111TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REVIEW NO.
10–1170

OFFICE OF CONGRESSIONAL ETHICS UNITED STATES HOUSE OF REPRESENTATIVES

Report and Findings

Transmitted to the
Committee on Standards of Official Conduct
on July 30, 2010
and released publicly pursuant to H. Res. 895 of the
110th Congress as amended

July 2010

AUTHENTICATED
U.S. GOVERNMENT
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OFFICE OF

CONGRESSIONAL ETHICS

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REPORT

Review No. 10–1170

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

SUBJECT: Representative Solomon P. Ortiz

NATURE OF THE ALLEGED VIOLATION: During the time period from March 2008 to May 2010, Representative Solomon P. Ortiz participated in various Congressional Delegation trips abroad. These public statements attributed to Representative Ortiz indicate that he may have retained excess per diems that he received during the trips.

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

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

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

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

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FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 10–1170

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

I. INTRODUCTION

1. The Rules of the 111th Congress were adopted by the U.S. House of Representatives on January 6, 2009. Rule 10, clause 8, provides that House Members and staff on official foreign travel receive reimbursement for their official expenses at the lesser of (1) the applicable per diem; or (2) the actual expenses incurred. The Rules of the 110th Congress included the identical provision.[1] By this rule, Members of the House imposed on themselves a requirement that per diem in excess of actual expenses is to be returned. The Speaker of the House recently underscored this requirement and restated the rule that "[a]ny per diem provided to members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury. . . ."[2]

2. During this Review, various committees which authorize foreign travel and the U.S. Department of State all informed the Office of Congressional Ethics ("OCE") that many Members and staff use per diem properly, comply with the rule and return excess per diem. The House Committee on Foreign Affairs, the House Committee on Armed Services, the Commission Security and Cooperation in Europe, and the Bureau of Legislative Affairs of the U.S. Department of State each has staff responsible for collecting and recording the return of excess per diem from Members and staff. According to the officials, Members and staff routinely return excess per diem to these entities.[3]

3. Notwithstanding the rule and the compliance by many Members and staff, several Members claimed that it is common practice by some to use per diem for purposes other than official expenses and to retain excess per diem. While this practice may seem to be

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

[2] Letter from the Speaker of the House to House Committee Chairmen, dated May 13, 2010 (Exhibit 1 at 10–1170_002).

[3] Memorandum of Interview of Commission on Security and Cooperation in Europe Office Manager, June 3, 2010 (Exhibit 2 at 10–5477_006); Memorandum of Interview of House Committee on Foreign Affairs Travel Coordinator, June 2, 2010 (Exhibit 3 at 10–5477_009); and Memorandum of Interview of House Armed Services Committee Travel Coordinator, June 8, 2010 (Exhibit 4 at 10–5477_014).

consistent with the rationale for a per diem approach to covering travel expenses without need for itemized accounting, it nonetheless appears to be contrary to the rule the House adopted and with which many Members evidently do comply. The Board determined that fairness dictates upholding the standard stated in the rule and adhered to by many, rather than excusing a practice of noncompliance, however pervasive.

4. Representative Ortiz acknowledged publically before the commencement of the OCE's Review that he did not return per diem.[4] During the Review, he acknowledged that he used per diem for expenses other than meals and incidentals, indicating that he had excess per diem.[5]

A. SUMMARY OF ALLEGATIONS

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

B. JURISDICTIONAL STATEMENT

6. The allegations that were the subject of this Review concern Representative Ortiz, a Member of the United State House of Representatives from the 27th District of Texas. The Resolution the United States House of Representatives adopted creating the OCE directs that, "[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution." The House adopted this Resolution on March 11, 2008. Therefore, the conduct under Review occurred after March 11, 2008.

C. PROCEDURAL HISTORY

7. The OCE received a written request for a preliminary Review in this matter signed by at least two members of the Board on April 12, 2010. The preliminary Review commenced on April 13, 2010.[6] The preliminary Review was scheduled to end on May 13, 2010.

8. At least three members of the Board voted to initiate a second-phase Review in this matter on May 11, 2010. The second phase Review commenced on May 14, 2010.[7] The second-phase Review was scheduled to end on June 28, 2010.

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[4] Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.,* March 2, 2010 (Exhibit 5 at 10–1170_017).

[5] Memorandum of Interview of Representative Solomon Ortiz, June 15, 2010 ("Ortiz MOI") (Exhibit 5 at 10–1170_022).

[6] A preliminary Review is "requested" in writing by members of the Board of the OCE. The request for a preliminary Review is "received" by the OCE on a date certain. According to H. Res. 895 of the 110th Congress (hereafter "the Resolution'), the timeframe for conducting a preliminary Review is 30 days from the date of receipt of the Board's request.

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

9. The Board voted to extend the 45-day second-phase Review by an additional 14 days on June 21, 2010, as provided for under H. Res 895. Following the extension, the second-phase Review was scheduled to end on July 12, 2010.[8]

10. Representative Ortiz submitted a written statement to the Board, under Rule 9(B) of the OCE's Rules for the Conduct of Investigations, on July 21, 2010.[9]

11. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further Review and adopted these findings on July 23, 2010.

12. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on July 30, 2010.

D. SUMMARY OF INVESTIGATIVE ACTIVITY

13. The OCE requested documentary and testimonial information from the following sources:

(1) Representative Ortiz;
(2) House Committee on Armed Services;
(3) House Committee on Armed Services Travel Coordinator;
(4) House Committee on Foreign Affairs;
(5) House Committee on Foreign Affairs Travel Coordinator;
(6) Commission on Security and Cooperation in Europe ("CSCE");
(7) CSCE Office Manager;
(8) Bureau of Legislative Affairs of the United States Department of State; and
(9) United States Air Force Congressional Liaison Office.

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

14. The Board recognizes that the per diem rule contained in House Rule 10, clause 8 is under the jurisdiction of the House Committee on Rules.

15. Based on the facts presented before the Board, the allegations in this Review also implicate House Rule 23, clauses 1 and 2, which are under the jurisdiction of the Committee on Standards of Official Conduct.

16. Regardless of which committee the House determines to appropriately address these issues, the OCE has jurisdiction to Review alleged violations of "any law, rule, regulation, or other standard of conduct applicable to the conduct of [a] Member, officer, or employee in the performance of his duties or the discharge of his responsibilities."[10]

A. APPLICABLE LAW, RULES, AND STANDARDS OF CONDUCT

1. HOUSE RULES

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

[8] *Id.* at § 1(c)(2)(A)(ii) (2008).
[9] Letter from Solomon P. Ortiz to Leo Wise ("Ortiz Letter), dated July 21, 2010 (Exhibit 7 at 10–1170__024–025).
[10] H. Res. 895 of the 110th Congress, as amended, Section 1(c)(1)(A).

"The following conditions shall apply with respect to travel outside the United States or its territories or possessions . . . (2) A member or employee shall be reimbursed for the expenses of such individual for a day at the lesser of—
(A) the per diem set forth in applicable Federal law; or
(B) the actual, unreimbursed expenses (other than for transportation) incurred during that day."
18. Pursuant to House Rule 23, clause 2:
"A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof."
19. Pursuant to House Rule 23, clause 1:
"A Member, Delegate, Resident Commissioner, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect credibility on the House."

2. FEDERAL TRAVEL REGULATION AND OTHER GUIDANCE

20. House Rule 10, clause 8(b), incorporates by reference Federal law governing the use of per diem. Specifically, Public Law 95–384 governs per diem provided to congressional travelers. Per diem rates are established under 5 U.S.C. § 5702 and the Federal Travel Regulation, 41 C.F.R. chs. 300–304.

21. The "per diem allowance (also referred to as subsistence allowance) is a daily payment instead of reimbursement for actual expenses for ***lodging, meals, and related incidental expenses.*** *The per diem allowance is separate from transportation expenses and other miscellaneous expenses."* [11]

22. Lodging expenses include "expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters, and fires furnished in the room when such charges are not included in the room rate." [12]

23. Meal expenses are "expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons)." [13]

24. Incidental expenses are "(1) Fees and tips given to porters, baggage carriers, bellhops, hotel maids, stewards or stewardesses and others on ships, and hotel servants in foreign countries; (2) Transportation between places of lodging or business and places where meals are taken, if suitable meals cannot be obtained at the TDY site; and (3) Mailing cost associated with filing travel vouchers and payment of Government sponsored charge card billings." [14]

25. "Per Diem consists of two components: the lodging rate and the M&IE. Per diem rates are established by the Department of State for foreign cities. The foreign per diem rates are established monthly by the Department of State based on actual reported costs of hotel, meals and incidental expenses in individual cities around the world. Therefore, routine expenses are usually well within the

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[11] *41 C.F.R. § 300–3.1 (emphasis added).*
[12] *Id.*
[13] *Id.*
[14] *Id.*

per diem rates and it is sufficient to authorize per diem payments based on those rates." [15]

26. Under the Federal Travel Regulation, the allocation of meals and incidental expenses ("M&IE") rates that is used in making deductions from the M&IE are as follows: 15% for breakfast, 25% for lunch, 40% for dinner, and the remainder for incidental expenses. For example, if the M&IE for a specific city was $100 per day, it was allocated as $15 for breakfast, $25 for lunch, $40 for dinner, and $20 for incidental expenses. [16]

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

Questions and Answers

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

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

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

28. The House has adopted a general rule for all committees that per diem allowance (the set rates) in excess of actual expenses may not be retained. [17]

B. REPRESENTATIVE ORTIZ MADE PUBLIC STATEMENTS INDICATING THAT HE MAY HAVE RETAINED EXCESS PER DIEM

29. On March 2, 2010, the *Wall Street Journal* published an article entitled "Lawmakers Keep the Change." [18]

30. Statements attributed to Representative Ortiz indicate that he may have retained excess per diem that he received during the CODELs.

31. According to the article: "Mr. Ortiz, said he never returned any money." [19]

32. During an interview with OCE, Representative Ortiz confirmed that he never returned any excess per diem.

C. REPRESENTATIVE ORTIZ'S USE OF PER DIEM FOR EXPENSES OTHER THAN MEAL AND INCIDENTAL EXPENSES PROVIDES SUBSTANTIAL REASON TO BELIEVE THAT HE HAD EXCESS PER DIEM AND HE DID NOT RETURN EXCESS PER DIEM

33. Representative Ortiz told the OCE that he is not sure if he had any excess per diem, but if he did it was a small amount. [20]

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[15] *United States Department of State Bureau of Legislative Affairs, Official Foreign Travel Guide for the U.S. Congress. (Exhibit 8 at10–1170 __045).*

[16] *41 C.F.R. ch. 301, App. B.*

[17] *House Rule 10, clause 8.*

[18] Brody Mullins and T.W. Farnam, "Lawmakers Keep the Change," *Wall St. J.,* March 2, 2010 (Exhibit 5 at 10–1170__017).

[19] *Id.*

[20] Ortiz MOI (Exhibit 6 at 10–1170__022).

