is prohibited by any other laws, rules or regulations governing such contributions as interpreted by the House Committee on Standards of Official Conduct. In particular:*
>
> > *a. The Trust shall not knowingly accept more than $5000 in a calendar year from any individual of organization.*
> >
> > *b. The Trust shall not knowingly accept any contribution from a registered lobbyist or an agent of a foreign principal.*
> >
> > *c. The Trust shall not knowingly accept any pro bono legal service of a value of more than $5000 from any single source in any calendar year.*
> >
> > *If any prohibited contribution is inadvertently accepted, the Trustee shall as soon as practical after becoming aware of the prohibited nature of the contribution, return it in its entirety to the donor (if from a prohibited source) or return the excess of $5000 to the donor (if prohibited because of the amount).*

During the reporting period ending March 31, 2011 twelve contributions were made to the Trust by companies owned in Louisiana. Before the contributions were

VISIT OUR WEBSITE
HTTP://DONYOUNG.HOUSE.GOV

510 L STREET
SUITE 580
ANCHORAGE, ALASKA 99501
907-271-[redacted]

101 12TH AVENUE
BOX 10
FAIRBANKS, ALASKA 99701
907-456-[redacted]

612 W. WILLOUGHBY AVENUE, SUITE B
P.O. BOX 21247
JUNEAU, ALASKA 99802
907-586-[redacted]

805 FRONTAGE ROAD
SUITE 110
KENAI, ALASKA 99611
907-283-[redacted]

CALL TOLL-FREE
1-866-990-[redacted]

made the Trustee was asked if multiple companies owned by the same individual could legally donate to the Trust. In this particular case, the Trustee's opinion was that if the twelve companies in question were separate legal entities and operated under separate financial records that they could each make a legal donation to the Trust.

I believe the Trustee used her best legal judgment in this situation since the above rules do not speak to this specific question. I want to ensure that the Trust complies with all applicable House rules and would ask that the Committee provide me with an Advisory Decision on this matter. I appreciate your time and assistance and look forward to your response.

Sincerely,

DON YOUNG
Congressman for All Alaska

EXHIBIT 11

WELLS FARGO

PMA® Wells Fargo® PMA Package

Questions? Please contact us:

Wells Fargo Premier Banking Team℠
Available 24 hours a day, 7 days a week
Phone: **1-800-742-[redacted]**, *TTY:* 1-800-600-[redacted]
Spanish: 1-877-727-[redacted], *TTY:* 1-888-355-[redacted]
Chinese: 1-800-288-[redacted]

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A.
PO Box 6995
Portland, OR 97228-6995

CONG. DON YOUNG LEGAL EXPENSE FUND
GAIL SCHUBERT TTE
500 L ST STE 300
ANCHORAGE AK 99501-5910

March 31, 2011

Total assets:	**$95,488.44**
Last month:	$14,517.81
Change in $:	$80,970.63
Change in %:	557.73%
Total liabilities:	**$0.00**
Last month:	$0.00
Change in $:	$0.00
Change in %:	0.00%
PMA Qualifying Balance :	**$95,488.44**

Contents *Page*

Overview. 2
PMA® Prime Checking Account. 4

(560)
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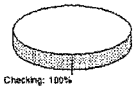
Overview of your PMA account

Assets

Account (Account Number)	Percent of total	Balance last month ($)	Balance this month ($)	Increase/ decrease ($)	Percent change
PMA® Prime Checking Account [redacted]	100%	14,517.81	95,488.44	80,970.63	557.73%
	Total assets	**$14,517.81**	**$95,488.44**	**$80,970.63**	**557.73%**

Total assetallocation (by account type)



Interest, dividends and other income

The information below should not be used for tax planning purposes.

Account	This month	This year
PMA® Prime Checking Account [redacted]	0.63	1.32
Total interest, dividends and other income	**$0.63**	**$1.32**

The "Overview of your PMA Account" section of your statement is provided for informational and convenience purposes. The Overview shows activity and information from (1) deposit, credit and trust accounts with Wells Fargo Bank, N.A., and (2) brokerage accounts with Wells Fargo Advisors, LLC, HD Vest Investment Services or Wells Fargo Advisors Financial Network, LLC (members SIPC); brokerage accounts are carried and cleared through First Clearing, LLC; (3) Wells Fargo Funds Management, LLC provides investment advisory and administrative services for Wells Fargo Advantage Funds; other affiliates provide subadvisory and other services for the Funds; and (4) insurance products offered through non-bank insurance agency affiliates of Wells Fargo & Company and underwritten by unaffiliated insurance companies.

Please see an important message on the last page of your statement that describes how Wells Fargo posts transactions to your account.

