

# FACT

FOUNDATION FOR  
ACCOUNTABILITY  
AND CIVIC TRUST

February 22, 2021

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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 Kurt Schrader for violating House ethics rules that forbid Members from using official taxpayer-funded resources for political purposes.<sup>1</sup> The Kurt Schrader campaign website includes multiple direct links to his official Member website.<sup>2</sup> For instance, an issue subpage on Schrader's campaign website (located at <https://kurtschrader.com/issues/protecting-democracy/>) links directly to his official website (located at: <https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=390721>). There are several instances as shown in Exhibit A.

House ethics rules require strict separation between campaign and official acts: a Member is prohibited from using official resources for campaign purposes<sup>3</sup> and a Member is prohibited

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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> See Exhibit A.

<sup>3</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)). 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.

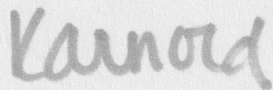
from using campaign funds for official purposes.<sup>4</sup> With respect to campaign websites, the ethics rules specifically state:

“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.”<sup>5</sup>

Schrader has committed a clear violation by linking to his official congressional website on his campaign website. As a Member of the House, Schrader is required to abide by **all** ethics rules and the House Ethics Manual.<sup>6</sup> The foundational principal that Members cannot use their official position or resources for private or political gain is embodied throughout and in numerous specific rules.<sup>7</sup> Moreover, in this case, the ethics rule is very clear and specific: Members are forbidden from using their campaign websites to link to their official taxpayer funded website. It is troubling when our Members cannot even follow the most basic and straightforward ethics rules. 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 Schrader’s ongoing ethics violations related to his campaign website.

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,



Kendra Arnold  
Executive Director, Foundation for Accountability & Civic Trust

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<sup>4</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.

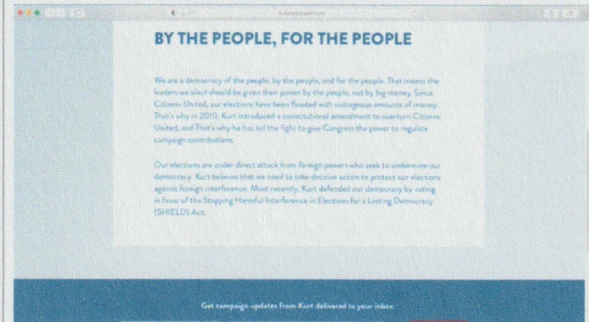
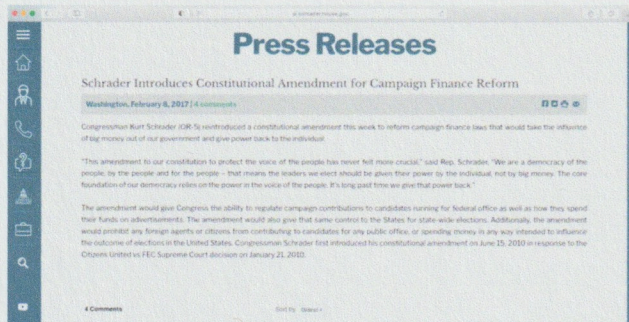
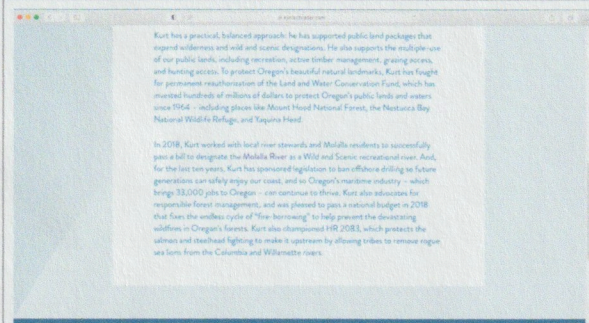
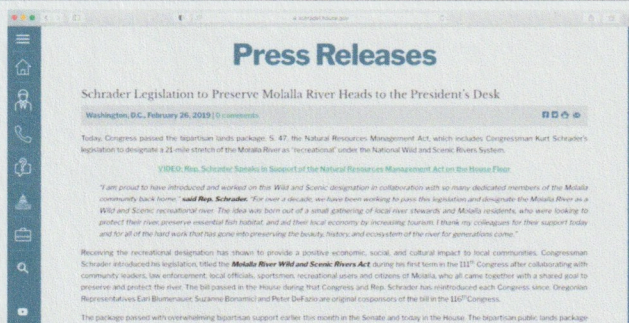
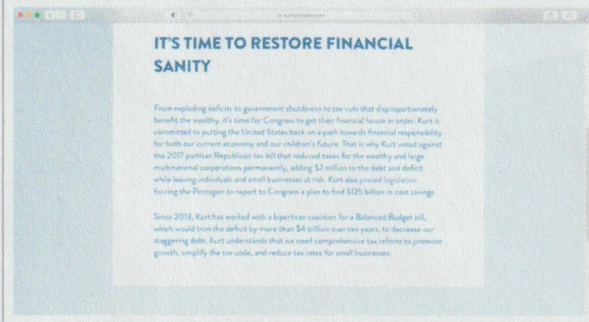
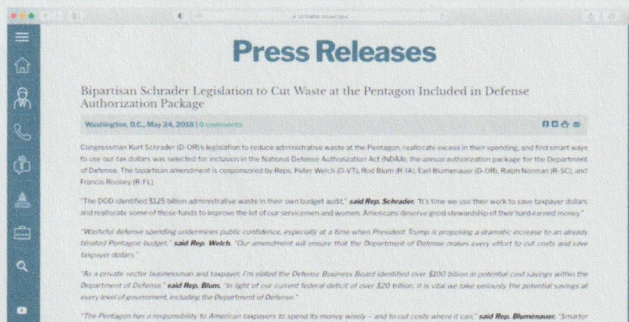
<sup>5</sup> House Ethics Manual, at 131 (emphasis added).