34. In instances where he returned to the U.S. with excess per diem, he used it for expenses such as providing meals to his staff.[21]

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

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

D. ESTIMATES OF REPRESENTATIVE ORTIZ'S MEAL AND INCIDENTAL EXPENSES PROVIDE SUBSTANTIAL REASON TO BELIEVE THAT HIS EXCESS PER DIEM WAS MORE THAN A DE MINIMIS *AMOUNT FOR CERTAIN CODELS*

37. Representative Ortiz told the OCE that he did not maintain a complete record of expenses that he incurred on CODELs that he attended during the time period from March 2008 to May 2010.[22]

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

39. Consequently, the OCE used an estimate of expenses to determine whether it appeared that Representative Ortiz retained excess per diem that was more than a *de minimis* amount.

40. The OCE Board notes that the sole purpose of the estimated meal and incidental expenses is to determine if there is substantial reason to believe that the Member had excess per diem that was more than a *de minimis* amount. The estimates are not intended to be used to conclude the exact amount of any excess per diem that the Member may have retained.

41. If an estimate is not used, a House Member or staff could impede the enforcement of Rule 10, clause 8, by simply not maintaining any records of his or her actual expenses.

42. Representative Ortiz's description of his typical meal and incidental expenses provides the basis for estimating his expenses.

43. Representative Ortiz's meals during CODELs falls into the following three categories:

(a) meals that were provided to him at no charge. Representative Ortiz stated that there are days when no such meals are provided:[23]

(b) meals that were paid for by military personnel escorting the CODEL purchased and later sought reimbursement from Representative Ortiz. Most meals were purchased in this manner. These are the meals where multiple Members of Congress and staff attend and the military escort (*e.g.,* U.S. Air Force official) paid for the dinner on behalf of all participants and then sent an invoice to each person for their portion of the bill. Occasionally, Representative Ortiz reimbursed the escort with per diem while on the return flight to the U.S:[24] and

(c) meals that Representative Ortiz directly pays for himself.[25]

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[21] *Id.*
[22] Ortiz Letter (Exhibit 7 at 10–1170__022).
[23] *Id.*
[24] *Id.*
[25] *Id.*

44. With respect to incidental expenses, Representative Ortiz used per diem for taxis, however, he noted that sometimes ground transportation was provided at no cost to him. He also used the per diem for tips.[26]

45. As a result, the invoice received from the military escorts for each CODEL, along with the itinerary of meals that were provided at no charge to Representative Ortiz, provided an estimate of his meal expenses other than occasional evening meals that he purchased directly himself.

E. REPRESENTATIVE ORTIZ DID NOT RETURN ANY EXCESS PER DIEM FOR MEALS AND INCIDENTAL EXPENSES

46. Representative Ortiz does not recall any instance of him returning excess per diem to the U.S. Treasury.[27]

47. He does not recall anyone instructing him to return excess per diem.[28]

48. Procedures were in place at the time of Representative Ortiz's travel for him to return any excess per diem.

49. All of the relevant CODELs were organized by the House Armed Services Committee, except for CODEL Costello.

50. The House Armed Services Committee Travel Coordinator, who is responsible for reporting the amount of per diem that Members received, explained that those attending CODELs are highly encouraged to return excess per diem. The Committee does not have any written guidance but orally instructs Members and staff to return excess per diem to the U.S. Treasury.[29]

51. There is substantial reason to believe that Representative Ortiz had excess per diem for certain CODELs and he did not return per diem, even when there were procedures in place for him to return the per diem.

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

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[26] *Id.* at 10–1170__021.
[27] *Id.* at 10–1170__022.
[28] *Id.*
[29] Memorandum of Interview of House Armed Services Travel Coordinator, June 8, 2010. (Exhibit 4 at 10–1170__013).

1. CODEL SKELTON

Summary of Estimated Excess Per Diem				
CODEL	**DATE**	**M&IE** Per Diem [30]	**Estimated** Expenses [31]	**Estimated** Excess Per Diem
CODEL Skelton to Hawaii, Guam, Japan, and South Korea	Feb 18 to Feb 21, 2009	$365.00	≅ $264.00	≅ **$101.00**
CODEL Schiff to Jordan, Tunisia, and Algeria	Jun 27 to Jul 3, 2009	$668.00	≅ $449.00	≅ **$219.00**
CODEL Costello to Brazil, Argentina, and Panama	Jan 29 to Feb 3, 2009	$485.00	≅ $299.00	≅ **$186.00**
Total		$1,518.00	≅ 1,012.00	≅ **506.00**

53. During CODEL Skelton to Hawaii, Guam, Japan, and South Korea, Representative Ortiz received enhanced per diem for meals and incidental expenses in the amount of $365.00. [32]

54. According to the CODEL itinerary, at least five meals appear to have been provided at no cost to the Representatives who attended the CODEL. [33]

55. Representative Ortiz's meal and incidental expenses that were incurred are estimated on the Federal Travel Regulations allocation formula. [34]

56. The estimated amount of meals and incidental expenses is $264.00.

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

[31] Estimated expenses were calculated using 41 C.F.R. § 301, Appendix B, which allocates rates to be used when making deductions from the M&IE allowance. The table under Appendix B indicates, based on the M&IE rate, how much is expected to be allocated for breakfast, lunch, dinner, and incidentals.

[32] *See* Itinerary for CODEL Skelton (February 18 to February 21, 2009) (Exhibit 9 at 10–1170_048–073); monthly per diem rates established by the Office of Allowances, United States Department of State <available at *http://aoprals.state.gov/web920/per*_diem.asp>.

[33] Itinerary for CODEL Skelton (February 18 to February 21, 2009) (Exhibit 9 at 10–1170_048–073); and

[34] 41 C.F.R. ch. 301 App. B.

57. Accordingly, the estimated excess per diem is $101.00.

Codel Skelton to Hawaii, Guam, Japan, and South Korea (February 18 to February 21, 2009)				
Meals & Incidentals	**Feb 18**	**Feb 19**	**Feb 20**	**Feb 21**
Breakfast	Hosted	Hosted	≅ $19	≅ $15
Lunch	≅ $30	Hosted	≅ $31	≅ $31
Dinner	Hosted	Hosted	≅ $20	≅ $20
Incidentals	≅ $24	≅ $24	≅ $25	≅ $25
M&IE Received				$365.00
Estimated for M&IE				≅ $264.00
Remaining				≅ $101.00

58. Representative Ortiz told the OCE that he did not return any per diem for this CODEL.

59. There is substantial reason to believe that Representative Ortiz had excess per diem for CODEL Skelton that he did not return to the U.S. Treasury.

2. CODEL SCHIFF

60. During CODEL Schiff to Jordan, Tunisia, and Algeria Representative Ortiz received an enhanced per diem for M&IE in the amount of $668.00.[35]

61. According to the itinerary for CODEL Schiff, at least six meals appear to have been provided at no cost to Representatives who participated in the seven-day trip.[36]

62. Following the CODEL, Representative Ortiz owed the military escort $103.40, for meals and other expenses that were incurred on behalf of Representative Ortiz.[37]

[35] *See* Travel Voucher for CODEL Schiff (Exhibit 10 at 10–1170__075); Itinerary for CODEL Schiff (June 27 to July 3, 2009) (Exhibit 11 at 10–1170__077–081); and monthly per diem rates established by the Office of Allowances, United States Department of State <available at *http://aoprals.state.gov/web920/per__diem.asp*>.

[36] Itinerary for CODEL Schiff (June 27 to July 3, 2009) (Exhibit 11 at 10–1170__071–081).

[37] Letter from Colonel David Furness to Representative Solomon Ortiz, dated July 10, 2009 (Exhibit 12 at 10–1170__083).

63. An invoice was sent to Representative Ortiz, dated July 10, 2009.

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:
1000
DJF
10 JUL 2009

David

Dear Congressman Ortiz,

It was an honor and a pleasure to have the opportunity to serve as your Marine escort during the recent trip to Jordan, Algeria and Tunisia. I hope this letter finds you well rested and recovered from our journey.

During the trip, I was able to able to determine the cost of various dinners, room charges, etc for you. These costs and payment break down is as follows:

Meals on the Plane	$28.00
Box Lunch – Petra	$22.00
Lunch – Jerash	$43.40
Wreath at N. African Cemetery	$10.00
Remaining Balance	$103.40

Please make out a check for the amount indicated above, payable to:

David J. Furness

I can pick up the check at your convenience, or your staff can bring it to my office in B-324 Rayburn. I respectfully request that payment be submitted within 5 business days of receipt. I have a detailed cost breakdown and copies of the receipts that were factored into these totals. Should you desire, we can go over them at your convenience. I can be reached at 202-225-[redacted].

Again, I appreciated the opportunity to travel with you, and look forward to escorting you again on future delegations.

Semper Fidelis

DAVID FURNESS
Colonel, U.S. Marine Corps

64. The amount of M&IE per diem remaining after the billed meal expenses is $565.00.

65. Representative Ortiz may have incurred incidental expenses in addition to those in the Air Force expenses sheet. These expenses are estimated on the Federal Travel Regulations allocation formula.[38]

66. The estimated amount of additional incidental expenses is $346.00.

[38] 41 C.F.R. ch. 301 App. B.

67. Accordingly, the estimated excess per diem is $219.00.

Codel Schiff to Jordan, Tunisia, and Algeria (June 27 to July 3, 2009)							
Meals & Incidentals	**Jun 27**	**Jun 28**	**Jun 29**	**Jun 30**	**Jul 1**	**Jul 2**	**Jul 3**
Breakfast	Billed	≅ $19	≅ $19	≅ $15	≅ $14	≅ $14	$0.00
Lunch	Billed	≅ $32	Billed	≅ $25	Hosted	≅ $24	Billed
Dinner	Hosted	≅ $51	Hosted	Hosted	Hosted	Hosted	Billed
Incidentals	≅ $25	≅ $25	≅ $26	≅ $19	≅ $19	≅ $19	$0.00
M&IE Received							$668.00
Billed							$103.40
Estimated M&IE							≅ $346.00
Estimated Excess Per Diem							≅ **$219.00**

68. Representative Ortiz told the OCE that he did not return any per diem for this CODEL.

69. There is substantial reason to believe that Representative Ortiz had excess per diem for CODEL Schiff that he did not return to the U.S. Treasury.

3. CODEL COSTELLO

70. During CODEL Costello to Brazil, Argentina, and Panama, Representative Ortiz received per diem for M&IE in the amount of $485.00.[39]

71. According, to the CODEL itinerary, at least nine meals appear to have been provided at no cost to Representatives who attended the CODEL.[40]

72. Representative Ortiz's meal and incidental expenses that were incurred are estimated on the Federal Travel Regulations allocation formula.[41]

73. The estimated amount of meals and incidental expenses is $299.00.

[39] *See* Itinerary for Codel Costello (January 29 to February 3, 2009) (Exhibit 13 at 10–1170__085–094); monthly per diem rates established by the Office of Allowances, United States Department of State <available at *http://aoprals.state.gov/web920/per__diem.asp*>.

[40] Itinerary for Codel Costello (January 29 to February 3, 2009) (Exhibit 13 at 10–1170__085–094).

[41] 41 C.F.R. ch. 301 App. B.