OVERVIEW OF YOUR PMA ACCOUNT (CONTINUED)

Important Wells Fargo ExpressSend Service Information

We would like to inform you about several recent changes to your Wells Fargo ExpressSend agreement(s) Terms and Conditions Section 10:

Effective immediately
- The maximum aggregate daily transfer limit for account and cash-based service agreements to all remittance network members in Mexico, El Salvador, Guatemala, Honduras, and Argentina is now $1,500 US dollars per day. The daily transfer limit for FAMSA in Mexico will continue at the Mexican peso equivalent for $1,000 US dollars per day.
- The maximum combined total daily amount that can be sent from all account and cash-based service agreements to all countries is now $5,000 US dollars per day.
- The maximum combined total amount that can be sent during any rolling 30-day period from all account and cash-based service agreements is now $12,500 US dollars.

If you have any questions please call 1-800-556-[redacted]. Thank you for using the ExpressSend service when sending money home.

WELLS FARGO

Speak with a banker about your retirement
Wells Fargo offers solutions and guidance to see you to and through retirement. Talk to one of our bankers to open an IRA, make your annual IRA contribution or roll over to an IRA. A banker will meet with you to look at where you are now, where you want to go, and how to get there.

PMA® Prime Checking Account

Activity summary

Balance on 3/1	14,517.81
Deposits/Additions	81,000.63
Withdrawals/Subtractions	- 30.00
Balance on 3/31	$95,488.44

Account number: [redacted]
CONG. DON YOUNG LEGALEXPENSEFUND
GAIL SCHUBERTTTE
Wells Fargo Bank, N.A., Alaska (Member FDIC)
Questions about your account: 1-800-742-[redacted]
Worksheet to balance your account and General Statement Policies can be found towards the end of this statement.

Interest you've earned

Interest earned this month	$0.63
Average collected balance this month	$14,812.32
Annual percentage yield earned	0.05%
Interest paid this year	$1.32
Total interest paid in 2010	$4.90

Transaction history

Date	Description	Check No.	Deposits/ Additions	Withdrawals/ Subtractions	Ending Daily Balance
Beginning balance on 3/1					14,517.81
3/3	PMA Monthly Service Fee			30.00	14,487.81
3/31	Deposit Made In A Branch/Store		35,000.00		
3/31	Deposit Made In A Branch/Store		30,000.00		
3/31	Deposit Made In A Branch/Store		16,000.00		
3/31	Interest Payment		0.63		95,488.44
Ending balance on 3/31					95,488.44
Totals			$81,000.63	$30.00	

AMENDMENT TO FUNDS AVAILABILITY POLICY
Starting on or about May 9, 2011, and ending on June 22, 2011 (subject to the location of the deposit transaction): We will increase the amount of funds made available to you if a hold is placed against your deposit. If a hold is placed, the first $200 of the deposit will be available to you on the first Business Day (second Business Day for certain Alaska deposits) after the day of your deposit. We will notify you if a hold is placed against your deposit and when the full amount of your deposit will become available.

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PMA ® PRIME CHECKING ACCOUNT (CONTINUED)

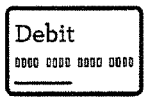
Enjoy Convenient Banking!

- One username and password for your Wells Fargo accounts
- Account Alerts for Wells Fargo checking, savings or CDs, ATM/debit card, credit card, mortgage, and brokerage accounts
- Customized Mobile Banking apps for smartphones including BlackBerry, iPhone, Palm, and Android-operated mobile devices*. Go to wf.com to download your app.

Every Online Banking customer automatically has free access to Mobile Banking**. Go directly to wf.com on your mobile device and sign on with your Online Banking username and password. Then take advantage of our optimized mobile website to transfer funds, pay bills and more.

Text Banking is available to all Wells Fargo customers - just sign up at wf.com/text. After you sign up, send a simple text request to 93557 (WELLS) to get your account information, including BAL for current account balances***, ACT for account activity and COM for a list of all text commands.

*iPhone is a trademark of Apple Inc., registered in the U.S. and other countries. The trademark BlackBerry is owned by Research In Motion Limited and is registered in the United States. Android is a trademark of Google, Inc., and its related companies. Motorola is registered in the US Patent & Trademark Office. Palm is a trademark of Palm, Inc.
**Text and Mobile Banking is free from Wells Fargo, but your mobile carrier's text messaging and web access charges may apply.
***This balance may not reflect all of your transactions, such as checks you have written or debit card transactions that have been approved but not yet submitted for payment by the merchant.



Track your daily spending online by using My Spending Report with Budget Watch – it's free and it can help you discover where to save. Visit wellsfargo.com/wfonline to learn how.

WELLS FARGO

Worksheet to balance your checking account

1. Go through your check register and mark each check (this includes cancelled, converted and substitute checks that may appear on your statement), withdrawal, ATM transaction, payment, deposit or other credit listed in the "Transaction history" section of your statement. Be sure your register shows any interest or dividends paid into your account and any service charges, automatic payments or transfers withdrawn from your account during this statement period.

