



HOUSE OF REPRESENTATIVES

April 3, 2006

Mr. Cullen Looney, Chairman
Texas Ethics Commission
201 East 14th Street – 10th Floor
P.O. Box 12070
Austin, Texas 78711-2070

Dear Chairman Looney:

As citizens and elected officials, we are gravely disturbed by the recent Texas Ethics Commission ruling on disclosure. Last week, the Texas Ethics Commission decided that "check" was an adequate description for a gift on a personal financial disclosure statement. We respectfully disagree with the Commission, and ask that you reconsider this decision as soon as possible. This ruling sets a perilous precedent and opens up a dangerous loophole.

One of the duties of the Texas Ethics Commission is to ensure compliance with Texas disclosure laws. Simply describing a gift as a "check" is not sufficient disclosure. In fact, it is non-disclosure. Any reasonable person would conclude that a proper description of a financial gift would include the amount, not merely the method of conveyance. If an appointee, commission or board member receives a gift worth more than \$250, Texans have the right to know the value of that gift, especially if it is a direct financial contribution.

Under your ruling, if former Congressman Duke Cunningham – who has been imprisoned for accepting millions of dollars in bribes – had been a member of the Texas Legislature, instead of a Member of Congress, he could have reported receiving "lodging" when he was really living on a yacht owned by a government contractor. In Texas, Mr. Cunningham could have reported receiving "transportation," when he had in fact received a Rolls Royce in a bribery scheme.

Last session House Democrats led the fight to pass ethics reform. With the ongoing government scandals in Texas and growing public mistrust, we cannot stand by and allow the Ethics Commission to take a historic step backwards and shut down the public scrutiny of government. We must require complete financial disclosure from Texas public officials. We commend you Chairman Looney, and Commissioners Harrison, Montagne and Taylor for your votes last week in favor of open government and proper disclosure. However, we are deeply disappointed that the Commission was one vote short of supporting the real openness in government Texas families deserve.

We urge you, in the strongest possible terms, to reconsider this dangerous ruling as soon as possible. The people of the state of Texas are relying on you to enforce our disclosure laws, not to make a mockery of them.

Sincerely,

Representative Alma Allen
Representative Rafael Anchia
Representative Lon Burnam
Representative Joaquin Castro
Representative Norma Chavez
Representative Garnet Coleman
Representative Yvonne Davis
Representative Joe Deshotel
Representative Jim Dunnam
Representative Craig Eiland
Representative Juan Escobar
Representative Jessica Farrar
Representative Stephen Frost
Representative Pete Gallego
Representative Veronica Gonzales
Representative Yvonne Gonzalez Toureilles
Representative Ana Hernandez
Representative Abel Herrero
Representative Scott Hochberg
Representative Chuck Hopson

Representative David McQuade Leibowitz
Representative Trey Martinez Fischer
Representative Ruth Jones McClendon
Representative José Menéndez
Representative Paul Moreno
Representative Elliott Naishtat
Representative René Oliveira
Representative Dora Olivo
Representative Aaron Peña
Representative Joseph "Joe" Pickett
Representative Robert Puente
Representative Richard Raymond
Representative Eddie Rodriguez
Representative Jim Solis
Representative Mark Strama
Representative Senfronia Thompson
Representative Carlos Uresti
Representative Marc Veasey
Representative Mike Villarreal
Representative Hubert Vo

Cc:

Mr. Raymond "Tripp" Davenport, III, Vice Chair
Mr. Ross Fischer
Mr. Tom Harrison
Mr. Francisco Hernandez
Mr. Wales Madden, III
Mr. David Montagne
Mr. Nick Taylor