

Employee Post-Travel Disclosure of Travel Expenses

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Post-Travel Filing Instructions: Complete this form within 30 days of returning from travel. Submit all forms to the **Office of Public Records in 232 Hart Building.**

In compliance with Rule 35.2(a) and (c), I make the following disclosures with respect to travel expenses that have been or will be reimbursed/paid for me. I also certify that I have attached:

- ☒ The **original** *Employee Pre-Travel Authorization* (Form RE-1), **AND**
- ☒ A **copy** of the *Private Sponsor Travel Certification Form* with all attachments (itinerary, invitee list, etc.)

Private Sponsor(s) (list all): Humpty Dumpty Institute (HDI) and the Amitofo Charity Center (ACC).

Travel date(s): May 24-30, 2018

Name of accompanying family member (if any): N/A

Relationship to Traveler: ☐ Spouse ☐ Child

IF THE COST OF LODGING DID NOT INCREASE DUE TO THE ACCOMPANYING SPOUSE OR DEPENDENT CHILD, ONLY INCLUDE LODGING COSTS IN EMPLOYEE EXPENSES. (Attach additional pages if necessary.)

Expenses for Employee:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate	\$989.40	\$492.00	\$270.00	\$117.98 (taxi to/from airport in U.S)
<input checked="" type="checkbox"/> Actual Amount				

Expenses for Accompanying Spouse or Dependent Child (if applicable):

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate				
<input type="checkbox"/> Actual Amount				

Provide a description of all meetings and events attended. See Senate Rule 35.2(c)(6). (Attach additional pages if necessary.): Final schedule is attached. All meetings, at the orphanage, with the Swazi government, and with the US government, were centered around education and child welfare issues both in Swaziland and in the US.

6/21/2018 Rachel Burkett
(Date) (Printed name of traveler)

[Signature]
(Signature of traveler)

TO BE COMPLETED BY SUPERVISING MEMBER/OFFICER:

I have made a determination that the expenses set out above in connections with travel described in the *Employee Pre-Travel Authorization* form, are necessary transportation, lodging, and related expenses as defined in Rule 35.

6/21/2018
(Date)

[Signature]
(Signature of Supervising Senator/Officer)

11:00AM **Check in to The George Hotel**
 Corner Ngwane & Du Toit Street Manzini M200 Swaziland
 +268-2505-2260
 www.tgh.co.sz

12:00PM **Working lunch with Business representatives**

2:00PM **Meet with Social Welfare Department**

4:00PM **Meet with Philani Maswati Charity Organisation 『 Queen Mother 』**

5:30PM **US Ambassador's Reception and Conversation on Children's Rights with US Embassy staff, NGO and UN Representatives, Judicial and Law Enforcement of Swaziland Representatives**
 Ambassador's Residence

8:00PM **Working Dinner with (TBD)**

Tuesday May 29, 2018

7:00AM **Breakfast at Hotel**

8:30AM **Depart to US Embassy**

9:30AM **Briefing with Ambassador Lisa Peterson and Deputy Chief of Mission Michael Lombardo**

9:45AM **Briefing with Limited Country Team (Front Office, Political/Economic, Consular, Regional Security Officer, Public Diplomacy, Peace Corps)**

10:30AM **Presentation from PEPFAR and PEPFAR's implementing partners who are responsible for OVC issues, followed by question and answer period**

11:30PM **Hotel Check out**

12:30PM **Working lunch with (TBD)**

2:00PM **Depart to Johannesburg**

7:30PM **Dinner in Johannesburg**

8:30PM **Proceed to Airport**
 DL 9466 JNB 11:15PM – AMS 10:25AM (+1)
 DL 9384 AMS 1:20PM – IAD 3:40PM

Wednesday May 30, 2018

3:40PM **Arrive at IAD**

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Date/Time Stamp:

EMPLOYEE PRE-TRAVEL AUTHORIZATION

Pre-Travel Filing Instructions: Complete and submit this form at least 30 days prior to the travel departure date to the **Select Committee on Ethics in SH-220**. Incomplete and late travel submissions will not be considered or approved. This form must be typed and is available as a fillable PDF on the Committee's website at ethics.senate.gov. Retain a copy of your entire pre-travel submission for your required post-travel disclosure.