74. Accordingly, the estimated excess per diem is $186.00.

Codel Costello to Brazil, Argentina, and Panama (January 29 to February 3, 2009)							
Meals & Incidentals	**Jan 27**	**Jan 28**	**Jan 29**	**Jan 30**	**Feb 1**	**Feb 2**	**Feb 3**
Breakfast	---	Billed	Hosted	Hosted	Hosted	≅ $14	Hosted
Lunch	---	Hosted	Hosted	Hosted	≅ $24	≅ $24	---
Dinner	Hosted	Hosted	≅ $41	$60*	Hosted	≅ $39	---
Incidentals	$0.00	≅ $17	≅ $21	≅ $21	≅ $19	≅ $19	$0.00
M&IE Received							$485.00
Estimated M&IE							≅ $299.00
Estimated Excess Per Diem							≅ $186.00

75. Representative Ortiz told the OCE that he did not return any per diem for this CODEL.

76. There is substantial reason to believe that Representative Ortiz had excess per diem for CODEL Costello that he did not return to the U.S. Treasury.

III. CONCLUSION

77. Pursuant to House Rule 10, clause 8, House Members imposed on themselves a restriction on the use of per diem for foreign travel. Specifically, House Members and staff may receive reimbursement for expenses that is *the lesser of:* (1) the applicable per diem; or (2) actual expenses.

78. Pursuant to House Rule 23, clause 2, House Members must adhere to the spirit and the letter of the rules. Accordingly, House Rule 10, clause 8, requires the return to the U.S. Treasury of any per diem that a Member receives that is in excess of the Member's actual expenses.

79. Pursuant to House Rule 23, clause 1, House Members must conduct themselves at all times in a manner that shall reflect credibility on the House. Representative Ortiz's public statements indicate that he may have retained excess per diem. As a result, if there is a violation, it implicates House Rule 23, clause 1 because it may be considered flagrant.[42]

80. Based on the information available to the OCE during this Review, Representative Ortiz's meals and incidental expenses were less than the per diem he received to cover these expenses during the following CODELs: CODEL Skelton; CODEL Schiff; and CODEL Costello.

81. Based on the information available to the OCE during this Review, Representative Ortiz did not return any excess per diem for meal and incidental expenses. Therefore, there is substantial reason to believe that he may have violated House Rule 10, clause 8; House Rule 23, clauses 1 and 2.

[42] House Ethics Manual (2008) at 13.

82. For these reasons, the Board recommends that the Committee on Standards of Official Conduct further Review the above described allegations concerning Representative Ortiz.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN

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

EXHIBIT 1

May 13, 2010

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

Dear Mr. Chairman:

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

- A Member of the committee seeking authorization to travel for oversight purposes must do so in writing to the Chairman. An itinerary of the proposed trip must be included, as well as a statement describing the purpose of the travel. Should commercial travel be contemplated, the estimated cost of airline tickets as provided by CATO must also be included;

- For all Members and staff, international or domestic official travel via commercial air may only be booked in coach/economy class consistent with Executive Branch guidelines. Requests for exceptions to this policy due to special circumstances should be submitted in writing to the Office of Interparliamentary Affairs prior to commencement of the travel. As a general rule, business-class accommodations will only be authorized if the scheduled flight time is in excess of 14 hours, consistent with rules established by the Departments of Defense and State;

- Any per diem provided to Members or staff is intended to be expended only for official purposes related to the trip. Excess funds are to be returned to the Treasury;

- Requests for enhanced per diem must explain the justification for the request and must be submitted by the Member leading the delegation to the Office of Interparliamentary Affairs prior to departure. Executive Branch guidelines will apply to enhanced per diem;

- Foreign travel should be authorized only when it is necessary to facilitate the work of the Committee;

- Chairmen may authorize travel only for Members and staff of their committee. Spouses of Members may travel when necessary for protocol purposes only and at no cost to the federal government. Staff support for travel must be requested with the authorization to travel, and staff support must be provided by committee staff only. Personal staff is not authorized to travel and should not be added to Committee staff for the primary purpose of qualifying for status as Committee employees;

- If a Member of the committee does not have a spouse, an adult child (18 years of age and older) of the Member may be authorized to travel when necessary for protocol purposes only and on the same basis as a spouse.

- If a Member of the committee has a spouse, but the spouse is unavailable for travel, authorization for an adult child (18 years of age and older) of the Member to travel with the Member may be given on the same basis as a spouse.

- Per Department of Defense policy, committee or leadership letters requesting additional travelers should contain the travelers name and specify their relationship (spouse, adult child) to the Member they are accompanying;

- All travel must be led by a Majority party Member of the committee and efforts to ensure that the travel is bipartisan must be documented;

- The availability of Department of Defense aircraft to support congressional travel is extremely limited. A bipartisan, minimum number of Members, varying by the type of aircraft assigned, will be required. Requests for Department of Defense aircraft must be made through the Office of Interparliamentary Affairs. Committees should not contact the Department of Defense directly;

- Member travel is to be conducted only during times when the House is not in session and is not to interfere with representational responsibilities; and

- Committees must file, on a quarterly basis with the Clerk of the House, reports disclosing all expenditures for travel and the purpose of those expenditures.

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

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

EXHIBIT 2

CONFIDENTIAL

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

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

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

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

2. As the CSCE Office Manager, the witness is the trip coordinator. His duties include preparing authorization letters for travel, working with Congressional Travel Office of the U.S. Department of State, and corresponding with the relevant U.S. Embassies.

3. He also prepared and filed the foreign travel disclosure reports with the Clerk of the House of Representatives following CODELs. Information in these reports included the House Members who traveled, dates of travel, and countries visited.

4. In addition, the reports include information on the amount of per diem received and if excess per diem was returned.

5. The witness collected checks payable to the U.S. Treasury from anyone returning per diem and he gave the checks to the U.S. Department of State.

6. He provided the checks to the individual in the U.S. Department of State who was responsible for collecting returned per diem. He identified this person as Constance Austin.

7. The witness explained that enhanced per diem, as much as an additional $50 per day, was provided to those traveling, if requested by a Member in an authorization letter. Such requests are typically approved. Out of the various Congressional Delegations ("CODELs") and Staff Delegations ("STAFFDELs") where he has been involved, the witness estimated that less than half had an enhanced per diem.

8. The witness believes that the per diem is to be used by Members for their official expenses, such as meals and incidentals. Examples of incidentals are cabs from the airport to the hotel.

9. The witness does not provide any guidance to Members on how to use per diem. Although, his personal reading of the law is that it does not specifically state that unused per diem should be returned, he does not give any guidance to Members or staff about a requirement to return per diem.

10. House Members and staff return unused per diem. He roughly estimated that 35% or 40% returned unused per diem.

11. For CODEL Cardin to Kazakhstan, Italy, and the United Kingdom from June 27 to July 3, 2008, he does not believe that any House Members or staff returned any unused per diem.

12. For CODEL Hastings to Bosnia and Herzegovina, and Lithuania from June 26 to July 3, 2009, the witness does not believe that any House Members or staff returned any unused per diem.

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

Kedric L. Payne
Investigative Counsel

EXHIBIT 3

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

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

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

2. The witness has been the Travel Coordinator for the Committee for approximately one year and two months.

3. Prior to her employment with the Committee, she was an intern with the Committee.

4. As Travel Coordinator, she is a liaison between the United States Department of State ("State Department") Travel Office and the Committee. She handles correspondence to the relevant U.S. Embassies. She also creates post-trip travel reports.

5. There are two reporting requirements. First, reports are created within fourteen days that a Member of Congress or staff returns from a trip. The report includes lodging receipts and per diem receipts. Second, quarterly travel reports are filed with the Clerk of the House of Representatives.

6. Prior to Speaker Nancy Pelosi's restatement of the travel rooms in May 2010, the Committee always requested enhanced per diem for Member travel. Enhanced per diem is now approved by the Inter-Parliamentary Affairs Office.

7. The Committee does not provide written or oral guidance to Members of Congress about how per diem should be used. The witness believes that it is understood among Members that per diem is for meals and incidental expenses, such as transportation. She also believes that it is understood that per diem is not to be used for gifts and souvenirs.

8. The witness based her understanding of the use of per diem on information that the State Department published on its website.

9. After returning from foreign travel, Members and staff are to provide her with all hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. The witness emails Members and staff to request this information from Members and staff.

10. Prior to foreign trip, she sends an email to those who are traveling who may not be familiar with the information that she will need following the trip. The email explains that she will need hotel receipts, per diem receipts, and checks to the U.S. Treasury for any unused per diem. However, most Members who travel are familiar with what is required after a trip and therefore she does not send them an email.

11. Any checks from Members or staff to the U.S. Treasury for unused per diem was retained in the Committee files. Therefore, if no such checks were produced in response to the OCE's Request for Information about CODEL Engel, it is reasonable to conclude that no such checks exist.

12. The report that is completed by Members for the Committee after they return from foreign travel is called a Form 11C. Form 11C notes the amount of per diem that the Member received and if any unused per diem was returned.

13. The witness explained that after CODEL Engel in February 2009, Congressman Eliot L. Engel Form submitted the 11C form twice. The first form was dated March 1, 2009 (HFAC 0024), but was amended by a form dated October 1, 2009 (HFAC 0115). The amount of per diem issued for travel to Jamaica was changed in the second form.

14. The witness explained that the Form 11C is the form that is received within 14 days after the Member has returned from the trip. This Form is used to complete the quarterly travel report that is sent to the Clerk of the House.

15. The per diem amount that was listed in the quarterly report is equal to the amount of the per diem issued to a Member or staff minus the amount of unused per diem returned.

16. The witness estimated that approximately 50% of travelers returned unused per diem. She also notes that staff usually returns per diem at a higher rate than Members.

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

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

Kedric L. Payne
Investigative Counsel

EXHIBIT 4

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

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

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

2. The witness has been a Professional Staff member with the Committee since February of 2005.

3. Prior to her employment with the Committee, she worked in the personal office of Representative Hefley from 2001-2005.

4. Prior to working for Representative Hefley, she worked as a Staff Assistant with the Committee from 1995 – 2001.

5. As a Professional Staff member, she handles all financial and human resource issues, including payroll benefits as well as domestic and foreign travel matters.

6. She handles all correspondence related to travel, she generates/processes letters of authorization for the Committee, and prepares quarterly travel reports tracking per diem.

7. She keeps everything related to travel in individual files.

8. She vets all trips, determining the purpose of the trip and who will be traveling.

9. If the trip is for foreign travel, she drafts a letter to the State Department and if the trip is domestic, she drafts a letter to the Department of Defense.

10. Travel must be bi-partisan.

11. The authorization letters are signed by the Chair of the Committee.

12. Once the trip is authorized, the State Department will release per diem funds for the travel. There is no per diem issued for domestic travel.

13. The escort officers help generate the itinerary for trips and normally issue the per diem to Members once they reach their destination. Occasionally, the per diem was issued prior to the trip.

14. Members must sign for the per diem. Receipts for per diem are required to be turned it to her at the end of the trip.

15. Staff may collect per diem and lodging receipts for the Member and submit them to her. She also gets information regarding lodging and per diem amounts from the State Department.