<sup>6</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 or 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.

<sup>7</sup> See 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).



**Exhibit A:** The campaign website show on the right column of the table, links to the official Member website on the left column of the table.

Campaign Website	Official Member Website
 <p><b>BY THE PEOPLE, FOR THE PEOPLE</b></p> <p>We are a democracy of the people, by the people, and for the people. That means the leaders we elect should be given their power by the people, not by big money. Since Citizens United, our elections have been flooded with outrageous amounts of money. That's why in 2010, Kurt introduced a constitutional amendment to overturn Citizens United, and that's why he has led the fight to give Congress the power to regulate campaign contributions.</p> <p>Our elections are under direct attack from foreign powers who seek to undermine our democracy. Kurt believes that we need to take decisive action to protect our elections against foreign interference. Most recently, Kurt defended our democracy by voting in favor of the Stopping Harmful Interference in Elections for a Living Democracy (SHIELD) Act.</p> <p>Get campaign updates from Kurt delivered to your inbox</p> <p><a href="https://kurtschrader.com/issues/protecting-democracy/">https://kurtschrader.com/issues/protecting-democracy/</a></p>	 <p><b>Press Releases</b></p> <p><b>Schrader Introduces Constitutional Amendment for Campaign Finance Reform</b></p> <p>Washington, February 8, 2017   4 comments</p> <p>Congressman Kurt Schrader (OR-5) reintroduced a constitutional amendment this week to reform campaign finance laws that would take the influence of big money out of our government and give power back to the individual.</p> <p>"This amendment to our constitution to protect the voice of the people has never felt more crucial," said Rep. Schrader. "We are a democracy of the people, by the people and for the people—that means the leaders we elect should be given their power by the individual, not by big money. The core foundation of our democracy relies on the power in the voice of the people. It's long past time we give that power back."</p> <p>The amendment would give Congress the ability to regulate campaign contributions to candidates running for federal office as well as how they spend their funds on advertisements. The amendment would also give that same control to the States for state-wide elections. Additionally, the amendment would prevent any foreign agents or citizens from contributing to candidates for any public office, or spending money in any way intended to influence the outcome of elections in the United States. Congressman Schrader first introduced his constitutional amendment on June 15, 2010 in response to the Citizens United vs. FEC Supreme Court decision on January 21, 2010.</p> <p>4 Comments</p> <p><a href="https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=390721">https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=390721</a></p>
 <p>Kurt has a practical, balanced approach: he has supported public land packages that expand wilderness and wild and scenic designations. He also supports the multipurpose use of our public lands, including recreation, active timber management, grazing, and hunting access. To protect Oregon's beautiful natural landscapes, Kurt has fought for permanent reauthorization of the Land and Water Conservation Fund, which has invested hundreds of millions of dollars to protect Oregon's public lands and waters since 1964—including places like Mount Hood National Forest, the Neenah-Bay National Wildlife Refuge, and Tenaya Peak.</p> <p>In 2018, Kurt worked with local river stewards and Molalla residents to successfully pass a bill to designate the Molalla River as a Wild and Scenic recreational river. And, for the last two years, Kurt has sponsored legislation to ban offshore drilling on federal lands to protect Oregon's beautiful natural landscapes, which has created thousands of jobs in Oregon—and continues to thrive. Kurt also advocates for responsible forest management, and was pleased to pass a national budget in 2018 that sets the endless cycle of "fire borrowing" to help prevent the devastating wildfires in Oregon's forests. Kurt also championed HR 2081, which protects the salmon and steelhead fishing to make it upstream by allowing tribes to remove riprap we learn from the Columbia and Willamette rivers.</p> <p><a href="https://kurtschrader.com/issues/environment/">https://kurtschrader.com/issues/environment/</a></p>	 <p><b>Press Releases</b></p> <p><b>Schrader Legislation to Preserve Molalla River Heads to the President's Desk</b></p> <p>Washington, D.C., February 26, 2019   0 comments</p> <p>Today, Congress passed the bipartisan lands package, S. 47, the Natural Resources Management Act, which includes Congressman Kurt Schrader's legislation to designate a 25-mile stretch of the Molalla River as "recreational" under the National Wild and Scenic Rivers System.