Name of Traveler: Rachel Burkett

Employing Office/Committee: Senator James E. Risch

Private Sponsor(s) (list all): Humpty Dumpty Institute (HDI) and the Amitofo Charity Center (ACC)

Travel date(s): May 24-May 30, 2018

Note: If you plan to extend the trip for any reason you must notify the Committee.

Destination(s): Johannesburg, South Africa; Nhlanguana, Swaziland; Mbabane, Swaziland

Explain how this trip is specifically connected to the traveler's official or representational duties:

As both scheduler who deals with foreign governments and groups on a daily basis, and as a legislative assistant who assists with health and education issues for the Senator, I am seeking to learn more about education and child welfare issues in Swaziland to better assist the Senator in his Foreign Affairs Committee work. By meeting with UN representatives, the Ministry of Foreign Affairs, and the Ministry of Education to discuss access to education and social programs for children in Swaziland, this trip will give me first-hand experience that will assist me as I prepare the Senator for hearings and meetings regarding these issues.

Name of accompanying family member (if any): N/A

Relationship to Employee: ☐ Spouse ☐ Child

I certify that the information contained in this form is true, complete and correct to the best of my knowledge:

5/7/2018

(Date)

Rachel Burkett

(Signature of Employee)

TO BE COMPLETED BY SUPERVISING SENATOR/OFFICER (President of the Senate, Secretary of the Senate, Sergeant at Arms, Secretary for the Majority, Secretary for the Minority, and Chaplain):

I, James E. Risch hereby authorize Rachel Burkett
(Print Senator's/Officer's Name) (Print Traveler's Name)

an employee under my direct supervision, to accept payment or reimbursement for necessary transportation, lodging, and related expenses for travel to the event described above. I have determined that this travel is in connection with his or her duties as a Senate employee or an officeholder, and will not create the appearance that he or she is using public office for private gain.

I have also determined that the attendance of the employee's spouse or child is appropriate to assist in the representation of the Senate. (signify "yes" by checking box) ☐

5/7/2018

(Date)

James E. Risch

(Signature of Supervising Senator/Officer)

EMPLOYEE PRE-TRAVEL AUTHORIZATION

Pre-Travel Filing Instructions: Complete and submit this form at least 30 days prior to the travel departure date to the **Select Committee on Ethics in SH-220**. Incomplete and late travel submissions will **not** be considered or approved. This form **must** be typed and is available as a fillable PDF on the Committee's website at ethics.senate.gov. Retain a copy of your entire pre-travel submission for your required post-travel disclosure.

Rachel Burkett

Name of Traveler: _____

Employing Office/Committee: Sen. James E. RischPrivate Sponsor(s) (list all): Humpty Dumpty Institute (HDI) & Amitofo Charity Center (ACC)Travel date(s): May 24-30, 2018*Note: If you plan to extend the trip for any reason you **must** notify the Committee.*Destination(s): Swaziland (Nhlanguana, Mbabane), transit in Johannesburg, South Africa

Explain how this trip is specifically connected to the traveler's official or representational duties:

As both scheduler who deals with foreign governments and groups on a daily basis, and as a legislative assistant who assists with health and education issues for the Senator, I am seeking to learn more about education and child welfare issues in Swaziland to better assist the Senator in his Foreign Affairs Committee work. By meeting with UN representatives, the Ministry of Foreign Affairs, and the Ministry of Education to discuss access to education and social programs for children in Swaziland, this trip will give me first-hand experience that will assist me as I prepare the Senator for hearings and meetings regarding these issues.

Name of accompanying family member (if any): N/ARelationship to Employee: ☐ Spouse ☐ Child

I certify that the information contained in this form is true, complete and correct to the best of my knowledge:

4/19/2018.