16. All receipts for per diem must be accounted for in the quarterly travel reports she prepared.

17. Often, she had to call Member offices and the State Department for missing receipts. She stated that collecting receipts was like "herding cats".

18. Members are not required to submit receipts for meals and incidentals. It is up to the individual Member as to how the per diem for meals and incidental expenses are spent.

19. In many instances the cost of the hotel accommodations are higher than the allotted cost and, therefore, will be paid for directly by the State Department.

20. Members are highly encouraged to give any unused per diem back to the U.S. Treasury.

21. Members do not receive any formal guidance on per diem use; any guidance is by word of mouth.

22. The meals and incidental expenses (M&IE) is to be used for meals, lost luggage, medicine, toiletries, laundry, entry fees, etc.

23. She is not aware if Members spend the per diem on souvenirs because they are not required to submit receipts for the M&IE items.

24. According to the witness, Members spend the per diem on what they want.

25. She has never been asked to define "incidentals" to a Member. She considers incidentals to include lost luggage, medicine, and toiletries.

26. She provided the Members with a breakdown of the itinerary for each country visited, which included the dates of travel in each country along with the amount of per diem issued for each country.

27. She requested that any unused per diem be attributed to the country for which the per diem was issued.

28. The Committee does not authorize enhanced per diems. The practiced was stopped four years ago.

29. Enhanced per diem was generally for hotel costs that are higher than the government rate.

30. She always asked for the enhanced per diem to be returned if it was not spent on the lodging fee.

31. Because most trips have hostel costs that exceed the government rate, the lodging for the trips are paid by the State Department.

32. If a Member spends more than the per diem and has kept receipts of all expenditures, the Member can seek additional reimbursement from the State Department.

33. She has not had a Member seek additional reimbursement in the past four years.

34. She does not require Members to submit any receipts for the allotted per diem. It is up to the individual Member as to how the per diem is spent.

35. Members are highly encouraged by "word-of-mouth" to return any unused per diem. There is no formalized guidance regarding unused per diem.

36. She is not aware if any Members spend their per diem on souvenirs.

37. For travel to Iraq, Members are not given per diem because they eat in the mess. Meetings for such trips are not listed on any itinerary because they are a close hold. A Member may be able to go to McDonald's.

38. All trips to areas of operation are unique.

39. Escort officers will prepare per diem reports for her at times. Not all of the services have the same process. The Marines for instance are very efficient.

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

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

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

Elizabeth Horton
Investigative Counsel

EXHIBIT 5

THE RESOURCES YOU NEED
ETF RESEARCH
ETF TOOLS
ETF EXPERT INSIGHTS
TALK TO CHUCK
charles SCHWAB

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THE WALL STREET JOURNAL.
WSJ.com

POLITICS : MARCH 2, 2010

Lawmakers Keep the Change

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

By BRODY MULLINS And T.W. FARNAM

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

They usually don't.

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

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

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

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

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

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

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

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

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

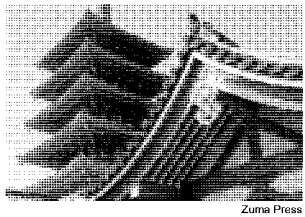
House lawmakers received between $375,000 and $625,000 in per diem cash over that period, according to a Wall Street Journal estimate based on per diem rates and congressional travel disclosures. There's no documentation for how those funds were spent. Estimates for Senate travel couldn't be calculated.

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

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

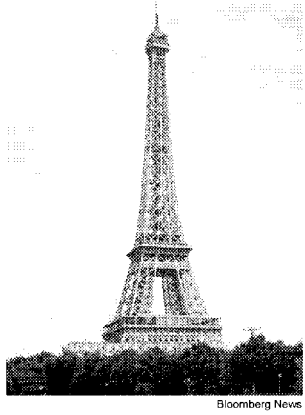
Travel Allowances for Selected Cities

Tokyo: $214 a Day



Zuma Press

Paris: $178 a Day



Bloomberg News

London: $114 a Day

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

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

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

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

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

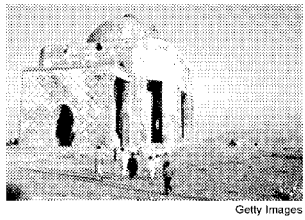
When lawmakers leave the country, U.S. government officials generally meet them to convert any leftover foreign currency back into U.S. dollars.

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

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

Zuma Press

Kabul: $28 a Day



Getty Images

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

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

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

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

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

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

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

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

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EXHIBIT 6

CONFIDENTIAL

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

MEMORANDUM OF INTERVIEW

IN RE:	Representative Solomon Ortiz
REVIEW No.:	10-1170
DATE:	June 15, 2010
LOCATION:	2110 Rayburn HOB Washington, DC 20515
TIME:	4:00 p.m. to 5:00 p.m. (approximately)
PARTICIPANTS:	Kedric L. Payne Paul J. Solis Denise Blanchard

SUMMARY: Representative Solomon Ortiz is a Member of the United States House of Representatives and represents the 27th District of Texas. He was interviewed pursuant to Review No. 10-1170. The OCE requested an interview with Representative Ortiz on June 14, 2010, and he consented to an interview. Representative Ortiz made the following statements in response to our questioning:

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

2. Representative Ortiz generally received per diem, during Congressional Delegation "CODELs", upon arrival at his hotel in the foreign country.

3. He used the per diem to pay for hotels when the U.S. Embassy did not pay for the hotel directly.

4. He used the per diem to pay for expenses such as his meals, taxis, laundry, tips, and faxes at the hotel.

5. He also brought personal money with him from the U.S. He typically brought with him $300 to $600 cash. He converted this money to the local currency once in the foreign country.

6. He usually had meals with others who attend the CODELs and a military escort pays for the meal. The escort then sent invoices to those who attended for reimbursement of their portion of the meal expense.

7. He also explained there are days when no meals are provided and people on the trip do not eat with the military escort.

8. Representative Ortiz has reimbursed the military escort for expenses incurred on his behalf during the plane during the return flight to the U.S.

9. He also has reimbursed the escort by sending him a payment after he returns to the U.S.

10. He did not use per diem to purchase souvenirs; instead he used his personal credit card and did not reimburse himself for such expenses with the per diem.

11. He does not know how much leftover per diem he had after any CODELs, but if any funds were left it was a small amount.

12. He has used this left over per diem to take his staff out to eat when he returned to the U.S.

13. No one ever told him to return unused per diem and he never returned any unused per diem.

This memorandum was prepared on July 22, 2010, based on the notes that the OCE staff prepared during the interview with Representative Ortiz on June 15, 2010. I certify that this memorandum contains all pertinent matter discussed with Representative Ortiz on June 15, 2010.

Kedric L. Payne
Investigative Counsel

EXHIBIT 7

SOLOMON P. ORTIZ
[illegible] District, Texas

2110 Rayburn House Office Building
Washington, DC 20515
202-225-7742

District Office
[illegible]
[illegible]
[illegible]

1918 Ryan Tower Blvd., Suite B-27
Brownsville, TX 78521
[illegible]

Respond to Washington

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

Committee
ARMED SERVICES
Subcommittees
CHAIRMAN, READINESS
SEAPOWER AND EXPEDITIONARY FORCES

TRANSPORTATION
AND INFRASTRUCTURE
Subcommittees
HIGHWAYS AND TRANSIT
WATER RESOURCES AND ENVIRONMENT
AVIATION

July 21, 2010

Mr. Leo Wise
Staff Director and Chief Counsel
Office of Congressional Ethics
P.O. Box 895
Washington, DC 20515-0895

Dear Mr. Wise:

I write to inform the Members of the Board that I did not follow any particular process to track specific expenditures from per diem allowance funds during official travel to foreign countries and did not take any specific actions with respect to unspent per diem (if, indeed, there was any). To the best of my recollection, all, or almost all, of those funds provided to me were utilized during my official travel.

Due to a lack of clarity under prior House Rules, I was not aware of any obligations to track specific expenses paid from the per diem funds, and to return any unspent per diem. As I mentioned in my meeting with your office and in prior correspondence (see attached), I never kept receipts of any kind for meal expenses, miscellaneous official travel expenses, or any personal expenses. In the past I have simply commingled the per diem with my personal funds and paid certain travel related expenses from those funds. Your investigation and the Speaker Nancy Pelosi's recent May 13 announcement have now put me and other members on notice that we have an obligation under current House Rules to return unspent per diem. Now that this requirement has been clearly established, you can rest assured that I will keep accurate records to make sure House Rules are respected on any future official travel.

Thank you for your full and fair consideration. If you have any concerns or questions regarding this matter, please do not hesitate to contact me at (202) 225-[redacted].

Sincerely,

Solomon P. Ortiz
Member of Congress

SPO:mc

PRINTED ON RECYCLED PAPER

SOLOMON P. ORTIZ
FIFTH DISTRICT, TEXAS

2110 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
202-225-7742

DISTRICT OFFICES
3649 LEOPARD ST., SUITE 612
CORPUS CHRISTI, TX 78408
361-883-6688

1100 RUBEN TORRES BLVD., SUITE B-27
BROWNSVILLE, TX 78520
956-541-1212

HTTP://ORTIZ.HOUSE.GOV

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

RECEIVED
OFFICE OF CONGRESSIONAL ETHICS
2010 MAY 17 PM 2:26

May 17, 2010

COMMITTEES:
ARMED SERVICES
SUBCOMMITTEES:
CHAIRMAN, READINESS
SEAPOWER AND EXPEDITIONARY FORCES

TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEES:
HIGHWAYS AND TRANSIT
WATER RESOURCES AND ENVIRONMENT
AVIATION

Mr. Leo Wise
Staff Director and Chief Counsel
Office of Congressional Ethics
P.O. Box 895
Washington, DC 20515-0895

Dear Mr. Wise:

It has been brought to my attention that the Office of Congressional Ethics seeks information in connection with my official travel to foreign countries.

During the time period from March 2008 to the present, I participated in seven separate CODELS involving travel to approximately 21 countries. The date and location of each trip ((1)(a)), as well as the amount of per diems received for each trip ((1)(b)), are summarized on the attached sheet. Unfortunately, no receipts were retained for per diem used for meal expenses ((1)(c)), miscellaneous official travel expenses ((1)(d)), or any other such expenses ((1)(e)). In brief, no receipts, except for items listed on the attached copy of my personal credit card ((2)), were kept while participating in these trips and there would be no reasonable basis to estimate my official travel expenses from March 2008 to the present. And, to the best of my knowledge, no other documents related to reimbursements were kept associated with my official travel ((3)). In addition, no funds were returned for any of these trips ((4)).

With respect to additional documents related to my schedule during the trips referenced above, I am attaching all trip itineraries and agenda that were provided to me by the House Armed Services Committee and the House Transportation and Infrastructure Committee ((5)). I regret that some of the itineraries were not provided by the House Armed Services Committee for three of the CODELS requested.

Some of these trips were focused on obtaining information relevant to the deployment of American troops. As Chairman of the Subcommittee on Military Readiness of the House Armed Services Committee, I believe these official trips are invaluable to acquiring a better understanding of the decisions Congress must make that affect our troops overseas.