2. Using the chart below, list any outstanding, converted or substitute checks, as well as any ATM withdrawals, payments or any other withdrawals (including any from previous months) which are listed in your register but are not shown on your statement.

3. Balance your account by filling in the spaces below.

✏ ENTER
[A] The pending balance shown on your statement $ _____

✏ ADD
[B] Any deposits listed in your register or transfers into your account which are not shown on your statement

$ _____
$ _____
$ _____
$ _____
$ _____ → $ _____

✏ CALCULATE SUBTOTAL
(Add parts [A] and [B]) $ _____

✏ SUBTRACT
[C] Total of outstanding checks and withdrawals from the chart at right - $ _____

✏ CALCULATE ENDING BALANCE
(Part [A] + Part [B] - Part [C])
This amount should be the same as the current balance shown in your check register. $ _____

Items outstanding		
Check number	Amount	
Total	$	

General statement policies for Wells Fargo Bank

■ **To dispute or report inaccuracies in information we have furnished to a Consumer Reporting Agency about your accounts.** You have the right to dispute the accuracy of information that Wells Fargo Bank, N.A. has furnished to a consumer reporting agency by writing to us at Wells Fargo Servicing, P.O. Box 14415, Des Moines, IA 50306-3415. Please describe the specific information that is inaccurate or in dispute and the basis for the dispute along with supporting documentation. If you believe the information furnished is the result of identity theft, please provide us with an identity theft report.

■ **Checking account information.** After balancing your checking account, **please report any differences to us as soon as possible** but **no later than within 30 days.** Special provisions, including a reporting period of up to 60 days, apply if the difference involves an electronic funds transfer. These provisions are explained below.

■ In case of errors or questions about your electronic transfers, telephone us at the number printed on the front of this statement or write us at Wells Fargo Bank, P.O. Box 6995, Portland, OR 97228-6995 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

1. Tell us your name and account number (if any).

2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.

3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

■ Deposit and loan products, including PMA Prime Checking accounts and PMA Checking accounts, offered by Wells Fargo Bank, N.A., Member FDIC.

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This message will clarify the way Wells Fargo posts transactions to your account and assesses Overdraft and Returned Item fees, as of May 16, 2011.

Wells Fargo posts transactions during our nightly processing each business day. Generally, we first post deposits or incoming transfers received before the deposit cut-off time that day. We then post your withdrawals (such as ATM, debit card or check transactions) that have been received for payment from your account. We pay some categories (or types) of transactions, such as debit card transactions, before other types of transactions, such as checks. If there are multiple transactions within a category, the order in which the transactions are posted will vary depending on the type of transaction.

For example, effective May 16, 2011, we will pay the most common types of transactions in the following order:

- ATM, debit card, Wells Fargo Online Bill Pay, account transfers, teller cashed checks and teller cash withdrawals - transactions will be sorted by the date the transaction was conducted. For a debit card transaction, if a merchant does not seek pre-authorization from the bank at the time of the transaction, we will use the date the transaction is received for payment from your account. For a Wells Fargo Online Bill Pay transaction, we will use the date that is the next business day following the "Send On" date. If there are multiple transactions on a date, those transactions will be sorted by time (where that information is available to our posting systems); the remaining transactions on that date will be sorted and paid from lowest to highest dollar amount.

- Checks and automatic payments (also known as ACH) - If there are multiple transactions, the transactions will be sorted and paid from highest to lowest dollar amount.

If you do not have sufficient available funds to cover a transaction, we will take one or more of the following actions: transfer available funds from any linked Overdraft Protection account(s); pay the transaction, creating an overdraft in your account; or return the transaction unpaid due to insufficient funds. Applicable Overdraft and Returned Item fees will post to your account the morning following our nightly processing.

In determining whether you have sufficient funds to cover a transaction, we will consider all transactions that have posted to your account, any holds that may be in place on deposits you have made, and pending transactions (such as pending debit card purchases or ATM withdrawals) that the bank has authorized but that have not yet posted to your account. Overdraft and/or Returned Item fees will ordinarily be assessed on posted transactions that exceed your available balance. (Overdraft fees will not apply to ATM and one-time debit card transactions that post against insufficient funds, unless you have enrolled in our Debit Card Overdraft Service).

If we receive multiple transactions within a category for payment and if we determine there are sufficient funds to pay one or more but not all of the transactions, then the number of transactions paid and the Overdraft and Returned Item fees assessed could be affected by the order that we choose to post those transactions. For example, if we post transactions in the order of highest to lowest dollar amount, this could result in more Overdraft and Returned Item fees than if we were to post the transactions in a different order.

