



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(7)(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: Educational briefings and tours of Apple, Google, and eBay

Issue(s) or legislation related to mission: Security, technology, repair, environmental, A.I., online marketplaces

Location of mission: Silicon Valley, California

Date(s) of mission: 11/1/23 - 11/3/23

Person/entity paying expenses: Apple, Google, eBay, TechNet

Address of person/entity paying expenses: TechNet - PO Box 7036 Olympic WA 98501

Invited members (select one):

All senators The following senators: Sen. Mark Meek, Sen. Bill Hassell

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(7)(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: Jordan Rice Date: 9/25/23

Name of applicant (print): JORDAN RICE

Address: 833 SW 11th Avenue, Suite 317 Portland, OR 97205

Telephone number: 503.241-3155

E-mail address: jordan@calyandassociates.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(7)(b)(H)(i) this fact-finding mission is hereby:

Officially Sanctioned Denied

[Signature]
Secretary of the Senate

9/27/2023
Date



Oregon

Tina Kotek, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1680

Telephone: 503-378-5105

Fax: 503-373-1456

E-mail: mail@ogec.oregon.gov

Website: www.oregon.gov/ogec

September 22, 2023

Sent via USPS & Email

Oxley & Associates
ATTN: Jordan Bice, Vice President
833 SE 11th Avenue, Suite 317
Portland, Oregon 97205

RE: Advice Number 23-359I

Dear Mr. Bice:

This letter of advice is provided in response to your request received on Thursday, September 21, 2023, which presented a question regarding the application of Oregon Government Ethics laws found in ORS Chapter 244, regarding the acceptance of paid expenses offered to a public official. Specifically, you have asked whether members of the Oregon Legislature could accept paid expenses offered by Apple, TechNet, eBay, and Google to attend the Oregon Legislator Delegation Visit to Apple, Google and eBay. This visit will consist of an educational tour of Apple, Google, and eBay's headquarters in California as well as walking briefings about the companies' work. These educational tours will take place from November 1, 2023, through November 3, 2023. The following 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 presented.

I understand from the stated facts the event will be educational in nature and the respective companies would like to offer the following Oregon Legislators an invitation to participate in the educational tour:

Senator Bill Hansell
Senator Mark Meek
Representative Ben Bowman
Representative Mark Owens
Representative Emerson Levy
Representative Hai Pham
Representative Nathan Sosa
Representative Lucetta Elmer



By taking part in the educational tours and walking briefings, the Legislators will attend meetings on the companies' programs, practices, and policies. Additionally, the briefings will cover a variety of topics including privacy, security, repair ecosystems, artificial intelligence, online marketplaces, and the environment as well as tours of the respective offices. The respective companies would provide and pay for all travel, flights, ground transportation, hotel lodging, and meals for the visit. For purposes of this guidance, it is understood that Apple, TechNet, eBay, and Google are the organizers of the event and will be the entities inviting members of the Oregon Legislature to attend.

The Oregon Gift Clause, ORS 244.025(1), provides that a public official may not solicit or receive any gift with an aggregate value in excess of \$50 in a calendar year from a source that could reasonably be known to have a legislative or administrative interest in the public official's actions, decisions, or votes. ORS 244.020(7)(b) provides several exceptions – items that do not qualify as gifts and therefore would not be subject to the Gift Clause.

ORS 244.020(7)(b)(H) provides a gift exception for reasonable food, travel or lodging expenses provided to a public official, or to a relative, household member or staff member accompanying the public official, when the public official represents state government, a local government or a special government body, in: (i) an officially sanctioned trade-promotion or fact-finding mission; or (ii) officially designated negotiations, or economic development activities, where receipt of the expenses is approved in advance. As provided in the Oregon Administrative Rules, OAR 199-005-0020(3), the following conditions must be met before the offer of paid expenses may be made to or accepted by the public official:

- The purpose for the activity must be either for an officially sanctioned trade promotion or fact-finding trip/mission or for officially designated negotiations or economic development activities.
- “Officially sanctioned or officially designated” requires written approval by a state or local public body or by a person authorized by the public body to provide that approval.

