**Awards and Settlements**

**(a.k.a. “Slush Fund”)**

**Disclosures**

Contrary to what is popularly reported, Congressional members do not have a secret, illegal “slush fund”. However, there are awards and settlements that are paid on behalf of member of Congress. This can be for workplace disputes, not just complaints of discrimination or sexual harassment. This is actually a line item listed in Treasury Reports under the heading “Awards and Settlements” under “Appropriations, Outlays, and Balances”.

The problem with this is that it is not detailed and does not tell the public how much went to different types of cases and/or settlements. This needs to change. If a member of Congress uses this fund to pay a settlement to someone accusing the congressman or congresswoman of criminal or civil wrongdoing, it should be made public.

We also have the issue of privacy – for the victim and the accused. Usually in these types of cases where it is settled out of court, without the case being proven beyond a reasonable doubt, the accused is still entitled (based on the United States Constitution) to the presumption of innocence. Innocent people settle cases for a variety of reason, such as it being too time consuming to fight in court, too expensive to fight in court, a desire to minimize damage to reputation that a public trial would bring even if proven innocent, etc.

To balance the interests of everyone – the accused, the alleged victim, and the public’s right to know – it is best to detail these expenses, but in non-specific ways. Here would be some examples:

“$100,000 was paid to settle a wrongful termination case against Senator John Doe”

“$136,000 was paid to settle a sexual harassment allegation against a staffer for Representative Jane Doe, but Representative Jane Doe was not a party to the case.”

This type of accounting informs the public as to what the money is being used for, which member of Congress on whose behalf it was paid, whether the Congress member was actually a party to the case, and what the allegation was. However, any and all reporting of these awards and settlements should include a statement reiterating that these were settlements paid without the presentation of evidence and without a judgement as to the substance of the allegation and that the accused is still presumed innocent.