(Date)



(Signature of Employee)

TO BE COMPLETED BY SUPERVISING SENATOR/OFFICER (President of the Senate, Secretary of the Senate, Sergeant at Arms, Secretary for the Majority, Secretary for the Minority, and Chaplain):

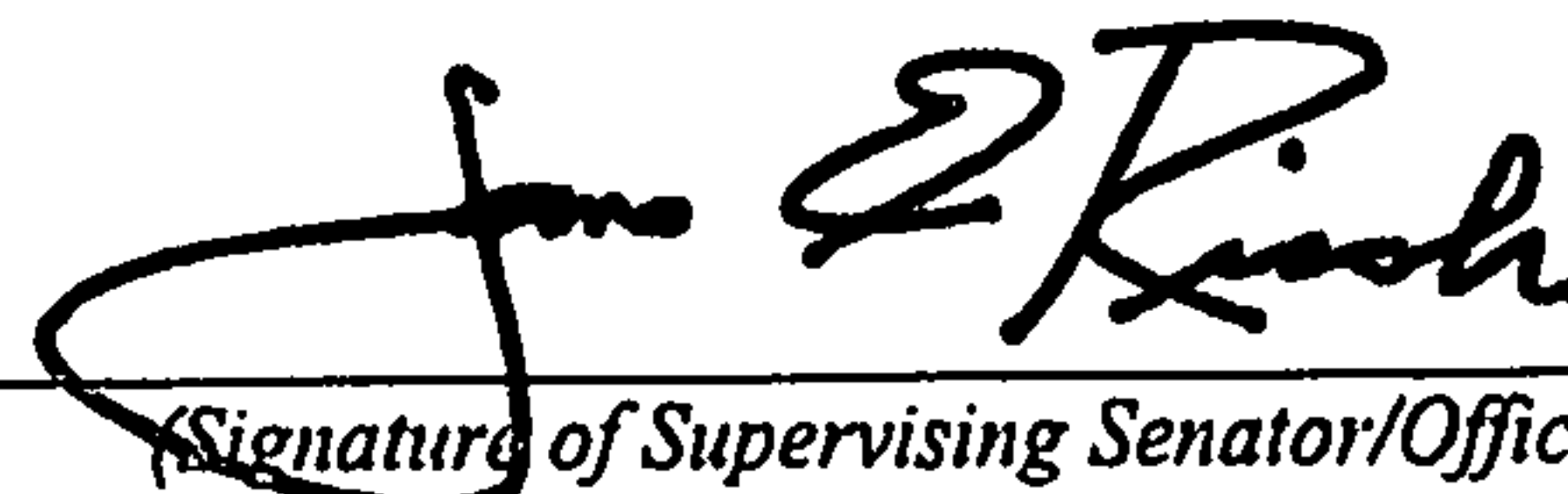
I, James E. Risch hereby authorize Rachel Burkett
(Print Senator's/Officer's Name) (Print Traveler's Name)

an employee under my direct supervision, to accept payment or reimbursement for necessary transportation, lodging, and related expenses for travel to the event described above. I have determined that this travel is in connection with his or her duties as a Senate employee or an officeholder, and will not create the appearance that he or she is using public office for private gain.

I have also determined that the attendance of the employee's spouse or child is appropriate to assist in the representation of the Senate. (signify "yes" by checking box) ☐

4/19/2018.

(Date)



(Signature of Supervising Senator/Officer)



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PUTTING THE PIECES BACK TOGETHER

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Rep. Frederica Wilson (FL)

HDI SPOKESPEOPLE

Mary Wilson of the Supremes

Ms. Rachel Burkett

Scheduler

U.S. Senator James E. Risch
483 Russell Senate Office Building
Washington, DC 20515

Dear Ms. Burkett:

I am pleased to invite you to attend a Congressional Staff Delegation to Swaziland (May 24-29, 2018). HDI is partnering with Amitofo Charity Center, a U.S. non-profit focused on building sustainable orphanages in Swaziland and across the African continent. The delegation will have a chance to spend a night at one the care centers and interact with the orphans and staff. The participants will also meet with Swazi officials, business and community leaders, and academia. The purpose of this trip is to foster dialogue and to give the Congressional Staff an opportunity to develop a greater understanding of regional politics, economy and culture.

The delegation will leave Washington D.C. in the evening on Thursday, May 24 and be back in Washington D.C by Wednesday, May 30. All participants need to submit their ethics paperwork no later than Monday, April 23 to ensure timely trip pre-approval by the Ethics Committee.

The Humpty Dumpty Institute (HDI) will be handling all the logistics and travel arrangements for this trip in close coordination with the co-sponsors, Amitofo Charity Center (ACC). We hope you will be able to join us.

