# 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): Cooperative for Assistance & Relief Everywhere, Inc. (CARE)

Travel date(s): May 26-June 1, 2019

Name of accompanying family member (if any): _____
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) |
|---|---|---|---|---|
| ☐ Good Faith Estimate<br>☒ Actual Amount | $2,427.20 for international airfare<br>$1,031.81 pp for chartered flight<br>Vehicles $632 pp<br>TOTAL $4,090.72 | 2 nights in Maputo - $384 ($192/night)<br>1 night in Ilha de Mozambique - $95.24<br>1 night in Nampula - $95.24<br>TOTAL: $574.48 | 2 days in Maputo at $139 total<br>3 days outside of Maputo at $114 total<br>TOTAL: $238.63 | Interpreters - $100.40<br>Security - $800.00<br>Insurance - $77<br>Visa - $220.00<br>TOTAL: $1,197.00 |

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

| | Transportation Expenses | Lodging Expenses | Meal Expenses | Other Expenses (Amount & Description) |
|---|---|---|---|---|
| ☐ Good Faith Estimate<br>☐ Actual Amount | | | | |

Provide a description of all meetings and events attended. *See* Senate Rule 35.2(c)(6). (Attach additional pages if necessary.): Please refer to Addendums A and B.

6-13-2019 Judd Gardner
*(Date)* *(Printed name of traveler)* *(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.

6-13-2019 Jerry Moran
*(Date)* *(Signature of Supervising Senator/Officer)*

(Revised 1/3/11) **Form RE-2**

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Addendum A

**AGENDA: CARE Learning Tour to Mozambique, May 26 – June 1, 2019**

**Sunday, May 26** **Travel Day**

| | |
|---|---|
| 11:00am | Depart U.S. for Maputo, Mozambique (Ethiopian Airlines #501) |

**Monday, May 27** **Travel Day – Maputo, Mozambique**

| | |
|---|---|
| 1:25pm | Delegation arrives in Maputo, Mozambique |
| 2:15-2:45pm | Transfer to hotel |
| 2:45-6:00pm | Check-in/unpacking/downtime |
| 6:00-6:30pm | Welcome briefing to provide an overview of trip and introduce CARE staff and delegates to one another |
| 6:30-8:00pm | Scene-Setter Dinner Briefing with INGO experts from CARE, FAO and the International Potato Center to gain social, political and historical context for agriculture research and development, food and nutrition security, and development in Mozambique |

*Overnight: Hotel Polana – Maputo, Mozambique*

**Tuesday, May 28** **Maputo, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 9:00-9:30am | Transfer to site visit 1 |
| 9:30-10:45am | Site Visit 1: Tour International Potato Center research and development lab to learn about efforts to develop better quality, drought-resistant sweetpotato seed varieties |
| 10:45-11:15am | Transfer to lunch |
| 11:15-12:45pm | Lunch Briefing with U.S. Government, which will include a discussion from panelists from USAID and the U.S. State Department, who will discuss USG investments and priorities for food and nutrition security in Mozambique |
| 12:45-1:45pm | Transfer to site visit 2 |
| 1:45-3:45pm | Site Visit 2: Visit Umbeluzzi Center and Farm Trials to follow the research from the International Potato Center to demonstration plots, to understand how research, innovations, and improved inputs reach smallholder farmers |
| 3:45-5:00pm | Transfer to hotel |
| 5:00-6:15pm | Downtime/shower time |

| | |
|---|---|
| 6:15-6:30pm | Transfer to reception |
| 6:30-8:00pm | Reception with U.S. Ambassador, local government and NGO leaders to hear from a wide array of partners, implementers, and donors on the challenges and successes related to food and nutrition security and agriculture research and development in Mozambique |

*Overnight: Hotel Polana – Maputo, Mozambique*

**Wednesday, May 29** **Nampula Province, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 8:00-9:00am | Transfer to airport |
| 9:00-11:30am | Plane briefing on resiliency to climate shocks and change and their impact on the agricultural sector and food security in Mozambique<br>*Note: Transfer to Nampula. Lunch on charter plane* |
| 11:30-1:00pm | Transfer to site visit 1 |
| 1:00-2:30pm | Site Visit 1: Mozambique Improved Seeds for Better Agriculture (SEMEAR) project to visit a farmer field school and meet with women farmers who are testing the success and viability of different staple and cash crop varieties, including cow peas and sesame seed varieties |
| 2:30-3:00pm | Transfer to site visit 2 |
| 3:00-4:30pm | Site Visit 2: Viable Sweet Potato for Africa (VISTA) program to meet with women smallholder farmers and participate in a cooking demonstration using local crops and staple foods to help address issues of chronic malnutrition in children and households in northern Mozambique |
| 4:30-6:00pm | Transfer to Ilha de Mozambique |
| 6:00-7:00pm | Downtime/Check-in time |
| 7:00-8:30pm | Debrief dinner to debrief and reflect on the SEMEAR and VISTA projects seen during the day. Discussion will involve what struck the delegation most at each site related to development challenges and success in Mozambique. The group will also hear from CARE technical experts on the impact of climate shocks to smallholder farmers, including Cyclones Kenneth and Idai, and receive an overview of CARE's response efforts in the Beira corridor to address the immediate needs of women, children and families, as well as address acute food insecurity in cyclone-affected areas |

