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## Annual Report for 2011

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# United States Senate

SELECT COMMITTEE ON ETHICS  
HART SENATE OFFICE BUILDING, ROOM 220  
SECOND AND CONSTITUTION AVENUE, NE  
WASHINGTON, DC 20510-6425

## Annual Report of the Select Committee on Ethics 112<sup>th</sup> Congress

January 31, 2012

The Honest Leadership and Open Government Act of 2007 (the “Act”) calls for the Select Committee on Ethics of the United States Senate to issue an annual report not later than January 31 of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the Committee’s activities in 2011 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or staff of the Committee: 77. (In addition, 3 alleged violations from the previous year were carried into 2011.)

(2) The number of alleged violations that were dismissed –

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 58.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 14.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 08. (This figure includes 3 matters from the previous year carried into 2011.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit: 05. (This figure includes 2 matters from the previous year carried into 2011.)

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

- In 2011, the Committee continued its preliminary inquiry into the conduct of Senator John Ensign. An outside Special Counsel was appointed to assist the Ethics Committee staff

with its fact finding regarding whether Senator John Ensign violated Senate rules and federal law. As noted in the *Report of the Preliminary Inquiry into the Matter of Senator John E. Ensign* released by the Committee, the Special Counsel determined that there was substantial credible evidence that Senator Ensign engaged in violations of law and Senate rules. The Special Counsel concluded that the evidence that would have been presented in an adjudicatory hearing would have been substantial and sufficient to warrant the consideration of the sanction of expulsion had Senator Ensign not resigned. The Committee lost jurisdiction over Senator Ensign because he resigned his United States Senate seat. The Committee referred the matter to the U.S. Department of Justice and Federal Election Commission for further review.

- In 2011, the Committee staff **conducted 6 new Member ethics training sessions; 14 employee code of conduct training sessions; 15 Member and committee office campaign briefings; 42 ethics seminars for Member DC offices, state offices and Senate committees; 3 private sector ethics briefings; and 8 international ethics briefings.**
- In 2011, the Committee staff handled approximately **10,918 telephone inquiries and 1,745 inquiries by email** for ethics advice and guidance.
- In 2011, the Committee wrote approximately **800 ethics advisory letters and responses** including, but not limited to, **594 travel and gifts matters** (Senate Rule 35) and **104 conflict of interest matters** (Senate Rule 37).
- In 2011, the Committee issued **4,130 letters concerning financial disclosure filings** by Senators, Senate staff and Senate candidates and reviewed **1,869 reports.**