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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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December 13, 2007

Mr. Roger Chapin
President
Help Hospitalized Veterans, Inc.
36585 Penfield Lane
Winchester, CA 92596

Dear Mr. Chapin:

On November 26, 2007, the Committee invited you to testify at today's hearing about the veterans' charities you control.¹ For the next two weeks, Committee staff repeatedly attempted to contact you, your associates, and your attorneys to determine if you intended to testify voluntarily. On December 10, 2007, your attorney sent a letter to the Committee stating that you had declined to appear voluntarily at the hearing.² On the same day, the Committee issued a subpoena to compel your appearance.³ That evening, your attorney informed Committee staff that you would not authorize him to accept the subpoena on your behalf.⁴ Since December 10, federal Marshals have been attempting to locate you to execute service of this subpoena.

I am disappointed that you have chosen to evade federal law enforcement officials who are seeking to serve you with an official order issued by the United States Congress. I am equally disappointed that your attorneys and associates have refused to provide information regarding your whereabouts. Below are some of the steps Committee staff has taken to locate you since the Committee issued the subpoena:

¹ Letter from Rep. Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, to Roger Chapin, President, Help Hospitalized Veterans, Inc. (Nov. 26, 2007).

² Letter from Terrence O'Donnell, Williams & Connelly, to Rep. Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform (Dec. 10, 2007).

³ Subpoena of Roger Chapin, House Committee on Oversight and Government Reform (Dec. 10, 2007).

⁴ Telephone call between Terrence O'Donnell, Williams & Connelly, and staff, House Committee on Oversight and Government Reform (Dec. 10, 2007).

- On Monday, December 10, 2007, Committee staff telephoned your attorney, Terrence O'Donnell, and asked him if he knew your current location. Mr. O'Donnell said he did not.
- On the same day, Committee staff e-mailed Mr. O'Donnell, Alan Dye, corporate counsel for your organizations, and Mike Lynch of Help Hospitalized Veterans, requesting information about your location for the purpose of serving you with the subpoena. To date, there has been no response to this request.
- On Tuesday, December 11, 2007, Committee staff left telephone messages for you and your wife at the telephone number listed for the condominium you own in Falls Church, Virginia, requesting that you contact the Committee to arrange for service of the subpoena. To date, there has been no response to this message.
- On the same day, Committee staff called the Coalition to Salute America's Heroes in Ossining, New York. According to IRS filings, you are president and director of this organization. An official at this number referred us to your attorney, Mr. O'Donnell.
- On the same day, Committee staff left a telephone message for Mr. Dye requesting his assistance in locating you for the purpose of serving the subpoena. To date, there has been no response to this request.
- On the same day, Committee staff left a telephone message at the number listed for a charitable organization called Conquer Cancer and Alzheimers Now in San Diego, California. According to tax records, you are or have been the president and treasurer of this organization. To date, there has been no response to this message.
- On the same day, Committee staff left a telephone message at the number listed for a charitable organization called Help Wounded Heroes in San Diego, California. According to tax records, you are a board member of this organization. The listed number, however, connected Committee staff to the offices of the Coalition to Salute America's Heroes in Ossining, New York. An official there again referred Committee staff to your attorney, Mr. O'Donnell.
- On the same day, Committee staff called Help Hospitalized Veterans in Winchester, California, for information regarding your whereabouts. According to tax records, you are the president of Help Hospitalized Veterans. When the official there said she did not know your location, Committee staff left a message for Mr. Lynch, the executive director of the organization. To date, there has been no response to this message.
- On the same day, Committee staff left a message for Dane Chapin, Chief Executive Officer of USAopoly, a for-profit business located in Carlsbad, California, requesting

information about your location. According a biographical statement located on the web site of Help Hospitalized Veterans, you are the founder of this company. To date, there has been no response to this message.

- On Wednesday, December 12, 2007, Committee staff asked another of your attorneys, Michael Morley, if he knew your current location. Mr. Morley did not answer this question.

The federal marshals have also gone to considerable lengths, without success, to serve you with the Committee's subpoena. The marshals went to your home in San Diego on December 11, 2007 and then again on December 12, 2007. The marshals also called five different phone numbers for you, including the phone numbers at your home, at the offices of Help Hospitalized Veterans, and at USAopoly. When making these inquiries, the marshals either received no response or spoke with people who stated that they did not have information about your whereabouts.

