No one questioning Congress' travel expenses

By Jeremy Wallace, Sarasota (Fla.) Herald-Tribune

As the nation hurtled from one fiscal crisis to the next last year, Democrats and Republicans argued bitterly over the best solution – tax increases or spending cuts. But members of the U.S. House did agree on one thing: There was enough money for them to travel the globe at taxpayers' expense.

At least 172 House members spent more than $1.5 million in 2012, visiting more than 90 countries and every continent but Antarctica, a *Herald-Tribune* investigation has found.

In all, House members spent more on 864 international stops last year than in either of the two previous years, congressional records show.

And the actual costs are much higher than Congress reported.

U.S. House members' trip reports do not include costs for flights by often-used military transports, which run more than $10,000 per hour. Instead, only commercial flight expenses are documented.

The reports also do not detail expenses for spouses, who often accompany congressional members on trips at taxpayer expense.

Nearly 20 percent of the recorded travel costs last year – $260,000 – were incurred by 20 House members no longer in Congress. Most of those members traveled after announcing they were retiring, lost re-election bids or declared they wouldn't seek office again.

House members typically defend travel as a necessary part of their jobs, especially on defense, foreign affairs, intelligence or emerging trade zones.

But the *Herald-Tribune* investigation found that in 2012, France, Ireland and Spain were among the five most frequently reported destinations for House members. Seventy-three members visited one of those countries, while just 35 made stops in Afghanistan.

And no House member reported visiting Iraq.

Other destinations included the Mediterranean island of Malta; Monaco, a city-state on the French Riviera; and the East African tourism hubs of Tanzania and Madagascar.

“If you think there are members abusing it – there are,” said Rep. Tom Rooney, a Florida Republican who says he only travels when it’s relevant to the committees on which he serves.

The *Herald-Tribune’s* investigation showed that:

• Former Rep. David Dreier, R-Calif., was the most traveled, spending 58 days overseas visiting at least 18 countries at a minimum cost of $67,000 to taxpayers.

• A month after returning from Monaco, Democrat Dennis Cardoza, also of California – who announced in 2011 he was leaving Congress – spent seven days in Ireland, Greece, Italy, Spain and Portugal, then abruptly quit the House three days after returning to the U.S.

• California Republican Dana Rohrabacher billed the government for the single most expensive trip, a seven-day excursion to Germany in January 2012 that cost taxpayers $38,382.

The amount spent on Congress’ international travel is not a vast sum, given the $3.8 trillion federal budget. But the spending appears to contradict pleas for fiscal restraint by congressmen, who have an approval rate of just 16 percent from voters, according to a May 9 Gallup poll.

Bill would limit travel

Even some House members say the travel has gotten out of hand in a time of deep cutbacks.

Rep. Walter Jones, R-N.C., reintroduced a bill early this year to limit foreign travel to only the most critical needs.

“I know too many times they are taking trips to European countries or Southeast Asia where we don’t even have troops,” said Jones, who made no international trips at taxpayer expense last year.

As with other bills aimed at restricting travel or increasing disclosure, Jones’ legislation has gone nowhere.

Tracking congressional travel remains notoriously difficult. House records often include general numbers and are typically filed months after the trips. They do not disclose when spouses go along, or what costs are incurred by the Defense Department for ferrying House members on more than 300 VIP planes.

And they don’t detail what, if anything, was gained during a given trip.

The *Herald-Tribune* investigation did not include travel by members of the U.S. Senate, which provides less detailed and accessible disclosure online than the House.

House leaders are showing more sensitivity to international travel. House Speaker John Boehner, following budget fights with President Obama, told members he would not approve international trips using military transports.

The result is more commercial airfare costs in 2013. When nine members of the House and seven staffers flew to Vatican City in March for the new pope’s Installation Mass, they reported spending $32,768 in commercial airfare costs.

Since January of this year, dozens of members have traveled to locations including Switzerland, Belgium, the U.K., Germany, Israel and Afghanistan.

There are two primary ways members of Congress and their staff are allowed to travel internationally, with the reporting requirements varying for each.