*Overnight: Feitoria – Ilha de Mozambique, Mozambique*

**Thursday, May 30** **Nampula Province, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 9:00-10:30am | Historical Boat Tour of Ilha Mozambique: to understand the importance of of Ilha as the former capital of Mozambique and as a major trading post for the Nampula province for centuries. |
| 10:30-11:15am | Transfer to site visit 1 |
| 11:15-12:30pm | Site Visit 1: Visit Village Savings & Loan Association to learn about the income generating activities helping to support community members, particularly women producers, with supplemental income and support for their small businesses |
| 12:30-1:30pm | Transfer to site visit 2<br>*Lunch provided on vehicles* |
| 1:30-4:00pm | Site Visit 2: Tour Banana Grants Facility supported by USDA investments to learn about research efforts and management techniques being developed and adopted to contain the spread of the Panama disease and introduce disease resilient plant varieties |
| 4:00-5:45pm | Transfer to hotel |
| 5:45-7:00pm | Downtime/shower time |
| 7:00-8:30pm | Closing Dinner to reflect on the trip and discuss the issues explored on the trip, including U.S. investments in food and nutrition security and agriculture research and development |

*Overnight: Grand Plaza Hotel – Nampula, Mozambique*

**Friday, May 31** **Nampula Province – Travel Day, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 9:30-10:00am | Transfer to site visit 1 |
| 10:00-11:15am | Tour Cashew Factory to explore how stallholder farmers are being linked larger markets through the cashew production and processing industry, and tour the factory to understand how raw cashew materials are processed and prepared for international export, and hear about how the Feed the Future INOVA program is empowering smallholder farmers to increase the both the quality and the yield of their cashews |
| 11:15-11:45am | Transfer to hotel |
| 12:00-1:30pm | Lunch Roundtable with Aflotoxin researchers, farmers, and industry buyers to learn about the importance of connecting research, to producers, to other |

| | |
|---|---|
| | industry stakeholders to improve the agricultural supply chain and strengthen local and international markets |
| 1:30-3:00pm | Final packing time |
| 3:00-3:15pm | Transfer to airport |
| 4:40pm | Delegation departs for home (Kenya Airlines flight #3) |

**Saturday, June 1** **Travel Day**

| | |
|---|---|
| 1:04pm | Delegation lands in DC (AA #4445) |

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ADDENDUM B

There are some slight variances in the agenda as detailed below:

On May 28th, the meeting with the Ministry of Agriculture was unfortunately denied given the minister was out of the country on official travel during the scheduled trip dates.
On May 30th, the cultural activity on Ilha de Mozambique was changed to be a boat tour of the island giving operational hours of the museum.
On May 31st, the roundtable discussion with Aflotoxin researchers, farmers and industry buyers was switched to be a lunch and the tour of the cashew processing factory was moved to be a morning tour in order to better accommodate the cashew workers' work schedule and availability.

Note: The above minor adjustments to the schedule did not impact the hours or content of programming each day. Also note, individual staffer flight costs varied due to the time of purchase of each individual ticket and due to slight fare fluctuations from the airline at the time of purchase.

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**Addendum C:**
Names and titles of ALL Senate invitees.

Invited Senate Congressional Staffers

- Algene Sajery, Senior Adviser, Foreign Policy and National Security, Sen. Ben Cardin
- Sarah Schenning, Legislative Director, Sen. Chris Van Hollen
- Jessica Elledge, Senior Advisor, Foreign Policy, Sen. Chris Murphy
- Corey Tellez, Legislative Director, Sen. Dick Durbin
- Sarah Seitz, Legislative Director, Sen. James Lankford
- Naz Durakoglu, Senior Policy Advisor, Sen. Jeanne Shaheen
- Judd Gardner, Policy Advisor, Sen. Jerry Moran
- Mackensie Burt, Legislative Director, Sen. John Boozman
- Dan Auger, Legislative Director, Sen. John Hoeven
- Meris Petek, Policy Advisor, Sen. Joni Ernst
- Lauren Reamy, Legislative Director, Sen. Marco Rubio
- Ansley Rhyne, Legislative Assistant, Sen. Marco Rubio
- Erica Chabot, Legislative Director, Sen. Patrick Leahy
- Ryan Pettit, Senior Adviser, Sen. Patty Murray
- Dan Burgess, Legislative Director, Sen. Roy Blunt
- Darin Thacker, Legislative Director, Sen. Steve Daines
- Colleene Thomas, Senior Policy Adviser, Sen. Tammy Baldwin
- Katie Naessens, Professional Staff Member, Senate Agriculture Committee
- Joe Shultz, Staff Director, Senate Agriculture Committee
- Adam Yezerski, Professional Staff Member, Senate Appropriations Committee
- Chris Farrar, Legislative Assistant, Sen. John Boozman
- James Glueck, Staff Director, Senate Agriculture Committee
- Josh Klein, Senior Professional Staff Member, Senate Committee on Foreign Relations
- Anna Knight, Policy Analyst, Senate Committee on Foreign Relations

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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: Judd Kenneth Gardner

Employing Office/Committee: Senator Jerry Moran

Private Sponsor(s) (list all): Cooperative for Assistance & Relief Everywhere, Inc. (CARE)

Travel date(s): May 26 - June 1, 2019

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

Destination(s): Maputo and Nampula, Mozambique

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

I work on food, agriculture and international hunger issues for Senator Moran, including issues related to Senator Moran's position on the Senate Appropriations Committee. This trip will give me the opportunity to learn more about our nation's international food assistance and agricultural development programs.

