



Oregon Senate Fact-Finding Mission Application & Approval Form

This application will be used to review and officially approve fact-finding missions allowed under ORS 244.020(6)(b)(H)(i) and required to be reported under ORS 244.060(6) if the expense per member is estimated to exceed \$50. This application must be submitted to the Secretary of the Senate **no later than 14 days** before the start of the fact-finding mission, unless as determined by the Secretary good cause exists for submitting the application after the deadline. **To promote transparency, all approved applications and accompanying materials will be posted on the Secretary of the Senate's website.**

Description of Mission: Internet State Policy Conference

Issues or Legislation Related to Mission: Internet

Location of Mission: Silicon Valley

Date(s) of Mission: June 16-18

Person/Entity Paying Expenses: Google

Address of Person/Entity Paying Expenses: 1600 Amphitheatre Pkwy, Mt View, CA

Invited Members (select one):

All Senators The following Senators: Arnie Roblan

All Senators on the Committee(s)/Task Force(s) on: _____

Staff Invited: Yes No Relatives/Household Members Invited: Yes No

Activities will be limited to a factual investigation or other educational purposes: I agree.

The mission is not being conducted for campaign or partisan political purposes: I agree.

Please include the following required attachments with this application:

1. Written opinion from the Oregon Government Ethics Commission concluding that the event is a permitted fact-finding mission under ORS 244.020(6)(b)(H)(i) and the rules of the commission.
2. Written itinerary or agenda for all scheduled meetings, events, presenters, meals, travel, lodging, or other activities planned during the mission.

Within thirty (30) days after completion of the mission, please submit the following required documents to the Secretary of the Senate, which will be posted on the Secretary's website:

1. An attendance sheet listing all Senators, staff, relatives, household members, lobbyists, and all others who participated in the mission.
2. The aggregate value of food, travel, and lodging expenses provided to each Senator, staff member, relative, and household member of the Senator. The aggregate value of expenses for each person shall be determined in the same manner as required by the Oregon Government Ethics Commission for disclosure on a Statement of Economic Interest under ORS 244.060(6).
3. Written confirmation that the mission was conducted substantially according to the itinerary or agenda submitted with the application and, if the mission varied materially from the submitted itinerary or agenda, a written account describing the material variations (i.e., any additional meetings, events, presenters, meals, travel, lodging).

Failure to submit this information within thirty (30) days after completion of the mission will result in an automatic denial of all future applications submitted by the Applicant signing below and the person or entity listed above as paying expenses.

By signing below, I hereby declare that all information submitted at any time by me, or on my behalf, to the Oregon Senate in connection with this application and fact-finding mission is correct to the best of my knowledge and belief.

Signature of Applicant: Phil Donovan Date: _____

Name of Applicant (print): Phil Donovan

Address: 11650 SW 67th Ave. Suite 110

Telephone Number: 503 522 3023

E-mail Address: phil@nwpublicaffairs.com

All information above is required for the application to be considered.

For Official Use Only

Based on the written conclusion of the Oregon Government Ethics Commission and the information submitted by the Applicant, under ORS 244.020(6)(b)(H)(i) this fact-finding mission is hereby:

Officially Sanctioned

Denied

Britton Taylor
for the Secretary of the Senate

6/13/14
Date



Oregon

John A. Kitzhaber, MD, Governor

Government Ethics Commission

3218 Pringle Rd SE Ste 220

Salem, OR 97302-1544

503-378-5105

E-mail: ogec.mail@state.or.us

Web Site: www.oregon.gov/ogec

May 15, 2014

Cyndy Johnston
Deputy Secretary of the Senate
Oregon State Capitol
900 Court St. NE, Room 233
Salem, Oregon 97301

Dear Deputy Secretary Johnston:

This letter of advice is provided in response to your request received on May 14, 2014 which presented a question regarding the receipt of travel, lodging, and food expenses. This analysis and advice is being offered under the authority provided in ORS 244.284 as guidance on how the current provisions of Oregon Government Ethics law may apply to the specific circumstances you have presented.