42074

EXHIBIT 12

DYD1 DON YOUNG DEFENSE FUND Nautical Ventures, LLC 1/6/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	01/06/11	01/06/11	5,000.00	5,000.00		5,000.00

040457

DYD1 .DON YOUNG DEFENSE FUND C-Port 2, LLC 1/7/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	010711	01/07/11	5,000.00	5,000.00		5,000.00

110747

05810 DON YOUNG DEFENSE FUND North American Shipbuilding, LLC 1/6/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	01062011	01/06/11	5,000.00	5,000.00		5,000.00

091756

DYD1 DON YOUNG DEFENSE FUND Marine Technologies, LLC 1/6/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	1/6/2011	01/06/11	5,000.00	5,000.00		5,000.00

019128

DYD1 DON YOUNG DEFENSE FUND C-Port, LLC 1/7/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	010711	01/07/11	5,000.00	5,000.00		5,000.00

026187

DYD1 DON YOUNG DEFENSE FUND Alpha Marine Services, LLC 1/7/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	01-06-2011	01/06/11	5,000.00	5,000.00		5,000.00

DYD1 DON YOUND DEFENSE FUND Martin Holdings, LLC 1/7/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	010711	01/07/11	5,000.00	5,000.00		5,000.00

026933

DYD1 DON YOUNG DEFENSE FUND C-Innovation, LLC 1/6/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	1/6/2011	01/06/11	5,000.00	5,000.00		5,000.00

011813

DYD1 DON YOUNG DEFENSE FUND Nautical Solutions, LLC 1/6/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	01/06/11	01/06/11	5,000.00	5,000.00		5,000.00

022114

133

DYD1 DON YOUNG DEFENSE FUND Galliano Marine Service, LLC 1/6/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	DEFENSE FUND	01/06/11	5,000.00	5,000.00		5,000.00

532971

DYD1 DON YOUNG DEFENSE FUND Offshore Support Services, LLC 1/7/2011

Ref Nbr	Invoice Nbr	Invc Date	Invoice Amount	Amount Paid	Disc Taken	Net Check Amt
	010711	01/07/11	5,000.00	5,000.00		5,000.00

002373

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11-3175_0104

APPENDIX B

DON YOUNG
CONGRESSMAN FOR ALL ALASKA
WASHINGTON OFFICE
2314 RAYBURN BUILDING
TELEPHONE 202-225-5765

RECEIVED
2011 NOV -9 AM 11: 09
COMMITTEE ON ETHICS

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

COMMITTEE ON
NATURAL RESOURCES

CHAIRMAN, SUBCOMMITTEE ON
INDIAN AND ALASKA NATIVE AFFAIRS

COMMITTEE ON
TRANSPORTATION & INFRASTRUCTURE

REPUBLICAN
POLICY COMMITTEE

November 4, 2011

Chairman Jo Bonner
Committee on Ethics
1015 Longworth Building
Washington, DC 20515

Dear Chairman Bonner,

As laid out in the letter from the Committee dated October 25, 2011, I am providing you with a written response to the Office of Congressional Ethics (OCE) Report and Findings.

As I understand, the nature of the OCE review has to do with twelve contributions made to the Congressman Don Young Legal Expense Fund earlier this year. On October 13, 2011, OCE made a recommendation that the Committee further review this matter to determine whether these contributions exceeded the legal limit, which would be a violation of House rules.

The Congressman Don Young Legal Expense Fund was established in January 2008 and since then has raised a little more than $200,000. It is my understanding that there is roughly $95,000 left in this account. Some legal funds are very sophisticated in their operations and fundraising activities but that is not the case with mine. As you can see in the quarterly reports that were filed, there were some months where the fund raised money and then several months would pass by without any activity. During the almost four years the fund has been in existence there has been only one formal fundraising event which raised roughly $12,000 in the First Quarter of 2011. All of the other contributions were unsolicited donations from individuals and companies that wanted to help with my legal bills.

This January I traveled to Texas for a campaign fundraiser and it was during this trip that I also received contributions for my legal expense fund. Upon my return from Texas the checks for the Legal Expense Fund were mailed to the fund's Trustee in Anchorage for deposit. That is the extent of my involvement with these contributions. Like my campaign, I am not personally involved with the dollars and cents. I trust that those who are tasked with overseeing both my campaign and Legal Expense Fund operate within the rules and I believe in this case they did.

According to Page 4 of the Congressman Don Young Legal Expense Fund agreement, contributions are limited by the following:

VISIT OUR WEBSITE
HTTP://DONYOUNG.HOUSE.GOV

510 L STREET
SUITE 580
ANCHORAGE, ALASKA 99501
907-271-5678

101 12TH AVENUE
BOX 10
FAIRBANKS, ALASKA 99701
907-456-0210

612 W. WILLOUGHBY AVENUE, SUITE B
P.O. BOX 21247
JUNEAU, ALASKA 99802
907-586-7400

805 FRONTAGE ROAD
SUITE 110
KENAI, ALASKA 99611
907-283-7701

CALL TOLL-FREE
1-888-999-5979

6. Prohibited Contributions: The Trustee may not knowingly accept any gift or donation that is prohibited by or is in excess of the limits established by the Legal Expense Fund regulations issued by the House Committee on Standards of Official Conduct, or that is prohibited by any other laws, rules or regulations governing such contributions as interpreted by the House Committee on Standards of Official Conduct. In particular:

a. The Trust shall not knowingly accept more than $5000 in a calendar year from any individual of organization.

b. The Trust shall not knowingly accept any contribution from a registered lobbyist or an agent of a foreign principal.

c. The Trust shall not knowingly accept any pro bono legal service of a value of more than $5000 from any single source in any calendar year.