Name of accompanying family member (if any): _____

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:

_____ *(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, Senator Jerry Moran *(Print Senator's/Officer's Name)* hereby authorize Judd Gardner *(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)* ☐

5-13-2019 *(Date)*

Jerry Moran *(Signature of Supervising Senator/Officer)*

(Revised 10/19/15)

Form RE-1

**CARE USA**
1899 L St NW
Suite 500
Washington, DC 20036
USA
www.care.org

April 15, 2019

United States Senate Select Committee on Ethics
220 Hart Senate Building
Washington, DC 20510

RE: CARE Learning Tour to Mozambique (May 26-June 1, 2019)

To Whom It May Concern:

Over the past eight years, the CARE Learning Tours program has provided policymakers and influential opinion leaders the unique opportunity to see firsthand the impact of U.S. foreign assistance investments on health and development worldwide. CARE has engaged members of Congress and key staff from both political parties as well as influential opinion leaders on these Learning Tours.

On this CARE Learning Tour, we will be sponsoring a trip to Mozambique, which will include staffers from congressional offices in the Senate and House of Representatives. This trip has been funded with the assistance of a grant provided to CARE by the Bill & Melinda Gates Foundation with the purpose of raising awareness about the importance of U.S. investments in confronting global poverty. A portion of the activities funded by the grant include congressional travel, and CARE is using some of the grant funds to support this specific trip. The Foundation did not play a role in organizing the trip, and has not been involved in the selection or invitation of travel participants. This funding had not been earmarked for this specific trip as stated in Item 7 on the Private Sponsor Travel Certification Form.

We are committed to ensuring adherence to all Ethics Committee rules and regulations. For further information about CARE's advocacy and lobbying structure, please see the attached description. If you have any questions, please feel free to contact me at (202) 569-7027.

Sincerely,

Rachel Hall

Rachel Hall
Director, Learning Tours
CARE

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**CARE and CARE Action Now Structure Explained**

CARE, a 501(c)(3) organization, is a leading international humanitarian organization fighting global poverty that places special focus on working alongside poor women who, equipped with the proper resources, can assist whole families and entire communities escape poverty through improved basic education, prevent the spread of HIV, increase access to clean water and sanitation, and expand economic opportunities and the protection of natural resources. CARE also delivers emergency aid to survivors of war and natural disasters, and helps people rebuild their lives.

CARE established CARE Action Now in October, 2007 as a related but separately incorporated 501(c)(4) organization. Served by a mostly independent Board of Directors, CARE Action Now undertakes a variety of programs and activities in furtherance the organizations' comparable missions, most notably directly influencing policymakers through public awareness campaigns, briefings, reports, meetings, testimony and other areas based on CARE's experience of working with poor people around the world over more than 60 years. The two organizations share facilities and resources, allocating the costs between them based upon use, as is common in the nonprofit sector. CARE provides periodic funding to CARE Action Now using a written grant mechanism to support the range of its advocacy and lobbying activities. CARE Action Now is increasingly raising funds independent of CARE. This is a common structure for related nonprofit organizations, where a 501(c)(3) organization uses some of its limited funding on lobbying to support a related 501(c)(4) rather than doing the lobbying directly itself.

CARE serves as common paymaster for both organizations, so that all shared employees receive one paycheck from CARE for services provided to either CARE or CARE Action Now. CARE Action Now provides to CARE its allocable share of salary, benefits, and payroll taxes. All staff time that qualifies as "lobbying activity" under the Lobbying Disclosure Act that is conducted by staff registered as lobbyists for CARE Action Now is charged to CARE Action Now under this arrangement, although those employees may also perform non-lobbying services for CARE. CARE Action Now treats its reimbursement payments to CARE as expenditures for salary and related items on its books.

This relationship which is consistent with customary practice leads us to conclude that CARE has properly completed this form, including that it does not employ or retain lobbyists. However, we include this additional information in the interests of full transparency so that the committee may make this determination for itself.

BILL & MELINDA GATES foundation

1300 I (Eye) Street NW
Suite 200 East
Washington, DC 20005, USA
V +1.202.662.8130
F +1.202.220.6799
www.gatesfoundation.org

April 15, 2019

Senate Committee on Ethics
220 Hart Building,
United States Senate
Washington, DC 20510

This letter is submitted in response to your request regarding a learning trip beginning May 26, 2019. The Foundation made a grant to CARE USA on January 5, 2017 to fund various activities, including congressional tours to provide learning opportunities on U.S. foreign assistance programs.

I send this to confirm that the Bill & Melinda Gates Foundation is aware of this project and provided support, through the assistance of grant funding, to CARE USA for this project for the purpose of providing members of Congress, Congressional staff, other key decision-makers and influential individuals with the personal experience and knowledge of U.S. Government programs in the developing world and to provide follow-on information to tour participants, selecting countries that have a broad array of U.S. Government development projects.

However, the Foundation did not play a significant role in the project, or in organizing the related trip, and has not been involved in the selection or invitation of travel participants. Decisions regarding travel participants have been controlled by and under the sole discretion of CARE USA. Foundation funding has not been directly or indirectly earmarked to finance any aspect of this trip and, as defined in the grant agreement, grant funds, may not be earmarked for activities that are considered lobbying under the tax law provisions governing private foundations. Furthermore, the Bill & Melinda Gates Foundation does not retain or employ a registered federal lobbyist or foreign agent.

If we can provide any additional information, please contact me at kim.webber@gatesfoundation.org or 1.202.662.8195.