Sincerely,

Joseph Merante
Executive Director

PRIVATE SPONSOR TRAVEL CERTIFICATION FORM

This form must be completed by any private entity offering to provide travel or reimbursement for travel to Senate Members, officers, or employees (Senate Rule 35, clause 2). Each sponsor of a fact-finding trip must sign the completed form. The trip sponsor(s) must provide a copy of the completed form to each invited Senate traveler, who will then forward it to the Ethics Committee with any other required materials. The trip sponsor(s) should **NOT** submit the form directly to the Ethics Committee. Please consult the accompanying instructions for more detailed definitions and other key information.

The Senate Member, officer, or employee **MUST** also provide a copy of this form, along with the appropriate travel authorization and reimbursement form, to the Office of Public Records (OPR), Room 232 of the Hart Building, within thirty (30) days after the travel is completed.

1. Sponsor(s) of the trip (please list all sponsors):
Humpty Dumpty Institute (HDI) and Amitofo Charity Center (ACC)
2. Description of the trip:
U.S. Staff Delegation to Swaziland, fact-finding trip to promote dialogue
3. Dates of travel: May 24-30, 2018
4. Place of travel: Swaziland (Nhlangano, Mbabane), transit in Johannesburg, South Africa
5. Name and title of Senate invitees: Ms. Rachel Burkett, Scheduler, Sen. James E. Risch
6. I *certify* that the trip fits one of the following categories:
☒ (A) The sponsor(s) are not registered lobbyists or agents of a foreign principal and do not retain or employ registered lobbyists or agents of a foreign principal and no lobbyist or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.
- OR -
☐ (B) The sponsor or sponsors are not registered lobbyists or agents of a foreign principal, but retain or employ one or more registered lobbyists or agents of a foreign principal and the trip meets the requirements of Senate Rule 35.2(a)(2)(A)(i) or (ii) (*see question 9*).
7. ☒ I *certify* that the trip will not be financed in any part by a registered lobbyist or agent of a foreign principal.
- AND -
☒ I *certify* that the sponsor or sponsors will not accept funds or in-kind contributions earmarked directly or indirectly for the purpose of financing this specific trip from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal.
8. I *certify* that:
☒ The trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal except for *de minimis* lobbyist involvement.
- AND -
☒ The traveler will not be accompanied on the trip by a registered lobbyist or agent of a foreign principal except as provided for by Committee regulations relating to lobbyist accompaniment (*see question 9*).

9. **USE ONLY IF YOU CHECKED QUESTION 6(B)**

I *certify* that if the sponsor or sponsors retain or employ one or more registered lobbyists or agents of a foreign principal, one of the following scenarios applies:

- ☐ (A) The trip is for attendance or participation in a one-day event (exclusive of travel time and one overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip.

- OR -

- ☐ (B) The trip is for attendance or participation in a one-day event (exclusive of travel time and two overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip (see questions 6 and 10).

- OR -

- ☐ (C) The trip is being sponsored only by an organization or organizations designated under § 501(c)(3) of the Internal Revenue Code of 1986 and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.

10. **USE ONLY IF YOU CHECKED QUESTION 9(B)**

If the trip includes two overnight stays, please explain why the second night is practically required for Senate invitees to participate in the travel:

11. ☒ An itinerary for the trip is attached to this form. I *certify* that the attached itinerary is a detailed (hour-by-hour), complete, and final itinerary for the trip.

12. Briefly describe the role of each sponsor in organizing and conducting the trip:

HDI will work with ACC on logistics and all travel arrangements from start to finish. HDI will consult with the U. S. Embassy in Mbabane on any country-specific issues and travel advisories. HDI and ACC will schedule with U.S. Embassy, Swazi Gov't, civil society, business leaders, children's rights organizations.

13. Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:

The Humpty Dumpty Institute (HDI) works to promote dialogue between the U.S. Congress, the United Nations and foreign entities. This program is part of a series of overseas Congressional programs organized by HDI with various co-sponsors. The delegation to Swaziland is being co-sponsored by Amitofo Charity Center (ACC), a U.S. non-profit focused on building sustainable orphanages in Swaziland and across the African continent. The participant of this fact-finding mission will be able to gather greater understanding of social and political issues in Swaziland, to understand issues affecting children in this country and meet with U.S. Embassy staff in Mbabane.

14. Briefly describe each sponsor's prior history of sponsoring congressional trips:

HDI sponsored 51 delegations to the United Nations Headquarters. Over 600 offices participated in these programs on bipartisan basis, from both House and the Senate. HDI also organized over 20 overseas fact finding programs to various locations on bipartisan and nonideological basis to promote dialogue.

15. Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):

ACC works with orphaned children in Africa in providing facilities and resources to live and study.

HDI administers a Higher Education Alliance program where we bring speakers from the UN to various colleges and universities in the U.S.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith estimate <input type="checkbox"/> Actual Amounts	\$1,500	\$221	\$135	\$120 - taxis in the U.S \$80 - airport visa \$100 - ground trasportation in Swaziland

17. State whether a) the trip involves an event that is arranged or organized *without regard* to congressional participation or b) the trip involves an event that is arranged or organized *specifically with regard* to congressional participation:

b) the trip involves an event that is arranged or organized specifically with regard to congressional participation

18. Reason for selecting the location of the event or trip

HDI is partnering with ACC, both U.S. based non-profits. ACC runs children's centers in Nhlangano.

Mbabane is the capital city of Swaziland, U.S. Embassy is based there.

19. Name and location of hotel or other lodging facility:

ACC Guesthouse Nhlangano - 3 nights, Sun Hotel Mbabane - 1 night;

20. Reason(s) for selecting hotel or other lodging facility:

ACC Guesthouse in Nhlangano was selected because of proximity to meeting locations. Sun Hotel in Mbabane was selected because of proximity to meeting locations. All lodging costs are withing USG rates.

21. Describe how the daily expenses for lodging, meals, and other expenses provided to trip participants compares to the maximum per diem rates for official Federal Government travel:

All, lodging, meals and other expenses are within prescribed are within prescribed allowable USG
perdiem rates for travel locations.

22. Describe the type and class of transportation being provided. Indicate whether coach, business-class or first class transportation will be provided. If first-class fare is being provided, please explain why first-class travel is necessary:

Coach class international airfare. Ground transportation from Johannesburg to locations in Swaziland.

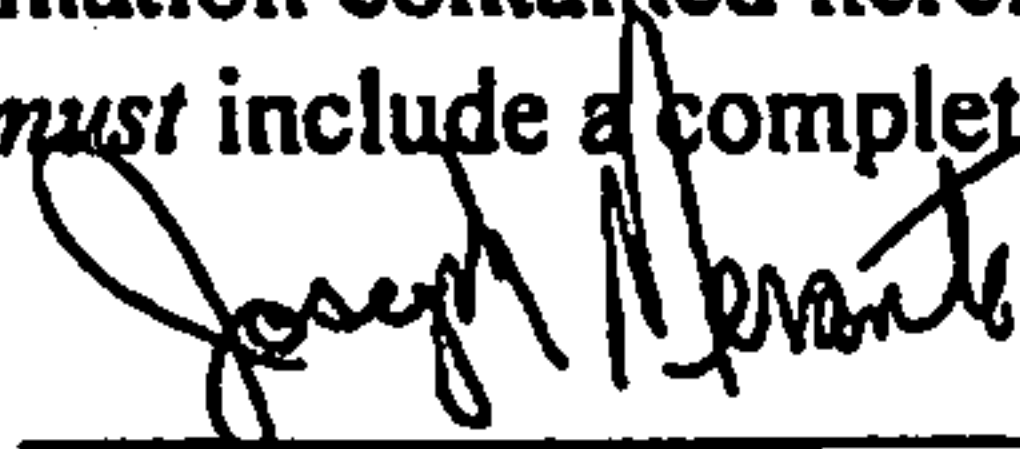
23. ☒ I represent that the travel expenses that will be paid for or reimbursed to Senate invitees do not include expenditures for recreational activities, alcohol, or entertainment (other than entertainment provided to all attendees as an integral part of the event, as permissible under Senate Rule 35).

24. List any entertainment that will be provided to, paid for, or reimbursed to Senate invitees and explain why the entertainment is an integral part of the event:

None.

