Employee Post-Travel Disclosure of Travel Expenses

Date/Time Stamp:

RECEIVED
SECRETARY OF THE SENATE
PUBLIC RECORDS
2022 AUG -2 AM 10: 50

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): National Security Action (NSA)

Travel date(s): 5/13-15, 2022

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 ☑ Actual Amount	$0.00	$490.00	$490.00	Parking: 20.00

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

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
☐ Good Faith Estimate ☐ Actual Amount				

Provide a description of all meetings and events attended. *See* Senate Rule 35.2(c)(6). (Attach additional pages if necessary.): NSA retreat in Cambridge, MD.

8/2/22 (*Date*) Matthew Duss (*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.

8/2/22 (*Date*) _____ (*Signature of Supervising Senator/Officer*)

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

0000000002416 RECEIVED BY: SECRETARY OF THE SENATE Date: August 02, 2022

CHRISTOPHER A. COONS, DELAWARE, CHAIRMAN
JAMES LANKFORD, OKLAHOMA, VICE CHAIRMAN

BRIAN SCHATZ, HAWAII
JEANNE SHAHEEN, NEW HAMPSHIRE
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SHANNON HAMILTON KOPPLIN, CHIEF COUNSEL AND STAFF DIRECTOR
WILLIAM B. CABLE, CHIEF CLERK

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United States Senate

SELECT COMMITTEE ON ETHICS

May 9, 2022

COPY

Matthew Duss
Office of Senator Bernard Sanders
United States Senate
Washington, DC 20510

Dear Mr. Duss:

This responds to your recent correspondence requesting approval from the Select Committee on Ethics (the Committee) to accept an invitation you received to travel to the *Leadership Retreat* in Cambridge, Maryland on May 13–15, 2022, sponsored by National Security Action. Provided that you adhere to the guidance set forth below, it appears that it is permissible for you to accept necessary expenses from National Security Action in connection with this trip.

Background

Based on your communication with the Committee, the background in this matter is as follows.[1] You are employed as a Foreign Policy Advisor in the Office of Senator Bernard Sanders. National Security Action invited you to travel to the *Leadership Retreat* in Cambridge, Maryland on May 13–15, 2022. National Security Action certified to the Committee that it will pay the necessary expenses[2] related to the travel and that it is neither a lobbyist, lobbying firm, agent of a foreign principal, or otherwise acting as a representative or agent of a foreign government. National Security Action 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.[3]

Discussion

Privately-sponsored travel includes any gift of travel and travel-related expenses for travel outside the Senate duty station, including transportation, lodging, food and refreshments, and conference fees and materials, whether paid for directly, reimbursed, or provided directly, from a private individual or entity, in connection with a Member's, officer's, or employee's

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[1] If this letter does not correctly recite the facts, contact the Committee immediately.

[2] 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.

[3] The term "any point throughout your trip" has a specific definition. *See id.* at 2.

official Senate duties. Incorporating reforms from the Honest Leadership and Open Government Act of 2007 (HLOGA), Pub. L. 110–81 (2007), Senate Rule 35.2 permits Members, officers, and employees to accept privately-sponsored travel only with the prior written approval of the Committee.

The Committee's approval process is governed by the *Regulations and Guidelines for Privately-Sponsored Travel and Glossary of Terms* (collectively, *Travel Regulations*). The *Travel Regulations* contain detailed requirements regarding who may sponsor travel; time limits for trips; and the type and amount of expenses that can be reimbursed.

Entities that do not retain or employ a lobbyist or foreign agent and all non-profit organizations designated as tax-exempt organizations under § 501(c)(4) of the Internal Revenue Code of 1986, regardless of whether they retain or employ a lobbyist or foreign agent, may sponsor domestic trips for up to three days. The three-day limitation means three 24-hour periods, calculated from the time of arrival in the trip location to the time of departure from the trip location. For such trips, neither lobbyists nor foreign agents may accompany a Senate invitee at any point throughout the trip, other than in a *de minimis* way.[4] This means that neither lobbyists nor foreign agents may accompany Senate invitees at any point to and from the event, at the event itself, or at the location being visited.[5]

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.**

Consistent with these standards and Committee precedent, and National Security Action's factual representations, it appears that it is permissible for you to accept necessary expenses from National Security Action in connection with this trip, provided that the actual travel and travel-related expenses conform to the information and materials you provided, and the travel and all required documents are disclosed to the Secretary of the Senate (Office of Public Records).

Finally, Senate Rule 34 requires a reporting individual[6] on their 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,

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[4] The term "*de minimis*" has a specific definition. *See Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 3.

[5] *See Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel* at 5; *see also Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2-3.