Sincerely,

Kim Webber
Program Officer
Bill & Melinda Gates Foundation

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# 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.

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1. Sponsor(s) of the trip (please list all sponsors): Cooperative for Assistance & Relief Everywhere, Inc. (CARE)

2. Description of the trip: In line with CARE's mission to tackle food and nutrition security, this trip was organized to show how U.S. investments support agricultural R&D and empower smallholder farmers.

3. Dates of travel: May 26-June 1, 2019

4. Place of travel: Maputo, Mozambique and Nampula Mozambique

5. Name and title of Senate invitees: See Addendum A

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:

CARE is host to the delegation and is responsible for logistics, content of the trip and post-trip follow up and CARE is the sole sponsor of the trip.

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

CARE is a leading humanitarian organization focused on combating global poverty. In line with CARE's mission to combat poverty by promoting food and nutrition security, this trip was organized to show how US investments support agricultural research and development and empower smallholder farmers.

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

CARE hosts congressional trips as an educational opportunity to see development work firsthand. Since 2009, we have hosted thirty-one trips with members of Congress and their staff.

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

CARE USA implements development programming worldwide and works to promote visibility and provide education on issues important to ending global poverty. This education includes hosting conferences, trainings, briefings, community outreach and study tours on gender, food security and health.

16. Total Expenses for Each Participant:

| | Transportation Expenses | Lodging Expenses | Meal Expenses | Other Expenses |
|---|---|---|---|---|
| ☒ Good Faith estimate<br>☐ Actual Amounts | $2,097.24 for international airfare<br>$1,190.48 pp for chartered flight<br>Vehicles $1,000 pp<br>TOTAL $4,287.72 | 2 nights Maputo - $220<br>1 night Ilha de Mozambique - $189<br>1 night Nampula - $189<br>TOTAL: $818 | 2 days in Maputo at $110 per day<br>3 days outside of Maputo at $114 per day<br>TOTAL: $562 | Interpreters - $71<br>Security - $714.29<br>Insurance - $106<br>Visa - $106<br>TOTAL: $1,111 |

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:

The trip was arranged specifically with regard to congressional participation.

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

The U.S. government is an important development partner in Mozambique working to promote improved nutrition and livelihood outcomes for smallholder farmers and their families.

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

Polana Serena Hotel - Maputo, Mozambique; Feitoria Boutique Hotel - Ilha de Mozambique, Mozambique
Grand Plaza Hotel - Nampula, Mozambique

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

The hotels above offer western accommodations with ample security for the trip's activities.

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:

The U.S. Government per diem rate for lodging in Maputo is $220/night and $189/day outside of Maputo

The U.S. Government per diem rates for meals in Maputo is $110/day and $114/day outside of Maputo

Our lodging and meal expenses in Maputo and outside of Maputo are equal to or below USG per diem rates.

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:

The delegation will fly coach class to and from Mozambique and will fly on a chartered plane for travel in Mozambique. The delegation will use ground transportation in-country. See addendum B for flight details.

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:

No entertainment will be provided on this trip.

25. I hereby *certify* that the information contained herein is true, complete and correct. (You must include the completed signature block below for each travel sponsor.):

Signature of Travel Sponsor: _____

Name and Title: Eric Johnson, Secretary and General Counsel

Name of Organization: Cooperative for Assistance and Relief Everywhere, Inc. (CARE)

Address: 1899 L Street, NW, Suite 500, Washington, DC 20036

Telephone Number: 404-979-9410

Fax Number: 202-296-8695

E-mail Address: Eric.Johnson@care.org

## Instructions

(Do not file the Instructions with OPR)

### General Instructions

- The Senate Select Committee on Ethics ("Ethics Committee") has developed guidelines for evaluating privately-sponsored trips and for judging whether trip expenses are reasonable. Trip sponsors should consult the *Senate Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel*, including the *Glossary of Terms*, prior to filling out the *Private Sponsor Travel Certification Form* and contact the Ethics Committee at (202) 224-2981 with any additional questions. The Ethics Committee will make the final determination as to whether the expenses incurred during a privately-sponsored trip are reasonable.

- If there are multiple sponsors, they should jointly complete one *Private Sponsor Travel Certification Form* for the trip. Each travel sponsor should complete the signature block.

- When evaluating a trip proposal and judging the reasonableness of expenses, the Ethics Committee will consider the following factors:

  a. the stated mission of the organization sponsoring the trip;
  b. the organization's prior history of sponsoring congressional trips, if any;
  c. other educational activities performed by the organization besides sponsoring congressional trips;
  d. whether any trips previously sponsored by the organization led to an investigation by the Select Committee on Ethics;
  e. whether the length of the trip and the itinerary is consistent with the official purpose of the trip;
  f. whether there is an adequate connection between a trip and official duties;
  g. the reasonableness of the total amount spent by a sponsor of the trip;
  h. whether there is a direct and immediate relationship between a source of funding and an event;
  i. the maximum *per diem* rates for official Federal Government travel published annually by the General Services Administration, the Department of State, and the Department of Defense;
  j. whether travel to a location or event is arranged or organized without regard to congressional participation, or whether it is specifically organized for Congressional staff; and
  k. any other factor deemed relevant by the Select Committee on Ethics.

  Consult the *Senate Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel*, including the *Glossary of Terms*, for further discussion of these factors.

- Responses to each question should be brief, consistent with the requirement to provide all relevant information. Attach additional pages, as necessary.

