

March 31, 2020
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
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 immediately investigate Michigan Representative Haley Stevens for violating multiple United States House of Representatives ethics rules. The rules implicated in this case are those that prohibit Members from using official government resources and action taken in their official capacity to fund their political campaigns. Not only do these rules ensure taxpayer funded resources are not abused, but it also ensures Members act in good faith and on merit. Put simply, violations of this rule threaten the underpinnings of public trust and should be investigated.

In spite of the clear rules prohibiting Members from using photographs of the House floor and soliciting campaign contributions tied to official actions, Representative Stevens sent a fundraising email that did both. ${ }^{1}$ On March 28, 2020, Haley Stevens for Congress sent an email with the subject line, "Hello from the Capitol." At the top of her email was Stevens' campaign logo followed by a photograph of Stevens on the House floor. The email text states in part, "Yesterday, I voted for the Coronavirus Aid, Relief, and Economic Security Act." Immediately following is a discussion of her action taken in an official capacity, then Stevens solicits a campaign contribution tied to the same subject as the legislation. The request is emphasized by the use of text larger than the main portion of the email, which is framed blue box, with a large "Donate" button. Under this request, is a second donation request in the email footer. The email has only one focus: the specific piece of legislation and a request for a campaign contribution tied to the same subject.

[^0]As a Member of the House, Representative Stevens is required to conduct herself in accordance with the House Ethics Manual. ${ }^{2}$ First, the ethics rules strictly prohibit Members from using official resources for any campaign or political purpose. ${ }^{3}$ Specifically, Members are prohibited from using photographs and video of House floor proceeding for campaign or political purposes. ${ }^{4}$ This includes any photograph or video footage of the House floor even if it was reposted from a third-party source, i.e. a news organization. "Members may not re-use an image of floor proceedings published by a third-party, if the Member could not use that image in the first instance." ${ }^{6}$

Second, the ethics rules strictly prohibit Members from linking campaign solicitations with action taken in a Member's official capacity. The Ethics Manual states: " $[\mathrm{N}]$ o solicitation of a campaign or political contribution may be linked to an action taken or to be taken by a Member or employee in his or her official capacity." ${ }^{" 7}$ Members are to act on merit, not on "partisan affiliation" or for "campaign contributions." ${ }^{8}$ Thus, the Ethics Manual reiterates: "no campaign contribution linked to an official action is ever acceptable." $"$

In this case, Stevens' campaign fundraising email demonstrates she is using government resources and legislation to solicit political contributions-a direct contradiction to the House Ethics rules. The photographs of the House floor are funded by taxpayer resources and using these resources for campaigning not only violates a specific House ethics rule, but also "the basic principle that government funds should not be spent to help incumbents gain reelection." ${ }^{10}$ Additionally, the overarching implication that our Representatives are voting based upon campaign donations also reflects poorly on the House of Representatives as a whole. ${ }^{11}$ The public expects, and the rules require, that Members take action based upon merit and not in an effort to raise campaign contributions. This type of behavior is precisely why the public distrusts elected officials. ${ }^{12}$

[^1]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 take appropriate action in response to this apparent violation of the House Ethics Rules and the Official Code of Conduct.

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, Kaunord

Kendra Arnold

Executive Director, Foundation for Accountability \& Civic Trust
campaign or political solicitations tied to official action ensures that "governmental action is taken on the merits of the particular question, rather than an extraneous factors." Id. This includes the appearance of impropriety, and the public perception that an official act is not undertaken simply for fundraising purposes.

From: Haley Stevens [info@haleystevensforcongress.com](mailto:info@haleystevensforcongress.com)
Date: Sat, Mar 28, 2020 at 7:13 PM
Subject: Hello from the Capitol


Right now, people are terrified for their health and financial stability in the wake of the COVID-19 crisis. It's a doleful truth to acknowledge how severely millions of Americans' lives will be unexpectedly turned upside down as a result of the economic or medical impacts of this disease.