If any prohibited contribution is inadvertently accepted, the Trustee shall as soon as practical after becoming aware of the prohibited nature of the contribution, return it in its entirety to the donor (if from a prohibited source) or return the excess of $5000 to the donor (if prohibited because of the amount).

The Trustee was asked to interpret the rules as to whether multiple companies owned by the same individual could legally donate to the fund. Since the rules above do not specifically speak to this particular question, the Trustee's opinion was that if multiple companies in question were separate legal entities and operated under separate financial records that they could each make a legal donation to the fund. I believe the Trustee used her best legal judgment in this situation and believe that as the rules are written, these contributions are allowable. Moreover, these donations were publicly reported, as required by House rules, to the Ethics Committee and the Legislative Resource Center and every donation that has been made to my fund has been reported on my annual Financial Disclosure Report. I have never tried to hide any contribution and have not willfully or knowingly violated House rules.

If the Trustee had thought that any of these contributions were made in excess of the legal limit she would not have accepted them and she would have sought out additional guidance from the Committee. Since all donations are disclosed to the Committee on a quarterly basis it would seem that if there was an issue with any contributions made to the Legal Expense Fund, that the Committee would have brought this to my or the Trustee's attention at the time of disclosure. It was only after a news story ran that anyone paid any attention to these contributions. When it became clear that there was a question about the legitimacy of these contributions, I asked for an Advisory Opinion from the Committee to confirm that the fund did not violate House rules. To date, I am still waiting for a response to this inquiry.

At the time the contributions in question were received I believed that I still needed to raise funds. Currently I do not have nor expect to have any additional legal bills (assuming the Committee does not pursue this issue further) and as the above rules

indicate, I am prepared to return any funds that the Committee determines to be in violation of the contribution limit. With all that I have been through in the past few years I would not knowingly do or allow anything to be done on my behalf that would lead to an Ethics inquiry or violation of House rules. I look forward to a quick resolution of this OCE referral and for a response to my letter requesting an Advisory Opinion from the Committee.

Thank you for your time and consideration.

Sincerely,

Don Young

DON YOUNG
Congressman for All Alaska

APPENDIX C

LEGAL EXPENSE FUND REGULATIONS

Effective January 1, 2012

CHAPTER 1: ESTABLISHMENT OF LEGAL EXPENSE FUND TRUSTS

Regulation 1.1 – A Member, officer, or employee who wishes to solicit and/or receive donations for a Legal Expense Fund, in cash or in kind, to pay legal expenses shall obtain the prior written permission of the Committee on Ethics (Committee).[1]

Regulation 1.2 – The Committee shall grant permission to establish a Legal Expense Fund only where the legal expenses arise in connection with:

A. the individual's candidacy for, or election to, federal office;

B. the individual's official duties or position in Congress (including legal expenses incurred in connection with (i) an amicus brief filed in a Member's official capacity or (ii) matters before the Office of Congressional Ethics or Committee on Ethics);

C. a civil action filed in a Member's official capacity challenging the validity of a federal law or regulation;

D. a criminal prosecution of the Member, officer, or employee; or

E. a civil matter bearing on the individual's reputation or fitness for office.

Regulation 1.3 – The Committee shall not grant permission to establish a Legal Expense Fund where the legal expenses arise in connection with a matter that is primarily personal in nature (*e.g.*, a matrimonial action, personal injury claim, or personal contract dispute).

Regulation 1.4 – A Member, officer, or employee seeking to establish a trust (Trustor) must make a written request to the Committee that provides the name and contact information for the proposed Trustee, attaches a proposed trust document, and states the following:

A. the nature of the legal proceeding (or proceedings) which necessitate the establishment of such a trust fund;

B. that he or she will be bound by these Regulations; and

C. that although a Trustee will oversee the trust, that he or she bears ultimate responsibility for the proper administration of the trust.

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[1] Permission is not required to solicit and/or receive a donation in any amount from a relative or a donation of up to $250 from a personal friend, as defined by House Rule 25, cls. 5(a)(3)(C) and (D) and 5(a)(5).

Regulation 1.5 – No contribution shall be solicited for, or accepted by, a Legal Expense Fund prior to the Committee's written approval of the completed trust document (including the name of the Trustee) and its filing with the Legislative Resource Center of the Clerk of the House (B-106 Cannon House Office Building).