Members can accept international trips paid for by various special interest groups – examples include the American Israel Education Foundation and the Turkish Coalition of America – to promote better relations.

In 2012, 78 House members traveled to 30 nations on such trips, according to the regular disclosure reports Congress requires for such travel. The reports do not include trip costs.

Less transparent is international travel by Congress paid for by taxpayers. To travel, members need only secure approval from their committee chair or the House speaker. Those trips are reported by each committee in the Congressional Record, a near-daily publication by Congress.

Even congressional researchers are stymied in trying to assess the amount of overall travel.

“There is no single source that identifies all international travel undertaken by the House or Senate, and no means to identify the number of trips taken, destinations visited, travelers, total costs, or costs paid for by funds appropriated to government entities other than Congress,” says a report prepared by the Congressional Research Service and released in March 2012.

Departing members travel

Few trips raise more questions of value to taxpayers than those made by departing members of Congress.

The *Herald-Tribune* found that the most prolific traveler last year was Dreier, the former California representative. He announced in February 2012 that he would not seek re-election after California’s redistricting process essentially eliminated his district.

Following the announcement, Dreier, who chaired the Rules Committee, took seven trips to at least 18 countries over 58 days.

As a committee chairman, Dreier could travel without seeking approval from anyone else in Congress.

He did not respond to repeated attempts to reach him for comment.

Dreier, who served in Congress for 32 years, made his final trip in October, a nine-day excursion to Africa, according to a report filed with Congress one month after he was officially retired.

The Congressional Record does not specify where he went in Africa, but he billed taxpayers for $6,441 in transportation costs.

Rep. Dan Burton, R-Indiana, announced his retirement in January 2012 after 30 years in Congress. He then traveled to 14 countries during four trips taken from February to September. Burton, a member of the House Foreign Affairs Committee, made his last trip in September to Azerbaijan, Georgia and Armenia. He reported spending $10,033 on commercial flights for the five-day trip.

One month after he left Congress in January 2013, Burton was named chairman of the Azerbaijan American Alliance board. That group is a U.S.-based nonprofit that says in its mission statement it aims to promote understanding between the two nations.

In all, 14 members of Congress announced their retirement, resigned or ran for another office in 2012, yet traveled at a cost of at least $230,000 to taxpayers, according to the Congressional Record.

Five members lost their primary elections early in the year, then traveled internationally at taxpayer expense.

One was Pennsylvania Democrat Tim Holden, a member of the Agriculture Committee; he lost his primary election in April, and took four international trips between May and August, hitting 17 countries.

Government watchdog groups say that because of poor recordkeeping, it’s hard to know if travel by “lame duck” members is legitimate.

“It’s an area that is ripe for abuse,” said Bill Allison of the Sunlight Foundation, which aims to bring transparency to Congress and has pushed for greater public disclosure concerning trips.

Some government watchdog groups say they expect members to build expertise by traveling.

Melanie Sloan, executive director of Citizens for Responsibility and Ethics in Washington, said she would be more concerned if members never left their districts or D.C., yet still tried to weigh in on complex global issues.

Still, Sloan acknowledged it raises eyebrows when France, Ireland and Spain are regular landing spots for many.

“When there are a lot of stops in Western Europe,” Sloan said, “it looks a lot like a vacation.”

Placer County seeks permits for biomass facility

The Cabin Creek biomass facility between Tahoe City and Truckee is moving forward.

Placer County Board of Supervisors at the last meeting unanimously denied the third-party appeal of the Dec. 6, 2012, Planning Commission certifications of the project's final environmental impact report and approval of the project's conditional use permit. The county and the appellant formulated several new conditions of approval for the project which were approved.

The next step is for permits to be obtained from the Placer County Air Pollution Control District to operate the proposed facility.

One of the goals of the project is as the county strives to reduce the threat of wildfire by thinning forests, the biomass facility would generate economically-sustainable forms of energy or other beneficial products.

Placer would be the first county to implement elements of the state's Bio-energy Action Plan.