</p> <p><b>VIDEO: Rep. Schrader Stands in Support of the Natural Resources Management Act on the House Floor</b></p> <p>"I'm proud to have introduced and worked on the Wild and Scenic designation in collaboration with so many dedicated members of the Molalla community back home," said Rep. Schrader. "For over a decade, we have been working to pass this legislation and designate the Molalla River as a Wild and Scenic recreational river. The idea was born out of a small gathering of local river stewards and Molalla residents, who were looking to protect their river, preserve essential fish habitat, and aid their local economy by increasing tourism. I thank my colleagues for their support today and for all of the hard work that has gone into preserving the beauty, history, and ecosystem of the river for generations come."</p> <p>Preserving the recreational designation has shown to provide a positive economic, social, and cultural impact to local communities. Congressman Schrader introduced this legislation titled the <b>Molalla River Wild and Scenic Rivers Act</b> during his first term in the 117<sup>th</sup> Congress after collaborating with community leaders, law enforcement, local officials, sportsmen, recreational users and citizens of Molalla, who all came together with a shared goal to preserve and protect the river. The bill passed in the House during that Congress and Rep. Schrader has reintroduced each Congress since. Oregonian Representatives Earl Blumenauer, Suzanne Bonior, and Peter DeFazio are original cosponsors of the bill in the 110<sup>th</sup> Congress.</p> <p>The package passed with overwhelming bipartisan support earlier this month in the Senate and today in the House. The bipartisan public lands package also includes permanent reauthorization of the Land and Water Conservation Fund (LWCF).</p> <p><b>Tags:</b> Oregon, U.S. Environment, and Climate Change</p> <p><a href="https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=391546">https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=391546</a></p>
 <p><b>IT'S TIME TO RESTORE FINANCIAL SANITY</b></p> <p>From exploding deficits to government shutdowns to tax cuts that disproportionately benefit the wealthy, it's time for Congress to get their financial house in order. Kurt is committed to putting the United States back on a path towards financial responsibility for both our current economy and our children's future. That is why Kurt voted against the 2017 partisan Republican tax bill that reduced taxes for the wealthy and large multinational corporations permanently, adding \$2 trillion to the debt and deficit while leaving individuals and small businesses at risk. Kurt also passed legislation forcing the Pentagon to report to Congress a plan to find \$20 billion in cost savings.</p> <p>Since 2012, Kurt has worked with a bipartisan coalition for a Balanced Budget bill, which would bring the deficit by more than \$4 trillion over ten years, to decrease our staggering debt. Kurt understands that our most comprehensive tax reform to promote growth, simplify the tax code, and reduce tax rates for small businesses.</p> <p><a href="https://kurtschrader.com/issues/fiscal-reform/">https://kurtschrader.com/issues/fiscal-reform/</a></p>	 <p><b>Press Releases</b></p> <p><b>Bipartisan Schrader Legislation to Cut Waste at the Pentagon Included in Defense Authorization Package</b></p> <p>Washington, D.C., May 24, 2018   0 comments</p> <p>Congressman Kurt Schrader (D-OR)'s legislation to reduce administrative waste at the Pentagon is included in their spending, and first effort was to use our tax dollars was selected for inclusion in the National Defense Authorization Act (NDAA), the annual authorization package for the Department of Defense. The bipartisan amendment is cosponsored by Reps. Peter Welch (D-VT), Rod Blum (R-IA), Earl Blumenauer (D-OR), Rahn Norman (R-SC), and Francis Rossy (R-FL).</p> <p>"The DOD identified \$2.25 billion administrative waste in their own budget audit," said Rep. Schrader. "It's time we use their work to save taxpayer dollars and reallocate some of those funds to improve the lot of our servicemen and women. Americans deserve good stewardship of their hard-earned money."</p> <p>"We hope defense spending undermines public confidence, especially at a time when President Trump is proposing a dramatic increase in an already stretched Pentagon budget," said Rep. Welch. "Our amendment will ensure that the Department of Defense makes every effort to cut costs and save taxpayer dollars."</p> <p>"As a private sector businessman and taxpayer, I'm excited the Defense Business Board identified over \$20 billion in potential cost savings within the Department of Defense," said Rep. Blum. "In light of our current federal deficit of over \$20 billion, it is vital we take seriously the potential savings at every level of government, including the Department of Defense."</p> <p>"The Pentagon has a responsibility to American taxpayers to spend its money wisely—and to cut costs where it can," said Rep. Blumenauer. "Smarter spending and greater transparency of the DOD is needed now more than ever."</p> <p><a href="https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=391182">https://schrader.house.gov/newsroom/documentsingle.aspx?DocumentID=391182</a></p>