According to the stated facts, members of the Oregon Legislative Assembly have been invited by Google, Facebook, and Yahoo! Corporations to attend their joint Internet State Policy Conference in Silicon Valley, California, June 16-18, 2014. Legislators have been asked to participate in policy briefings, as well as taking part in campus tours at each company's headquarters. In their invitation, Google offers to cover the costs of legislators' travel and lodging, and each company is providing meals on the day that legislators come to tour their respective campuses.

You asked whether this event qualifies as a fact-finding mission, excluded from the definition of "gift" under ORS 244.020(6)(b). Oregon Government Ethics law prohibits public officials, their relatives, and members of their household from receiving or soliciting any gift or gifts with an aggregate value in excess of \$50 in a calendar year from any source that could reasonably be known to have a legislative or administrative interest [ORS 244.025(1)].

ORS 244.020(6)(b)(H), however, excludes from the "gift" definition "[r]easonable food, travel or lodging expenses provided to a public official [...] when the public official is representing state government [...] on an officially sanctioned trade-promotion or fact-finding mission." OAR 199-005-0001(2), meanwhile, clarifies that fact-finding missions must be "related to a cultural or educational purpose, or any activity aimed at providing intergovernmental assistance, such as for the purpose of international aid or sharing best practices, or developing

Deputy Secretary Cyndy Johnston
May 15, 2014
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intergovernmental relationships directly related to the public official's duties." The description of the Internet State Legislator Conference in the provided invitation appears to satisfy this definition.

Legislators should consult your office in order to receive official sanctioning per Senate rules and ensure compliance with Oregon Government Ethics law. The Oregon Government Ethics Commission also recommends that public officials request and retain a copy of any received expenses from the source(s) of payment. If, as of April 15, 2015, legislators are serving as an "incumbent, elected or appointed" public official required by ORS 244.050 to file an Annual Verified Statement of Economic Interest (SEI), they will need to report these expenses on their 2015 SEI forms.

If you have any additional questions regarding the application of Oregon Government Ethics law, or you believe I have misunderstood the circumstances you have described, please feel free to contact me directly.

Sincerely,



Ronald A. Bersin
Executive Director

RAB/rc

*****DISCLAIMER*****

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics law may apply to the specific facts described in your request. This opinion is based on my understanding and analysis of the specific circumstances you described and should not be applied to circumstances that differ from those discussed in this request.

Monday, June 16

1:00 PM : Arrive at Facebook campus for tour and briefings

6:00 PM: Dinner at Facebook

Tuesday, June 17

8:00 AM: Arrive at Google campus for breakfast, tour and briefings

1:00 PM: Lunch and Policy Briefings with Facebook, Google & Yahoo!

- Online Privacy and Security
- Internet Safety for Children
- Economic Impact of the Internet

6:00 PM: Dinner at Google

Wednesday, June 18

8:00 AM: Arrive at Yahoo! campus for breakfast, tour and briefings

1:00 PM: Box Lunch and shuttles to airport or hotel

Travel and Compliance

Corporate Traveler travel agency will assist in booking flights, ground transportation and hotel accommodations.

Corporate Traveler:

EMMETT BAMBA

Tel. 415. 512. 7497 / 1. 866. 248. 6534

emmett.bamba@corporatetraveler.us

Hours 9:00 – 5:30 PT

Group Name: Internet State Legislator Conference

- **Travel & Lodging:** The hotel is valued at \$112 per night. The travel agency can provide you with the value of travel in advance of the event.
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To: Cynthia Johnston
From: Phil Donovan
Subject: Internet Conference

Senator Arnie Roblan attended the Internet Conference hosted by Google, Facebook and Yahoo June 16-18. Expenses were as follows:

Flight - \$567
2 nights lodging - \$224
Dinner on June 16 - \$7.26
Breakfast, lunch dinner on June 17 - \$42
Breakfast and lunch on June 18 - \$24
Aggregate – \$864.26

The program and policy briefings went as planned and consistent with the Registration Form that your office approved (please see attached). If you need anything further, please do not hesitate to contact my office. Thank you!