— Lake Tahoe News staff report

Climber airlifted from

Lover’s Leap

Updated: May 11, 7:25pm

A climber was airlifted from Lover’s Leap late this afternoon to Sutter Roseville with at least a broken arm.

It took several hours for search and rescue crews to get the male climber – whose name, age and hometown are unknown at this time – off the rock.

Rescue helicopters are not an unusual site at Lover’s Leap. Photo/LTN file

CHP Officer Chuck Brothers told *Lake Tahoe News* the climber fell about 80 feet.

El Dorado County sheriff’s Deputy Greg Almos told *Lake Tahoe News* the climber was about 200 feet from the top. He was climbing Cravens Image on the western wall.

Lover’s Leap is a popular outing for rock climbers because it has technical and non-technical routes. It is on Highway 50 across from Horsetail Falls.

The call came in about 12:30pm May 11 and the CalStar helicopter left the scene just before 5:30pm.

El Dorado County sheriff’s deputies and SAR led the efforts, with assistance from Lake Valley Fire, California Highway Patrol and CalStar, and El Dorado County Fire.

No one else in the climbing party was injured.

– Kathryn Reed

Washoe deputies don't hesitate to write tickets

In the first four months of the year, Washoe County sheriff's deputies have issued 449 citations to drivers talking or texting on their handheld cell phone device.

Nevada prohibits the use of any handheld cell phone while driving. It is punishable by fines of up to $250.

The department supports the state's traffic safety goal of zero fatalities on Nevada roadways.

"My office will continue enforcing traffic laws because I want Nevada roadways and highways to be as safe as they possibly can be, however, I urge those who continue to risk their lives and the lives of others to consider the most devastating consequences," Sheriff Mike Haley said in a statement. "Maybe then, drivers will understand that the consequence outweighs the importance of using a phone and change their driving behavior."

DCSO keeps track of bad guys despite cutbacks

By Kathryn Reed

STATELINE – Looking at the tools Douglas County sheriff's officials have for dealing with bad guys, it's a wonder anyone challenges them.

A .50-caliber rifle and machine gun are some of the weapons on the table in front of two members of the SWAT team. The crisis negotiation team has a high-tech van to operate out of. The boat patrol is ready for action on the lake. Search and rescue is talking about what it takes to find people.

The men and women and the tools they use in their jobs were incorporated into an open house May 8 outside the sheriff's substation in Stateline.

Douglas County sheriff's Capt. Dave Aymami, left, and Sgt. Ron Elges talk about what the SWAT team does. Photos/Kathryn Reed

Kids were able to climb onto the motorcycle as if they were about to take off down Highway 50 to get the speeder. The bomb squad robot, which Tahoe Douglas fire brings out when DCSO needs it, is ready to spring into action.

The goal was to show the community the technology officers have at their disposal, build relationships and explain to residents how crime in the county is being handled. A similar event occurred in the valley last week. The plan is to do this at the lake about every three years.

Sheriff Ron Pierini has seen Douglas County, and Lake Tahoe in particular, change since he started with DCSO in 1976. He was a captain at the Tahoe substation until 1992, then undersheriff and now sheriff.

"The community has changed. Second homes have changed community involvement," Pierini told *Lake Tahoe News*.

In the last three years the sheriff's department's budget has been cut by $2 million and 10 positions have been eliminated.

Still, the department's arrest to prosecution rate is 38 percent. Nationwide that average is 22 percent.

Sgt. Ron Elges with the SWAT team said his unit has not been responding to as many calls in the last few years because of the shrinking population.

The three main reasons the SWAT guys are called are for high-risk search warrants, barricaded subjects, and people who have taken off into the woods to avoid capture.

Those barricaded calls also will involve the crisis negotiating team.

"We give them better alternatives than what they've chosen," Deputy Eric Schinzing explained. "Usually it's domestic issues. Someone thinks about suicide and may have someone with them."

Pierini said traffic is the No. 1 issue for deputies. He'd like more deputies on the street, but budget constraints prohibit that from happening.