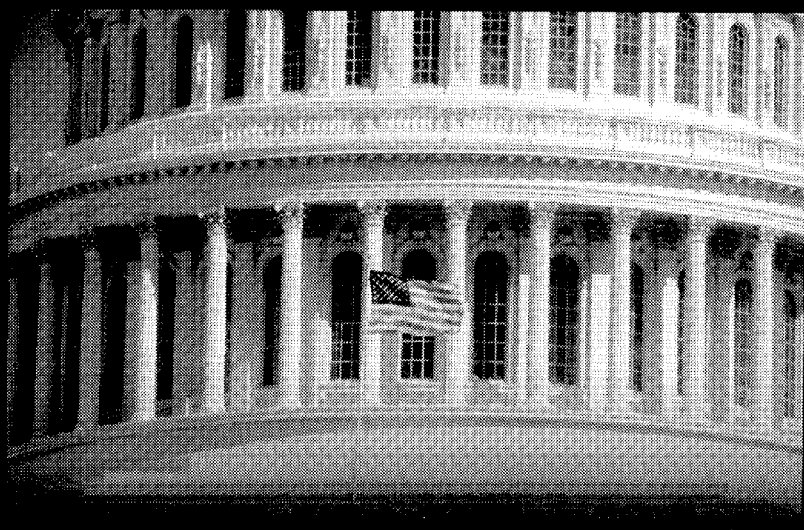
Thank you for your full and fair consideration of the requested information. I would be available on May 26th (2:30 - 4 p.m.) or May 27th (1:30 -2:30 p.m.) for an interview if one of those times are convenient for you ((6)). If you have any concerns or questions regarding this matter, please do not hesitate to contact me at (202) 225-[redacted].

Sincerely,

Solomon P. Ortiz
Member of Congress

PRINTED ON RECYCLED PAPER

EXHIBIT 8



Official Foreign Travel Guide for The U.S. Congress

United States Department of State
Bureau of Legislative Affairs

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

A

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

B

TAB

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

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

CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

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CONGRESSIONAL GUIDE FOR OFFICIAL FOREIGN TRAVEL

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

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

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

I. LETTERS OF AUTHORIZATION

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

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

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

JOINT COMMITTEE CHAIR
• for Member or employee of the Joint Committee

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

2. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

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

3. LIST OF TRAVEL PARTICIPANTS

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

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

4. TRAVEL AND ITINERARY

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

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

5. PASSPORT AND VISA INFORMATION

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

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

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

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

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

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FISCAL INFORMATION SHEET

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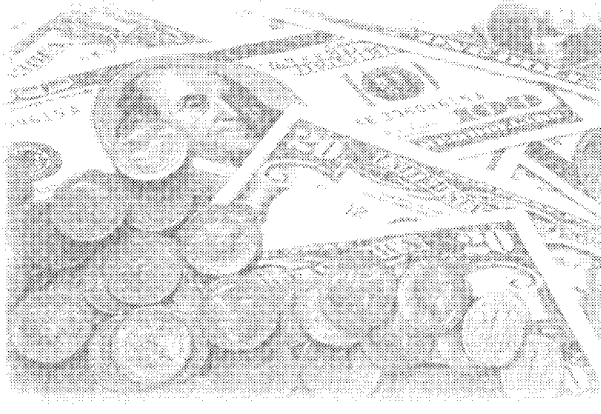

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FISCAL INFORMATION SHEET

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

1. PER DIEM

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

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

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

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

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

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

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

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

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

2. TRANSPORTATION

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

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

3. OTHER OFFICIAL EXPENSES

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

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

4. TRAVEL ADVANCES IN U.S. DOLLARS

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

5. REFUNDS/REIMBURSEMENTS/UNUSED AIRLINE TICKETS

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

6. REPORTING REQUIREMENTS

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

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SAMPLE AUTHORIZATION LETTERS

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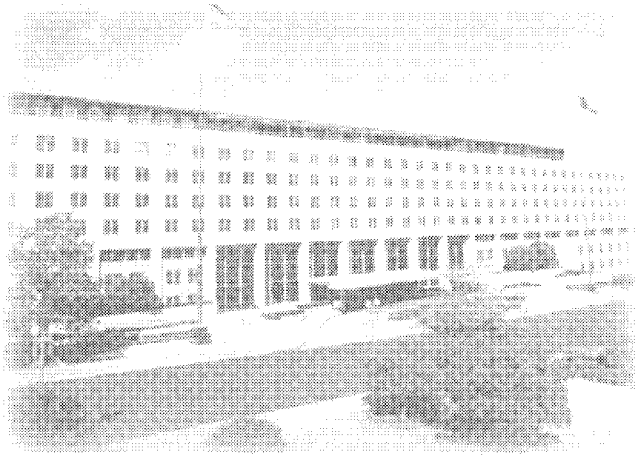

SAMPLE LETTER OF AUTHORIZATION (State)

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

Dear *(Mr. or Madam)* Secretary:

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

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

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

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

Sincerely,

(Name)
(Title)

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

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

SAMPLE AUTHORIZATION LETTER (DOD)

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

Dear (*Mr. or Madam*) Secretary:

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

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

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

Sincerely,

(*Name*)
(*Title*)

FOREIGN TRAVEL DATA SHEET

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FOREIGN TRAVEL DATA SHEET

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

1. TRAVEL OBJECTIVES AND PROGRAM REQUESTS

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

2. PARTICIPANTS (in protocol order)

Members and Staff
Spouses, Invitees, Department of State,
DOD, and Military Escorts

3. TRAVEL AND ITINERARY

Commercial
Military Air
Charter

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

E

4. PASSPORTS AND VISAS

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

TYPES OF PASSPORTS:

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

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

5. SECURITY CLEARANCES (staff only)	Please provide the names, SSN, level and date of clearance, and granting agency for each person who will **REQUIRE** access to classified information during the trip. This information is not needed for Members of Congress.
6. ACCOMODATIONS	Please indicate the number of rooms needed at each city, and hotel preference, if any. If the traveler plans to use Government or no-cost accomodations, please indicate. Hotel preferences/city Delegation rooms (total number of singles/doubles) Support Rooms
7. LOCAL TRANSPORTATION	Number of Sedans (with driver or self-drive) Number of Buses (or passenger amount) Number of Minivans (or passenger amount) Number of other vehicles, if any Public transportation (cabs, buses, trains, ferries).
8. POINTS OF CONTACT FOR TRIP	Name Phone Number

QUESTIONS AND ANSWERS

Questions and Answers

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

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

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

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

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

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

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

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

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

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

Q Will the travel expenses of spouses be covered?

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

Q Will the Department of State assist in obtaining visas?

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

Acronyms used in this Travel Guide:

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

EXHIBIT 9

CODEL Skelton

Hawaii, Guam, Iwo Jima, Korea, & Okinawa
(14 – 22 Feb 2009)

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Members of Congress (13)
Representative Ike Skelton (D- 4th – MO)
Representative Roscoe G. Bartlett (R – 6th –MD)
Mrs. Ellen Bartlett
Representative Solomon P. Ortiz (D-27th – TX),
***Representative Neil Abercrombie (D-1st-HI)*
Representative Howard "Buck" McKeon, (R-25th – CA)
Mrs. Patricia Kunz-McKeon
Representative Doug Lamborn (R-5-CO)
Mrs. Jean Lamborn
Representative Joe Wilson (R-2-SC)
Mrs. Roxanne Wilson
Representative Phil Gingrey (R-11th-GA)
Mrs. Billie Gingrey
Representative Madeleine Bordallo (D –Guam)
Representative Mike Conaway (R-11th-TX)
Mrs. Suzanne Conaway
Representative Hank Johnson (D-4th-GA)
Mrs. Mereda Johnson
Representative Carol Shea-Porter (D-NH-01)
***Representative Mazie Hirono (D-2nd-HI)*

Staff (5)
Ms. Erin Conaton, Staff Director
Mr. Andrew Hunter, HASC PSM
Mr. Paul Arcangeli, HASC PSM
Mr. Tom Hawley, HASC PSM
Mr. Kyle Wilkens, Special Assistant to the Chairman

Attending Physician (1)
LT Justin M. Cox M.D.

USMC Legislative Affairs (4)
Colonel Dave Furness - Director, Marine Corps Liaison Office
Major Toby Patterson – Military Escort, Marine Liaison Office
LT Phil MacNaughton - Military Escort, Navy Liaison Office
Sergeant Jennifer Evitts - Military Escort, Marine Corps Liaison Office

Attire
Casual – Comfortable attire for traveling and walking
Business Casual – Slacks, Jacket, Tie optional
Business – Suit

ITINERARY

Saturday, 14 Feb 2009
(Dress casual; Business casual for Dinner)

0600	Baggage Call at B-324 RHOB
0630	Baggage Departs RHOB for Andrews AFB
0700	Delegation departs RHOB for Andrews AFB
0745	Delegation arrives at Andrews AFB
0800	Depart Andrews (4.5 hour flight) (Breakfast on plane)
1050	Arrive Travis AFB (-3:00 hours) Refuel 1.5 Hour
1220	Depart Travis AFB (5.5 hour flight) (Lunch on plane)
1600	Arrive Hickham AFB, Honolulu HI (-2:00 hours)
1615	Delegation and Luggage depart for Outrigger Waikiki
1700	Delegation and Luggage arrive at Outrigger Waikiki
1700	Personal Time for Delegation
1830	Movement to HQ PACOM
1900	Dinner with COMPACOM ADM Keating
2115	Depart HQ PACOM for Outrigger Waikiki (40 Minutes)
2200	Delegation arrives at Outrigger Waikiki
RON	Outrigger Waikiki

Sunday, 15 Feb 2009
(Dress casual)

0700	Buffet Breakfast. (Prior to Adm Keating's brief)
0730	Adm. Keating briefs members on PACOM AOR
0830	East-West Center and APCSS
0945	MARFORPAC Brief
0900	Spouses shopping IVO Outrigger Waikiki, Honolulu
1100	Movement to Hickham AFB
1200	Depart Honolulu (8.5 hour flight) (Lunch on Plane)

Monday, 16 Feb 2009
(Dress casual; Business Attire, Business causal for dinner)

1610	Arrive at Guam @ PGUM on **16 Feb 2009 (+ 20 hours, cross International Date Line)**
1615	Movement to Hotel (Movement Time 15 Minutes)
1630	Arrive at Outrigger Hotel
1630	Chairman's Personal Time
1845	Chairman, Rep Bordallo, Mr. John Whitt, Ms. Erin Conaton, and Col. David Furness, USMC move to University Of Guam Speaking engagement with Students. **(Business Attire)**
1900	Speaking Engagement, Chairman Ike Skelton with students from University of Guam. (University Lecture Hall, 200 seat capacity, 25 minute speech, Q&A) **(Business Attire)**
1930	The remainder of the delegation moves to Government House
1945	Chairman Skelton, Rep Bordallo, Ms. Erin Conaton PSM, and Col. David Furness, USMC move to Government House
1945	The Delegation Dinner with Governor of Guam
2100	Movement from Government House to Outrigger Hotel
2115	Refreshments available in the Voyager Room (21st Floor)

RON Guam → Outrigger Hotel

Tuesday, 17 Feb 2009
(Dress casual; Business casual for dinner)