Regulation 1.6 – No amendment of the trust document is effective, and no successor or substitute Trustee may be appointed, without the Committee's written approval and the filing of the amended trust document with the Legislative Resource Center.

Regulation 1.7 – No Member, officer, or employee may establish and/or maintain more than one Legal Expense Fund at any one time.

CHAPTER 2: SELECTION AND DUTIES OF TRUSTEES

Regulation 2.1 – A Legal Expense Fund shall be set up as a trust, administered by an independent Trustee, who shall oversee fundraising for the trust.

Regulation 2.2 – The Trustee shall not have any family, business, or employment relationship with the Trustor within two years prior to the establishment of the trust or at any time while serving as Trustee. For example, any individual or institution serving as an employee of, or a consultant, attorney, or advisor to, a requesting Member's congressional or campaign offices, or private business may not serve as the Trustee. The Trustee shall not delegate any responsibilities of administering the trust to any person with any family, business, or employment relationship with the Trustor.

Regulation 2.3 – The Trustee shall provide an affidavit to the Committee, with a copy to the Clerk at the Legislative Resource Center, stating that the Trustee has read and understands the provisions of these Regulations governing the establishment, administration, and termination of a Legal Expense Fund, and that the Trustee consents to administer the trust in conformity with these Regulations and House Rules.

Regulation 2.4 – In addition to the duties imposed by any applicable state laws, the Trustee shall be responsible for the receipt of contributions to the trust; authorization of expenditures and disbursements from the trust; providing information to the Trustor so that the Trustor can file the reports required by Chapter 4 of these Regulations; and the performance of other tasks incident to the administration of the trust.

Regulation 2.5 – The Trustee must inform the Committee as soon as practicable of any change in his or her contact information.

CHAPTER 3: CONTRIBUTIONS AND USE OF FUNDS

Regulation 3.1 – Official resources may not be used to assist with fundraising for a Legal Expense Fund. As with any organization that is not a 501(c)(3) nonprofit, any Member, officer, or employee who wants to solicit funds in their personal capacity for the Legal Expense Fund

of another Member, officer, or employee must first seek written permission from the Committee.

Regulation 3.2 – Other than as specifically barred by law or regulation, a Legal Expense Fund may accept contributions from any individual or organization, including a corporation, labor union, or political action committee (PAC).

Regulation 3.3 – If the organization making the contribution is a partnership, limited liability company (LLC) that is not taxed as a corporation, or S corporation the contribution of the partnership, LLC, or S corporation will be attributed to the partnership, LLC, or S Corporation and to each partner, member, or shareholder in direct proportion to the partner, member, or shareholder's share of the organization's profits.

Regulation 3.4 – A Legal Expense Fund shall not accept any contribution from a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute, including the Lobbying Disclosure Act of 1995 (2 U.S.C. § 1601 *et seq.*) or an agent of a foreign principal registered under the Foreign Agents Registration Act (22 U.S.C. § 611 *et seq.).*

Regulation 3.5 – A Legal Expense Fund shall not accept more than $5,000 in a calendar year from any individual or organization.

Regulations 3.6 – The limitations and prohibitions on contributions in this Chapter apply to both contributions of funds and in-kind donations of goods or services. Any in-kind donation will be valued at its fair market value.

Regulation 3.7 – A Member, officer, or employee may accept *pro bono* legal assistance without limit only for the following purposes:

A. to file an amicus brief in his or her capacity as a Member of Congress;

B. to bring a civil action challenging the validity of any federal law or regulation; or

C. to bring a civil action challenging the lawfulness of an action of a federal agency, or an action of a federal official taken in an official capacity, provided that the action concerns a matter of public interest, rather than a matter that is personal in nature.

Regulation 3.8 – *Pro bono* legal assistance for other purposes shall be deemed a contribution, valued at fair market value, subject to the restrictions of these Regulations. For purposes of the annual contribution limit, a law firm and its partners and employees are considered one donor. If a law firm reaches the contribution limit, no partner or employee of the law firm may provide *pro bono* legal assistance individually.

Regulation 3.9 – Trust funds shall be used only for legal expenses (including reimbursement for previously paid legal expenses) related to those legal proceedings for which the Committee has given written permission for payment from the Legal Expense Fund (and expenses

incurred in soliciting for and administering the trust, and for the discharge of federal, state, and local tax liabilities, should any be deemed to exist, which are incurred as a result of the creation, operation, or administration of the trust), except that any excess funds shall be returned to contributors at the time of the trust's termination. Under no circumstances may the beneficiary of a Legal Expense Fund convert the funds to any other purpose.

A. Examples of common legal expenses include attorney and expert witness fees, copying costs, electronic discovery costs, court costs, costs related to depositions and interviews, and travel costs associated directly with the case.

B. Examples of common expenses relating to solicitation for the trust include costs for mailings, a Web site, or fundraisers.