25. I hereby *certify* that the information contained herein is true, complete and correct. (For trips involving more than one sponsor, you *must* include a completed signature page for each additional sponsor):

Signature of Travel Sponsor:



Name and Title: Joseph Merante, Executive Director, HDI

Name of Organization: Humpty Dumpty Institute;

Address: 527 Hudson Street #20061 New York, NY

Telephone Number: 212-944-7111

Fax Number:

E-mail Address: joe.merante@thehdi.org

PRIVATE SPONSOR TRAVEL CERTIFICATION FORM

SIGNATURE PAGE FOR ADDITIONAL SPONSOR

(to be completed by each additional sponsor)

I hereby *certify* that the information contained on pages 1-4 of the certification form and any accompanying addenda, all submitted in connection with the May 24-30, 2018 trip
to Swaziland is true, complete, and correct.
Place of Travel *Dates of Travel (Month Day, Year)*

Signature of Travel Sponsor: 

Name and Title: Miahong, Secretary, ACC

Name of Organization: Amitofo Charity Center;

Address: 941 S. Vermont Ave, Ste. 101 #76 Los Angeles, CA 90006

Telephone Number: 1-626-264-2827

Fax Number: _____

E-mail Address: info@acc-usa.org

2013-2014

**U.S. Congressional Staff Delegation to the Kingdom of Swaziland
May 24-30, 2018**

1. Ms. Rachel Burkett, Scheduler, Senator James E. Risch
2. Mr. Arthur Sidney, Chief of Staff, Rep. Henry C. "Hank" Johnson Jr.
3. Ms. Sophia Lafargue, Chief of Staff, Rep. Gregory W. Meeks
4. Ms. LaDavia Drane, Chief of Staff, Rep. Yvette Clark
5. Ms. Kimberly Ross, Chief of Staff, Rep. Joyce Beatty
6. Dr. Janette Yarwood, Staff Director, House Subcommittee on Africa, Global Health, Global Human Rights and International Organizations, Rep. Karen Bass

20180524-20180530



International Amitofo Charity Center
941 S. Vermont Ave. Ste 101#76, Los Angeles
CA 90006 USA
P. O. Box 941481 Los Angeles CA 90093 USA
www.acc-usa.org info@acc-usa.org



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U.S. Congressional Staff Delegation to the Kingdom of Swaziland May 24 – 30, 2018 Tentative Agenda

Thursday May 24, 2018

5:40PM Depart from IAD on South African 210 via Accra (1 hour refuel)

Friday May 25, 2018

4:45PM Arrive in Johannesburg (JNB)

6:00PM Proceed to Amitofo Care Center in Nhlanguano, Swaziland (ground transportation)

10:30PM Check-in at ACC Guesthouse, dinner

Saturday May 26, 2018

6:30-8:00AM Breakfast at the Guesthouse

8:30-10:00AM Guided Tour of ACC facilities

10:30-11:30AM Receive representatives of the Royal Foundation at the Center

12:00-1:00PM Working Lunch

1:30-2:30PM Meeting with the traditional leadership (Chief of the Village)

3:00-4:30PM Meet and Greet with Students and Staff of the ACC Swaziland

5:00-7:30PM Students Presentations (Arts & Crafts, Dance, Music, Martial Arts)

7:30-9:00PM Dinner with ACC Students and Staff



Sunday May 27, 2018

6:30-8:00AM Breakfast at leisure at the Guesthouse

8:30AM-1:30PM Visit to two local villages (meeting with community leaders, aid workers)

2:00-3:00PM Working lunch with Civil Society Leaders

3:30-5:00PM Meeting with Swaziland Government representatives (Ministry of Education and Ministry of Labour & Social Security) at ACC Guesthouse

5:00-7:00PM **Staff time**

7:00-9:00PM Working dinner with delegation participants and ACC leadership

Monday May 28, 2018

6:45-8:30AM Breakfast with ACC Students and Farewell

9:00AM Depart for the capital city of Mbabane (ground transportation)

12:00-2:00PM Working lunch TBD

2:00-3:00PM Meeting with Ministry of Foreign Affairs

3:30-5:00PM Meeting with UN representatives in Swaziland

5:30PM **Check-in at the hotel in Mbabane**

5:30-7:30PM Staff time

7:30PM **Working dinner TBD**

Tuesday May 29, 2018

7:00-8:30AM Breakfast at leisure at the Hotel

9:00-10:00AM Meeting with Amb. Lisa J. Peterson, U.S. Ambassador to the Kingdom of Swaziland

10:00-11AM Briefings at the U.S. Embassy in Swaziland



1:00PM	Depart for Johannesburg (ground transportation)
6:30PM	Depart JNB for IAD on South African 209 via Accra

