

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 08-271
v.	*	SECTION: “A ”
DONALD C. HOWARD	*	VIOLATION: 18 U.S.C. §1001
	* * *	

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved, through the introduction of competent testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the United States in Count 1 of the original one-count bill of information filed in the above-captioned matter.

1) At all times relevant to this matter, DONALD C. HOWARD (hereinafter “HOWARD”) was the Regional Supervisor of the Gulf of Mexico Region (“GOMR”) for the Minerals Management Service (“MMS”) within the U.S. Department of the Interior (“DOI”), New Orleans, Louisiana.

2) In or about November of 2004, HOWARD accepted a gift and travel from Company “A”, an offshore and land oil and gas drilling contractor which provides services to lessees within the GOMR and which is regulated by the MMS. The gift and travel consisted of a hunting trip provided by Company “A” to Falfurrias, Texas and transportation to and from the

hunting lodge aboard Company “A”’s corporate airplane. The estimated value of the hunt, lodging and transportation is \$2,459.00.

3) On or about October 22, 2005, pursuant to his employment with MMS, HOWARD filed his annual Executive Branch “Confidential Financial Disclosure Report” (CFDR), Office of Government Ethics (OGE) Form 450. The aforementioned report covered the period from October 1, 2004 through September 30, 2005. Despite having received the gift and travel referenced in paragraph 2 above, HOWARD falsely reported that he had not received any gifts or travel from a single source totaling \$285 or more. HOWARD did this by leaving blank the space provided for reporting such gifts and by marking an “X” in the box labeled “NONE.”

4) By failing to report the gift and travel and by indicating that he had not received such gifts and travel, HOWARD knowingly made a false statement to mislead his employer, MMS/DOI, in violation of Title 18, United States Code, Section 1001.

The foregoing facts would be proven by the testimony of agents and employees from the Office of Inspector General, United States Department of the Interior, as well as lay witnesses and by the production of various certified documents.

DONALD C. HOWARD
Defendant

Date

RICHARD T. SIMMONS, JR.
Attorney for Defendant

Date

W. GLENN BURNS
Attorney for Defendant

Date

RICHARD R. PICKENS, II [22593]
Assistant United States Attorney

Date

BRIAN P. MARCELLE [25156]
Assistant United States Attorney

Date