

House Ethics Committee Provides New Deadlines for Travel Approval

November 2008

On September 23, 2008, the House Committee on Standards of Official Conduct (House Ethics Committee) issued new guidelines to Members and staff regarding the pre-approval process for officially connected travel paid for by private sources. Both sponsors and invitees should pay careful attention to this new guidance, which requires the request for approval and any supporting documentation to be submitted to the House Ethics Committee at least 14 days prior to the departure date.

Before participating in a privately funded, officially connected trip, the House Rules require Members and their staff to receive approval from the House Ethics Committee. Prior to the September 23 guidelines, House Members and staff were asked—but not required—to provide the requisite documentation and approval forms to the House Ethics Committee at least 30 days prior to the departure date. In practice, however, many approval requests simply were not submitted until one or two days prior to the beginning of the trip. Although the House Ethics Committee's staff generally reviewed the merits of such late requests, the practice simply became "too burdensome" for committee staff to keep up.

The new 14-day submission requirement, which counts weekends and holidays, is mandatory in most cases. The only exceptions are for certain media-related trips or certain other "exceptional circumstances." The guidelines specifically note that "exceptional circumstances" do not include "instances when the sponsor provides the prospective traveler with an invitation less than 14 days before the trip, or when prospective travelers fail to forward their requests to the Committee until after the 14-day deadline has passed."

Importantly, each House Member or staff employee must comply with this 14-day requirement, regardless of whether the House Ethics Committee has already signed off on the same trip for another Member or staff member. Absent an exception, Members and staff failing to submit the requisite information prior to the 14-day deadline may still participate in the trip, but any expenses must be paid for through certain other means (e.g., the Member's Representational Allowance) rather than from private sources.