

June 28, 2013

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VIA ELECTRONIC MAIL

The Honorable K. Michael Conaway
Chairman
Committee on Ethics
United States House of Representatives
1015 Longworth House Office Building
Washington, D.C. 20515-6328

The Honorable Linda T. Sánchez
Ranking Minority Member
Committee on Ethics
United States House of Representatives
1015 Longworth House Office Building
Washington, D.C. 20515-6328

Re: *The Honorable Peter Roskam's Response to the Office of Congressional Ethics' Referral in Review Number 13-9784*

Dear Chairman Conaway and Ranking Member Sánchez,

We respond on behalf of our client, Representative Peter Roskam, to the June 14, 2013 letter from the Chief Counsel of the Committee on Ethics (the "Committee"), notifying us that the Committee had received a referral from the Office of Congressional Ethics (the "OCE"). Specifically, we respond to the allegations contained in the OCE's Findings of Fact and Citations of Law (the "OCE Report") in the above-identified matter. For the reasons set forth below, we respectfully submit that the allegations in the OCE Report are wholly without merit and should be dismissed without further proceedings by the Committee. Representative Roskam's declaration is attached as Exhibit A.

Summary

In October 2011, Representative Peter Roskam and his wife travelled to Taiwan on a trip related to his official duties as a Member of Congress (the "Taiwan Trip"). The Taiwan Trip was sponsored by the Chinese Culture University ("CCU"), a private educational institution located in Taipei, Taiwan, and Representative Roskam participated in the trip at CCU's invitation. The University invited Representative Roskam and his wife on an "educational and fact-finding visit

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to Taiwan as part of [its] effort to broaden relations through new exchange initiatives.” OCE Report at Exh. 1. The trip included a visit to CCU, a meeting with CCU’s President, a tour of the CCU campus, meetings with government and industry leaders, and events highlighting the culture and history of Taiwan.

Per House Rules, Representative Roskam sought pre-approval from the Committee for the Taiwan Trip, submitting on September 12, 2011 a Traveler Form for Members, Officers, and Employees, the Private Sponsor Travel Certification Form, and attachments that included the invitation letter from CCU and a preliminary itinerary. As discussed below, Representative Roskam disclosed in good faith all material information regarding the Taiwan Trip to the Committee in seeking its pre-approval. This trip was vetted by the Committee and subsequently approved on September 30, 2011. After returning from Taiwan, and within the required 15-day timeframe, Representative Roskam submitted the required Post-Travel Disclosure Form to the Committee.

On January 28, 2013, Representative Roskam was notified that the OCE Board had initiated a preliminary review into whether the Taiwan Trip constituted an impermissible gift. During the OCE’s inquiry, Representative Roskam participated and cooperated to the fullest extent possible. In addition to sitting for an extensive and unrestricted interview and making his staff available for unrestricted interview, Representative Roskam produced emails, correspondence, and other documents related to the Taiwan Trip. Additionally, Representative Roskam took the extraordinary measure, at the express demand of the OCE, of waiving confidentiality of his exchanges with the Committee during the pre-approval process, authorizing the Committee to discuss its pre-approval of the Taiwan Trip directly with the OCE. *See* Rule 3(j), Rules of the Committee on Ethics (2013) (“Comm. Rules”). Despite his full and robust cooperation with the OCE review, the OCE ultimately issued Findings of Fact and Citations of Law referring this matter for further review by the Committee.

As discussed in detail below, the matter should be dismissed summarily by the Committee without further review for the following reasons:

First, the record reflects that Representative Roskam complied with all laws, rules, and procedures related to privately sponsored travel. The trip was vetted and approved by the Committee upon full, good-faith disclosure of all material information by Representative Roskam. As Representative Roskam indisputably acted in good faith—indeed even OCE does not allege that Representative Roskam acted in bad faith or withheld any material information from the Committee in obtaining pre-approval—he is permitted to rely upon the Committee’s approval of the trip and therefore cannot and should not be the subject of adverse action by the Committee.