“We couldn’t function at the level we do today without (volunteers).” — Sheriff Ron Pieirini

Deputies respond to about 40,000 calls a year. (There are about 50,000 residents in the county.) The 750-square-miles are divided into three areas — Lake Tahoe, Carson Valley and Topaz.

Pierini credits the nonprofit sheriff’s association with keeping the department flush with the necessary tools. He said that group has spent about $600,000 in the last seven years on equipment.

A cadre of volunteers also helps the sheriff’s department. Between search and rescue, boat patrol and citizens patrol about 300 people volunteer with DCSO.

“If you added up the hours the volunteers put in, it would be a huge amount of money to have to replace them with paid staff,” Pierini said. He said some people put in 200 hours a year. “We couldn’t function at the level we do today without them.”

Vegas man going to prison for defrauding S. Tahoe resident

By Cathy Locke, Sacramento Bee

A Las Vegas man is headed to prison after being sentenced in federal court in Sacramento for defrauding a South Lake Tahoe investor of $2.9 million.

U.S. District Judge Garland E. Burrell Jr. today sentenced Jed Baron, 55, to five years and three months in prison for wire fraud related to the investment scheme, according to a Department of Justice news release.

According to court documents, Baron made a series of false business proposals to a victim in the Lake Tahoe area, including investment in a venture to sell Irish seafood to restaurants in Las Vegas. Instead of using the victim's money for the intended purpose, Baron diverted the funds for personal use and to pay other investors from previous deals.

Baron forged a series of invoices and other documents to convince the victim that the investment was legitimate, authorities said. He also persuaded the victim to invest in other false ventures, including motion pictures and vehicles.

The victim did not know that Baron had a prior felony conviction for fraud, authorities said.

The case resulted from and investigation by the FBI.

Overhaul of wiretap law could target Internet users

By Charlie Savage, New York Times

WASHINGTON — The Obama administration, resolving years of internal debate, is on the verge of backing a Federal Bureau of Investigation plan for a sweeping overhaul of surveillance laws that would make it easier to wiretap people who communicate using the Internet rather than by traditional phone services, according to officials familiar with the deliberations.

The FBI director, Robert S. Mueller III, has argued that the bureau's ability to carry out court-approved eavesdropping on suspects is "going dark" as communications technology evolves, and since 2010 has pushed for a legal mandate requiring companies like Facebook and Google to build into their instant-messaging and other such systems a capacity to comply with wiretap orders. That proposal, however, bogged down amid concerns by other agencies, like the Commerce Department, about quashing Silicon Valley innovation.

The federal government wants wire tapping laws to encompass the Internet. Graphic/DigitalTrends

While the FBI's original proposal would have required Internet communications services to each build in a wiretapping capacity, the revised one, which must now be reviewed by the White House, focuses on fining companies that do not comply with wiretap orders. The difference, officials say, means that start-ups with a small number of users would have fewer worries about wiretapping issues unless the companies became popular enough to come to the Justice Department's attention.

Still, the plan is likely to set off a debate over the future of the Internet if the White House submits it to Congress, according to lawyers for technology companies and advocates of Internet privacy and freedom.

"I think the FBI's proposal would render Internet communications less secure and more vulnerable to hackers and identity thieves," said Gregory T. Nojeim of the Center for Democracy and Technology. "It would also mean that innovators who want to avoid new and expensive mandates will take their innovations abroad and develop them there, where there aren't the same mandates."

Andrew Weissmann, the general counsel of the FBI, said in a statement that the proposal was aimed only at preserving law enforcement officials' longstanding ability to investigate suspected criminals, spies and terrorists subject to a court's permission.

"This doesn't create any new legal surveillance authority," he said. "This always requires a court order. None of the 'going dark' solutions would do anything except update the law given means of modern communications."

A central element of the FBI's 2010 proposal was to expand the Communications Assistance for Law Enforcement Act — a 1994 law that already requires phone and network carriers to build interception capabilities into their systems — so that it would also cover Internet-based services that allow people to converse. But the bureau has now largely moved away from that one-size-fits-all mandate.