C. Any costs associated with completing the quarterly report required under Chapter 4 of these Regulations are costs payable from the trust.

D. If the beneficiary is seeking to have an uncommon cost paid, either the beneficiary or the Trustee should seek the guidance of the Committee before payment.

Regulation 3.10 – The Trustor may choose to include present and former House staff as beneficiaries of the trust. The Trustor must seek written Committee permission to add any individual other than the Trustor as a beneficiary. The Trustor must receive written permission before any bill for House staff is paid. If the Committee grants permission, the Trustor must comply with the following guidelines:

A. Any staff person added as a beneficiary should avoid being represented by any counsel who simultaneously represents the Trustor, or counsel who is employed by the same law firm as any counsel who has been engaged to represent the Trustor. Should any staff member choose to be represented by the same counsel and/or law firm which represents the Trustor, the Committee requires that both parties execute a written agreement consenting to dual representation consistent with the ABA Model Rules.

B. While the Trustor, or the Trustor's attorney, may recommend a particular counsel to staff, trust funds may <u>only</u> be used to pay staff legal expenses if each staff member is free to engage counsel of the staff's own choosing, regardless of any such recommendation.

C. While the Trustor is not required to use trust funds to pay the legal expenses of every staff person requesting such reimbursement, to avoid any appearance of impropriety the Trustor should exercise caution and apply uniform standards in determining whose legal expenses to reimburse.

D. Any staff for whom the trust intends to pay legal expenses should be furnished with a copy of these Regulations by the Trustor and encouraged to contact the Committee with any questions or concerns regarding these Regulations.

Regulation 3.11 – The Committee may grant permission to establish a trust to pay for legal expenses incurred prior to the Member, officer, or employee seeking approval to establish a trust. The Member, officer, or employee should submit a written request to the Committee that details the amount, time period, and matters for which legal expenses are being sought, and an explanation for the delay in seeking permission to establish a trust to pay such expenses. The Committee will review the request and determine whether the use of a Legal Expense Fund to pay the expenses is appropriate.

Regulation 3.12 – All contributions to a Legal Expense Fund must be kept in a separate bank account established for that purpose. The funds must be segregated from, and may not be commingled with, the personal, political, or official funds of the Trustor, or the funds of any other individual or legal entity.

Regulation 3.13 – Contributions to a Legal Expense Fund are gifts under House Rule 25, clause 5. As such, any contribution (or group of contributions) in a calendar year totaling more than the minimal value as established by Foreign Gifts and Decorations Act, 5 U.S.C. § 7342(a)(5), must be disclosed in the Trustor's annual Financial Disclosure Statement. The dollar amount of the minimum value is provided on the Committee Web Site, in the Financial Disclosure Instruction Manual, and on the annual Financial Disclosure form, or may be obtained by contacting the Committee.

CHAPTER 4: DISCLOSURE AND REPORTING REQUIREMENTS

Regulation 4.1 – Within one week of the Committee's approval of the trust document, the Trustor shall file a copy of the trust document with the Legislative Resource Center, B-106 CHOB, for public disclosure.

Regulation 4.2 – The Trustor of a Legal Expense Fund shall also report the following information to the Committee on a quarterly basis:

A. any contribution from a corporation, partnership, LLC, or labor union;

B. any contribution (or group of contributions) exceeding $250 in a calendar year from any other single source;

C. any expenditure (or group of expenditures) from the Legal Expense Fund exceeding $250 in a calendar year to any single payee, directly or indirectly; and

D. The names of any staff members whose legal expenses are paid by the Legal Expense Fund.

Regulation 4.3 – Any Member, officer, or employee accepting *pro bono* legal services pursuant to Regulation 3.6 must report the fair market value of the services provided on the quarterly report.

Regulation 4.4 – The quarterly reports shall state the full name and street address of each donor, contributor, or recipient required to be disclosed. For donations from partnerships, LLCs, and S corporations, the report shall state the full name and address of the partnership, LLC, or S corporation and the full names and addresses of the partners, members, or shareholders of the partnership, LLC, or S corporation and the amount of the contribution attributed to each partner, member, or shareholder. For pro bono services, the report must identify both the names of the individual attorneys who provide the services and the name of the law firm. For recipients, the report shall also state the purpose of the payment.

Regulation 4.5 – The original signed copy of each quarterly report must be filed with the Committee and a copy shall be filed for public disclosure at the Legislative Resource Center.

Regulation 4.6 – The quarterly reports shall be due as follows:

Reporting Period	Due Date
January 1 to March 31	April 30
April 1 to June 30	July 30
July 1 to September 30	October 30
October 1 to December 31	January 30

Should the filing date fall on a Saturday, Sunday, or holiday, the next succeeding business day shall be deemed the due date.

Regulation 4.7 – The Trustor must file quarterly reports until the trust has been terminated, as described in Chapter 5, or the Trustor files a final departing Trustor report under these Regulations, whichever occurs first.