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Second, there is *nothing* in the record—not a single document or witness statement—indicating that anyone other than CCU paid for Representative Roskam’s Taiwan Trip. Indeed, nowhere in its Report does the OCE even conclude that CCU did not pay for the trip. Instead, the OCE merely asserts that *if* the Taipei Economic and Cultural Representative Office in the United States (“TECRO”) paid for the trip, it could not have done so under MECEA and would have been an impermissible source. But that conclusion—which we need not and do not challenge—is entirely irrelevant here, as there is nothing in the record indicating that TECRO paid for the Taiwan Trip. To the contrary, there is ample and uncontroverted evidence that the Taiwan Trip was, in fact, sponsored solely by CCU.

Third, the record clearly establishes that CCU, a private institution that does not employ a federally registered lobbyist or a registered foreign agent, was a perfectly permissible sponsor for the Taiwan Trip. Contrary to the OCE’s erroneous assessment, the record also demonstrates that CCU played a significant role in organizing and conducting the Taiwan Trip, including extending the formal invitation to Representative Roskam, completing and sending the Private Sponsor Travel Certification Form, interacting with the Government of Taiwan to help facilitate the trip, and hosting the Congressman and his wife at the University for a substantial meeting with the CCU President and a campus tour during the trip. The mere fact that TECRO may have assisted with logistical aspects of the trip, as alleged in the OCE Report, does not nullify CCU’s considerable and demonstrable participation in the organization and conduct of the Taiwan Trip. CCU was a permissible private sponsor, and the trip was not an impermissible gift.

Background

In order to allow for its Members to engage in a meaningful way with those outside of Washington D.C. and their district, while at the same time upholding the highest ethical standards, the House of Representatives has adopted rules for officially connected travel paid for by private sources. *See* Rule 25, Rules of the House of Representatives (2013) (“House Rules”). Similarly, the Committee has adopted rules specific to this type of travel, *see, e.g.*, Comm. Rule 3(f), and issued additional Travel Guidelines and Regulations. *See* Memorandum to All Members, Officers, and Employees from the Committee on Standards of Official Conduct, “Travel Guidelines and Regulations” (February 20, 2007) (“2007 Travel Guidelines”).

Travel connected with a Member’s official responsibilities may be paid for by a private source as long as certain standards are met. For example, the House Rules require that there be a nexus between the purpose of the trip, the location being visited, and the sponsor. *See* 2007 Travel Guidelines at 3. Additionally, the private source of funding, or sponsor, cannot retain a registered lobbyist or agent of a foreign principal. House Rule 25, cl. 5(b)(1)(A). It is the sponsor’s duty to “certify to the Committee that it has not accepted from any other source funds earmarked directly or indirectly to finance any aspect of the trip.” House Ethics Manual, 98

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(2008). Further, the “sponsor must also certify that the trip was not financed (in whole or in part) by a federal lobbyist or agent of a foreign principal.” *Id.*

The Committee requires Members to seek and receive pre-approval for any privately sponsored travel, House Rule 25, cl. 5(d)(2), and also mandates additional disclosures within 15 days of the conclusion of the trip. House Rule 25, cl. 5(b)(1)(A)(iii).

As discussed at length below, Representative Roskam and his congressional staff adhered strictly to these requirements throughout the planning, travel, and post-travel phases of the Taiwan Trip.

- 1. The conduct alleged by the OCE is within the scope of the Committee’s written pre-approval of the Taiwan Trip, upon which Representative Roskam was entitled to rely. Thus the Committee must dismiss this matter under Committee Rule 3(k).**

Representative Roskam followed all applicable rules and procedures in seeking—and receiving—pre-approval from the Committee for the Taiwan Trip and, as a result, the Committee is estopped from taking any adverse action against Representative Roskam for this trip.

