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FOURTH QUARTER 2014 REPORT

October 2014 – December 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 in the 113th Congress.

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 700 private citizens have contacted the OCE during the 113th Congress. 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 ACTIVITY IN THE 113TH CONGRESS

The Board met 20 times in the 113th Congress, including 12 times in 2013 and eight times in 2014. The following is a statistical summary of the Board’s actions in the 113th Congress.

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
		2013	1 st Quarter	9	0	7	0
2 nd Quarter	0		0	2	7	7	0
3 rd Quarter	6		0	4	0	0	2
4 th Quarter	3		3	2	3	3	1
2014	1 st Quarter	17	11	5	2	1	1
	2 nd Quarter	1	0	1	4	3	1
	3 rd Quarter	0	0	1	1	2	0
	4 th Quarter	0	0	0	0	0	1
Total for 113th Congress		36	14	22	17	16	6

B. OCE ACTIVITY SINCE INCEPTION

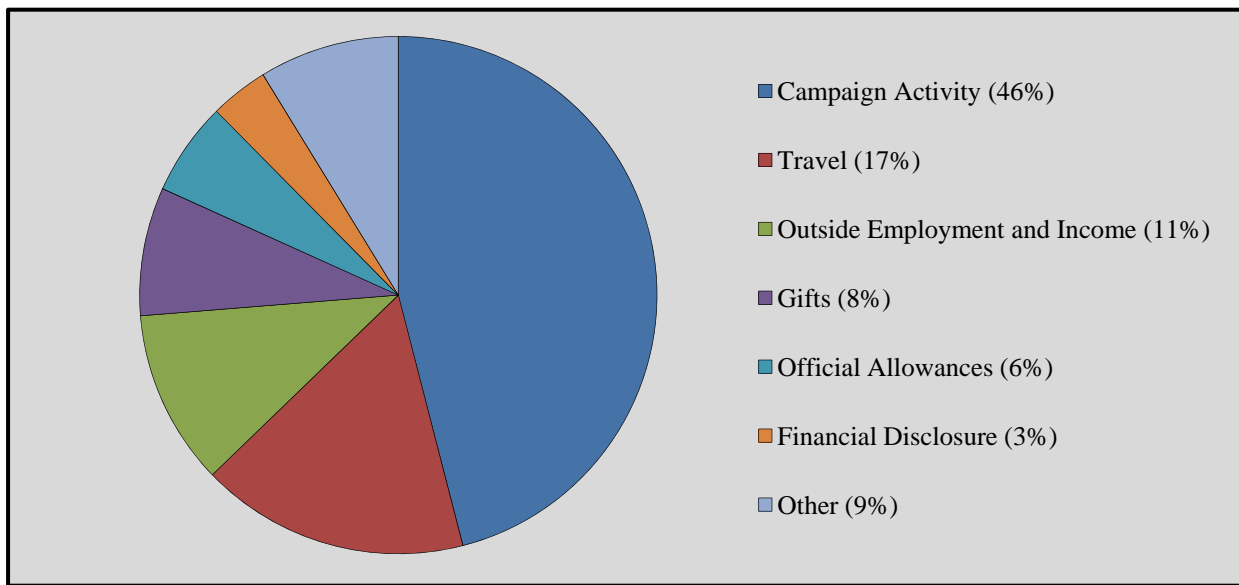
The following is a statistical summary of the Board's actions since the OCE began conducting investigations in February 2009. Of the 137 investigations the office began, 37 percent have been referred to the Committee on Ethics for further review while 63 percent have been terminated or dismissed.

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
111 th Congress	69	28	41	36	22	18
112 th Congress	32	5	25	19	13	10
113 th Congress	36	14	22	17	16	6
Total	137	47	88	72	51	34

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



D. OCE Referrals Pending Release

The OCE has transmitted 16 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. The Committee on Ethics also routinely publicizes the resolution of such matters when such a determination is reached.

A chart depicting this schedule for public disclosure of OCE reports is available on the OCE website at <http://oce.house.gov/process.html>. There are currently no matters that the OCE has referred to the Committee on Ethics that are pending release.

VI. A NOTE ON OCE RULES CHANGES

Over the fourth quarter of 2014, the OCE conducted a review of its Rules for the Conduct of Investigations. Pursuant to that review, the OCE Board adopted a minor change to Rule 10 permitting the Board limited flexibility on when to transmit a matter to the Committee on Ethics following an election. The revision may be found at the following link on the OCE's website: http://oce.house.gov/OCE_Rules_Conduct_Investigations.pdf