- To allow sufficient time for the Ethics Committee to review requests for privately sponsored travel, the participating Senate Members, officers, and employees must submit the completed form to the Ethics Committee at least **thirty (30) days** before the date of the proposed trip.

**Filling out the Private Sponsor Travel Certification Form** (Question by Question Instructions)

1. *Sponsor(s) of the trip (please list all sponsors):* A sponsor of a trip is any person, organization, or other entity contributing funds or in-kind support for the trip. A sponsor must have a significant role in organizing and conducting a trip and must have a specific organizational interest in the purpose of the trip. If Members, officers, and employees are participating in an event or fact-finding trip in connection with their duties, they may accept necessary travel expenses only from the event or trip sponsor.

2. *Description of the trip:* Provide a brief statement about the purpose of the trip.

3. *Dates of travel:* Provide the dates of departure and return.

4. *Place of travel*: Provide the destination(s) for the trip.

5. *Name and titles of Senate invitees:* Provide the name and title for each Senate Member, officer, or employee who is invited on the trip.

6. *I certify that the trip fits one of the following categories:* A Senate Member, officer, or employee may accept privately sponsored travel only from sponsor(s) of a trip that fits one of the categories listed. Consult the instructions for question 9 to determine if the trip meets the lobbyist accompaniment standard.

7. *Financing of the trip, earmarked funds and in-kind contributions:* Senate Members, officers, and staff may not accept privately-sponsored travel funded by a registered lobbyist or foreign agent. Members, officers, and staff may not participate in privately-sponsored travel when the sponsors accept funds or in-kind contributions earmarked for this particular 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. Earmarking includes any direction, agreement, or suggestion -- formal or informal -- to use donated funds, goods, services, or other in-kind contributions for a particular trip or purpose.

8. *Lobbyist/agent of a foreign principal involvement:* Senate invitees may not participate in trips planned, organized, arranged, or requested by a lobbyist or foreign agent in more than a *de minimis* way, which means negligible or inconsequential. It would be considered inconsequential for one or more lobbyists or foreign agents to serve on the board of an organization that is sponsoring travel, as long as the lobbyists or foreign agents are not involved in the trip. It is also permissible for a lobbyist to respond to a trip sponsor's request to identify Senate invitees with interest in a particular issue relevant to a planned trip. However, a lobbyist is not allowed to solicit or initiate communication with a trip sponsor, have control over which Senate employees are invited on a trip, extend or forward an invitation to a participant, determine the trip itinerary, or be mentioned in the invitation.

   *Example:* A trip sponsor that is a § 501(c)(3) non-profit organization asks a lobbyist to recommend staffers who might be most interested in joining a trip to the U.S.-Mexican border. If a lobbyist knows a staffer who has a particular interest in the DEA's activities at the border, then providing that information (in light of the trip sponsor's request), in and of itself, would not exceed a *de minimis* level of participation, and would be permitted. However, it would not be permissible for the lobbyist to initiate contact with the trip sponsor to suggest that a particular Senate staffer be invited or forward an invitation to that staffer. Consult the instructions for question 9 to determine if the trip meets the lobbyist accompaniment standards.

9. *Lobbyist/agent of a foreign principal accompaniment standards:* Senate Members, officers, and staff may not accept privately-sponsored travel from an entity that retains or employs one or more federally-registered lobbyists or foreign agents unless one of the listed scenarios applies. *At any segment of the trip* means lobbyists may not accompany the Senate invitee for parts of the travel to and from the event (not at the event itself or the location being visited). *At any point throughout the trip* means lobbyists may not accompany Senate invitees at any point to and from the event, at the event itself, or at the location being visited, other than in a *de minimis* way. This is a broader prohibition than the *at any segment of a trip* standard.

   *"De minimis" exception:* Both lobbyist/agent of a foreign principal "accompaniment" prohibitions include a *de minimis* exemption. *De minimis* means negligible or inconsequential. The mere coincidental presence of a lobbyist or foreign agent at an event would likely be considered *de minimis*. But in making the final determination, the Ethics Committee will consider the totality of the circumstances, including the amount of time lobbyists or foreign agents are present at the event; the amount of direct contact they have with Senate invitees; and the amount of control a trip sponsor has over their presence or contact with Senate guests. For example, if the trip includes attendance at an event considered widely-attended under Rule 35(1)(c)(18), the trip sponsor is unlikely to know all attendees present. Thus, it is likely to be permissible for such widely-attended events to include both a Senate guest and a lobbyist. Similarly, an organization cannot possibly know all the other passengers taking the same flight or other common carrier to a given destination. Accordingly, the sponsor does not need to certify that it knows for certain that no lobbyist or foreign agent will be on such a common carrier.

10. *If travel includes two overnight stays:* The Ethics Committee may approve two overnight stays for trips sponsored by an entity that employs or retains one or more lobbyists or foreign agents under certain conditions. Consult Committee regulations for additional information.

11. *An itinerary for the trip is attached to this form:* The Ethics Committee will not review the trip request without a detailed (hour-by-hour), complete and final itinerary for the trip. As a general matter, the Ethics Committee advises that each travel day contain a minimum of 6 hours of officially-related activities for Senate invitees.

12. *Briefly describe the role of each sponsor in organizing and conducting the trip:* A sponsor must have a significant role in organizing and conducting a trip and must have a specific organizational interest in the purpose of the trip.

13. *Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:* Provide a brief description of the stated mission of each sponsor and how it relates to the trip.

14. *Briefly describe each sponsor's prior history of sponsoring congressional trips:* Provide a brief discussion of the sponsor's history of sponsoring congressional travel. It is not necessary to list every trip.

15. *Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):* Provide a brief description of the educational activities performed by each sponsor. It is not necessary to list every individual activity; the description may be by kind or category of educational activity involved.

16. *Total expenses for each participant:* Indicate whether the figures provided are actual amounts or good faith estimates by checking the appropriate box. All trip expenses should be included. Expenses other than those for transportation, lodging, and meals must be individually listed and specified. Attach additional pages as necessary.

17. *Congressional participation:* For events that are arranged without regard to congressional participation (for example, annual meetings, conferences, seminars, and symposiums of trade associations, professional societies, business associations, and other membership organizations), the Ethics Committee may, but is not required to, allow Senate Members, officers, and employees to accept lodging and meal expenses that are commensurate with what is customarily provided to non-congressional attendees in similar circumstances. For events specifically arranged around congressional participation, lodging, meal expenses and other expenses must be "reasonable" in accordance with Ethics Committee regulations.

18. *Reason for selecting the location of the event or trip:* The location of the trip *must be related to its purpose*. A brief but detailed description of the reason for the selection of the location must be provided.

19. *Name and location of hotel or other lodging facility:* Include the exact name and address of the hotel or other lodging facility.

20. *Reasons for selecting hotel or other lodging facility:* Provide an explanation of the sponsor's rationale for selecting the particular lodging, include information such as proximity to the airport or site to be visited.

21. *Describe how the daily expenses for lodging, meals, and other expenses provided to trip participant compare to the maximum per diem rates for official Federal Government travel:* Where feasible and available, trip expenses for lodging and meals should generally be comparable to the government *per diem* rates. The circumstances surrounding a particular trip may legitimately require lodging and meal expenses to exceed these rates. Consult the Ethics Committee regulations for additional information.

22. *Describe the type and class of transportation being provided:* While coach or business-class fare may be accepted, first-class fare for any mode of transportation may be permitted only under limited conditions and only with specific prior written approval by the Ethics Committee. Transportation on a private or charter aircraft is not permitted for privately-sponsored travel under any circumstances.

23. *Expenses for recreational activity, alcohol, or entertainment:* The only recreational or entertainment activities that will be approved by the Ethics Committee are those that are provided to all attendees and are an integral part of an event. Alcoholic beverages are not considered to be a reasonable expense.

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:* Entertainment expenses that are not provided to all attendees and deemed an integral part of the event will not be approved by the Ethics Committee.

25. *Certification:* Each sponsor of a trip should sign the form and certify that the information is complete and correct. Attach additional pages with the certification and signature block, as necessary, for each trip sponsor.

**AGENDA: CARE Learning Tour to Mozambique, May 26 – June 1, 2019**

**Sunday, May 26** — **Travel Day**

| | |
|---|---|
| 11:00am | Depart U.S. for Maputo, Mozambique (Ethiopian Airlines #501) |

**Monday, May 27** — **Travel Day – Maputo, Mozambique**

| | |
|---|---|
| 1:25pm | Delegation arrives in Maputo, Mozambique |
| 2:15-2:45pm | Transfer to hotel |
| 2:45-6:00pm | Check-in/unpacking/downtime |
| 6:00-6:30pm | Welcome briefing to provide an overview of trip and introduce CARE staff and delegates to one another |
| 6:30-8:00pm | Scene-Setter Dinner Briefing with INGO experts from CARE, FAO and the International Potato Center to gain social, political and historical context for agriculture research and development, food and nutrition security, and development in Mozambique |

*Overnight: Hotel Polana – Maputo, Mozambique*

**Tuesday, May 28** — **Maputo, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 7:30am | Transfer to meeting |
| 8:00-9:00am | Meeting with Minister of Agriculture (requested) to learn about the priorities of the Mozambican government in the agriculture sector and to promote food and nutrition security and learn how the government is partnering with the private sector and NGO community to support smallholder farmers |
| 9:00-9:30am | Transfer to site visit 1 |
| 9:30-10:45am | Site Visit 1: Tour International Potato Center research and development lab to learn about efforts to develop better quality, drought-resistant sweetpotato seed varieties |
| 10:45-11:15am | Transfer to lunch |
| 11:15-12:45pm | Lunch Briefing with U.S. Government, which will include a discussion from panelists from USAID and the U.S. State Department, who will discuss USG investments and priorities for food and nutrition security in Mozambique |
| 12:45-1:45pm | Transfer to site visit 2 |

| | |
|---|---|
| 1:45-3:45pm | Site Visit 2: Visit Umbeluzzi Center and Farm Trials to follow the research from the International Potato Center to demonstration plots, to understand how research, innovations, and improved inputs reach smallholder farmers |
| 3:45-5:00pm | Transfer to hotel |
| 5:00-6:15pm | Downtime/shower time |
| 6:15-6:30pm | Transfer to reception |
| 6:30-8:00pm | Reception with U.S. Ambassador, local government and NGO leaders to hear from a wide array of partners, implementers, and donors on the challenges and successes related to food and nutrition security and agriculture research and development in Mozambique |