Wednesday May 30, 2018

6:25AM **Arrive at IAD**

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HART SENATE OFFICE BUILDING, ROOM 220
SECOND AND CONSTITUTION AVENUE, NE
WASHINGTON, DC 20510-6425

TELEPHONE: (202) 224-2981
FACSIMILE: (202) 224-7416
TDD: (202) 228-3752

United States Senate

SELECT COMMITTEE ON ETHICS

May 17, 2018

Rachel Burkett
Office of Senator James E. Risch
United States Senate
Washington, DC 20510

Dear Ms. Burkett:

This responds to your recent correspondence concerning an invitation you received to travel on a fact finding trip to Johannesburg, South Africa, Nhlanguana, Swaziland, and Mbabane, Swaziland, on May 24-30, 2018, sponsored by the Humpty Dumpty Institute and the Amitofo Charity Center (collectively, the Sponsors). The Sponsors certified to the Select Committee on Ethics (the Committee) that they will pay the *necessary expenses*¹ related to the travel and that they are not lobbyists, nor a lobbying firm, nor an agent of a foreign principal, and are not otherwise acting as a representative or agent of a foreign government. The Sponsors have also certified that they do not retain or employ a registered lobbyist or an agent of a foreign principal and that no registered lobbyist will accompany you at *any point throughout your trip*.²

Based on information and materials available to the Committee, and assuming the **actual** travel and travel-related expenses conform to the information and materials you provided, it appears that the proposed payment or reimbursement of necessary expenses for this trip **may be accepted** under relevant Senate Rules and the Committee's *Regulations and Guidelines for Privately-Sponsored Travel*, so long as at the time of the payment or reimbursement, none of the Sponsors are registered lobbyists nor a lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and are not otherwise acting as a representative or agent of a foreign government), and provided the travel and all required documents are disclosed to the Secretary of the Senate in accordance with the provisions of Senate Rules 34 and 35.

Under Senate Rule 35, Senate staff must receive advance authorization signed by the Member or officer under whose direct supervision the individual works in order to accept payment or reimbursement for necessary expenses related to fact-finding travel. Further, such authorization and expenses must be disclosed to the Secretary of the Senate by filing the completed *Employee Pre-Travel Authorization* and the *Employee Post-Travel Disclosure of*

¹ The term "necessary expenses" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 8.

² The term "any point throughout your trip" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2.

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Travel Expenses (Form RE-1 and Form RE-2), along with a copy of the *Private Sponsor Travel Certification Form*, and all relevant attachments (e.g., the private sponsor's invitation and itinerary) **within 30 days of the conclusion of Privately-Sponsored Travel.**

The Committee has determined that § 501(c)(3) non-profit organizations that are classified as private foundations, as opposed to public charities, may not pay for transportation from the United States to a foreign country.³ However, the Sponsors represented to the Committee that they are a § 501(c)(3) public charity, as opposed to a private foundation, pursuant to the Internal Revenue Code.⁴

Please be advised that the United States Constitution prohibits the acceptance of any gift, including a meal, from a foreign government without the consent of Congress. In the Foreign Gifts and Decorations Act (FGDA), Congress consented to the acceptance by federal government officials of: (1) gifts of minimal value and (2) travel or the expenses for travel taking place entirely outside the United States, from a foreign government (which includes those acting as a representative or agent of a foreign government).⁵ The Senate has defined minimal value as \$100 or less. Further, pursuant to FGDA, there are certain reporting and procedural requirements that are imposed upon Members, officers, and employees who accept gifts from a foreign government. Please review the Committee's "Dear Colleague" letter of January 16, 2018, setting forth the items to be included in filing that report.

Finally, Senate Rule 34 requires a reporting individual,⁶ on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$390 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

³ See 26 U.S.C. § 4941 et seq. Section 501(c)(3) of the Internal Revenue Code broadly defines non-profit, charitable, tax-exempt organizations. These § 501(c)(3) organizations are then further defined or designated as "public charities" and "private foundations."

⁴ 26 U.S.C. § 501(c)(3).

⁵ 5 U.S.C. § 7342.

⁶ A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (\$126,148 for CY 2018) or is a political fund designee and is required to file Financial Disclosure Reports.

Enclosure: Travel Checklist

Deborah Sue Maynor

Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist