



July 17, 2023

Chairman Christopher A. Coons
Vice Chairman James Lankford
U.S. Senate Select Committee on Ethics
220 Hart Building
Washington, D.C. 20510

Sent via email (mailbox_office@ethics.senate.gov)

Dear Chairman Coons and Vice Chairman Lankford:

Campaign Legal Center (“CLC”) respectfully requests that the U.S. Senate Select Committee on Ethics (“Ethics Committee”) disclose whether it has approved privately sponsored trips for Senators that do not comply with Senate Travel Regulations. Specifically, a review of the Ethics Committee’s travel approvals in 2023 reveals that 47% violate the regulations due to missing information. The public is unable to know with certainty which Senators accepted free travel from private sources due to the incomplete forms. Consequently, multiple Senators appear to have violated the gift rules and federal law by attending trips without approval or proper disclosure.

The purpose of the travel disclosure rules is to inform the public of potential conflicts of interests that may arise between the sponsor and attendees of a multi-day trip with a Senator. However, the Ethics Committee’s failure to enforce its disclosure rules leaves the public in the dark and has become a widespread problem. Lax ethics enforcement of the basic rules fosters a culture of non-compliance with all rules.

In particular, gift travel filings published by the Senate Office of Public Records from January to July 10, 2023, have the following substantial discrepancies with the disclosure requirements of the Private Sponsor Travel Certification Form and Post Travel Disclosure of Expenses Form:

- **47%** are missing at least one of the key parts of the submission. As a result, the Committee has enabled a practice where nearly half of the submissions are non-compliant.

- **29.4%** are missing or have an incomplete “final approved itinerary.”¹ Without this information, it is impossible for the public to know whether the trip complies with the requirement for travel to have an official purpose and not a recreational purpose.
- **11.8%** are missing the “final Private Sponsor Travel Certification Form with all attachments.”²
- **11.8%** are missing the “final invitation” from the Trip Sponsor.³ Without this information, it is impossible for the public to know all of the members who may have attended the trip and accepted free travel expenses.
- **11.8%** include an incomplete Post Travel Disclosure of Expenses Form.⁴

CLC respectfully requests that the Ethics Committee disclose whether the member requests for privately sponsored, officially connected travel discussed herein are in compliance with Senate Rule 35, and if so, provide further clarification on how the rule is applied and enforced.

¹ See Form RE-3, Senators and Officer Post Travel Disclosure of Travel Expenses at 1, U.S. Senate Select Comm. on Ethics, https://www.ethics.senate.gov/public/_cache/files/c1735d98-6e76-4d6b-a89e-a06b47dab8ca/re-3-with-attachment.pdf (last viewed July 13, 2023) (showing that the Senator must certify the inclusion of the final Private Sponsor Travel Certification Form with all attachments, the final invitation, and the final approved itinerary with their post trip submission to the Senate Office of Public Records). See also Privately Sponsored Travel Checklist for Senate Members and Officers, U.S. Senate Select Comm. on Ethics, https://www.ethics.senate.gov/public/_cache/files/4a8afbbd-fdaf-4f3e-8649-90c7db092718/member-checklist.pdf (last visited July 13, 2023) (showing that the included agenda must be a detailed, hour-by-hour agenda and include arrival and departure information). See, e.g., Sen. Katie Britt, Post-Travel Disclosure (Mar. 30, 2023), <https://giftrule-disclosure.senate.gov/media/2023/DFi4gxQgCkSITCaV6KCfA.pdf> (showing that inbound and outbound travel details were not include with the attached agenda).

² See Form RE-3, *supra* note 2 at 1. See, e.g., Sen. Shelley Moore Capito, Post-Travel Disclosure (May 5, 2023), <https://giftrule-disclosure.senate.gov/media/2023/McethbypPkyB2ndrdJ3gig.pdf>. Furthermore, 47% of gift travel filings utilized an out-of-date version of the Private Sponsor Travel Certification Form.