*Overnight: Hotel Polana – Maputo, Mozambique*

**Wednesday, May 29** **Nampula Province, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 8:00-9:00am | Transfer to airport |
| 9:00-11:30am | Plane briefing on resiliency to climate shocks and change and their impact on the agricultural sector and food security in Mozambique<br>*Note: Transfer to Nampula. Lunch on charter plane* |
| 11:30-1:00pm | Transfer to site visit 1 |
| 1:00-2:30pm | Site Visit 1: Mozambique Improved Seeds for Better Agriculture (SEMEAR) project to visit a farmer field school and meet with women farmers who are testing the success and viability of different staple and cash crop varieties, including cow peas and.sesame seed varieties |
| 2:30-3:00pm | Transfer to site visit 2 |
| 3:00-4:30pm | Site Visit 2: Viable Sweet Potato for Africa (VISTA) program to meet with women smallholder farmers and participate in a cooking demonstration using local crops and staple foods to help address issues of chronic malnutrition in children and households in northern Mozambique |
| 4:30-6:00pm | Transfer to Ilha de Mozambique |
| 6:00-7:00pm | Downtime/Check-in time |
| 7:00-8:30pm | Debrief dinner to debrief and reflect on the SEMEAR and VISTA projects seen during the day. Discussion will involve what struck the delegation most at each site related to development challenges and success in Mozambique. The group will also hear from CARE technical experts on the impact of climate shocks to |

smallholder farmers, including Cyclones Kenneth and Idai, and receive an overview of CARE's response efforts in the Beira corridor to address the immediate needs of women, children and families, as well as address acute food insecurity in cyclone-affected areas

*Overnight: Feitoria – Ilha de Mozambique, Mozambique*

**Thursday, May 30** **Nampula Province, Mozambique**

*Breakfast on own*

| | |
|---|---|
| 9:00-10:30am | Tour of Ilha Mozambique Museum: to understand the political history of Mozambique and the importance of of Ilha as a major trading post for the Nampula province for centuries. |
| 10:30-11:15am | Transfer to site visit 1 |
| 11:15-12:30pm | Site Visit 1: Visit Village Savings & Loan Association to learn about the income generating activities helping to support community members, particularly women producers, with supplemental income and support for their small businesses |
| 12:30-1:30pm | Transfer to site visit 2<br>*Lunch provided on vehicles* |
| 1:30-4:00pm | Site Visit 2: Tour Banana Grants Facility supported by USDA investments to learn about research efforts and management techniques being developed and adopted to contain the spread of the Panama disease and introduce disease resilient plant varieties |
| 4:00-5:45pm | Transfer to hotel |
| 5:45-7:00pm | Downtime/shower time |
| 7:00-8:30pm | Closing Dinner to reflect on the trip and discuss the issues explored on the trip, including U.S. investments in food and nutrition security and agriculture research and development |

*Overnight: Grand Plaza Hotel – Nampula, Mozambique*

**Friday, May 31** **Nampula Province – Travel Day, Mozambique**

| | |
|---|---|
| 9:00-10:30am | Breakfast Roundtable with Aflotoxin researchers, farmers, and industry buyers to learn about the importance of connecting research, to producers, to other industry stakeholders to improve the agricultural supply chain and strengthen local and international markets |
| 10:30-11:15am | Transfer to site visit 1 |

| | |
|---|---|
| 11:15-12:30pm | Tour Cashew Factory to explore how stallholder farmers are being linked larger markets through the cashew production and processing industry, and tour the factory to understand how raw cashew materials are processed and prepared for international export, and hear about how the Feed the Future INOVA program is empowering smallholder farmers to increase the both the quality and the yield of their cashews |
| 12:30-1:15pm | Transfer to hotel |
| 1:15-3:00pm | Final packing time |
| 3:00-3:15pm | Transfer to airport |
| 4:40pm | Delegation departs for home (Kenya Airlines flight #3) |

**Saturday, June 1** **Travel Day**

| | |
|---|---|
| 1:04pm | Delegation lands in DC (AA #4445) |

**Addendum A:**

Names and titles of ALL Senate invitees and explanation of why the individual was invited.

Invited Senate Congressional Staffers

- Algene Sajery, Senior Adviser, Foreign Policy and National Security, Sen. Ben Cardin
- Sarah Schenning, Legislative Director, Sen. Chris Van Hollen
- Jessica Elledge, Senior Advisor, Foreign Policy, Sen. Chris Murphy
- Corey Tellez, Legislative Director, Sen. Dick Durbin
- Sarah Seitz, Legislative Director, Sen. James Lankford
- Naz Durakoglu, Senior Policy Advisor, Sen. Jeanne Shaheen
- Judd Gardner, Policy Advisor, Sen. Jerry Moran
- Mackensie Burt, Legislative Director, Sen. John Boozman
- Dan Auger, Legislative Director, Sen. John Hoeven
- Meris Petek, Policy Advisor, Sen. Joni Ernst
- Lauren Reamy, Legislative Director, Sen. Marco Rubio
- Ansley Rhyne, Legislative Assistant, Sen. Marco Rubio
- Erica Chabot, Legislative Director, Sen. Patrick Leahy
- Ryan Pettit, Senior Adviser, Sen. Patty Murray
- Dan Burgess, Legislative Director, Sen. Roy Blunt
- Darin Thacker, Legislative Director, Sen. Steve Daines
- Colleene Thomas, Senior Policy Adviser, Sen. Tammy Baldwin
- Katie Naessens, Professional Staff Member, Senate Agriculture Committee
- Joe Shultz, Staff Director, Senate Agriculture Committee
- Adam Yezerski, Professional Staff Member, Senate Appropriations Committee
- Chris Farrar, Legislative Assistant, Sen. John Boozman
- James Glueck, Staff Director, Senate Agriculture Committee
- Josh Klein, Senior Professional Staff Member, Senate Committee on Foreign Relations
- Anna Knight, Policy Analyst, Senate Committee on Foreign Relations

