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ONE HUNDRED TWELFTH CONGRESS

U.S. House of Representatives

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STATEMENT OF THE CHAIRMAN AND RANKING MEMBER OF THE COMMITTEE ON ETHICS REGARDING CHANGES TO TRAVEL REGULATIONS

Pursuant to House Rule 25, clause 5(i), on December 18, 2012, the Committee on Ethics voted unanimously to adopt new regulations for the acceptance and approval of privately sponsored, officially related travel. This action was the result of more than three years of hard work by Members of the Committee and staff assigned to the Travel Working Groups over the course of the 111th and 112th Congresses. The Committee thanks the members of the Working Groups for their service. Representative Charles Dent served in the 111th and 112th Congresses, Representative Peter Welch served in the 111th Congress, and Representative Donna Edwards served in the 112th Congress. As part of the process, the Working Groups met with other Members of Congress and representatives of the ethics community, with interests in privately sponsored congressional travel.

The new regulations seek to provide a greater level of clarity into the requirements and conditions for receiving the Committee's approval to accept privately sponsored travel. The Working Group for the 112th Congress ("The Working Group") and The Committee took into account both the significant benefit the public receives when their Representatives and their Representatives' staff receive hands-on education and experience, as well as the mandate that outside groups be appropriately limited in what gifts and support they are allowed to provide to Members of Congress and congressional staff.

With both of those interests in mind, the Committee adopted detailed regulations regarding all aspects of privately funded travel, including the approval process. Many policies have not changed, but some have been modified in significant ways. For instance, the Committee adopted more realistic guidance on how various types of entities may provide financial or logistical support for trips or events, such as trade shows or conferences, that may be a part of appropriate congressional fact finding opportunities.

The Committee also gave significant consideration to the question of whether nonprofit organizations operating pursuant to section 501(c)(3) of the Internal Revenue Code should be

distinguished by their relationship to other groups, including groups which retain lobbyists. The Committee took note that the IRS has strict rules for the operation of such organizations which are in place to ensure an appropriate level of independence. Beyond these strict requirements for independence, the Committee did not identify a fair way to distinguish between different non-profits with legitimate interests in providing appropriate fact finding opportunities to Members of Congress. The Committee took note that members of the ethics community who addressed the issue with the Working Group could not articulate a specific and fair manner in which the Committee could draw such distinctions, either. In addition, they generally acknowledged that legitimate privately sponsored travel is beneficial for Members of Congress because it can provide multiple perspectives, information, direct contact, and outside-the-Beltway conversations regarding the many important topics they address on a regular basis.

Instead, the Committee will add to the disclosure requirements in new certification forms to increase the significant transparency that has already led to abundant reporting and comment on these trips. With the improved processes, the Committee will continue to examine the growth of groups related to organizations that retain lobbyists, and will continue to consider whether there is a need and fair manner to regulate further, beyond the significant transparency already in place.

In addition, the Committee ***increased the deadline for submitting travel approval requests to the Committee from 14 days before travel, the current deadline, to 30 days before travel.*** This will significantly increase the ability of the Committee staff to continue the already thorough and detailed review they perform of all travel approval requests. It will also help the Committee provide a more timely response to those Members and staff who submit their requests ahead of the deadline.

These new regulations will become effective for all trips taking place on or after April 1, 2013. This will give sponsors, travelers, and the House community time to digest and adjust to the new regulations. Prior to that time, the Committee will provide training on these regulations and will be available to discuss them with potential travelers and sponsors or their representatives. Note that the effective date, with the new deadline for filing travel paperwork, means that the request to travel on a trip departing on April 1, 2013, will be required to be submitted to the Committee no later than Friday, March 1, 2013. Any request to travel on or after the April 1, 2013, effective date of the new regulations, must be on the new forms issued by the Committee, which will be available on the Committee Web site (www.ethics.house.gov) on or before February 15, 2013.