



FACT

FOUNDATION FOR
ACCOUNTABILITY
AND CIVIC TRUST

August 11, 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

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 Danny Davis for violating the House ethics rules that forbid Members from using official taxpayer-funded resources for political purposes.¹

On several occasions, Davis has used his official Twitter account for political purposes, sharing political messages and ads with fundraising links.² Davis's official Twitter account is shown below and includes his official positions, government photographs, and a link to an official house.gov website:

¹ 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”).

² Danny K. Davis, Twitter, available at <https://twitter.com/RepDannyDavis> (last accessed July 15, 2021); *see attached* Exhibit A.

← **Rep. Danny K. Davis** ✓
4,177 Tweets

Rep. Danny K. Davis ✓
@RepDannyDavis

"The People's Congressman" US House Representative for Illinois' 7th District. Serving on the 117th Congress Committee on Ways and Means.

📍 Chicago, IL 🌐 davis.house.gov 📅 Joined August 2012

395 Following 17.6K Followers

Directly below his official Twitter header (shown above), Davis posted political messages and advertisements, for example:³

↳ **Rep. Danny K. Davis Retweeted**

 **Charles Booker** ✓ @Booker4KY · Jul 1 ...

Let's make freedom ring. Real freedom, from the hood to the holler.

We can start by taking our seat back from Rand Paul.

I'm running.

Visit secure.actblue.com

CHARLES BOOKER
FOR U.S. SENATE

CharlesBooker.org

2:30 / 2:38

PAID FOR BY BOOKER FOR KENTUCKY. APPROVED BY CHARLES BOOKER

1.1K 13.2K 52.2K

(Other examples are included in Exhibit A.) This is clearly an official government source disseminating a political message, which is contrary to a fair and impartial democracy.

³ *Id.*

House ethics rules require strict separation between campaign and official acts: a Member is prohibited from using official resources for campaign purposes⁴ and a Member is prohibited from using campaign funds for official purposes.⁵ Specifically, a Member’s official social media accounts may not include any personal, political, or campaign information, or links to campaign-related accounts or sites.⁶ This rule enforces an important foundational principle: Members cannot use their official position or taxpayer funded resources for political gain.⁷ Moreover, it protects the citizens’ trust in a fair and impartial government.⁸

It is especially concerning when our elected officials do not follow even the most basic ethics rules. Davis has committed a clear violation by using his official account to make political statements and share political ads. The rule in this case is clear and straightforward—a rule Davis is required to abide by.⁹

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

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.

⁴ House Ethics Manual, at 123. This rule applies to all government resources, but for websites the rules 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.” House Ethics Manual, at 131.

⁵ 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.

⁶ 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.

⁷ 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).

⁸ Several ethical considerations are embodied in these ethics rules, including maintaining a fair and impartial government and protecting against the abuse of taxpayer funds for non-official purposes. *See e.g.*, 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)) (“The laws and rules referenced in this section reflect ‘the basic principle that government funds should not be spent to help incumbents gain reelection.’”).

⁹ 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.

In addition to the specific rules identified, an overarching ethics rule requires Members to “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.

Sincerely,

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

Kendra Arnold
Executive Director
Foundation for Accountability & Civic Trust

Exhibit A

← **Rep. Danny K. Davis** ✓
4,177 Tweets Follow

↳ Rep. Danny K. Davis Retweeted

 **Mycrazylife** @Mycrazy64212091 · Jun 19
Check this out 🙌🙌🙌. He's running against Sarah Huckabee Sanders 🙌🙌🙌

 **Adam Parkhomenko** ✓ @AdamParkhomenko · Jun 17
Democrat @JonesForAR is running against Sarah Huckabee Sanders. His ad is worth a watch and he's worth a follow.
[Show this thread](#)



106 869 3K

↳ Rep. Danny K. Davis Retweeted

 **MeidasTouch.com** ✓ @MeidasTouch · Jun 8
Thank you Brian Williams for sharing our ad that Fox "News" doesn't want their viewers to see



1K 21.9K 41.7K