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SECOND QUARTER 2014 REPORT

April 2014 – June 2014

I. INTRODUCTION

The Office of Congressional Ethics (“OCE”) is an independent, non-partisan entity charged with reviewing allegations of misconduct involving Members, Officers and staff of the House and, when appropriate, referring matters to the House Committee on Ethics. In all but one set of circumstances, the report and findings of the OCE Board included in a referral to the Committee on Ethics eventually must be publicly released.

The mission of the OCE and its Board is to assist the United States House of Representatives in upholding high standards of ethical conduct for its Members, Officers and staff and, in so doing, to serve the American people.

The following is a report of the OCE’s work since inception and in the second quarter of 2014.

II. CITIZEN COMMUNICATIONS

Any member of the public may bring a matter of suspected misconduct involving a Member, Officer or staff of the House to the attention of the OCE. Approximately 100 private citizens have contacted the OCE during the second quarter of 2014. These contacts were of two types: (1) requests for information about the OCE and its procedures; and, (2) allegations of misconduct. Staff or any Board member may also submit information regarding an alleged violation for consideration by the Board. The OCE requests all submissions of information be made in writing.

III. OCE PROCESS

The OCE’s investigations have two stages: (1) a preliminary review, which must be completed in 30 days and (2) a second-phase review, which must be completed in 45 days, with the option of a 14-day extension. Two Board members (one appointed by the Speaker of the House and one appointed by the Minority Leader) may authorize a preliminary review if all available information provides a *reasonable basis* to believe that a violation may have occurred.

Three Board members may authorize a second-phase review if all available information provides *probable cause* to believe a violation may have occurred.

A decision to undertake a preliminary review or second-phase review should not be misconstrued. Historically, the majority of reviews have resulted in termination or dismissal of the matter.

At the end of a second-phase review, the Board must recommend to the Committee on Ethics either that the matter warrants further review by the Committee on Ethics or that the Committee on Ethics should dismiss the matter. The standard of proof generally required under OCE Rules

to refer a matter to the Committee on Ethics for further review is *substantial reason* to believe a violation may have occurred. A recommendation for further review does not constitute a determination that a violation occurred. Similarly, a recommendation for dismissal does not constitute a determination that a violation did not occur, but only that the information available to OCE does not provide a substantial reason to believe a violation occurred or, in some cases, that the conduct at issue falls outside of OCE’s jurisdiction.

The OCE is not authorized to sanction Members, officers or employees of the House or to recommend any sanctions. The Committee on Ethics has the exclusive authority to determine if a violation has occurred and, if so, what sanction may be in order. When it makes its recommendation, the OCE Board may also transmit to the Committee on Ethics findings that include, among other things, findings of fact and citations to laws, rules or regulations that may have been violated. A chart depicting the OCE’s review process is available on the OCE website at <http://oce.house.gov>.

IV. BOARD ACTIONS

A. OCE SECOND QUARTER 2014 ACTIVITY

The following is a statistical summary of the Board’s actions in the second quarter of 2014.

Date \ Type of Action	Commence Preliminary Review	Vote to Terminate Matter	Commence Phase II Review	Commence Phase II Review Extension	Transmit Referral for Review	Transmit Referral for Dismissal
April 9					1	
April 14				2		
April 28			1			
May 14				1		
June 2						1
June 10					2	
June 12				1		
June 28	1					
Total for Quarter	1	0	1	4	3¹	1
Total for 113th Congress	36	14	21	16	14	5

¹ The OCE considered and voted to refer to the Committee on Ethics one matter in the second quarter, which was finalized and transmitted in the third quarter. This case will be accounted for in the third quarter report.

B. OCE ACTIVITY SINCE INCEPTION

The following is a statistical summary of the Board's actions since the OCE began conducting investigations in February 2009. Of the 137 investigations the office began, 36 percent have been referred to the Committee on Ethics for further review while 64 percent have been terminated or dismissed.

Type of Action Date	Commence Preliminary Review	Vote to Terminate Matter	Commence Phase II Review	Commence Phase II Review Extension	Transmit Referral for Review	Transmit Referral for Dismissal
111 th Congress	69	28	41	36	22	18
112 th Congress	32	5	25	19	13	10
113 th Congress	36	14	21	16	14	5
Total	137	47	87²	71	49	33

² Subjects of five second-phase reviews resigned before the OCE completed its investigations. Therefore, the Board took no further actions.

C. TYPES OF INVESTIGATIONS

The OCE has jurisdiction to investigate any alleged violation of a “law, rule, regulation or other standard of conduct.” The following is a graphical explanation of the preliminary review figures in Section B. The categories are those defined by the House Ethics Manual:

Campaign Activity: Chapter 4

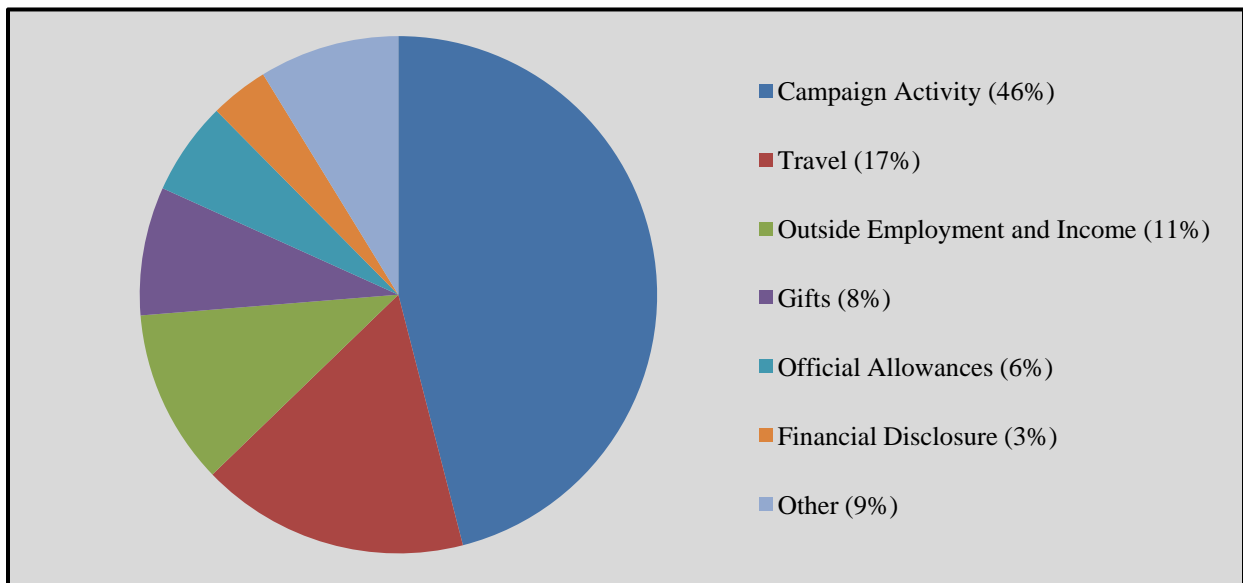
Travel: Chapter 3

Outside Employment and Income: Chapter 5

Gifts: Chapter 2

Official Allowances: Chapter 9

Financial Disclosure: Chapter 6



V. SCHEDULE OF PUBLIC RELEASE OF OCE REPORTS AND FINDINGS

The OCE has transmitted fifteen matters to the Committee on Ethics for further review in the 113th Congress. The OCE's report and findings in those matters must be made public according to the schedule contained in House Resolution 895 of the 110th Congress, as amended.

A chart depicting this schedule for public disclosure of OCE reports is available on the OCE website at <http://oce.house.gov/process.html>. The following is a summary of the various matters that the OCE has referred to the Committee on Ethics that are pending release.

Review No.	Status	Release Date
14-2940	The OCE transmitted a referral for further review to the Committee on Ethics on June 10, 2014.	By July 25, 2014, the Committee on Ethics must release the OCE referral or make a public announcement that: (1) the Chair and Ranking of the Committee are taking an additional 45 days to consider the matter or (2) the Committee has voted to empanel an investigative subcommittee.
14-8751		
14-1891	The OCE transmitted a referral for further review to the Committee on Ethics on July 2, 2014.	By August 16, 2014, the Committee on Ethics must release the OCE referral or make a public announcement that: (1) the Chair and Ranking of the Committee are taking an additional 45 days to consider the matter or (2) the Committee has voted to empanel an investigative subcommittee.

VI. A NOTE ON REFERRALS TO FEDERAL AUTHORITIES

In the second quarter of 2014, pursuant to Rule 13(D) of the OCE Rules for the Conduct of Investigations, the OCE voted to refer one entity to the U.S. Attorney's Office for the District of Columbia for failure to register under the Lobbying Disclosure Act.