To ensure that the requirements for privately sponsored travel are met, Members must have all such travel plans pre-approved by the Committee. House Rule 25, cl. 5(d)(2); Comm. Rule 3(f). At the time of the Taiwan Trip, Members were required to seek pre-approval at least 14 days prior to their departure, *see* Memorandum to All Members, Officers, and Employees from the Committee on Standards of Official Conduct, “Changes to the Pre-Approval Process for Officially-Connected Travel Paid for by a Private Source,” at 1 (September 23, 2008), though the Committee generally requested that the necessary paperwork be submitted at least 30 days prior to departure.¹ *See* Memorandum to All Members, Officers, and Employees from the Committee on Standards of Official Conduct, “Travel Approval Requests Must Be Submitted in a Timely Manner,” at 1 (June 20, 2007). The pre-approval submission generally consists of the Traveler Form for Members, Officers, and Employees, the Private Sponsor Travel Certification Form, and any necessary attachments.² Comm. Rule 3(f)(2); *see also* House Rule 25, cl. 5(b)(5) (requiring submission of “all advance authorizations, certifications, and disclosures”). A Member may not engage in privately sponsored travel without first receiving approval from the Committee. *See* House Rule 25, cl. 5(d)(2); Comm. Rule 3(f).

¹ Recently this time period was increased; requiring Members to seek pre-approval for privately sponsored travel 30 days prior to departure. *See* Memorandum to All Members, Officers, and Employees from the Committee on Standards of Official Conduct, “Travel Guidelines and Regulations,” at 1 (December 27, 2012).

² Anyone who knowingly and willfully falsifies part of this submission may be subject to criminal liability pursuant to the False Statements Act, 18 U.S.C. § 1001. Comm. Rule 3(f)(3).

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Significantly, once the Committee has approved a Member's privately sponsored travel, "[t]he Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion." Comm. Rule 3(k). Indeed, as long as the Member acts in good faith, the Committee may not even conduct an investigation. House Ethics Manual, 21 (2008)(citing 2 U.S.C. § 29d(i)(4); 5 U.S.C. app. 4 § 504(b); Comm. Rule 3(j)-(k)).

Representative Roskam sought timely pre-approval from the Committee by submitting his Traveler Form for Members, Officers, and Employees, the Private Sponsor Travel Certification Form completed by CCU, and three attachments³ on September 12, 2011, over a month prior to his scheduled departure for Taiwan. OCE Report at Exh. 1. These documents clearly identify CCU as the sponsor of the trip and reflect CCU's direct and significant involvement in its planning. In a follow-up conversation with a member of the Committee's staff, Representative Roskam's Executive Assistant identified TECRO, and specifically TECRO employee Gordon Yang, as the primary point of contact for the trip.⁴ OCE Report at ¶¶ 84-87. In a follow up e-mail on September 27, 2011, Representative Roskam's Executive Assistant sent Mr. Yang's contact information to the Committee's staff member. OCE Report at ¶ 87; Exh. 22. Shortly thereafter, the Taiwan Trip was officially approved by the Committee. OCE Report ¶ 92; Exh. 1.

Throughout the pre-approval process Representative Roskam and his congressional staff were completely candid with the Committee. All of the required documentation he was provided was submitted to the Committee for its consideration in granting pre-approval. Contact information for both CCU and TECRO was provided to the Committee prior to approval and no material information was withheld from the Committee during this process. Tellingly, OCE does not even allege that any material information was withheld or that Representative Roskam did not act in complete good faith. Moreover, the actual Taiwan Trip conformed with the information submitted to the Committee. Representative Roskam met with the President of CCU and toured the campus. OCE Report at ¶ 74. He and his wife engaged in a variety of different meetings and events designed to promote Taiwanese culture. Taken as a whole, Representative Roskam

³ The attachments included: (1) a letter from Wanniyh Wu, President of CCU, inviting Representative Roskam to Taiwan; (2) a list of Members invited on the Taiwan Trip; and (3) a tentative itinerary for the Taiwan Trip. OCE Report at Exh. 1.

⁴ Representative Roskam's Executive Assistant's conduct during the preparations for the Taiwan Trip was exemplary and entirely transparent. He repeatedly sought guidance from the Committee during the lead up to the Taiwan Trip. For example, in late July 2011 Representative Roskam's Executive Assistant spoke with Ethics regarding whether the travel request had to be re-submitted after the dates of the trip changed. *See* OCE Report at Exh. 10. Similarly, Representative Roskam's Executive Assistant sought guidance from Ethics regarding the allocation of certain travel expenses. *See* OCE Report at Exh. 18.