0700	Delegation breakfast with Members of the Guam Legislature; Hosted by Rep Bordallo in Outrigger Hotel, Fort San Jose'
0800	Depart Outrigger on Guam Lay down brief given on bus
0830	Arrive Naval Base Guam Triple Pad Helicopter Safety Brief

0845	Group A - Aerial Tour of Guam Military Installations Group B commence base tour – Navy base Tour will focus on Naval Hospital and Base Housing
0945	Group A lands Orote Triple Pad Group B (9 pax) moves onto UH-60 helicopters
1000	Group B - Aerial Tour of Guam Military Installations Group A commences Navy base tour
1100	Group B land Orote Triple Pad
1110	Depart Naval Base Guam Briefing opportunity on bus for JGPO Forward
1120	Delegation lays a wreath at Asan Bay overlook at The War in the Pacific National Historical Park (20 minutes)
1200	CODEL departs for Chamber of Commerce Luncheon
1215	Luncheon with Guam Chamber of Commerce @ Hyatt Hotel
1320	Depart for AAFB
1340	Tour of AAFB:
1500	Depart for Outrigger
1500	Rep Ortiz visits the Adjutant General of the Guam Army National Guard JFHDQ
1520	Arrive Outrigger
1520	Personal Time for the Delegation **(This is time for the Chairman and can not be infringed upon)**
1720	Movement to Two Lovers Point for Reception hosted
1730	Reception hosted by Representative Madeleine Bordallo
2100	Refreshments available in Voyager (21st Floor) (optional)

RON Guam; Outrigger Hotel

<u>Wednesday, 18 Feb 2009</u>
(Dress casual; Business causal for dinner)

0700	Delegation breakfast Hosted by Rep Bordallo
0810	Delegation Press Conference at Outrigger Hotel Floor

0840 Movement to Airport
0900 Depart Guam (1.0 hour flight)
1000 Arrive Iwo Jima
1000 Tour Iwo Jima, Lay wreath at Mt. Surabachi memorial (1-2 hour) **64th Anniversary of the invasion of Iwo Jima**
1230 Depart Iwo Jima (3.0 hour flight) (Lunch on plane)
1530L Arrive Osan AFB, ROK (-1.00 hour)
1530 Clear customs and immigration, met by GEN Sharp
1600 Depart Osan AB en route to Yongsan H-264 via UH-60 (6 total); Escorted by GEN Sharp (Eagle 1); Aerial Tour of Humphreys, Port of Pyongtaek and Seoul;

Spouses depart directly for Yongsan H-264 in separate helo

1650 En route to Westin Chosun
1720 Check into Westin Chosun and link-up with spouses
1900 En route to Hartell House via DV Bus; escorted by Mr. Shin
1930 Dinner hosted by GEN Sharp at Hartell House (CDR's Mess)
2130 En route to Westin Chosun Hotel via DV Bus

RON Seoul Westin Chosun Hotel

Thursday, 19 Feb 2009
(Business Attire)

0710 Depart Westin Chosun Hotel; en route to US Embassy;
0730 Modified Country Team Meeting moderated by Amb.
0830 En route to J2 SKIF at Yongsan via DV Bus
0900 Korea Update Brief and Readiness brief
1030 En route to Itaewon via DV Bus, escorted by Mr. Shin;
1045 Link –up with Spouses to shop at Itaewon for shopping
1210 Enroute to lunch with Spouses
1230 Hosted Lunch by MOFAT; GEN Sharp in attendance
1400 En route to Blue House

1430	Office Call with President Lee Myung Bak; w/ GEN Sharp
1500	En route to Ministry of National Defense
1530	Office Call with Minister of Defense
1600	Enroute to Westin Chosen
1630	Personal Time
1845	En route to Dinner Location
1900	Dinner hosted by Korean National Assembly Chairman of Defense
2100	En route to Westin Chosun Hotel
RON	Seoul Westin Chosun Hotel

Friday, 20 Feb 2009
(Dress casual; Business casual for dinner)

0600	Breakfast in the control Room
0645	load baggage
0700	Check-out
0715	Depart Westin Chosun Hotel; en route to USFK HQs
0745	Office Call with GEN Sharp
0815	En route to Yongsan H-264 via DV Bus; escorted by Mr. Shin
0830	En route Osan AB via UH-60 luggage is on a CH-47
0900	Load baggage on C-40, Depart Osan AB via MILAIR to Okinawa, Japan (1.5 Hour Flight) (Snack on plane)
1050	Arrive at Kadena AFB Okinawa, Japan
1050	Delegation arrives at Kadena AB, Okinawa (spot 1)
1050	LtGen Zilmer and arrival party escort codel to DV lounge
1110	**Spouses introduced to ConGen Naha Spouse Program Control Officers in commence parallel spouse program (see separate schedule).**
1110	Overview Brief on FRF Construction and Okinawa
1130	Delegation boards helicopters at spot 1 (2 CH-46s)
1135	MILAIR HELO Transport to FRF Site (Kadena AB to Camp Schwab). (PAX: Total 32 = 23 Del, BGen Toolan, LtGen

	Zilmer, CG Maher, Control Kaneshiro, OAFO Col Bishop and SME briefers).
1150	Met at LZ main side, Camp Schwab by Camp Commander Col Daniel Yoo; delegation boards USMC bus and proceeds to DV Hill.
1205	View FRF project from DV Hill, Camp Schwab.
1225	Delegation proceeds to Beachhead Club.
1230	No-Host Working Lunch on Strategic Implications of Okinawa Realignment *Expense*: US$8.95 per person
1355	Comfort Break
1400	Delegation boards USMC bus and proceeds to LZ main-side, Schwab.
1405	Delegation departs Camp Schwab for Kadena AB LZ vicinity bldg 10 (18th Wing HQ) via MILAIR HELO (PAX TBC: 24 Del, 2 DoS, others TBC). Greeted on arrival by 18th Wing Force Support Group Commander Col. Kelly Fletcher.
1430	18th Wing Briefing on USAF readiness issues.
1500	Comfort break/change into business casual attire.
1520	ERT Okinawa Prefectural Governor's Office, Naha City.
1600	Meeting with Okinawa Governor Nakaima (requested).

End of parallel spouses program; spouses return to hotel by 1600.

1630	ERT hotel.
1700	Arrive ANA Laguna Garden (mil escort check-in for incidental expenditure billing to be expedited at control room).
1700-1900	Executive Time; vendors in control room (TBC).

PARTIAL DEL VISIT TO WWII SHURI LINE - OPTIONAL

1630 Mrs Wilson, Military Escort, and ConGen Naha officers arrive at OPG to join Mr. Wilson and any other delegation members that want to visit Shuri Castle at main lobby of the OPG Office Complex.
1630 Mr. Wilson and partial delegation ERT Shuri Castle
1700 Mr. Wilson and partial delegation tours Shuri Castle site with Consulate General staff and WWII tour guide (guide TBC).
1800 ERT ANA Laguna Garden Hotel.
1845 Check into hotel rooms; downtime.
1900 Enroute to III MEF-Sponsored No-Host Buffet Dinner.
1930 No-host dinner with officers and constituents.
Location: Camp Butler O'Club.
Expense: $20 per person.
2100 ERT ANA Laguna Garden Hotel.

RON Okinawa: ANA Laguna Garden Hotel.

<u>SATURDAY, FEBRUARY 21 – DEPART OKINAWA</u> (Dress casual)

0530 Control room re-opens until delegation departs hotel.
0700 Bag call and departure from hotel. USFJ to collect passports at hotel prior to departure to expedite CIQ.
0700 ERT Kadena AB O'Club.
0730 No-Host Buffet Breakfast at Kadena AB O'Club. Consulate General to provide reverse currency exchange during breakfast.
Expense: Cost: $15.00
0830 Delegation met by 18th Wing protocol and escorted to DV lounge/flight line.
0845 Delegation boards MILAIR C40.
0900 Depart Kadena AB for Hawaii (9 hr 15 min flight). (Lunch and Dinner on plane)
1050 Arrive at Kadena AFB Okinawa, Japan

1050	Delegation arrives at Kadena AB, Okinawa (spot 1)
1050	LtGen Zilmer and arrival party escort codel to DV lounge; ConGen issues per diem and delegation completes Japanese customs and immigration processing.
1050	Load luggage; Luggage departs for ANA Laguna Garden
1110	Spouses introduced to ConGen Naha Spouse Program Control Officers in DV lounge; commence parallel spouse program (see separate schedule).
1110	Overview Brief on FRF Construction and Okinawa Consolidation Program. Location: Kadena AB DV Lounge large conference room. Note: LtGen Zilmer to provide overview remarks. Other briefers TBD.
1120	Delegation boards helicopters at spot 1 (2 UH-60s, 2 CH-46s). [NOTE: UH-1s deployed with 31st MEU. END NOTE.]
1130	MILAIR HELO Visual Reconnaissance (Kadena- MCAS Futenma-FRF site at Camp Schwab). SME briefing on southern island encroachment provided enroute.
1155	Met at LZ main side, Camp Schwab by Camp CDRCol Yoo
1205	View FRF project from DV Hill, Camp Schwab.
1220	Delegation proceeds to Beachhead Club.
1225	Lunch - Strategic Implications of Okinawa Realignment
1355	Comfort Break
1400	Delegation to LZ main-side, Schwab.
1405	Delegation departs Camp Schwab for Kadena AB
1430	18th Wing Briefing and Kadena AB orientation tour.
1520	ERT Okinawa Prefectural Governor's Office, Naha City.
1600	Meeting with Okinawa Governor Nakaima (requested).

End of parallel spouses program; spouses return to hotel by 1600.

1630	Depart for hotel.
1700	Arrive ANA Laguna Garden
1700	Executive Time; vendors in control room (TBC).
1900	En route to III MEF/USAF no-host dinner.
1930	Dinner with officers and constituents at Camp Butler O-Club.

2100 Depart for Hotel.

RON Okinawa: ANA Laguna Garden Hotel.

SATURDAY, FEBRUARY 21 – DEPART OKINAWA
(Dress casual)

0700 Bag call and departure from hotel
0700 Depart hotel for Tee House Restaurant.
0730 Breakfast at Tee House Restaurant.
0815 Delegation met by 18th Wing protocol
0815 ConGen provides reverse currency exchange
Location: Kadena DV lounge
0845 Delegation boards MILAIR C40.
0900 Depart Kadena AB for Hawaii (9 hr 15 min flight).
(Lunch and Dinner on plane)

Friday, 20 Feb 2009
(Dress casual)

2315 Arrive Honolulu, HI @ 2300L 20 Feb 2009
(- 19.0 hours, cross the International Date Line)
RON Honolulu: Outrigger Waikiki

Saturday, 21 Feb 2009
(Dress casual)

NO SCHEDULE
0900 Chairman Skelton will meet with guests Mr. Kelly and Kyoko O'Neill in the lobby of the Outrigger Waikiki Hotel.
1100 Optional Tours to Arizona Memorial, USS Missouri, or Pacific Aviation Museum.