Because we have been unable to determine your whereabouts, the Oversight Committee is issuing today a new subpoena requiring your testimony at a hearing on Thursday, January 17, 2008. The Committee will be delivering this subpoena directly to the U.S. Marshals Service with instructions to serve you promptly. At any time, you may contact the Committee at (202) 225-5420 to arrange for acceptance of the subpoena by fax or through legal counsel.

In order to assist the Committee's preparation for the hearing on January 17, 2008, the Committee is now requesting the following information:

- (1) The names of all non-profit and for-profit entities you are or have been affiliated with, including those for which you serve on the board or in an executive capacity, those from which you receive salary payments, those from which you receive consulting fees, and those with which you have any other relationship;
- (2) For each non-profit entity you are or have been affiliated with, copies of mission statements, Internal Revenue Service Form 1023 filings, articles of incorporation and amendments, board minutes, bylaws and amendments, audited financial statements and accompanying notes, annual reports, and Internal Revenue Service Form 990 public filings, from 1987 to the present, as well as the most recent draft documents for any year for which final versions are not yet available;
- (3) For each for-profit entity you are or have been affiliated with, copies of articles of incorporation and amendments, bylaws and amendments, annual reports, board minutes, financial statements, and documents showing how these entities have distributed profits or dividends, if any;

- (4) For each such non-profit and for-profit entity you are or have been affiliated with, the following documents for the period 2000 to the present:
 - a. copies of all expense documents, including reports and receipts submitted for reimbursement, for which you or Elizabeth Chapin have been reimbursed;
 - b. all other records documenting financial transactions between the entity and any other non-profit or for-profit entities you are currently affiliated with, including those for which you serve on the board or in an executive capacity, those from which you receive salary payments, those from which you receive consulting fees, or those with which you have any other relationship;
 - c. copies of all contracts or task orders these entities have entered into with other non-profit or for-profit entities;
 - d. a list of all real estate owned or leased; and
 - e. a list of all government contracts;
- (4) All documents relating to the purchase of the condominium in Falls Church, Virginia listed in the Help Hospitalized Veterans 2005 Internal Revenue Service Form 990;
- (5) Copies of all documents under your control or the control of the organizations you are currently affiliated with, including those for which you serve on the board or in an executive capacity, those from which you receive salary payments, those from which you receive consulting fees or any other compensation, or those with which you have any other relationship, related to the production, purchase, or sale of plastic wristbands sold in American supermarkets;
- (6) An original example of shirts, bracelets, decals, pins, gift wrap, return labels, calendars, return labels, notepads, day planners, award certificates, checks, and bookmarks sold in American supermarkets or enclosed in direct-mail fundraising materials that were supplied or sent by any fundraising entity affiliated with Richard Viguerie;
- (7) all communications between you and Richard Viguerie from 2001 to the present; and all communications between any individuals employed by or associated with any organization you are currently affiliated with, including those for which you serve on the board or in an executive capacity, receive salary payments, receive

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consulting fees, or with which you have any other relationship, and any individuals affiliated with American Target Advertising or Viguerie and Associates, from 2001 to the present; and

- (8) All communications between you and any attorney, accountant, or any individual affiliated with any organization you are currently affiliated with, including those for which you serve on the board or in an executive capacity, those from which you receive salary payments, those from which receive consulting fees or other compensation, or those with which you have any other relationship, from November 26, 2007, to December 13, 2007, regarding the Committee's subpoena to compel your testimony at the December 13, 2007, hearing, the Committee's November 26, 2007, request for your attendance at the December 13, 2007, hearing, and/or the Committee's November 26, 2007, request to you for documents.

Please provide these documents to the Committee by January 11, 2008, and make yourself available for a transcribed interview with the Committee on that same date.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. Information for witnesses appearing before the Committee is contained in the enclosed Witness Information Sheet. Another attachment to this letter provides additional information on how to respond to the Committee's document request.

If you have any questions regarding this request, please contact John Williams, Suzanne Renaud, or Susanne Sachsman with the majority staff at (202) 225-5420 or Grace Washbourne with the minority staff at 202-225-5074.

Sincerely,



Henry A. Waxman
Chairman



Tom Davis
Ranking Minority Member

Enclosure