

**STATE OF COLORADO**  
**Department of State**

1700 Broadway  
Suite 250  
Denver, CO 80290

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**Scott Gessler**  
Secretary of State

**Suzanne Staiert**  
Deputy Secretary of State

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Ms. Maureen Toomey  
Assistant Director  
1300 Broadway  
Suite 240  
Denver, Colorado 80203

April 29, 2014

Re: Request for an Advisory Opinion regarding credit card points and frequent flyer miles

Ms. Toomey,

In accordance with the Independent Ethics Commission's (IEC) Rules of Procedure, I am writing to request an advisory opinion from the IEC regarding the personal use of credit card points and frequent flyer miles. In February, 2014 I attended the National Association of Secretaries of State in Washington D.C. I do not have a state issued travel card. I charged \$1266.37 on my personal credit card. The office reimbursed the expense two weeks later. I received a total of 1266 points on my personal card. The value of the points is about \$12.00 depending upon the terms and use. For example, use on products or gift cards is a higher return than the cash back option.

Additionally, I traveled on Frontier Airlines. The flight was booked through the state travel agency in my name. I have not yet applied for frequent flyer miles.

Accordingly, I write to seek the IEC's opinion on three questions:

1. Does the personal use of credit card points under the circumstance stated above violate Amendment 41?
2. Does the personal use of frequent flyer miles under the circumstance stated above violate Amendment 41?

The commission has previously been asked by the Department of Corrections to issue a position statement regarding the use of frequent flyer miles. The November 18, 2013 minutes reflect that the commission declined to issue such statement for the benefit of state employees.

Therefore, I am making this request as an advisory opinion only.

Thank you in advance for your time and consideration Please do not hesitate to contact me if you have any questions or require any further information.

A handwritten signature in black ink, appearing to read 'Suzanne Staiert', positioned above a horizontal line.

Suzanne Staiert  
Deputy Secretary of State