Instead, the new proposal focuses on strengthening wiretap orders issued by judges. Currently, such orders instruct recipients to provide technical assistance to law enforcement agencies, leaving wiggle room for companies to say they tried but could not make the technology work. Under the new proposal, providers could be ordered to comply, and judges could impose fines if they did not. The shift in thinking toward the judicial fines was first reported by the Washington Post, and additional details were described to the New York Times by several officials who spoke on the condition of anonymity

Under the proposal, officials said, for a company to be eligible for the strictest deadlines and fines — starting at $25,000 a day — it must first have been put on notice that it needed surveillance capabilities, triggering a 30-day period to consult with the government on any technical problems.

Such notice could be the receipt of its first wiretap order or a warning from the attorney general that it might receive a surveillance request in the future, officials said, arguing that most small start-ups would never receive either.

Michael Sussmann, a former Justice Department lawyer who advises communications providers, said that aspect of the plan appeared to be modeled on a British law, the Regulation of Investigatory Powers Act of 2000.

Foreign-based communications services that do business in the United States would be subject to the same procedures, and would be required to have a point of contact on domestic soil who could be served with a wiretap order, officials said.

Albert Gidari Jr., who represents technology companies on law enforcement matters, criticized that proposed procedure. He argued that if the United States started imposing fines on foreign Internet firms, it would encourage other countries, some of which may be looking for political dissidents, to penalize American companies if they refused to turn over users' information.

"We'll look a lot more like China than America after this," Gidari said.

The expanded fines would also apply to phone and network carriers, like Verizon and AT&T, which are separately subject to the 1994 wiretapping capacity law. The FBI has argued that such companies sometimes roll out system upgrades without making sure that their wiretap capabilities will keep working.

The 1994 law would be expanded to cover peer-to-peer voice-over-Internet protocol, or VoIP — calls between computers that do not connect to the regular phone network. Such services typically do not route data packets through any central hub, making them difficult to intercept.

The FBI has abandoned a component of its original proposal that would have required companies that facilitate the encryption of users' messages to always have a key to unscramble them if presented with a court order. Critics had charged that such a law would create back doors for hackers. The current proposal would allow services that fully encrypt messages between users to keep operating, officials said.

In November 2010, Mueller toured Silicon Valley and briefed executives on the proposal as it then existed, urging them not to lobby against it, but the firms have adopted a cautious stance. In February 2011, the FBI's top lawyer at the time testified about the "going dark" problem at a House hearing, emphasizing that there was no administration proposal yet. Still, several top lawmakers at the hearing expressed skepticism, raising fears about innovation and security.

Feds: Nev. mental hospital has 'systemic' problems

By Phillip Reese and Cynthia Hubert, Sacramento Bee

Federal investigators said Wednesday that a Nevada state psychiatric hospital under scrutiny for busing roughly 1,500 patients to other states in recent years "failed to provide an appropriate safe discharge plan for patients."

The report from the Centers for Medicare & Medicaid Services lays out multiple instances in which Rawson-Neal Psychiatric Hospital in Las Vegas did not meet conditions for federal funding. Many of the deficiencies noted in the report relate to James Flavy Coy Brown, a homeless, schizophrenic man bused to Sacramento in February without family or shelter waiting for him.

The hospital, in response to the report, laid out a detailed corrective plan of action to address the shortcomings. CMS will study that plan to determine if it is adequate. If not, the facility could lose Medicare funding.

"The review process is just starting," said CMS spokesman Daniel Hersh. "It won't be instant."

The report found that the hospital "failed to ensure a comprehensive discharge plan was implemented" and that it "failed to identify patients who were likely to suffer adverse health consequences upon discharge without an adequate discharge plan."

"The cumulative effect of these systemic practices resulted in the failure of the facility to deliver statutory mandated care to patients," the report said.

In their response, Rawson-Neal officials said the hospital has implemented "a 100 percent review" of every discharge to another state by two medical staff members and the hospital's administrator. They also said they had reviewed and updated all discharge and medication consent policies.

