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EXHIBIT 10

ONE HUNDRED EIGHTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515–6328

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SUITE HT-2, THE CAPITOL
(202) 225-7103

December 8, 2003

Personal and Confidential

The Honorable Nick Smith
U.S. House of Representatives
2305 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Smith:

This concerns a report that appeared in the news media indicating that during the night of November 21-22, 2003, when the Medicare Prescription Drug Act was before the House, a Member of the House told you that business interests would give $100,000 to your son's congressional campaign in return for your vote in support of the legislation. We are aware that while reportedly a member of your staff confirmed the accuracy of this report, you subsequently issued a statement saying that no House member made an offer of financial assistance for your son's campaign in exchange for your vote.

Rule 18(a) of the Rules of the Committee on Standards of Official Conduct authorizes us, as Chairman and Ranking Minority Member of the Committee, to jointly gather information concerning any alleged violation by any House Member or staff person of any law, rule or standard governing official conduct. Pursuant to Committee Rule 18(a), we are requesting that you provide us with a complete statement of your recollections of this matter. The provision of information to the Committee under this rule is voluntary. We believe, however, that your cooperation in this matter will be helpful to us in discharging our duties as Chairman and Ranking Minority Member of the Committee, and to the Committee in discharging its responsibilities to the House of Representatives.

Specifically, we request that you provide us with a description of each conversation, discussion or other communication in which you participated in the period of November 21-22, 2003 that included the subject of your vote on the Medicare Prescription Drug Act and your son's congressional campaign. Regarding each such communication, to the best of your ability, please provide the name(s) of the other participant(s) and any other individual(s) who were present, and a statement of the substance of the communication.

We request that your response be as specific and detailed as possible, and that you also provide us with any documents in your possession that support your response. We request that you submit your response to the Committee by December 18, 2003.

Enclosed is a copy of the Committee's rules for your information. If you have any questions, please contact the Committee's Chief Counsel, John E. Vargo, at (202) 225-7103.

Sincerely,

Joel Hefley
Chairman

Alan B. Mollohan
Ranking Minority Member