



# FACT

FOUNDATION FOR  
ACCOUNTABILITY  
AND CIVIC TRUST

June 22, 2021

Omar Ashmawy  
Chief Counsel  
Office of Congressional Ethics  
U.S. House of Representatives  
P.O. Box 895  
Washington, DC 20515-0895  
Email: [oce@mail.house.gov](mailto:oce@mail.house.gov)

Re: Ethics Complaint re Rep. Val Demings (FL)

Dear Mr. Ashmawy,

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 interest over the interests of the public good. We request the Office of Congressional Ethics investigate Representative Val Demings for violating House ethics rules that forbid Members from using official taxpayer-funded resources for political purposes.<sup>1</sup>

Demings's official Member Twitter account includes a direct link to her campaign Twitter account.<sup>2</sup> The link to Demings' campaign is in a pinned tweet, making it the first thing users see upon visiting her official account.<sup>3</sup>

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<sup>1</sup> House Ethics Manual, at 123. This ethics rule enforces federal law. 31 U.S.C. sec. 1301(a) ("appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law").

<sup>2</sup> Rep. Val Demings, Twitter, available at: <https://twitter.com/RepValDemings/status/1402655239149326343> (last accessed Jun. 20, 2021).



<sup>3</sup> *Id.*

House ethics rules require strict separation between campaign and official acts: a Member is prohibited from using official resources for campaign purposes<sup>4</sup> and a Member is prohibited from using campaign funds for official purposes.<sup>5</sup> A Member's official social media accounts may not include any personal, political, or campaign information, or links to campaign-related accounts or sites.<sup>6</sup>

Demings has committed a clear violation by using her official account to link to her campaign account. This rule enforces an important foundational principle: Members cannot use their official position or taxpayer funded resources for political gain.<sup>7</sup> Moreover, the rule in this case is clear and straightforward—a rule Demings is required to abide by.<sup>8</sup>

The Office of Congressional Ethics is responsible for ensuring each Representative fulfills the public trust inherent to the office and complies with the House's ethical standards. Therefore, we urge the Board to immediately investigate and stop Representative Demings's ongoing ethics violation.

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<sup>4</sup> House Ethics Manual, at 123. Additionally, several other ethical considerations also are embodied in the rule, for instance: "The laws and rules referenced in this section reflect 'the basic principle that government funds should not be spent to help incumbents gain reelection.'" House Ethics Manual, at 123 (*citing Common Cause v. Bolger*, 574 F. Supp. 672, 683 (D.D.C. 1982), *aff'd*, 461 U.S. 911 (1983)).

"Member campaign websites . . . may not include a link to the Member's House website; and The Member's House website may not be advertised on his or her campaign website or in materials issued by the campaign." House Ethics Manual, at 131.

<sup>5</sup> Campaign funds may not be used for official expenses, including "communications" such as official website and official audio and video recordings and materials. House Ethics Manual, at 177-78.

<sup>6</sup> A Member's official website and social media accounts are prohibited from including any personal, political, or campaign information, links to campaign-related websites, and "grassroots lobbying or solicit[ing] support for a Member's position." Comm. on House Admin., U.S. House of Reps., Member's Congressional Handbook, at 31.

<sup>7</sup> This is embodied throughout and in numerous specific ethics rules. *See, e.g.*, House Ethics Manual, at 1 (Members cannot use their office for private gain), 123-24 (Members cannot use official resources for any campaign for political purpose).

<sup>8</sup> The conduct of Members of the House is governed by number of different sources, including criminal law, the Code of Official Conduct, and the Code of Ethics for Government Service, which are incorporated into the House Ethics Manual. House Ethics Manual, Comm. on Standards of Official Conduct, U.S. House of Reps., at 2-4 (2008 ed.), available at [https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008\\_House\\_Ethics\\_Manual.pdf](https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf). In addition, Members must "conduct themselves at all times in a manner that reflects creditably on the House" and adhere to the spirit as well as the letter of the ethics rules. House Ethics Manual, at 1, 12 (*citing* House Rule 23, Cl. 1), 16 (*citing* House Rule 23, Cl. 2), 186.

To the best of my knowledge and ability, all evidence submitted was not obtained in violation of any law, rule, or regulation. Further, I am aware that the False Statements Act, 18 U.S.C. § 1001, applies to information submitted to the Office of Congressional Ethics.

Sincerely,

A handwritten signature in blue ink that reads "Karnold". The signature is written in a cursive, slightly stylized font.

Kendra Arnold  
Executive Director, Foundation for Accountability & Civic Trust