

# United States Senate

## SELECT COMMITTEE ON ETHICS

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Dear Colleague:

Recently, public reports have disclosed an effort to compile a list of trade organizations, lobbying firms and corporations that identifies the organizations' employees by party affiliation, political contributions and past employment. This has focused public attention on whether such a list would be used to permit or deny a petitioner access to a Member based on party affiliation or political contributions or to prod trade organizations, lobbying firms and corporations to hire employees based on their party affiliation or political contributions to gain access to Members.

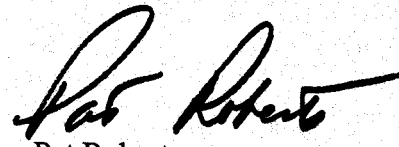
Senate Rule 43 states in pertinent part that "The decision to provide assistance to petitioners may not be made on the basis of contributions or services, or promises of contributions or services, to the Member's political campaigns or to other organizations in which the Member has a political, personal, or financial interest." In a September 25, 1987 "Dear Colleague" letter, the Committee recognized that "Obviously Senators must discuss policy and legislative issues with constituents, political supporters and individuals and organizations with specific concerns and interests in legislation. Frequently such meetings will include campaign contributors." The Committee also stated, however, that it is neither necessary nor appropriate "for Members to offer special treatment, such as automatic access to those discussions, to contributors in return for campaign contributions. Such a practice creates the appearance that, in return for campaign contributions, contributors receive special treatment or automatic access to Members, and thereby exercise undue influence on the legislative process."

Likewise, any effort to deny access to those discussions to those who do not share a Member's party affiliation, have not made political contributions, or have made political contributions to those not in the Member's party, would appear to violate Senate Rule 43.<sup>1</sup> Identifying those seeking access to Members based on party affiliation, political contributions or past employment, or encouraging others to do so, suggests a motive to grant special access, or deny access, based on those criteria and tends to adversely affect public confidence in the Senate. Therefore, the Members of the Committee feel that Members should take every effort to avoid any conduct which may create the appearance that, because of party affiliation, campaign contributions, or prior employment, a petitioner will receive or is entitled to either special treatment or special access, or be denied access.



Harry Reid  
Chairman

Sincerely,



Pat Roberts  
Vice Chairman

<sup>1</sup> Similarly, the House Committee on Standards of Official Conduct has determined that "Members and staff are not to take or withhold any official action on the basis of the campaign contributions or support of the involved individuals, or their partisan affiliation. Members and staff are likewise prohibited from threatening punitive action on the basis of such considerations." U.S. House of Representatives, Laws, Rules and Standards of Conduct on Campaign Activity at 37.