



FORM
GD1
(Rev. 5/2013)



**HAWAII STATE ETHICS COMMISSION
GIFTS DISCLOSURE STATEMENT**

(This report covers the period from June 1 of the preceding calendar year through June 1 of this year and is due by June 30)

13 JUN 26 P 3:39

FILER

FitzGerald

Last Name

C. Bryan

First Name

STATE OF HAWAII
STATE ETHICS COMMISSION
M.I.

Attorney General

State Agency

Deputy Attorney General

State Position

CONTACT INFORMATION

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Number and Street or P.O. Box

Honolulu

City

HI

State

96813

Zip Code

586-0937

Telephone

Extension

Christian.B.FitzGerald@hawaii.gov

Email Address

GIFT INFORMATION (LIST EACH GIFT SEPARATELY)

- | | | |
|----|---------------------------------------------------------------------|---------------------------------------|
| 1. | Donor: <u>George Mason University School of Law,</u> | Date Received: <u>pending receipt</u> |
| | Gift (Description): <u>airfare</u> | Value/Cost: <u>917.00</u> |
| 2. | Donor: <u>George Mason University School of Law,</u> | Date Received: <u>6/18/13-6/20/13</u> |
| | Gift (Description): <u>Arlington Hyatt Hotel 2 nights, w/ meals</u> | Value/Cost: <u>200 apx</u> |
| 3. | Donor: <u>George Mason University School of Law,</u> | Date Received: <u>6/18/13-6/20/13</u> |
| | Gift (Description): <u>ground transportation</u> | Value/Cost: <u>25 apx</u> |
| 4. | Donor: <u>George Mason University School of Law,</u> | Date Received: <u>6/18/13-6/20/13</u> |
| | Gift (Description): <u>meals</u> | Value/Cost: <u>75 apx</u> |
| 5. | Donor: <u>George Mason University School of Law,</u> | Date Received: <u>6/18/13-6/20/13</u> |
| | Gift (Description): <u>seminar registration fee</u> | Value/Cost: <u>100 apx</u> |



Check here if additional sheets are attached

FILER

C. Bryan FitzGerald

Print Name of Filer (First M.I. Last)

6/26/13

6/26/2013

Date (m/d/yyyy)



CERTIFICATION: By checking this box, you signify and affirm that you are the person whose name appears as the "Filer" above and the information contained in the form is true, correct and complete to the best of your knowledge and belief. You further certify that you understand that there are statutory penalties for failing to report the information required by Hawaii law.

HAWAII STATE ETHICS COMMISSION
TRAVEL QUESTIONS
Request for Travel Advice

Your Name: C. Bryan FitzGerald

Date of This Request:
March 15, 2013

State Department/Agency: Attorney General

Your Position: Deputy Attorney General

Phone No.: 586-0937

Hawaii Revised Statutes section 84-11, known as the "Gifts Law," is as follows:

§84-11 Gifts. No legislator or employee shall solicit, accept, or receive, directly or indirectly, any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the legislator or employee in the performance of the legislator's or employee's official duties or is intended as a reward for any official action on the legislator's or employee's part.

1. Have you already spoken to an attorney from the Hawaii State Ethics Commission about this trip? If so, with whom did you speak and when?

No

2. When is the trip? For how long (dates)?

Travel on June 18, 2013 and return on or about June 20, 2013.

3. What is the destination? Arlington, Virginia

4. What is the purpose of the trip? Attend the Public Policy Conference on Law & Economics of Privacy & Data Security

We will discuss the role of state attorneys general in enforcing privacy laws, spam, spyware, data portability and industry data retention guidelines.

5. Who is offering to pay for the trip (Who is the donor)?

George Mason University School of Law, Law & Economics Center, AGEP

6. Please describe all the expenses, and their approximate dollar value, that the donor is offering to pay. (E.g., the cost for airfare, lodging, ground transportation, ground transportation, registration fee, etc.)