Based on the information provided, it appears that the gift exception in ORS 244.020(7)(b)(H) could apply to allow the Legislators to accept reasonable expenses for food, travel or lodging from Apple, TechNet, eBay, and Google to attend the Oregon Legislator Delegation Visit to Apple, Google, and eBay, so long as they receive written approval confirming that the trip is “officially sanctioned” or “officially designated.” For members of the Legislative Assembly, that written approval must be from the President of the Senate, Speaker of the House, the designated majority or minority leaders of either chamber or appointed committees of the Legislative Assembly, unless the public body determines otherwise. [OAR 199-005-0020(3)(b)(C)].

Additionally, these paid expenses may also be accepted by the Legislators' relatives, household members, and staff members if they are accompanying the Legislators at the

Jordan Bice
Advice No. 23-359I
September 22, 2023
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event. It should be understood ORS 244.020(7)(b)(H) does not allow public officials to accept financial benefits outside of reasonable food, travel or lodging expenses, unless those benefits meet one of the other gift exceptions in ORS 244.020(7)(b).

Finally, please note the following two requirements:

- Apple, TechNet, eBay, and Google should provide notice of the expenses paid to each participating Legislator within 10 days of the event.
- Because the expenses would exceed \$50, they would be reportable expenses on each Legislator's 2024 Statement of Economic Interest (SEI) report.

Again, thank you for reaching out to the Commission with your inquiry. It is very much appreciated. Please do not hesitate to contact me directly if you have questions or I can be of any further assistance.

Sincerely,



Ronald A. Bersin
Executive Director

RAB/mjw

*****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.

From: WALKER Monica * OGEC <monica.walker@ogec.oregon.gov>
Subject: RE: Ethics Approval Request - Tech Educational Trip
Date: September 22, 2023 at 11:14:05 AM PDT
To: Jordan Bice <jordan@oxleyandassociates.com>

Good Morning Mr. Bice~

Thank you for reaching out to the Commission with your request for guidance. It is very much appreciated. Attached is a copy of the Commissions response. The original signed copy has been sent via regular mail. A copy of your request and the advice provided can also be found on our website via the following link: <https://apps.oregon.gov/OGEC/CMS/Advice>

Please don't hesitate to contact me directly should you have questions or need additional information.

Wishing you a great Friday and weekend.

Best regards,



A handwritten signature in blue ink that reads "Monica J. Walker".

Monica J. Walker, Investigator/Compliance Specialist
Oregon Government Ethics Commission
3218 Pringle Road SE, Suite #220, Salem, OR
97302

☎ 503-378-2011

📞 971-801-4722

✉ monica.walker@ogec.oregon.gov

👉 <https://www.oregon.gov/ogec>



[Please take our customer service survey!](#)

From: Jordan Bice <jordan@oxleyandassociates.com>

Sent: Thursday, September 21, 2023 1:52 PM

To: WALKER Monica * OGEC

<monica.walker@ogec.oregon.gov>

Cc: Peter Brown <peterb@ebipublicaffairs.com>; Gary Oxley

<gary@oxleyandassociates.com>; Phil Donovan

<phil@nwpublicaffairs.com>

Subject: Ethics Approval Request - Tech Educational Trip

Hi Monica,

Hope you're doing well!

Our client, Apple, is joining with TechNet, eBay, and Google to host legislators for an educational tour of their headquarters in California from 11/1-11/3, which will also include briefings about the company's work. Details of that experience and a list of legislators are below. This is very similar to the approved trip Apple provided to legislators in 2022.

We'd like to let the legislators know as soon as possible that the Oregon Ethics Commission has approved of their attendance to this educational experience.

Can you please let us know if OGEC approves this as a fact-finding mission?