³ See Form RE-3, *supra* note 2 at 1. See, e.g., Sen. Mike Lee, Post-Travel Disclosure (Mar. 10, 2023), <https://giftrule-disclosure.senate.gov/media/2023/UWi9XOQv060mZl1LJrmoQ.pdf>.

⁴ See, e.g., Sen. Susan Collins, Post-Travel Disclosure (Mar. 24, 2023), <https://giftrule-disclosure.senate.gov/media/2023/BQmCYkD9kEOWHph7CWZ9g.pdf> (showing the Senator did not sign the Form RE-3).

Sincerely,

_____/s/_____
Kedric L. Payne Vice President, General Counsel
and Senior Director, Ethics

_____/s/_____
Sophia Gonsalves-Brown
Senior Researcher and Investigator, Campaign
Finance and Ethics

Privately Sponsored Travel Disclosures

U.S. Senate

January 1- July 10, 2023 (Publish Date)

Senator		Sponsor	Missing Invitation from Trip Sponsor	Missing or Incomplete Itinerary	Incomplete Form RE-3	Missing Private Sponsor Travel Certification Form
1.	Britt, Katie (R-AL)	<i>American Enterprise Institute</i>	N	Y	N	N
2.	Capito, Shelley Moore (R-WV)	<i>Aspen Institute</i>	N	N	N	Y
3.	Carper, Tom (D-DE)	<i>Aspen Institute</i>	N	N	N	N
4.	Collins, Susan (R-ME)	<i>American Enterprise Institute</i>	N	Y	Y	N
5.	Collins, Susan (R-ME)	<i>Aspen Institute</i>	N	N	N	N
6.	Coons, Chris (D-DE)	<i>American Enterprise Institute</i>	Y	N	Y	N
7.	Cornyn, John (R-TX)	<i>Aspen Institute</i>	N	N	N	N
8.	Cornyn, John (R-TX)	<i>American Enterprise Institute</i>	N	N	N	N
9.	Durbin, Richard	<i>Aspen Institute</i>	N	N	N	N
10.	Ernst, Joni (R-IA)	<i>American Enterprise Institute</i>	N	Y	N	N
11.	Lee, Mike (R-UT)	<i>American Enterprise Institute</i>	N	Y	N	N
12.	Lee, Mike (R-UT)	<i>Conservative Partnership Institute</i>	Y	N	N	Y

Senator		Sponsor	Missing Invitation from Trip Sponsor	Missing or Incomplete Itinerary	Incomplete Form RE-3	Missing Private Sponsor Travel Certification Form
13.	Padilla, Alex (D-CA)	<i>American Israel Education Fund</i>	N	N	N	N
14.	Warnock, Raphael (D-GA)	<i>Bard College</i>	N	N	N	N
15.	Welch, Peter (D-VT)	<i>Aspen Institute</i>	N	N	N	N
16.	Wicker, Roger (R-MI)	<i>American Enterprise Institute</i>	N	Y	N	N
17.	Wicker, Roger (R-MI)	<i>Aspen Institute</i>	N	N	N	N
TOTAL:			2 (11.8%) ¹	5 (29.4%) ²	2 (11.8%) ³	2 (11.8%) ⁴

*Of the 17 Trip Disclosures filed by Senators, 9 complied with the regulations listed in this chart. The remaining 8 (47%) did not comply with at least one requirement.

¹ Sen. Chris Coons (D-DE), Sen. Mike Lee (R-UT).

² Sen. Katie Britt (R-AL), Sen. Susan Collins (R-ME), Sen. Joni Ernst (R-IA), Sen. Mike Lee (R-UT), Sen. Roger Wicker (R-MI).

³ Sen. Susan Collins (R-ME), Sen. Chris Coons (D-DE).

⁴ Sen. Shelley Moore Capito (R-WV), Sen. Mike Lee (R-UT).