Tuition, coach airfare (from Hawaii, AGEP will reimburse travel expenses up to \$1000, plus 50% of the marginal amount exceeding \$1000, including coach airfare, ground transportation, and parking), 3 nights hotel. The information about the program states that group meals are included, including breakfast, lunch, and dinner on Monday and breakfast and lunch on Tuesday. The dollar amount is unknown at this time.

7. Please indicate whether you solicited this trip from the donor or whether the donor itself initiated the offer of the trip.

The information was provided to our office because one of our colleagues attended a similar seminar from this program.

8. Please indicate whether you will be flying first class, business class, or coach/economy class.

Coach.

9. Will the State of Hawaii be paying you a per diem? What other expenses, if any, will the State be paying?

I believe the State will cover expenses for meals not covered by the program.

10. Please explain why state money cannot or will not be used for this trip.

We do not currently have sufficient funds to pay for this trip.

11. Will you be taking vacation time or any other leave, or will you be traveling on state time?

Travelling on state time.

12. Please describe any action you, your subordinates, or others from your state department or agency have taken in the past that has affected the donor or the donor's business interests.

None.

13. Please describe any action you, your subordinates, or others from your state agency may be taking in the future that will affect or may affect the donor or the donor's business interests.

None.

14. Please describe any action you, your subordinates, or others from your state agency are currently taking that affects or may affect the donor or the donor's business interests.

None.

15. Please describe any other matter currently pending with your state department or agency that affects or may affect the donor or the donor's business interests.

None.

16. Please explain why you are the appropriate state official or state employee to go on this trip.

I am intimately involved in issues related to privacy laws, spam, spyware, data portability and industry data retention guidelines. This seminar will provide a plethora of information that will assist me in my area of expertise.

17. Is anyone else from your department or agency accompanying you on this trip?

No

18. Do you believe that the information you will obtain on this trip will be new information for you?

Yes. It is particularly helpful to me because it will provide regulatory perspectives that I have had limited exposure to, and this is a rapidly changing and expanding area of law.

19. Do you believe that the information you will obtain on this trip can only be obtained by making the trip?

Yes.

20. Will you be writing a report summarizing the information you obtain on this trip?

I will likely prepare a PowerPoint presentation and the information will be shared with colleagues.

21. How would you rate the importance of taking this trip with respect to your official duties: critical, very important, important, useful, somewhat useful?

Very important, potentially critical if we fall victim to computer hackers due to a failure to keep pace with national standards.

22. Please list the benefits that will accrue to the State of Hawaii if you accept this trip.

As we assist our state clients in implementing regulations relating to privacy laws, spam, spyware, data portability and industry data retention guidelines.

23. What benefit do you think the donor will derive from your going on this trip?

None, except to meet their goals to provide training to attorney general personnel.

24. If the State's gift law were to prohibit this trip, would your department or agency be inclined to pay for this trip anyway?

No

25. Have you in the past accepted any other gifts of any sort from the donor? If so, please describe the nature and value of such gifts.

No

26. Do you personally have any financial interest in the donor? If so, please explain.

No

27. Do you plan to go anywhere else while on this trip? If so, please describe. Will it be at the State's expense or at your own expense?

At the conclusion of the seminar I hope to visit family in the area.

28. Will any family members, relatives, or guests accompany you on this trip? If so, how will their expenses be paid?

No

29. Please attach with your answers to these questions all relevant material and correspondence from the donor about the offer of the trip and the purpose of the trip. Please also include the agenda for the trip. If applicable, please also provide information about the donor that would be helpful to us in understanding the products or services the donor offers.

Please note that if this trip is deemed a "gift of travel" and you are allowed to accept it, you will be subject to the provisions of the Gifts Reporting Law, HRS section 84-11.5. Information on the reporting of gifts is contained in our "gifts disclosure packet," which is available at our office.

Please let us know if any of the information in your responses changes, as changes to your situation or new information may affect our decision in this case.

Thank you for your responses to these questions. We realize that responding to them may appear overly burdensome. We believe, however, that it is not possible for us to make an informed determination with respect to your request without the information. Further, we believe the questions outlined above are warranted by the value of this particular trip.

If you have any questions regarding the above, please do not hesitate to contact us at (808) 587-0460.

11/2009