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through both his actions and those of his staff acted in good faith throughout the pre-approval process as well as during and after the actual Taiwan Trip.

In light of this transparent and good-faith disclosure and cooperation, and regardless of the OCE's pointless critique of CCU's and TECRO's comparative roles in planning and conducting the official travel, the Committee's pre-approval of Representative Roskam's Taiwan Trip cannot now be investigated by the Committee and never should have been questioned by the OCE. Of note, this explanation was repeatedly brought to the OCE's attention during its review process in this matter. *See, e.g.*, OCE Report at ¶ 93, n. 109. In the spirit of full cooperation, Representative Roskam agreed to the unprecedented measure of waiving his confidential relationship with the Committee and allowing the OCE to request information related to the Taiwan Trip directly from the Committee. As noted in its report, however, the OCE was "unable to assess" this claim because it did not receive a formal response from the Committee related to the approval process. OCE Report at ¶ 93.

As Representative Roskam received pre-approval for the Taiwan Trip based upon a full disclosure to the Committee, and because he acted in good faith, we respectfully request that the Committee dismiss this matter without further inquiry.

2. There is no indication that anyone other than CCU paid for the Taiwan Trip.

Importantly, OCE did *not* find or even allege that CCU did not pay for the Taiwan Trip, but rather merely argues that *if* TECRO paid for the trip, it would have been an impermissible source. OCE Report at ¶¶ 25-36.⁵ With no evidence even suggesting that TECRO paid for any

⁵ The OCE Report at footnote 31 states in conclusory fashion that no travel expenses could have been accepted from the government of Taiwan under the Foreign Gifts and Decorations Act ("FGDA") because Representative Roskam's trip originated in the United States. The House Ethics Manual does not support this statement. The House Ethics Manual states:

Under the FGDA, any travel paid for by a foreign government must take place totally outside of the United States, must be consistent with the interests of the United States, and must be permitted under FGDA regulations issued by the Standards Committee. The intent of this provision . . . is to allow an individual who is already overseas (as on a CODEL or third-party sponsored fact-finding trip) to take advantage of fact-finding opportunities by the host country. . . . The regulations also allow the acceptance of travel expenses by an accompanying spouse or dependent.

House Ethics Manual at 109. The House Ethics Manual also contains this example concerning the application of FGDA to foreign travel:

Example 11. The Chinese Agricultural Ministry invites the Members of the Agriculture Committee on a ten-day tour of Chinese farm cooperatives. The tour is not part of an approved cultural exchange program. The Members may, consistent with the FGDA, accept expenses for

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of the trip expenses, the OCE simply dodges the question of payment. Rather than draw *any* conclusion on the source of payment—nowhere in its Report does the OCE commit to identifying either TECRO or CCU as payor—the OCE instead relies on those entities’ respective roles in organizing and conducting the trip in order to argue that *neither* entity could have paid for the trip. This “heads I win, tails you lose” approach is unjust, and does not reflect the reality of CCU’s significant participation in planning and conducting Representative Roskam’s Taiwan Trip. But the OCE’s alternative—and ultimately irrelevant—argument that TECRO would have been an impermissible source is easily dispensed with: There is *nothing* in the record—not a single document or witness statement—indicating that TECRO paid for Representative Roskam’s Taiwan Trip.