Regulation 4.8 – If the Trustor is departing office or leaving House employment, the Trustor must file a final departing Trustor report no later than the first due date following the end of the Trustor's congressional service which contains the following:

A. a report of contributions received and expenditures made pursuant to these Regulations covering the period between the last-filed quarterly report and the date the Trustor departed office or left House employment; and

B. a statement as to whether the trust will be terminated or remain in force upon the Trustor departing office or left House employment.

Regulation 4.9 – All documents filed pursuant to these Regulations shall be available at the Legislative Resource Center for public inspection and copying. Any person requesting such documents shall be required to pay a reasonable fee to cover the cost of reproduction.

CHAPTER 5: USE OF OFFICIAL RESOURCES

Regulation 5.1 – Members and employees may not use official resources for any work related to a Legal Expense Fund if the Legal Expense Fund was created for the purpose stated in Regulation 1.2 (A) (an individual's candidacy or election to office, including redistricting) or (E) (a civil matter bearing on the individual's reputation and fitness for office).

Regulation 5.2 – Members should consult with the Committee before using any official resources for work related to the Member's Legal Expense Fund if the Legal Expense Fund was created for purpose stated in Regulation 1.2 (D) (a criminal prosecution of the Trustor).

Regulation 5.3 – Members may use official resources for any work related to a Legal Expense Fund if the Legal Expense Fund was created for the purpose stated in Regulation 1.2 (B) (the Trustor's official position in office) or (C) (a civil matter filed in the Member's official capacity challenging a federal law or regulation).

CHAPTER 6: TERMINATION OF TRUSTS

Regulation 6.1 – A trust may only be terminated by the Trustee according to the terms of the trust at the earlier of: (A) the end of the time period for which the trust was established; (B) the purpose of the trust is fulfilled or no longer exists; (C) at the direction of the Trustor; or (D) at the direction the Committee for noncompliance with these Regulations.

Regulation 6.2 – Within 90 days of the termination of the trust, the Trustee must distribute any remaining funds or assets to contributors of the trust on a *pro rata* basis as determined by the Trustee or donated to one or more organizations described in § 501(c)(3) of the Internal Revenue Code of 1954 and exempt from taxation under § 501(a) thereof. The Trustor must receive written approval from the Committee of the 501(c)(3) organization(s) to which the Trustor wishes to donate the excess funds prior to making any such donations. Funds from a Legal Expense Fund may not be donated to an organization that was established or is controlled by the Trustor.

Regulation 6.3 – After a trust has been terminated, the Trustor must file a final quarterly report of contributions received and expenditures made pursuant to these Regulations covering the period between the last filed quarterly report and the date the trust was terminated. In addition, the final report must contain a statement certifying that any remaining funds were distributed to contributors pursuant to these Regulations.

CHAPTER 7: COMMITTEE ENFORCEMENT

Regulation 7.1 – The Committee shall monitor the activities of any Legal Expense Fund established pursuant to these Regulations, and may direct specific remedial actions, or that an audit be made of such trust when, in the judgment of the Committee or Chairman and Ranking Member there is reason to believe that the trust is being improperly administered, or for other good cause.

Regulation 7.2 – Upon a determination by the Committee or Chairman and Ranking Member that an audit of a trust should be made, the Committee shall select a qualified auditor to examine the records of such a trust. The expense of an audit performed at the direction of the Committee shall be borne by the Committee.

Regulation 7.3 – Upon a finding by the Committee or Chairman and Ranking Member that the trust is being improperly administered, if the Trustor and/or the Trustee fail to comply with these Regulations or the trust agreement, or for other good cause, the Committee or Chairman and Ranking Member may direct that the trust be terminated and that the funds be distributed in accordance with the provisions in Chapter 5. The Committee shall notify the Trustor in writing and a copy shall be provided to the Legislative Resource Center for public disclosure.

Regulation 7.4 – Upon a finding by the Committee that a trust has been improperly administered, or that these Regulations have been otherwise violated, the Committee may recommend disciplinary action to be taken in accordance with House Rules and the Rules of the Committee.

CHAPTER 8: CONFORMING EXISTING TRUSTS

Regulation 8.1 – Any Member, officer, or employee who established a Legal Expense Fund prior to January 1, 2012, shall make any necessary modifications to the trust document to bring it in compliance with these Regulations and shall disclose the amended trust document with his or her quarterly report due on January 30, 2012.

Regulation 8.2 – No later than January 30, 2012, the Trustee for an existing trust shall provide an affidavit to the Committee, with a copy to the Clerk at the Legislative Resource Center, stating that the Trustee has read and understands the provisions of these Regulations governing the establishment, administration, and termination of a Legal Expense Fund, and that the Trustee consents to administer the trust in conformity with these Regulations and House Rules by January 30, 2012.

O