For the students who miss their classrooms, small business owners who are unsure how much longer they can hold on, manufacturers who are tirelessly rushing to stock our nation's medical supplies, and our doctors and nurses who are selflessly and heroically placing themselves on the frontlines of this crisis -- My heart is heavy.

I'm reaching out to make one thing clear: Help is on the way. We will not let you fail. We will not let you fall through the cracks. We will get through this together.

Yesterday, I voted for the Coronavirus Aid, Relief, and Economic Security Act. While this bill is not everything we wanted, it addresses a few dire needs at this moment, and serves as a good start in securing our economy and our medical community.

This bill provides relief to working American families. To confront the historic number of unemployment claims, it takes historic action to give workers the benefits they need to take care of themselves and their families.

And this bill saves our hospitals by providing them with unprecedented funds to keep their doors open as they embrace the unprecedented weight of packed waiting rooms, floors filled to capacity, and communities reaching out their hands in need.

As our country faces this unimaginable crisis -- l'm asking my fellow Americans to stand with me in trusting medical professionals when they say this virus is serious and trusting our collective ability to see this frightening, tough moment through.

Generations before us have faced harrowing times and came out stronger on the other side -- I believe we can, too.
Stand with me in this fight because it will take all of us working together, looking out for one another, and trusting that science and solidarity will lead the way.

Join me.
-- Haley

Republicans are already attacking Haley for passionately speaking out for her district, calling her "unhinged" and "crazy" for demanding that we listen to public health experts and support working families. If you're able, will you support Haley's campaign by making a contribution before her rapidly approaching FEC end-ofquarter deadline?


HALEY STEVENS FOR CONGRESS

> Paid for by Haley Stevens for Congress

If you'd like to support Haley Stevens for Congress, you can click here to make a donation.
We believe that emails are the best way for our campaign to stay in touch with supporters like you. But if you'd like to receive fewer emails, you can click here.

If you'd like to unsubscribe from all our emails, click here.
Haley Stevens for Congress
33717 Woodward Ave \#539
Birmingham, MI 48009


[^0]:    ${ }^{1}$ Exhibit A.

[^1]:    ${ }^{2}$ 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, at 2-4.
    ${ }^{3}$ House Ethics Manual, at 123-24.
    ${ }^{4}$ House Ethics Manual, at 128 (prohibiting the use of "[b]roadcast coverage and recordings of the House floor proceedings"); House Rule V(2)(c)(1) (A Member is also specifically prohibited from using House floor "recordings" for "any partisan political campaign purpose.").
    ${ }^{5}$ Even if a photograph or video footage of the House floor was posted by a third-party, it would be a violation to repost it. Derivative use of House floor photographs and video is prohibited. Report of the Comm. on Ethics, In re Lujan, Aug. 1, 2017, at 12 ("Members may not re-use an image of floor proceedings published by a third-party, if the Member could not use that image in the first instance.") (citing Memorandum from the Committee to all Members, "Campaign Activity Guidance," Aug. 15, 2014, at 16).
    ${ }^{6}$ Report of the Comm. on Ethics, In re Lujan, Aug. 1, 2017, at 12.
    ${ }^{7}$ House Ethics Manual, at 147. This broad rule is "applicable to all official actions." House Ethics Manual, at 151 (emphasis in original).
    ${ }^{8}$ The Ethics Manual further explains, "A corollary of these rules is that Members and staff are not to take or withhold any official action on the basis of the campaign contributions or support of the involved individuals, or their partisan affiliation." House Ethics Manual, at 150.
    ${ }^{9}$ House Ethics Manual, at 150.
    ${ }^{10}$ Hose Ethics Manual, at 123.
    ${ }^{11}$ The Official Code of Conduct requires that a Member "shall behave at all times in a manner that shall reflect credibly on the House." House of Rep. Rule XXIII.

    12 "[P]ublic office is a public trust, and thus, the public has a right to expect House Members and staff to exercise impartial judgement in performing their duties." House Ethics Manual, at 151. The prohibition of