All available evidence indicates that CCU was the sponsor of the Taiwan Trip. First, it was CCU that completed and submitted the Private Sponsor Travel Certification Form to Representative Roskam’s office. OCE Report at Exh. 1. In addition to CCU being identified as the sponsor, the university, through its representative Chiung-Li Kuo, certified that it “has not accepted from any other source funds earmarked directly or indirectly to finance any aspect of the trip.” OCE Report at Exh. 1. This form was submitted by CCU under threat of criminal liability for any false statements. *See* Comm. Rule 3(f)(3). These documents also include clear indicia that they did in fact originate from CCU. Not only does the fax header on this form indicate that it is “From: CCU,” but the originating fax number is identical to the fax number provided by CCU on page three of the form. OCE Report at Exh. 1. Similarly, in that same submission to Ethics there is a letter from CCU President Wanniyih Wu—on CCU letterhead—extending the formal invitation to Representative Roskam to participate in the Taiwan Trip. *Id.*

Other evidence in the record also indicates that CCU sponsored the Taiwan Trip. Beginning with the first itinerary provided by TECRO on June 7, 2011 the host of the trip is consistently identified as the CCU. *See* OCE Report at Exh. 5. In that regard, this initial itinerary mirrors the request form submitted to Ethics on September 12, 2011, *see* OCE Report at Exh. 1; the post-travel disclosure form submitted on November 2, 2011, *see id.*; and every other iteration of the itinerary, all of which consistently identified CCU as the trip’s sponsor. *See, e.g.,* OCE Report at Exhs. 14, 15, 19. Similarly, a memo regarding the upcoming trip to Taiwan, provided to

themselves and their spouses while they are in China, but they may not accept airfare to and from China from the Chinese government. They must disclose the receipt of these expenses for themselves and spouses on an FGDA disclosure form within 30 days of leaving China. They need not report the trip on their annual Financial Disclosure Statements.

Id. at 111. Accordingly, even assuming for the sake of argument only that the government of Taiwan did pay for a portion of Representative Roskam and his wife’s travel *in* Taiwan, such payments would have been permissible under the FGDA contrary to the OCE Report. Regardless, there is *nothing* in the record to suggest that *any* portion of the trip was paid for by anyone other than CCU, the trip’s sponsor.

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Representative Roskam's Executive Assistant on October 7, 2011, begins, "The Chinese Culture University of the Republic of China (Taiwan) hosts your trip, which has been approved by the U.S. House of Representatives Committee on the Standards of Official Conduct." *See* OCE Report at Exh. 19.

These documents are consistent with representations made by Mr. Yang throughout the process. As explained by Representative Roskam's Executive Assistant, Mr. Yang continually referred to the Chinese Culture University as the trip sponsor. The documents reflect this, as well. On June 15, 2011, Mr. Yang promises to provide Representative Roskam's Executive Assistant with a copy of "the private sponsor certification form signed by the Chinese Culture University" for the trip to Taiwan. *See* OCE Report at Exh. 6. Similarly, on September 2, 2011, Yang writes to Representative Roskam's Executive Assistant, "I've got the new ethics form from the Chinese Culture University. I plan to stop by your office on Tuesday to deliver it to you." *See* OCE Report at Exh. 16.

Conversely, the record in this matter contains *no* evidence that the Government of Taiwan sponsored Representative Roskam's Taiwan Trip. The OCE Report focuses on communications exchanged at the very outset of planning a trip to Taiwan, prior to CCU's involvement in sponsoring *the* Taiwan Trip on which Representative Roskam ultimately actually travelled. For example, the OCE notes that an initial invitation from the Government of Taiwan identified a trip the Government proposed to conduct as part of the Mutual Educational and Cultural Exchange Act ("MECEA"). *See, e.g.*, OCE Report at ¶¶ 27, 32. But that contemplated MECEA trip simply was not the trip that Representative Roskam ultimately attended. As noted above, the actual Taiwan Trip was not a MECEA trip and the Government of Taiwan was not the sponsor. Preliminary discussions with TECRO about a potential MECEA trip that never occurred are entirely irrelevant to the distinct, privately-sponsored trip for which Representative Roskam received Committee pre-approval months later.

Notably, in the fall of 2012 the OCE referred another officially connected trip to Taiwan sponsored by CCU for additional investigation by the Committee. It is apparent that that unrelated OCE review heavily influenced the OCE's inquiry into Representative Roskam's Taiwan Trip.⁶ But in its haste to draw parallels, the OCE ignored that the circumstances surrounding that trip, involving Representative Bill Owens, are easily and materially distinguishable from Representative Roskam's Taiwan Trip. For example, the OCE found that Park Strategies, LLC, a lobbying firm, played an integral role in the development and planning of Representative Owens' trip, whereas there is no allegation whatsoever that lobbyists were

⁶ For example, the Rule 4(F) letter provided by the OCE to Representative Roskam on May 17, 2013 erroneously includes a reference to "Representative and Mrs. Owens." Letter from Omar S. Ashmawy, OCE Staff Director and Chief Counsel, to The Honorable Peter Roskam, U.S. Representative (May 17, 2013).

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involved in Representative Roskam's Taiwan Trip. Additionally, the documents in that Owens matter contained multiple references to travel expenses being paid for by the Government of Taiwan, not CCU, whereas there is not a single document or witness statement indicating that anyone other than CCU paid for Representative Roskam's Taiwan Trip.

The record in this matter uniformly indicates that the Taiwan Trip was sponsored by CCU, and not by the Government of Taiwan. Thus the OCE's conclusion that TECRO would have been an impermissible payment source is immaterial to determining whether Representative Roskam's Taiwan Trip constituted an impermissible gift.

3. The OCE's contention that CCU did not play a significant role in the organization and conduct of the Taiwan Trip is belied by the record.

Unable to cite a single document or witness statement even suggesting that TECRO paid for the trip, the OCE resorts to an alternative theory that the Taiwan Trip "appears to have been organized and conducted by the government of Taiwan, with little to no involvement by the University," and, as a result, CCU's sponsorship of the trip constituted an impermissible gift. OCE Report at ¶ 3. There is, however, ample—and indeed uncontroverted—evidence in the record that CCU played a substantial role in the planning, execution, and conduct of the Taiwan Trip.

Pursuant to the travel guidelines issued by the Committee, "[e]xpenses may only be accepted from an entity or entities that have a significant role in organizing and conducting a trip, and that also have a clear and defined organization interest in the purpose of the trip or location being visited." *See* 2007 Travel Guidelines at 3. Stated another way, "[e]xpenses may not be accepted from a source that has merely donated monetary or in-kind support to the trip but does not have a significant role in organizing and conducting the trip." *Id.* As the use of the term "significant" makes clear, neither the House Rules nor the guidelines established by the Committee require the sponsor to be the *sole* entity participating in organization and conduct of privately funded Member travel.

As discussed at length above, CCU participated significantly in the planning and conduct of the Taiwan Trip, including by: (1) formally inviting the Congressman to Taiwan via letter; (2) completing and faxing the Private Sponsor Travel Certification Form; (3) interfacing with TECRO regarding the logistics of the trip; (4) coordinating the Congressman's visit to CCU's campus and a meeting with University officials; and (5) ultimately hosting the Congressman and his wife at the University during the trip, including a lengthy meeting with the University's president and a tour of the CCU campus. Clearly, CCU did not "merely donate[] monetary or in-kind support to the trip." *See* Memorandum to All Members, Officers, and Employees from the Committee on Standards of Official Conduct, "Travel Guidelines and Regulations," at 3 (February 20, 2007). CCU was a full participant in the process.

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What the Committee well understands, but the OCE fails to acknowledge, is that the involvement of TECRO as a liaison for the trip is neither unusual nor impermissible. TECRO is the principal point of contact for all United States citizens travelling to Taiwan. Interaction with TECRO would have been required to get travel visas for the trip. Relying upon TECRO to alleviate the significant logistical challenges of officially connected travel in a foreign country is not impermissible. Indeed, it would have been extraordinary had TECRO not been involved in planning *officially* connected travel to Taiwan. As noted by CCU in its submission to the OCE,

In view of Mr. Roskam's important status as a member of U.S. Congress and the lack of staff of this university stationed in the United States, the program for Representative Roskam's visit was coordinated through the kind assistance of Taiwan's Ministry of Foreign Affairs and Taipei Economic and Cultural Representative Office in the United States.

OCE Report at Exh. 21. Limited by its resources and separated by a language, an international date line, and a culture, it simply was not feasible—nor required by governing law or House Rules—for CCU to interface directly with Representative Roskam's office.⁷

In a recent matter where the funding for Members' travel was found to have come from an entity that did not organize and conduct the trip, the Committee noted a complete disconnect between the identified sponsor and the actual source of funding for the trip. *See* Comm. on Standards of Official Conduct, In the Matter of the Investigation into Officially Connected Travel of House Members to Attend the Carib News Foundation Multi-National Business Conference in 2007 and 2008, H. Rep. 111-422, 111th Cong., 2d Sess. (2010) ("Carib News Report"). Representative Bennie G. Thompson, among others, was invited to two conferences by the Carib News Foundation. Carib News Report at 168. It was the Carib News Foundation that completed the Private Sponsor Travel Certification Form, certifying that it alone was funding the proposed travel, and that organized the conference. Carib News Report at 169. But it was not the Carib News Foundation that incurred the expenses related to the travel; rather it was a series of corporations that specifically earmarked donations for the Members' travel. Carib News Report at 170. These actual sponsors played no role in the planning and conduct of the conference, and indeed had no connection to the conference whatsoever. Carib News Report at 17. Here, however, there is no such disconnect. There is uniformity between the sponsor of the trip (i.e., CCU), the entity that completed the Private Sponsor Travel Certification Form (i.e., CCU), the itinerary (i.e., including a tour of CCU), and the purpose of the trip ("to introduce [Representative Roskam] to Taiwan"). *See* OCE Report at Exh. 1.

⁷ Given these significant limitations, the OCE's assertion that CCU and Representative Roskam's office could have corresponded via email is petty and misses the point. *See* OCE Report at ¶ 83.

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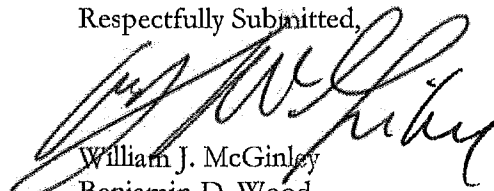
As previously discussed, a private sponsor is permitted to pay for a Member's travel on an officially connected trip. House Rule 25, cl. 5(b)(1)(A). CCU is "a private university founded in 1962" in Taipei, Taiwan. OCE Report at Exh. 21; *see also* OCE Report at Exh. 1 (letter from Wannih Wu, President of CCU, inviting Representative Roskam to Taiwan). The University does not employ a federally registered lobbyist or a registered foreign agent. OCE Report at Exh. 1. Therefore, CCU is a permissible sponsor for a Member's privately funded, officially connected travel.

Faced with no evidence that CCU did not in fact sponsor the trip as reported, the OCE attempts to ensnare Representative Roskam in a "Catch-22," alleging that the Taiwan Trip constituted an impermissible gift whether CCU paid for the trip or not. Yet the record in this matter uniformly shows not only that CCU paid for the trip expenses, but that CCU also fully participated significantly in the organization and conduct of the privately sponsored travel. As a result, CCU was an appropriate and permissible sponsor for the trip and, therefore, its payment of trip expenses did not constitute an impermissible gift.

Conclusion

On behalf of Representative Roskam, we respectfully submit that his trip to Taiwan in October 2011 was appropriately vetted and approved by the Committee, with full disclosure of all material information and pursuant to all the applicable rules and procedures, and therefore cannot form the basis for an investigation by the Committee. Moreover, there is no basis to conclude that the Taiwan Trip—a trip sponsored, organized, and conducted by a legally permissible sponsor, CCU—constituted an impermissible gift. We therefore respectfully request that the Committee dismiss the OCE referral without further proceedings.

Respectfully Submitted,



William J. McGinley
Benjamin D. Wood

Attachment (Representative Roskam's Declaration)

Declaration

I, Representative Peter Roskam, declare (certify, verify, or state) under penalty of perjury that the response and factual assertions contained in the attached letter dated June 28, 2013, relating to my response to the June 14, 2013, Committee on Ethics letter, are true and correct.

Signature:



Name:

Representative Peter Roskam

Date:

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