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**Addendum B:**
Cities of Departure:

**Sunday, May 26, 2019:**
11:00am – Depart Washington, DC (ET # 501)

**Monday, May 27, 2019:**
7:15am – Arrive Addis Ababa, Ethiopia
8:55am – Depart Addis Ababa, Ethiopia (ET 819)
1:25pm – Arrive Maputo, Mozambique

**Wednesday, May 29, 2019:**
9:00am – Depart Maputo, Mozambique (charter flight)
11:30am – Land in Nampula, Mozambique

**Friday, May 31, 2019:**
4:40pm – Depart Nampula, Mozambique (KQ #756)
7:55pm – Arrive Nairobi, Kenya
10:55pm – Depart Nairobi, Kenya (KQ #2)

**Saturday, June 1, 2019**
6:55am – Arrive in New York
11:48am – Depart New York (AA #4455)
1:04pm – Arrive in Washington, DC

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CARE USA
1899 L St NW
Suite 500
Washington, DC 20036
USA
www.care.org

March 21, 2019

Judd Gardner
Legislative Assistant
Senator Jerry Moran
521 Dirksen Senate Office Building
Washington, DC 20510

Dear Judd,

We are approaching you with a special opportunity to join CARE's Learning Tour to Mozambique over the Memorial Day recess. This trip will examine the importance of U.S. investments in agricultural research and development that are helping to drive food and nutrition security and economic empowerment and inclusion for smallholder farmers. The trip will take place **between May 26-June 1, 2019** and will include a bi-partisan delegation of senior Congressional staff, corporate sector partners, technical experts and media representatives.

Travel on a CARE Learning Tour will take you off the beaten path to spend genuine time in communities. CARE Learning Tours highly prioritize time in the field, visiting program sites that allow you to meet with some of the most vulnerable beneficiaries of foreign assistance and to understand the impact of innovative programming and research supported by U.S. investments. We have over a decade of experience implementing Congressional education trips, and CARE along with our partners have been working in many of the communities you will visit for decades, allowing us and other program implementers to bring delegations to uniquely remote communities. Through this experience, you will have a chance to understand both the successes as well as the challenges facing communities in Mozambique, often articulated directly by the program participants themselves, to present a comprehensive view of what interventions supported through U.S. investments can accomplish to support food and nutrition security in Mozambique, combat poverty and further global innovations in agriculture.

Mozambique has had one of the best records of sustained economic growth in Africa, averaging eight percent per year over the last decade. Mozambique's geographic location with a vast coastline situated between landlocked countries enables the country to play a role in regional food security and international markets and Mozambique is the currently the second-largest formal exporter of food in the southern Africa region. The agriculture sector serves as the backbone of the country's economy, accounting for 90 percent of the female labor force and 70 percent of the male working population in Mozambique. However, poverty and malnutrition rates remain staggeringly high, the country struggles with chronic food insecurity, and the life expectancy is alarmingly low at 58 years – one of the lowest in the world. The agricultural potential of Mozambique is strong with 36 million hectares of fertile land. Yet only about 10 percent of this land is presently used for productive purposes and is largely located in flood- and drought-prone areas. Furthermore, the country is highly vulnerable to the impacts of climate shocks and extreme weather events such as drought, floods, and cyclones.

Global investments are working to change this reality in Mozambique while also developing agricultural inputs and techniques that benefit agricultural production the world over. This Learning Tour will be a unique opportunity to explore these issues on the ground and return to Capitol Hill with a deep understanding of the important link between U.S. foreign assistance, agricultural research and development, and food and nutrition security outcomes southern Africa and beyond.

In order to allow sufficient time for planning, we would appreciate a response indicating your interest by March 29, 2019, I have asked Kamille Gardner in CARE's Washington, DC office to follow up. You can also reach her directly at 202-459-8572 or by email at kamille.gardner@care.org.

Thank you for your ongoing support and for considering this opportunity.

Sincerely,

David Ray
VP of Advocacy
CARE USA

JOHNNY ISAKSON, GEORGIA, CHAIRMAN
CHRISTOPHER A. COONS, DELAWARE, VICE CHAIRMAN

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# United States Senate

SELECT COMMITTEE ON ETHICS

May 23, 2019

Judd Gardner
Office of Senator Jerry Moran
United States Senate
Washington, DC 20510

Dear Mr. Gardner:

This responds to your recent correspondence concerning an invitation you received to travel on a learning tour to Maputo and Nampula, Mozambique, on May 26-June 1, 2019, sponsored by the Cooperative for Assistance and Relief Everywhere, Inc. (CARE). CARE certified to the Select Committee on Ethics (the Committee) that it will pay the *necessary expenses*[1] related to the travel and that it is neither a lobbyist, nor lobbying firm, nor agent of a foreign principal, and it is not otherwise acting as a representative or agent of a foreign government. CARE has also certified that it does not retain or employ a registered lobbyist or agent of a foreign principal and that no registered lobbyist or agent of a foreign principal 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, CARE is neither a registered lobbyist nor lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and is 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 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.**

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[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.

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, CARE represented to the Committee that it is 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 11, 2019, 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.

If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,

Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist

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[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 ($127,914 for CY 2019) or is a political fund designee and is required to file Financial Disclosure Reports.