[6] A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (135, 468 for CY 2022) or is a political fund designee and is required to file Financial Disclosure Reports.

travel expenses exceed $415 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.

I hope you find this information helpful. If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,

Shannon Hamilton Kopplin
Chief Counsel and Staff Director

Enclosure: Travel Checklist

COPY

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: Matthew Duss

Employing Office/Committee: Senator Bernie Sanders

Private Sponsor(s) (list all): National Security Action

Travel date(s): May 13-15 2022

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

Destination(s): Cambridge, Maryland

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

The retreat is an opportunity to spend time with key national security leaders discussing foreign policy issues. This is highly beneficial to my work as Sen. Sanders' foreign policy advisor.

Name of accompanying family member (if any): none

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:

4/11/22
(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 Bernie Sanders *(Print Senator's/Officer's Name)* hereby authorize Matthew Duss *(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)* ☐

4/11/22
(Date)

(Signature of Supervising Senator/Officer)

(Revised 10/19/15)

Form RE-1

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): National Security Action

2. Description of the trip: _____

3. Dates of travel: May 13, 2022 - May 15, 2022

4. Place of travel: Cambridge, Maryland

5. Name and title of Senate invitees: _____

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:

National Security Action organizes all content and logistics of the trip.

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

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

December 2019: National Security Action Retreat in Albuquerque, New Mexico (one house staffer participated).

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

- Public communication and policy briefings on national security issues.

- Dinner series, which brings together leaders within the national security community to connect and discuss today's national security issues.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
☐ Good Faith estimate ☒ Actual Amounts	See Addendum	See Addendum	See Addendum	See Addendum

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 involves an event that is arranged or organized without regard to congressional participation.

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

Cambridge, Maryland is only a 2 hour drive from DC and approximately 80% of the attendees and speakers are from the DC area.

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

Hyatt Regency Chesapeake Bay

100 Heron Blvd, US-50, Cambridge, MD 21613

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

The Cambridge hotel is one of the few in the area that was available and can accommodate this size retreat. It is reasonably priced for this time of year and is only a 2 hour drive from DC.

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:

See addendum.

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:

None (participants are driving themselves)

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: Caroline Tess

Name and Title: Caroline Tess, Executive Director

Name of Organization: National Security Action

Address: 1090 Vermont Avenue, Suite 750, Washington, DC 20005

Telephone Number: 202-236-7738

Fax Number: N/A

E-mail Address: caroline@nationalsecurityaction.org

ADDENDUM

2. **Description of the trip:** This retreat is an opportunity to spend time with key national security leaders to discuss policy issues, to increase dialogue and engagement between the Administration and progressive leaders in civil society, and to develop skills.

5. **Name and title of Senate invitees:** Matt Duss (Foreign policy advisor, Office of Senator Bernie Sanders), Damian Murphy (Democratic Staff Director, Senate Committee on Foreign Relations), Megan Bartley (Chief Investigative Counsel, Senate Committee on Foreign Relations)

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

National Security Action brings together and supports the most knowledgeable, skilled, and talented voices within the national security community to provide a platform for the next generation of policymakers. This trip convenes leaders within the national security community to come together as the next generation of policymakers to discuss pressing national security issues.

16. **Total Expenses for Each Participant:**

	Transportation	Lodging Expenses	Meal Expenses	Other Expenses
Good Faith Estimate ✔ Actual Amounts	$0.00	$490.00 (Total) Breakdown: Night 1: $245.00 Night 2: $245.00	$490.00 (Total) Breakdown: Day 1: Snack: $7.00 Dinner: $120.00 Beverages: $15.00 Day 2: Breakfast: $35.00 Snack: $7.00 Lunch: $66.00 Snack: $28.00 Dinner: $130.00 Day 3: Breakfast: $35.00 Lunch: $47.00	Parking: $20.00

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

The daily expenses for lodging, meals, and other expenses are reasonable and not significantly over the maximum per diem rates for official Federal Government travel. The daily lodging expense is only over the official per diem rate by $104. The first and last daily meal expense is over the official per diem rate by only $34. And the typical daily meal expense is only over the official per diem rate by $18. Senate attendees are getting the exact same accommodations and meals as all other retreat participants. We negotiated the lodging and meal rates with the hotel as low as possible.

RETREAT ITINERARY

FRIDAY, MAY 13

5:00pm — Arrival requested *(Staffers are driving themselves)*

5:30 - 6:30pm — Welcome reception

6:30 - 7:30pm — Dinner

7:30 - 8:30pm — **Moderated Conversation: Behind the Scenes of Congress**
With Rep. Colin Allred, Rep. Andy Kim, Rep. Sara Jacobs, Rep. Jason Crowe
Moderator: Ben Rhodes
Representatives will describe their experiences in Congress and their best advice on how to work with Capitol Hill.