Please feel free to reach out if you have any questions or concerns.
Thank you!

Jordan Bice

Vice President

Oxley & Associates

833 SW 11th Ave. Suite 317

Portland, Oregon 97205

503-706-0971 (Cell)

503-241-3155 (Office)

Tour Details and Agenda:

Oregon Legislator Delegation Visit to Apple, Google, and eBay

11/1/23-11/3/23

The delegation will be flown to California for meetings on the companies' programs, practices and policies. Briefings will cover a variety of topics including privacy, security, repair ecosystems, artificial intelligence, online marketplaces, and the environment. There will be tours and walking briefings of the respective offices. Given that the meeting is in California over the course of a multiple days, travel, including flights and ground transportation, hotel lodging and meals will be provided by the respective companies for attendees able to accept.

Legislators to be invited:

- Sen. Bill Hansell
- Sen. Mark Meek
- Rep. Ben Bowman
- Rep. Mark Owens
- Rep. Emerson Levy
- Rep. Hai Pham
- Rep. Nathan Sosa
- Rep. Lucetta Elmer

Wednesday, November 1

3:00 pm Participants begin arriving from the airport
[San Jose Mineta Airport](#)

5:00 pm Registration
[AC Hotel Palo Alto](#)
744 San Antonio Road
Palo Alto, California 94303

7:00 pm Group Dinner

Thursday, November 2

8:30 am Depart via shuttle

9:00 am Google
1600 Amphitheatre Parkway
Mountain View, CA 94043

9:20 am Breakfast

9:50 am Briefing
Google will present a high-level briefing on Artificial Intelligence (AI) to set a baseline of work in this space and our commitments to responsible AI. The presentation will also showcase different types of AI via specific products.

Tour

12:30 pm Depart via shuttle

1:00 pm Apple
One Apple Park Way
Cupertino, CA 95014

1:20 pm Lunch

Briefing

Apple plans to discuss with attendees its environmental practices, including its goal to be carbon neutral in its corporate operations, supply chain and product lifecycles by 2030. A focus of the discussion will be safe and secure digital device repair ecosystems. This will be followed by a tour of the sustainable building elements of its LEED Platinum-certified Apple Park headquarters campus.

Tour

4:00 pm Depart via shuttle to AC Hotel

4:30 pm Return to AC Hotel

5:30 pm Group dinner
TBD

Friday, November 3

8:00 am Departure via shuttle

8:30 am eBay
2025 E Hamilton Ave
San Jose, CA 95125

8:50 am Breakfast

Briefing

The delegation will meet with eBay to discuss our mission to connect people and build communities to create economic opportunity for all. State legislatures across the country are engaging in important policy discussions on issues including liability, product safety, online safety, and transparency that impact online marketplaces. This briefing will provide an opportunity for eBay to give an overview of the business and how they engage on policy issues.

Tour

11:40 am Depart via shuttle to AC Hotel
Lunch boxes available on the shuttle

12:30 pm Completion of Learning Tour; participants depart for the airport

[San Jose Mineta Airport](#)

Jordan Bice

Vice President
Oxley & Associates
833 SW 11th Ave. Suite 317
Portland, Oregon 97205

503-706-0971 (Cell)
503-241-3155 (Office)

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Silicon Valley Educational Trip – 11/1/23-11/3/23

Attendees

1. Oregon Representative Hai Pham
2. Oregon Representative Ben Bowman
3. Oregon Representative Mark Owens
4. Oregon Representative Nathan Sosa
5. Oregon Representative Lucetta Elmer
6. Oregon Senator Mark Meek
7. Oregon Senator Bill Hansell
8. Jordan Bice (Oregon lobbyist)
9. Peter Brown (Oregon lobbyist)

Aggregate value of food, travel, and lodging expenses

- \$1,971.37 per legislator

This mission was conducted according to the itinerary or agenda submitted with the application.

- No variations from the forms submitted.