



# FACT

FOUNDATION FOR  
ACCOUNTABILITY  
AND CIVIC TRUST

June 28, 2018

Hon. Johnny Isakson, Chairman  
Hon. Christopher A. Coons, Vice Chairman  
Senate Select Committee on Ethics  
220 Hart Building  
United States Senate  
Washington, DC 20510

Re: Senator Joe Manchin used taxpayer funds for travel from California fundraiser

Dear Chairman Isakson and Vice Chairman Coons:

The Foundation for Accountability and Civic Trust (FACT) is a nonprofit organization dedicated to promoting accountability, ethics, and transparency in government and civic arenas. We achieve this mission by hanging a lantern over public officials who put their own interests over the interests of the public good. We respectfully request that the Senate Select Committee on Ethics open an investigation into Senator Joe Manchin for using taxpayer funds to travel from a California fundraiser.<sup>1</sup> Senator Manchin's actions stand directly in violation of Senate Ethics and 31 U.S.C. § 1301(a).

### Analysis

On August 9, 2017, Senator Manchin flew from Los Angeles to Pittsburgh, using taxpayer dollars to pay for the flight.<sup>2</sup> Senator Manchin was in Los Angeles in order to attend a campaign fundraiser hosted at the Los Angeles headquarters of the Capital Group. At this fundraiser alone, Manchin solicited and accepted \$62,100 worth of campaign contributions.<sup>3</sup> During that particular fundraising quarter, Manchin raised nearly \$100,000 from the Capital Group.<sup>4</sup>

The Secretary of the Senate's report of Senate expenditures verifies that Manchin paid for this campaign travel using official resources. From April 1 to September 30, 2018, Senator Manchin's office made a \$1,515.65 disbursement for four flights taken by the Senator, which included the August 9, 2017 flight from Los Angeles (where Manchin attended a campaign fundraiser that same day) to Pittsburgh.<sup>5</sup>

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<sup>1</sup> Brent Scher, *Joe Manchin Used Taxpayer Funds for Travel from L.A. Fundraiser*, Washington Free Beacon, Jun. 18, 2018, available at <http://freebeacon.com/politics/joe-manchin-used-taxpayer-funds-travel-l-fundraiser/> (accessed 06/27/2018).

<sup>2</sup> *Id.*

<sup>3</sup> <http://freebeacon.com/wp-content/uploads/2018/06/Screen-Shot-2018-06-15-at-1.09.53-PM.png> (accessed 06/27/2018).

<sup>4</sup> *Id.*

<sup>5</sup> <https://www.gpo.gov/fdsys/pkg/GPO-CDOC-115sdoc5/pdf/GPO-CDOC-115sdoc5.pdf> (accessed 06/27/2018).

Senate Ethics and Federal law clearly prohibit Senators from using official resources to boost their campaign coffers. Indeed, the Senate Ethics website makes clear that this is a violation of both Senate Ethics and Federal law: “Senate resources may only be used for official purposes. The General Appropriations statute, 31 U.S.C § 1301, provides that official funds are to be used only for the purposes for which they were appropriated. **No official resources may be used to conduct campaign activities.**”<sup>6</sup>

According to press reports, Manchin’s campaign has repeatedly failed to point to any official business that was conducted in California.<sup>7</sup> In fact, the campaign vaguely references official business that Manchin conducted in West Virginia sometime after the California fundraiser.<sup>8</sup> As such, it is presumptively clear that the primary purpose of the trip was to attend the political fundraiser that netted Manchin’s campaign almost \$100,000. Interestingly enough, this is not the Senator’s first instance of improperly using taxpayer funds.<sup>9</sup>

For the reasons set forth above, the Select Committee on Ethics should enforce this prohibition and conduct an appropriate investigation into Manchin’s conduct. Manchin is subsidizing his campaign expenses from the backs of hard working taxpayers and must be held accountable. Senators facing expensive elections should not be allowed to use taxpayer dollars in order to gain an advantage over their opponents. The public rightly expects better from its Senators.

Thank you for your consideration into this matter.

Respectfully submitted,



Kendra Arnold  
Executive Director, Foundation for Accountability & Civic Trust

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<sup>6</sup> <https://www.ethics.senate.gov/public/index.cfm?p=campaign-activity> (emphasis added) (accessed 06/27/2018).

<sup>7</sup> Brent Scher, *Joe Manchin Used Taxpayer Funds for Travel from L.A. Fundraiser*, Washington Free Beacon, Jun. 18, 2018, available at <http://freebeacon.com/politics/joe-manchin-used-taxpayer-funds-travel-l-fundraiser/> (accessed 06/27/2018).

<sup>8</sup> *Id.*

<sup>9</sup> In 2005, Manchin had to refund the state of West Virginia over \$5,000 when it was reported that he traveled using taxpayer funds to pick up a purchased yacht from Alabama. See Ben Smith, *Dept. of people who live in glass yachts?*, Politico, Oct. 14, 2010, available at <https://www.politico.com/blogs/ben-smith/2010/10/dept-of-people-who-live-in-glass-yachts-029937> (accessed 06/27/2018).