SATURDAY, MAY 14

7:00 - 9:00am — Breakfast

8:15 - 9:00am — Media Training Briefing
Participants can receive media training and will receive tools and techniques to improve their message delivery across platforms.

Facilitators: Amy Brundage, Managing Director, SKDK & Michael Czin, Managing Director, SKDK

9:00 - 9:45am — Opening Discussion led by Caroline Tess and Ben Rhodes
Each attendee will be introduced and answer the question "What is the biggest threat to National Security?"

9:45 - 10:15am — Break & Group Picture

10:15 - 11:45am — Breakout #1 (participants will choose one breakout below to attend)

Diversity, Equity and Inclusion in National Security: What does it mean to prioritize diversity, equity, and inclusion in the national security community? This is a small group discussion aiming to get everyone involved in this conversation.

Facilitator: Claire Tse, Consultant, Jennifer Brown Consulting

Developments in Democracy at Home: A panel discussion which will provide an update on the American democratic system with a focus on solutions.

Moderator: Nealin Parker, Executive Director, Common Ground USA

Speakers:
- Ross Morales Rocketto, Co-Founder and Co-Executive Director, Run for Something
- Ashley Quarcoo, Senior Director for Democracy Programs and Pillars, Partnership for American Democracy
- John Bisognano, Executive Director, National Democratic Redistricting Committee

Managing and Leading People Through Change: An interactive and open discussion for leaders who are leading a team. Topics include leading in a hybrid environment, managing employee burnout, and attaining fulfillment as a leader.

Facilitator: John Hart, Founder, Impact Center

12:00 - 1:00pm Lunch (*participants are seated next to other participants who they have not met before to provide expand on their given answer from the morning opening discussion question and share reactions to retreat programming)*

1:00 - 2:30pm Breakout #2 (participants will choose one breakout below to attend)

Diversity, Equity and Inclusion in National Security: What does it mean to prioritize diversity, equity, and inclusion in the national security community? This is a small group discussion aiming to get everyone involved in this conversation.

Facilitator: Claire Tse, Consultant, Jennifer Brown Consulting

Managing and Leading People Through Change: An interactive and open discussion for leaders who are leading a team. Topics include leading in a hybrid environment, managing employee burnout, and attaining fulfillment as a leader.

Facilitator: John Hart, Founder, Impact Center

The Biden Administration and the Progressive Community: A discussion with Civil Society leaders and the Biden Administration about potential avenues for partnership moving forward.

Moderator: Ben Rhodes

Speakers:
- Jon Finer, Deputy National Security Advisor, National Security Council
- Joshua Geltzer, Special Advisor on Countering Domestic Violent Extremism, National Security Council
- Adrienne Watson, Spokesperson and Senior Director for Press, National Security Council

2:30 - 5:00pm Executive Time

5:30 - 7:00pm Moderated Conversation with Jake Sullivan, National Security Advisor
Moderator: Nayeera Haq, Talk Show Host, SiriusXM
Jake Sullivan will discuss the Biden Administration's agenda in the coming years and will answer questions from attendees.

7:00 - 8:30pm Dinner (*participants are seated next to other participants from different sectors and issues of focus to share learnings, thoughts, and potential next steps to the afternoon breakout session and evening conversation)*

SUNDAY, MAY 15

7:00 - 9:00am Breakfast

9:00 - 10:00am Executive Time

10:00 - 11:30am Breakout #3 (participants will choose one breakout below to attend)

Promoting Democracy and Human Rights Abroad: A panel discussion and forward-thinking conversation on the themes and trends we're seeing in democracies around the world—from the changing role of technology to the economic impact of the COVID-19 pandemic.

Moderator: Anna Makanju, Head of Public Policy, OpenAI

Speakers:

- Adriana Beltran, Executive Director, Seattle International Foundation
- Derek Mitchell, President, National Democratic Institute
- Suzanne Nossel, CEO, PEN America

Foreign Policy and Technology: A seminar style conversation about the impact of technology on our foreign policy priorities.

Speakers:

- Graham Brookie, Senior Director - Digital Forensic Research Lab, Atlantic Council
- Rose Jackson, Director, Democracy & Tech Initiative - Digital Forensic Research Lab, Atlantic Council

Managing and Leading People Through Change: An interactive and open discussion for leaders who are leading a team. Topics include leading in a hybrid environment, managing employee burnout, and attaining fulfillment as a leader.

Facilitator: John Hart, Founder, Impact Center

11:30am - 12:30pm Lunch

1:00pm Departure