

Omar Ashmawy
Chief Counsel
Office of Congressional Ethics
U.S. House of Representatives
425 3rd Street, S.W. Suite 1110
Washington, DC 20024

Dear Mr. Ashmawy,

We respectfully request that the Office of Congressional Ethics (“OCE”) investigate Speaker Nancy Pelosi, House Majority Whip Jim Clyburn, DCCC Chair Sean Patrick Maloney, and Representative Angie Craig (collectively, “Democratic leadership”) for soliciting political funds on behalf of the DCCC, the Democrat campaign arm, in the U.S. Capitol.

I. Background

Recent public reporting indicates that during a closed-door House Democratic caucus meeting that took place in HC-5 of the U.S. Capitol Building, Speaker Nancy Pelosi, House Majority Whip Jim Clyburn, Democratic Congressional Campaign Committee (“DCCC”) Chair Sean Patrick Maloney, and Representative Angie Craig made a plea to caucus members that “...it’s time for Democratic lawmakers to pay their dues to the party committee.”¹

The reporting also stated that, “[t]he failure by rank-and-file Democrats to pay their annual assessments from the Democratic Congressional Campaign Committee is more critical now for several reasons: the House Democratic majority is in deep trouble, with both history and the polls against them; and Republicans have overtaken what’s been traditionally a large lead by the DCCC in fundraising thanks in part to a huge spurt in online fundraising.”²

II. Law

18 U.S.C. § 607(a)(1) prohibits Members of Congress from soliciting or receiving campaign contributions in federal offices in connection with federal, state, or local elections.

House Rule 1 holds that the Speaker shall have general control of the Hall of the House, the corridors and passages in the part of the Capitol assigned to the use of the House, and the disposal of unappropriated rooms in that part of the Capitol.³

The House Ethics Manual provides that “[t]he House buildings, and House rooms and offices - including district offices - are supported with official funds and hence are considered official resources. Accordingly, as a general rule, they may not be used for the conduct of campaign or political activities.”

¹ John Bresnahan, Anna Palmer, Jake Sherman, and Heather Cayle, [New Movement on Covid Spending](#), Punchbowl News AM (Mar. 30, 2022); Katherine Tully-McManus, Hill Honors [‘King of the North’](#), Politico (Mar. 29, 2022).

² Bresnahan, Palmer, Sherman, and Cayle, *supra* note 1.

³ Rules of the House of Representatives, Rule 1, Cl. 3 (2021).

It further provides that “rooms and offices are not to be used for events that are campaign or political in nature, such as a meeting on campaign strategy.”⁴

Pursuant to 31 U.S.C. § 1301(a), official funds may be used only for the purposes appropriated. The Congressional Handbook provides that a Members’ Representational Allowance (“MRA”) may not be used for political expenses. Additionally, official staff resources cannot be used for a political purpose.⁵

III. Analysis

Federal law—and House ethics provisions generally—prohibit the use of federal offices to solicit political contributions or to conduct meetings on campaign strategy.⁶ Speaker Pelosi and Democrat leadership solicited funds for the Democrats’ campaign arm, the DCCC, in room HC-5 of the U.S. Capitol Building as part of their strategy to retain control of the House.⁷ Per the Rules of the House, HC-5 falls within the control of Speaker Pelosi’s jurisdiction, and as such, is rightfully considered to be a House room or office.⁸ Any intermingling of official and political activity that occurred during the closed-door meeting in HC-5 places attendees at odds with the clear parameters of the restrictions prohibiting the misappropriation of official resources for political activity.⁹

Federal law and ethics provisions governing the House further require that members use their taxpayer funded MRA only for official expenses.¹⁰ Therefore, any political use of official staff to conduct fundraising activities for the DCCC places Speaker Pelosi, Democratic leadership, and attendees of the House Democratic caucus in violation of federal law and provisions governing House ethics.

IV. Request for Action

An investigation is necessary to determine the extent to which Speaker Nancy Pelosi and Democratic leadership used official resources to solicit campaign contributions on behalf of the Democratic Congressional Campaign Committee. The misappropriation of official resources, including the exploitation of the power of the U.S. Capitol Building to further political fundraising goals, is a matter that must not be taken lightly. We therefore respectfully request that the OCE undertake an investigation into any and all violative conduct in order to ensure the utmost integrity of the House.

Sincerely,



Caitlin Sutherland
Executive Director

⁴ Committee on Standards of Official Conduct, U.S. House of Representatives, [House Ethics Manual](#) at 123, 127 (2008).

⁵ Committee on House Administration, U.S. House of Representatives, [Members’ Congressional Handbook](#), 2 (2021); Committee on Standards of Official Conduct, *supra* note 4, at 197 (2008).

⁶ 18 U.S.C. § 607(a)(1); Committee on Standards of Official Conduct, *supra* note 4, at 123, 127 (2008).

⁷ House Radio Television Correspondents Gallery, House Complex Live Locations, U.S. Capitol Building, [HC-5](#) (last visited Mar. 30, 2022); Bresnahan, Palmer, Sherman, and Caygle, *supra* note 1.

⁸ Rules of the House of Representatives, Rule 1, Cl. 3 (2021).

⁹ Committee on Standards of Official Conduct, *supra* note 4, at 123, 127 (2008). [Footnote 11 on p. 127 states that “[t]he Speaker’s office has issued a set of rules for use of the meeting rooms under the Speaker’s jurisdiction, and those rules prohibit use of those rooms for, among other things, political purposes.”].

¹⁰ Committee on House Administration, U.S. House of Representatives, [Members’ Congressional Handbook](#), 2 (2021); Committee on Standards of Official Conduct, *supra* note 4, at 197 (2008).