



## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST


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### MEMORANDUM

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**TO:** Honorable Daniella Levine Cava  
Mayor

**FROM:** Jose J. Arrojo   
Executive Director

**SUBJECT:** INQ 2022-90, Sections 2-11.1(g), (w), (e), Foreign Delegation Travel

**DATE:** May 24, 2022

**CC:** All COE Legal Staff

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Thank you for requesting ethics guidance regarding your travel to Qatar in response to an invitation received from Qatar's ambassador to the United States. This final written opinion memorializes the preliminary oral opinion and written draft provided prior to your travel.

Facts:

On May 18, 2022, you received an invitation from the Qatari Ambassador to the United States inviting you to join a delegation of elected officials from the Miami area to the State of Qatar. The trip is scheduled for May 22, 2002, to May 27, 2002.

The purpose of the trip, as described by the Ambassador and reflected in the written travel itinerary, is to interact with Qatari government officials and business leaders with a focus on that nation's hosting of the 2022 FIFA World Cup. The Qatari capital city of Doha's public transit system will also be a trip emphasis. During the trip there will be opportunities to explore potential business and cultural partnerships between Qatar and Miami-Dade County.

Miami-Dade County is seeking to become a host location for the 2026 FIFA World Cup.

The costs of the travel, including airfare, ground transportation, lodging and meals will be paid for by the government of Qatar.

Issue:

Whether Mayor Levine Cava, who at the Qatari Ambassador's invitation will be traveling to Qatar as part of a delegation of local elected officials, may allow costs associated with the trip to be paid for by that nation.

Discussion:

Section 2-11.1(g) of the Ethics Code prohibits public officials from exploiting their official position for private gain or benefit. Also, Section 2-11.1(w) of the Ethics Code prohibits county officials or employees from accepting, directly or indirectly, any travel expenses, including, but not limited to transportation, lodging, meals, registrations fees and incidentals from any County contractor, vendor, service provider, bidder, or proposer.

The Ethics Commission has issued a number of opinions regarding foreign delegation trips by elected officials. The Commission has opined that these are legitimate public purpose trips, and the trip costs may appropriately be paid for with County funds or with donations as long as these do not come from County vendors, contractors, or lobbyists. (INQ 2022-45, INQ 2022-53, INQ 2022-62, INQ 2021-124)

Also, the Ethics Commission has opined that while Section 2-11.1(e)(4) of the Ethics Code requires disclosure of any gift having a value of \$100 or more, that donations associated with official functions are generally not considered gifts.<sup>1</sup>

Opinion:

Applying the reasoning of those opinions to this matter, traveling to Qatar at the invitation of the Qatari Ambassador in order to meet with government, business, and cultural officials with a focus on that nation's hosting of the 2022 World Cup in anticipation of this jurisdiction's bid to host the event in four years, is an objectively laudable public purpose. Thus, Section 2-11.1(g) would not be violated by the proposed travel by the County Mayor in her official capacity.

Also, as it is reported that the costs associated with the travel will be paid for by Qatar and that nation is not a County contractor, then Section 2-11.1(w) of the Ethics Code is not violated.

Finally, because costs associated with this travel will be incurred while performing an official duty, then they do not constitute a gift to the local official or employee need not be reported as such pursuant to Section 2-11.1(e), although to promote transparency and disclosure, the Ethics Commission encourages the official to do so.

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<sup>1</sup> INQ 12-56 (Reimbursed expenses to a Mayor incurred during a trip to reactivate a sister city relationship between Lima, Peru and Miami do not constitute a gift and need not be reported as the trip was for an official duty and conducting official municipal business); INQ 19-10 (It is recommended that travel costs incurred by County officials to attend an event focused on expanding trade between Miami and Casablanca funded by a third party be reported as gifts to the official)

This opinion is limited to the facts as you and County staff presented them to the Commission on Ethics, is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.