No host Dinner

Chairman Skelton will have dinner and drinks with ADM Keating, VADM Barry Costello (Ret), another Flag Officer (TBD), Erin Conaton, and Col Furness.

1900	Baggage call at Hotel
1930	Baggage departs for Hickham AFB
2000	Delegation Departs Outrigger Hotel
2100	Depart Honolulu (9.5 hour flight) (Breakfast on plane)

Sunday, 22 Feb 2009
(Dress casual)

1130 EST Arrive at Andrews AFB - MISSION COMPLETE

Points of Contact

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Staff Director, HASC

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B-324 Rayburn House Office Building

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703-693-[redacted]
[redacted] (cel)
703-614-7656 (Fax)

General Information

If you need to be contacted on travel:
8:00 am – 5:00 pm EST during the week, Marine Corps Liaison Office: (202) 225-[redacted].

After Hours:
Call the Navy Command Center at (703) 695-[redacted]/[redacted] and ask for Congressional Delegation Skelton through the Office of Legislative Affairs.

Expenses: Official per diem will be issued in each country. The per diem is for your meals and hotel bills, but if we dine as a group, your Marine escort will pay the bill and ask you for reimbursement upon our return to the U.S. As with other non-covered expenses, we will keep tabs and bill you upon return. Personal phone calls, souvenirs, recreation or after hours sightseeing will be a personal responsibility.

Camera: Cameras are encouraged. However, your Navy Liaison escort will have a camera to document the trip.

Medical Needs: A Navy Doctor, LT Justin M. Cox M.D., will be with the delegation the entire trip. Feel free to ask him if you have any medical needs.

Lodging Information

Honolulu, Hawaii

Outrigger Waikiki
2335 Kalakaua Avenue, Honolulu, Hawaii 96815
Ph: 800-442-[redacted]
Fax: 808-921-9798

Guam

Outrigger Guam Resort
1255 Pale San Vitores Road
Tumon Bay, Guam, 96913
Ph: 671-649-[redacted]
Fax: 671-647-9068

Seoul, South Korea

The Westin Chosun, Seoul
87 Sogong-Dong, Jung-gu ·
Seoul 100-070 · South Korea
Phone: (82)(2) 771 [redacted] ·

Okinawa, Japan

ANA Hotel
Laguna Garden Hotel
4-1-1 Mashiki
Ginowan, Okinawa, 901 2224
Japan
Phone: (81) 98-[redacted]

Weather and Suggested Attire Forecast

Saturday, 14 February 2009 (DC)
Casual Attire (Flight) / Business Casual (Dinner)
Hi: 41 / Lo: 30 Chance of Showers

Sunday, 15 February 2009 (Honolulu)
Business Casual Attire
Hi: 74 / Lo: 62 Chance of Showers

Monday, 16 February 2009 (Guam)
Business Casual Attire
Hi: 87 / Lo: 77 Morning Showers / Clearing

Tuesday, 17 February 2009 (Guam)
Business Casual Attire
Hi: 85 / Lo: 78 Chance of Showers

Wednesday, 18 February 2009 (Iwo Jima / Korea)
Casual Attire (Flight) / Business Attire (Dinner)
Hi: 72 / Lo: 66 (Iwo Jima)
Hi: 40 / Lo: 28 (Korea) Cloudy/PM Sun

Thursday, 19 February2009 (Korea)
Business Attire
Hi: 41 / Lo: 26 Cloudy

Friday, 20 February 2009 (Okinawa)
Casual Attire / Business Casual for Meeting with Governor
Hi: 66 / Lo: 60 Rain

Saturday, 21 February 2009 (Okinawa/Honolulu)
Casual Attire
Hi: 65 / Lo: 60 (Okinawa) Rain
Hi: 78 / Lo: 65 (Honolulu) Partly Cloudy

Sunday, 22 February 2009 (Honolulu /Washington DC)
Casual Attire
Hi: 38/ Lo: 20 Rain/Snow Flurries

TIME CHART

Location	Local time ahead / behind Wash DC
Hawaii	-10 hours
Japan/S. Korea	+9 hours
Guam	+10 hour

Hawaii	DC	Tokyo	Guam
7:00pm	Midnight	2:00 pm	3:00 pm
8:00pm	1:00 am	3:00 pm	4:00 pm
9:00pm	2:00 am	4:00 pm	5:00 pm
10:00pm	3:00 am	5:00 pm	6:00 pm
11:00pm	4:00 am	6:00 pm	7:00 pm
Midnight	5:00 am	7:00 pm	20:00 pm
1:00am	6:00 am	20:00 pm	21:00 pm
2:00am	7:00 am	21:00 pm	22:00 pm
3:00am	8:00 am	22:00 pm	23:00 pm
4:00am	9:00 am	23:00 pm	Midnight
5:00am	10:00 am	Midnight	1:00 am
6:00am	11:00 am	1:00am	2:00 am
7:00am	Noon	2:00am	3:00 am
8:00am	1:00 pm	3:00am	4:00 am
9:00am	2:00 pm	4:00 am	5:00 am
10:00am	3:00 pm	5:00am	6:00 am
11:00am	4:00 pm	6:00am	7:00 am
12:00pm	5:00 pm	7:00am	8:00 am
1:00pm	6:00 pm	8:00am	9:00 am
2:00pm	7:00 pm	9:00am	10:00 am
3:00pm	8:00 pm	10:00am	11:00 am
4:00pm	9:00 pm	11:00am	12:00 pm
5:00pm	10:00 pm	12:00am	1:00 pm
6:00pm	4:00 am	6:00 am	2:00 pm

Currency Converter

(as of 2 Feb2009)

Korean Won

1 USD = 1,403.80 Won

1 Won = .0007 USD

Japanese Yen

1 USD = 91.965 Yen

1 YEN = 0.0109 USD

Per Diem Rates, Overseas (in USD)

(as of 22 Nov 2008)

	Lodging	M&IE	Total
Seoul	230	120	350
Okinawa	204	125	329

EXHIBIT 10

Embassy of the United States of America
Tunis, Tunisia

CODEL SCHIFF (JUL 01 – 03, 2009)

As authorized in STATE 064881 the maximum USG Per Diem rate in USD equivalent, plus USDE 50 for official expenses should be disbursed in local currency for each night spent in Tunis. Authorized as follow:

REP. SOLOMON ORTIZ

Per Diem:

Date	Actual Lodging	M&IE	Total
07/01/09	$0	$94	$94
07/02/09	$0	$94	$94

Total per diem: $188

Actual Expenses: $50 X 2 = $100.00

Total amount issued: TD387.072 Equiv of $288.00
E Rate: $1=TD1.344

Fiscal Data: 00X0488.0001-2089-2089910262-1440-2167

Received by: _____
Rep. Solomon Ortiz

Certified By: _____
Michael Rentz / FMO

EXHIBIT 11

Draft: 8 June 2009 – Version 7
For Official Use Only

CONGRESSIONAL DELEGATION LED BY CONGRESSMAN ADAM SCHIFF
JORDAN, TUNISIA & ALGERIA

26 JUNE – 3 JULY 2009

MANIFEST & ITINERARY

PURPOSE: **To travel as the Jordan Caucus to meet with leaders of the leaders from Jordan, Tunisia and Algeria.**

Manifest (17 Total; 8 Members, 4 Spouses, 2 Staff, 3 Escorts)

Members:
1. Rep. Adam Schiff (D-29th-CA); Appropriations, House Permanent Select Committee on Intelligence (HPSI)
2. Rep. Cliff Stearns (R-6th-FL); CODEL Ranking Member, Energy and Commerce, Veteran's Affairs
3. Rep. Solomon P. Ortiz (D-27th-TX), Chairman, Readiness Sub-Committee, HASC
4. **Rep. Zoe Lofgren (D-16th-CA); Homeland Security**
5. Rep. Gene Green (D-29th- TX); Energy and Commerce, Foreign Affairs
6. **Rep. Ruben Hinojosa (D-15th-TX); Education and Labor, Chairman Sub-Committee on Higher Education, Lifelong Learning, and Competitiveness**
7. Rep. Donald Manzullo (R-IL); Foreign Affairs; Ranking Member on the Sub-Committee for Asia, the Pacific, and the Global Environment
8. Rep. Steve Israel (D-2d-NY); Appropriations

Spouses:
9. **Joan Stearns**
10. **John Marshall Collins (Rep. Lofgren's spouse)**
11. Mrs. Green
12. Mrs. Manzullo

Staff:
13. TBD PSM Appropriations
14. Mr. Timothy Bergreen

Escorts:
15. Col David Furness, USMC
16. Sgt Jennifer Evitts, USMC

17. LCDR Brian Elkowitz, USN

Friday, June 26 **(Dress: Causal)**

1000	**All Delegation Baggage is delivered to B-324 Rayburn House Office Building**
1330	**Baggage Departs for Andrews AFB**
1400	**Members meet at RHOB Horseshoe**
1415	**Members depart from RHOB Horseshoe for Andrews AFB**
15:00	Depart Andrews AFB, Washington, DC (KADW) to Shannon, Ireland (EINN) *Requested: MILAIR (C-40)* Flight Time: 7:00, Time Change: +5:00

Saturday, June 27 **(Dress: Casual)**

03:00	Arrive at Shannon, Ireland, Refuel
04:30	Depart from Shannon, Ireland, (EINN) to Marka International Airport Amman, Jordan (OJAM) Flight Time: 5:00, Time Change: +2:00
11:30	Arrive at Amman, Jordan Marka International Airport (OJAM) (military side via MILAIR
1200	**Baggage departs from Jordan Marka Airport to Amman Four Seasons.** US Embassy Amman Logistic personnel transport Delegation's baggage and place all baggage in the Delegation's rooms.
1200	**Delegation departs airport for Jarash**
1245	**Delegation visits Jarash**
1415	**Delegation departs Jarash**
1500	**Delegation arrives at Amman Four Seasons**
1510	**Delegation moves to Control Room, issues Per Diem and Room Keys.**
1530	**Executive Time**

1830 **Dinner (Dress: TBD)**

RON **Amman Four Seasons**

Sunday, June 28, 2009 **(Dress: Business Attire)**

Request Separate Spouses Itinerary for this Day. Request that Spouses link up with the Delegation for the Meeting with King Abdullah II and for the Reception at the Ambassador's Residence.

0900 Meeting with Foreign Minister Nasser Judeh

1000 Meeting with Royal Court Chief Nasser Al-Lozi

1100 Audience with HM King Abdullah II (Lunch?)

1300 Meeting with General Intelligence Director Raqqad

1400 Meeting with Prince Feisal

1500 Meeting with Prince Ghazi

1830 Reception at the Ambassador's Residence with Parliamentary US-Jordan Friendship Caucus

TBD Meeting with journalists (or pull-aside following one of the other meetings)

RON Amman Four Seasons

Monday, June 29, 2009 **(Dress: Casual)**

0700 **Checkout of Amman Four Seasons; Control Room remains up and running until delegation departs Hotel**

0800 **Depart for JIPTC**

1000 **Tour of the Jordan International Police Training Center (JIPTC)**

1100 **Tour Church of the Map in Madaba**

1130 Lunch in Madaba
Haret Jdoudna Restaurant

1300 Tour of USAID project in Madaba, visit to tourist sites

REQUEST JORDANIAN MILITARY AIR SUPPORT (HELICOPTERS) FOR THIS MOVEMENT TO REDUCE TRAVEL TIME AND WEAR AND TEAR ON THE MEMBERS.

