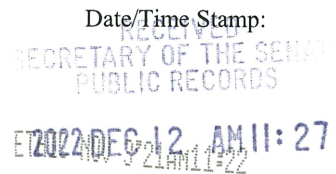


Employee Post-Travel Disclosure of Travel Expenses



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): South Florida Agricultural Foundation, Inc.

Travel date(s): October 12-15, 2021

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)
☐ Good Faith Estimate ☒ Actual Amount	Airfare: \$293.10 Air boat: \$19.44 Bus: \$100.16	Clewiston: \$156.00 West Palm Bch: \$121.00	Total: \$188.27	

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.):

11/03/21
(Date)

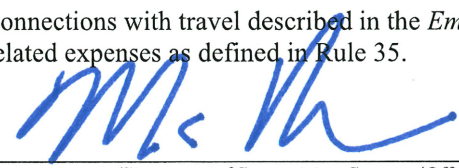
Hunter Koski
(Printed name of traveler)


(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.

11/03/21
(Date)


(Signature of Supervising Senator/Officer)

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

BRIAN SCHATZ, HAWAII
JEANNE SHAHEEN, NEW HAMPSHIRE

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DEB FISCHER, NEBRASKA

DEBORAH SUE MAYER, CHIEF COUNSEL AND STAFF DIRECTOR
WILLIAM CABLE, CHIEF CLERK

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United States Senate

SELECT COMMITTEE ON ETHICS

October 1, 2021

Hunter Koski
Office of Senator Marco Rubio
United States Senate
Washington, DC 20510

Dear Mr. Koski:

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 a Congressional Staff Tour in West Palm Beach, Florida and Clewiston, Florida, on October 12–15, 2021, sponsored by the South Florida Agricultural Foundation (SFAF). Provided that you adhere to the guidance set forth below, it appears that it is permissible for you to accept necessary expenses from SFAF 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 Legislative Correspondent for Senator Marco Rubio. SFAF invited you to travel to a Congressional Staff Tour in West Palm Beach, Florida and Clewiston, Florida, on October 12–15, 2021. SFAF certified to the Committee that it will pay the necessary expenses² 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. SFAF 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 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

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.

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.

All non-profit organizations designated as tax-exempt organizations under § 501(c)(3) 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, SFAF's factual representations, it appears that it is permissible for you to accept necessary expenses from SFAF 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 individual⁶ 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 \$415 from that sponsor during a calendar year. However, if a Member,

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.

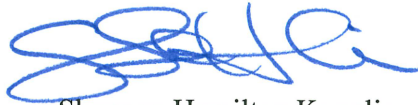
⁵ See *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel* at 5; see also *Select Committee on Ethics' Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2-3.

⁶ A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (\$132,552 for CY 2021) or is a political fund designee and is required to file Financial Disclosure Reports.

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
Acting Chief Counsel and Staff Director

Enclosure: Travel Checklist

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): South Florida Agricultural Foundation, Inc.
2. Description of the trip: Fact-finding, informational tour of the South Florida agricultural industry including observation of planting, harvest & distribution operations and one-on-one discussions w/local farmers.
3. Dates of travel: Tuesday, October 12 through Friday, October 15, 2021
4. Place of travel: West Palm Beach, FL; Clewiston, FL (w/site visits in Belle Glade & Boynton Beach, FL)
5. Name and title of Senate invitees: See attached - SFAF October 2021 Senate Staff Tour Invitation List
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:

The South Florida Agricultural Foundation is the sole sponsor and organizer of the trip.

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

The mission of the South Florida Agricultural Foundation is to provide educational and stewardship

opportunities within the South Florida agricultural industry, including sugarcane, citrus, sweet corn,

celery, rice & other local crops, in an area which ranks in the top 10 in the nation for agricultural revenue.

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

This will be the ninth congressional trip since January 2017 sponsored by the South Florida Agricultural

Foundation and the sixth trip where Senate staff are participating.

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

The Foundation provides agricultural information to local school and civic groups and has plans to award scholarships to students pursuing agricultural studies at local colleges.

16. Total Expenses for Each Participant:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
☒ Good Faith estimate	Total: \$265.00	Total: \$359.00	\$184.00	
☐ Actual Amounts	Airfare: \$190.00 Ground Trans: \$75.00	Martin Marina-Clewiston: \$119.00 each night for 2 nights Hilton WPB: \$121.00	Tues. \$26.00 Wed. \$69.00 Thur. \$69.00 Fri. \$20.00	Airboat tour: \$12.50

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 events that are arranged or organized specifically with regard to House and Senate staffer participation.

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

To provide first hand knowledge and experience of the inner workings of the South Florida agricultural industry.

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

1. Roland Martin Marina, 920 E. Del Monte Ave., Clewiston, FL 33440 (2 nights)

2. Canopy by Hilton, 380 Trinity Place, West Palm Beach, FL 33401

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

1. Located in the heart of the Glades area farms in the western part of the Everglades Agricultural Area

2. Located near the farms and the airport at the eastern end of the tour route

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 daily expenses for lodging and meals are at or below the maximum per diem rates for official

Federal Government Travel.

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:

Travel provided: coach-class airfare roundtrip Washington DC to West Palm Bch on American Airlines, by standard coach 38-passenger bus local travel, taxi or ride-share from pers residence in DC to/from airport

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:

Ardis Hammock

Name and Title: Ardis Hammock, President

Name of Organization: South Florida Agricultural Foundation, Inc.

Address: P. O. Box 1952, West Palm Beach, FL 33402

Telephone Number: 561-315-0481

Fax Number:

E-mail Address: cheryl@soflagfoundation.org

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

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United States Senate

SELECT COMMITTEE ON ETHICS

October 1, 2021

Hunter Koski
Office of Senator Marco A. Rubio
United States Senate
Washington, DC 20510

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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,

A handwritten signature in black ink, appearing to read 'Shannon Hamilton Kopplin', written in a cursive style.

Shannon Hamilton Kopplin
Acting Chief Counsel and Staff Director

Enclosure: Travel Checklist