



U.S. SENATE SELECT COMMITTEE ON ETHICS

Guide for Administrators

Quick Reference

Ethics Certification Officers

Every Senate office must have an Ethics Certification Officer (ECO). The ECO serves as a liaison between the office and the Select Committee on Ethics (the Committee) to ensure compliance with mandatory ethics training requirements. Each office must designate its ECO by filing an *Ethics Certification Officer – Designation Form* with the Committee.

Mandatory Ethics Training

Within 60 days of beginning Senate service, all Members, officers, and employees must complete Code of Official Conduct Training. Members, officers, and employees are encouraged to complete this training by attending a live briefing, or may watch the online video available on the Committee's website, www.ethics.senate.gov. This training requirement applies if the Member, officer, or employee is returning to the Senate after a break in service. ECOs must document completed training by filing with the Committee a *New Senate Personnel – Ethics Training Certification Form* bi-annually (by March 15th and September 15th) along with copies of all individual certification forms received during the previous six-month period (July 1st to December 31st and January 1st to June 30th, respectively).

Fellows and Interns

Fellows and interns are subject to the Code of Official Conduct. A Senate office may participate in internship and fellowship programs that are primarily of educational benefit to the interns or fellows. The supervising Senator is responsible for determining if such a program is primarily for the educational benefit of the intern or fellow, rather than being primarily a means of performing the official activities of the Senate office. A fellow is a private-sector employee or a recipient of a fellowship sponsored by an outside entity (e.g., a foundation) who works in the Senate. An intern is an individual providing temporary service to a Senate office or committee through an established program.

Upon hiring, upon termination, and on a quarterly basis, Senate offices must file a *Supervisor's Report on Individuals Who Perform Senate Services Form* (Form 41.6) with the Office of Public Records (SH-232) for individuals compensated from sources other than the U.S. Government. Senate offices must file an *Agreement to Comply with the Senate Code of Official Conduct Form* (Form 41.4) with the Office of Public Records (SH-232) for every intern and fellow expected to provide full-time Senate services for more than 90 days.

Each fellow and intern whose salary is at least \$131,239 (CY 2020) must file Financial Disclosure Reports. Outside compensation for Senate service and any salary disbursed by the Secretary of the Senate shall be combined for purposes of the financial disclosure threshold. Fellows and interns are not required to file Periodic Transaction Reports (PTRs).

Federal Government Detailees/Fellows Serving on a Committee

Federal government detailees/fellows are subject to the Official Code of Conduct. A federal government detailee/fellow is an individual who is assigned or detailed to a Senate committee from a department or agency of the federal government subject to approval from the Committee on Rules and Administration (Rules Committee).

For each detailee/fellow, Senate offices must file an *Agreement to Comply with the Senate Code of Official Conduct Form* (Form 41.3) with both the Rules Committee (SR-305) and the Select Committee on Ethics (SH-220).

Detailees/fellows whose salary is at least \$131,239 (CY 2020) must file Financial Disclosure Reports with the Senate. This requirement generally applies even if the detailee/fellow files elsewhere.

Please note that this is intended as a quick reference and does not represent or address all applicable authority and guidance on the subject. For more information, consult the relevant laws, rules, and standards of conduct, including the Senate Ethics Manual, or contact the Committee at (202) 224-2981 for advice concerning your specific situation.



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Outside Activity or Employment

To avoid conflicts of interest, officers and employees must report, in writing, any outside business or professional activity or employment to their supervisors and obtain approval prior to engaging in the activity or employment, regardless of compensation. Offices are encouraged to document approval using a *Statement of Outside Business or Professional Activity or Employment Form* (Form 37.3). Approval must be renewed thereafter every May 15th.

Outside compensation of staff earning an annual rate of at least \$131,239 (CY 2020) is limited to \$28,845 (CY 2020) from all combined outside sources, including pay earned for campaign work.

Financial Disclosure Reports

Each employing office is responsible for notifying their employees of each employee's filing obligations. Financial Disclosure Reports must be filed on May 15th each year and within 30 days of:

- Commencing Senate employment at a rate of at least \$131,239 (CY 2020);
- Receiving a permanent raise to a rate of at least \$131,239 (CY 2020); or
- Terminating a filing position.

Raises and bonuses may trigger a filing obligation.

- Senate employees who receive a permanent raise to an annual rate of at least \$131,239 (CY 2020), with or without a promotion or change in title, are required to file a New Filer Disclosure Report within 30 days of the raise.
- Senate employees who receive a bonus must file an Annual Financial Disclosure Report if: (1) their rate of pay meets or exceeds the financial disclosure threshold (\$131,239 for CY 2020) for more than 60 days in the preceding calendar year; and (2) their gross pay exceeds the financial disclosure threshold for that calendar year.

New filers must request an eFD account through <https://efd.senate.gov>.

There is a mandatory \$200 late filing penalty. Knowing and willful failure to disclose subjects filers to potential civil and criminal penalties.

Periodic Transactions Reports (PTRs)

Members, officers, and employees earning an annual rate of at least \$131,239 (CY 2020) must report transactions of stocks, bonds, commodities futures, and other securities in excess of \$1,000 no later than 30 days after receiving notification of the transaction, but in no case later than 45 days after such transaction. "Notification" occurs when a filer receives a written communication that a transaction has occurred. File PTRs through eFD.

PFDs paid below \$131,239 (CY 2020), fellows, and detailees are not required to file PTRs.

Political Fund Designees

A Senator's personal office may have up to three Political Fund Designees (PFDs), at least one of whom must be in the Washington, D.C. office. Senate Rule 41 (Political Fund Activity) generally prohibits Senate employees from soliciting or handling campaign funds in connection with a federal election. An individual designated as a PFD is permitted to solicit or handle federal campaign funds for the Senator's principal campaign committee, a campaign controlled by a Senator or group of Senators, or a state or local committee of a national party. To be designated as a PFD, the employee must earn a salary in excess of \$10,000. Senate Rules require PFDs to file *Annual Financial Disclosure Reports* (regardless of salary), and a *Termination Financial Disclosure Report* within 30 days of leaving the PFD position. PFDs paid less than \$131,239 (CY 2020) are not required to file Periodic Transaction Reports (PTRs).

Each office must complete a *Designation of Staff for Limited Political Fund Activity Form* (Form 41.1) when designated staff begin or end their status as a PFD. This form must be filed with the Office of Public Records (SH-232).

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