1400 Depart for Wadi Musa/Petra

1600 Arrive at the Mövenpick Wadi Musa

1800 Country Team Dinner

RON Hotel in Petra, Jordan

Tuesday, June 30, 2009 **(Dress: Casual)**

0800 Tour of Petra with American Center for Oriental Research Director Barbara Porter

1100 Tour of USAID projects in Wadi Musa

1330 Depart for King Hussein International Airport (OJAQ), Aqaba, Jordan

1430 Depart from King Hussein International Airport , Aqaba (OJAQ) to Houar Boumediene Airport (DAAG) Algiers, Algeria
Flight Time: 4:00, Time Change: -1:00

1530 Arrive at Houar Boumediene Airport (DAAG) Algiers, Algeria

1800 Country Team Dinner hosted by Ambassador **(Dress: Business Attire)**

RON Algiers; Algeria at the Hilton Algiers

Wednesday, July 1 **(Dress: Business Casual)**

REQUEST THAT A BRIEF SPOUSES ITINERARY BE DEVELOPED FOR ALGIERS; NO MORE THAN THREE HOURS

0900 Country Team Brief

1100 RAO Brief

1200 Lunch with Country Team

1300 USAID Site Visit

1530 Depart from Houar Boumediene Airport (DAAG) Algiers, Algeria for Carthage Airport (DTTA) Tunis, Tunisia
Flight Time: 1.3 Hours, Time Change: None

1700 Arrive at Carthage Airport (DTTA) Tunis, Tunisia

1800 Country Team Dinner hosted by Ambassador

RON Tunis, Tunisia at the Concorde Les Berges Du Lac Tunis

Thursday, July 2 **(Dress: Business Attire)**

Program Tunisia
Request Separate Spouses Itinerary for this Day.

0900 Country Team Brief

1100 RAO Brief

1200 Lunch

1300 USAID Site Visit

1400 Meeting with President of Tunisia

1500 Meeting with Prime Minister

1600 Meeting with Defense Minister

1800 Dinner with Tunisian Parliamentarians

RON Tunis, Tunisia at the Concorde Les Berges Du Lac Tunis

Friday, 3 July **(Dress: Casual)**

08:00 Depart from Carthage Airport (DTTA) Tunis, Tunisia for Andrews AFB (KADW)
Flight Time: 9.00, Time Change: -5:00

12:30 Arrive at Andrews AFB

14:00 Arrive at Rayburn Horseshoe

Mission Complete

EXHIBIT 12

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

David

IN REPLY REFER TO:
1000
DJF
10 JUL 2009

Dear Congressman Ortiz,

It was an honor and a pleasure to have the opportunity to serve as your Marine escort during the recent trip to Jordan, Algeria and Tunisia. I hope this letter finds you well rested and recovered from our journey.

During the trip, I was able to able to determine the cost of various dinners, room charges, etc for you. These costs and payment break down is as follows:

Meals on the Plane	$28.00
Box Lunch – Petra	$22.00
Lunch – Jerash	$43.40
Wreath at N. African Cemetery	$10.00
Remaining Balance	$103.40

Please make out a check for the amount indicated above, payable to:

David J. Furness

I can pick up the check at your convenience, or your staff can bring it to my office in B-324 Rayburn. I respectfully request that payment be submitted within 5 business days of receipt. I have a detailed cost breakdown and copies of the receipts that were factored into these totals. Should you desire, we can go over them at your convenience. I can be reached at 202-225-[redacted].

Again, I appreciated the opportunity to travel with you, and look forward to escorting you again on future delegations.

Semper Fidelis

DAVID FURNESS
Colonel, U.S. Marine Corps

EXHIBIT 13

*****CLOSE HOLD*****

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

CODEL COSTELLO FACT-FINDING VISIT TO BRAZIL AND ARGENTINA
JANUARY 28 – FEBRUARY 3, 2009

(as of 12:00pm – 1/28)

PROPOSED ITINERARY

WEDNESDAY, JANUARY 28	**(projected weather in Sao Paulo, Brazil:**	**75F high** **66F low** **30% chance of rain**
5:00pm	- depart Rayburn Horseshoe for Andrews AFB AFB (932nd AW (Scott AFB) – C-40C) **(dress: casual)**	
6:00pm	- arrive Andrews AFB	
6:15pm	- depart Andrews AFB for Sao Paulo, Brazil	
	- - Flight Time: 9:45 hours - - Watches: ahead 3 hour	
	- dinner served aboard airplane (chicken alfredo)	
	- breakfast served aboard airplane (scrambled eggs/bacon/sausage)	

THURSDAY, JANUARY 29

7:00am	- arrive Sao Paulo and proceed to hotel
7:30am	- arrive hotel Marriott Hotel – Sao Paulo Airport Av Monteiro Lobato S/N Guarulhos Sao Paulo 07190-000 Phone: 011-55-11-2468[redacted] Fax: 011-55-11-2464-0594
12:00pm	- depart hotel for the Headquarters of Embraer in Sao Jose dos Campos **(dress: business casual/jacket)** - - Embraer will provide escort vehicle - - David Balloff from Embraer and Rob Land from JetBlue will join delegation on bus
1:00pm	- arrive Embraer at F-310 Gate - - proceed to Hall F-300 (ground floor) - working luncheon (Hall F-300 Auditorium – second floor
2:00pm	- spouses depart for Eng Juarez Wanderley School (contact: Pedro Ferraz and Flavia Sekles) **(separate spousal program)**
2:00pm	- institutional presentation by Frederico Curado (F-300 Auditorium)

THURSDAY, JANUARY 29

2:30pm	- U.S. Ambassador to Brazil Clifford Sobel (NJ) will join the delegation
	- - Ambassador Sobel is just returning from a visit to the States
2:45pm	- depart Auditorium for Building F-65 (second floor)
3:00pm	- spousal program at the Center Vale Center
3:00pm	- arrive Building F-65 and visit the "Virtual Reality Center (second floor)
3:20pm	- depart Building F-65 for briefing/tour of aircraft manufacturing plant
	- - F-65 composite material - - F-107 milling shop - - F-60 EMBRAER 170/190 fuselage junction - - F-220 EMBRAER 170/190 final assembly - - F-321 visit to commercial aircraft plant
4:30pm	- visit display of special aircraft (F-300) (spouses rejoin delegation)
	- - Ipanema (special fuels) - - Super Tucano - - Phenom 100
5:30pm	- reception hosted by Embraer (F-300 hangar)
6:30pm	- depart Embraer Headquarters for hotel
7:30pm	- arrive hotel
8:00pm	- no-host dinner
	- RON – SAO PAULO

FRIDAY, JANUARY 30

7:00am	- luggage available for pickup
7:00am	- breakfast available in hotel
8:30am	- depart hotel for airport
9:00am	- depart Sao Paulo for Buenos Aires, Argentina **(dress: jacket/tie)** - - Flight Time: 2+30hours - - Watches: no change - lunch served aboard airplane (bacon cheeseburger)
11:30am	- arrive Buenos Aires and proceed to hotel
12:15pm	- arrive hotel Sheraton Retiro Buenos Aires Hotel San Martin 1225/1275 1104 Buenos Aires, Argentina Phone: 011-54-11-4318[redacted]
1:00pm	- meeting with officials from U.S. Embassy Buenos Aires in hotel - - Country Team Brief **(separate spousal program)**

FRIDAY, JANUARY 30

1:45pm	- meeting with Representatives from U.S. airline carriers with flights in/out of Argentina in hotel
	- - American; United; Continental; Delta; Federal Express; UPS and GE.
2:30pm	- depart hotel for Planning Ministry of Transportation
2:45pm	- arrive Ministry for meeting with Planning Ministry for Transportation Secretary Jaime Marcela Arteaga
3:45pm	- depart Ministry for hotel
3:45pm	- spouses return to hotel
4:00pm	- arrive hotel
4:30pm	- spouses depart hotel for Ambassador's residence
4:45pm	- spouses arrive Ambassador's residence
	- - private tour of residence escorted by Ambassador's wife
	- - meeting with student visiting Argentina on the Fullbright Program
5:45pm	- Members and staff depart hotel for Ambassador's residence
6:00pm	- arrive residence for reception hosted by Ambassador
7:30pm	- depart residence for hotel
8:00pm	- arrive hotel
8:30pm	- no-host dinner
	- RON - BUENOS AIRES

SATURDAY, JANUARY 31

8:00am	- breakfast available in hotel
9:00am	- depart hotel for Port of Buenos Aires
9:15am	- arrive port
	- - meeting with Director of Port and Director of Custom, Mr. Tirabassi
	(separate spousal program)
11:00am	- depart port for hotel
12:00pm	- lunch at local restaurant
2:00pm	- windshield tour of city
4:00pm	- return to hotel
8:30pm	- depart hotel for no-host dinner and La Ventana Tango Show ($60 per person – 200 pesos) (Balcarce 431, San Telmo)
8:45pm	- arrive La Ventana
11:30pm	- depart La Ventana for hotel
11:45pm	- arrive hotel
	- RON - BUENOS AIRES

SUNDAY, FEBRUARY 1

7:30am	- breakfast available in hotel
8:30am	- church services at Recoleta Park Chapel
9:15am	- depart hotel for San Telmo Fair
	- - Rose Garden - - Botanical Garden - - Japanese Garden
12:30pm	- depart Buenos Aires Central for hotel
1:00pm	- arrive hotel
1:30pm	- luggage available for pickup
2:30pm	- depart hotel for airport
3:30pm	- depart Buenos Aires for Panama City, Panama
	- - Flight Time: 7+10 hours - - Watches: back 3 hours
	- dinner served aboard airplane (macadamia crusted tilapia)
	- light snacks served aboard airplane (bruschetta w/caprice salad)
7:40pm	- arrive Panama City and proceed to hotel

SUNDAY, FEBRUARY 1

8:30pm - arrive hotel

Marriott Hotel
Calle 52 y Ricardo Arias
Area Bancaria Panama City, Panama
Phone: 011-507-2-[redacted]
Fax: 011-507-2-109110

8:45pm - delegation meeting in hospitality room

- RON – PANAMA CANAL

MONDAY, FEBRUARY 2

2:30pm	- arrive Casco Viejo or hotel
4:30pm	- depart Casco Viejo for hotel
5:00pm	- arrive hotel
6:00pm	- depart hotel for Ambassador's residence
6:30pm	- arrive Ambassador's residence for reception
7:45pm	- depart residence for hotel
8:15pm	- arrive hotel
8:30pm	- no-host dinner
	- RON - PANAMA CITY

TUESDAY, FEBRUARY 3

7:00am	- breakfast available in hotel
7:00am	- luggage available for pickup
9:00am	- depart hotel for airport
10:00am	- depart Panama City for Andrews AFB
	- - Flight Time: 4+55 hours - - Watches: no change
	- lunch served aboard airplane (BLT's)
2:55pm	- arrive Andrews AFB