CMS is one of several organizations investigating Rawson-Neal in the wake of a *Bee* investigation into the hospital's discharge practices. Others include an independent accreditation organization and the cities of Los Angeles and San Francisco.

Gaming win mixed in Lake Tahoe, up in Nevada

North Shore casinos raked in the cash in March compared to their South Shore counterparts.

While gaming revenue throughout Nevada was up 7 percent statewide in March compared to a year ago, it was not consistent.

Stateline casinos reported a 10.9 percent drop, while North Lake Tahoe casino revenue was up 15.4 percent. In Washoe County, revenues were up 9.5 percent, while they were down 2 percent in Carson City.

The state Gaming Control Board released the numbers Friday. Throughout the state $914.8 million was collected by casinos.

— Lake Tahoe News staff report

Pieces coming together for portion of hole near Stateline to be filled in this summer

By Kathryn Reed

Stateline Ventures – that's the name of the company that will be building the next phase of the convention center project.

Bill Owens of Owens Financial foreclosed on the remaining parcels May 9 and formed the new company. It is not known who the other partners in that company are.

Owens Financial has title to the bulk of the properties on the nearly 11-acre site near the state line that at one time was to be a convention center, two hotels, retail and open space.

The building permits from the city and Tahoe Regional Planning Agency expire in July if nothing is done. That is a big reason Owens wants to proceed this summer with something. That something is retail that would go along Highway 50 and a much larger McP's restaurant than what exists today.

Guests at Harveys may have something other than concrete and rebar to look at later this summer. Photo/LTN file

The footprint cannot change, nor the main intent of the buildings. But it can be built in more phases than were originally planned for, which is what is being proposed. The type of lodging in terms of it being timeshares, condos, fractional ownership or traditional hotel would be up to the developer.

City Manager Nancy Kerry said the design elements would be different because everything is not being built at once.

While South Lake Tahoe officials have yet to sign off on any work to be done on the infamous hole near Stateline, a lighting designer sent out a press release last month stating they have started work on the project.

“We’re thrilled to have commenced work on Phase II of the Chateau at the Village project, working in partnership with Lee Harris, owner of Light + Space of Reno,” Jim Sultan, senior lighting designer and project manager of Studio Lux, said in the April 24 press release. “Phase II encompasses the completion of the underground parking garage, construction of the shells of retail spaces and the signature restaurant McP’s Pub, and outdoor public spaces and walkways alongside Stateline Avenue and Highway 50.”

Kerry this week told the council that staff received a detailed letter last week from Owens’ people regarding what is planned for the six parcels. Staff as of Tuesday was still going through the documents.

The Studio Lux press release says, “The lighting design will incorporate cutting edge lamp and optical technology to illuminate the project’s facades, walkways and public spaces, featuring LED light sources that exceed current lighting and California LEED compliances. Chateau at the Village will weave lighting within its timber frame and stone construction to artfully accent the project’s striking facades while providing a continuous illumination for pedestrian walkways. Architectural and decorative lighting will also play a key role in Phase III of the project, consisting of vacation-share condominiums, a restaurant with two bars and a hotel with a grand lobby that evokes the style of traditional ski lodges.”

Before any of that happens, the Planning Commission must give its approval. The commissioners’ regular meeting was Thursday. It’s likely a special meeting will be called for May 23. If the applicant can’t make that date, it would have to be in June based on the commissioners’ availability.

The City Council has said it wants to sign off on everything involving this project. June 11 is the only date that group is planning to meet next month. A special meeting could be called just for this project.

It is not a slam-dunk that the council will say yes. A road that used to go through what is now rebar and concrete still belongs to the city so that has to be abandoned. Had the former developer, who went bankrupt, consolidated the parcels as is customary in these types of projects, that road would not be an issue today. There could be other items the council will need to approve even though permits are in hand.

And at that June meeting the city will likely be without in-house legal counsel because the current attorney will have left, the new one doesn’t start until July and the second in charge is likely to be on leave.