



FACT

FOUNDATION FOR
ACCOUNTABILITY
AND CIVIC TRUST

April 17, 2024

Omar Ashmawy
Chief Counsel
Office of Congressional Ethics
U.S. House of Representatives
425 3rd Street, S.W., Suite 1110
Washington, DC 20024

Email: oce@mail.house.gov

RE: Rep. Ocasio-Cortez

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 request the Office of Congressional Ethics (OCE) immediately investigate Rep. Alexandria Ocasio-Cortez for abusing official resources for political purposes.

Rep. Ocasio-Cortez has a campaign social media account, on which she has published numerous posts using official House floor and committee proceedings footage for political purposes.¹ Along with her campaign account's bio section showing it is her political account, multiple examples can be seen below.² These official videos appear on her campaign feed among her campaign and political posts. Additionally, she is republishing government officials accounts, which are maintained by government staff and carry the authority of the federal government. This is a clear violation of federal law and House Ethics rules.

¹ In all four cases, Rep. Ocasio-Cortez's campaign social media account retweeted house floor or committee proceedings footage originally posted by other accounts. Alexandria Ocasio-Cortez, X (formerly Twitter), available at: <https://twitter.com/AOC>. The videos were originally posted by Rep. Ocasio-Cortez's [official Twitter account](#), [Rep. Jim McGovern](#), and [Aaron Rupar](#). As discussed below, a Member is forbidden from using official video on a campaign social media account and the source of the video is irrelevant.

² *Id.*

Alexandria Ocasio-Cortez 15.2K posts



Alexandria Ocasio-Cortez @AOC

US Congresswoman, NY-14. In a modern, moral, and wealthy society, no American should be too poor to live. People-Funded, takes no lobbyist \$. Personal account.

Bronx + Queens, NYC ocasiocortez.com Joined April 2010

4,356 Following 13.2M Followers

Alexandria Ocasio-Cortez 15.2K posts

Alexandria Ocasio-Cortez reposted

Aaron Rupar @atrupar · Mar 20

Replying to @atrupar

AOC: "This entire impeachment inquiry is based on an actual, provable, individual who has lied. Responsible leadership would withdraw an inquiry based on that ... why is this committee based on false charges? And by the way, no charges."



1:49 based on that. Withdraw it. He can't

2K 2.3K 9.3K 516K

Alexandria Ocasio-Cortez 15.2K posts

Alexandria Ocasio-Cortez reposted

Rep. Jim McGovern @RepMcGovern · Mar 13

Israeli PM Netanyahu has deliberately used food, water & medicine as weapons against the people of Gaza—violating Section 620I of the U.S. Foreign Assistance Act.

We need to use our leverage now, @POTUS. No more U.S. military aid to Israel in contradiction of our own laws.



0:00 / 1:03

1.4K 2.7K 6.4K 37K

Alexandria Ocasio-Cortez 15.2K posts

Alexandria Ocasio-Cortez reposted

Rep. Alexandria Ocasio-Cortez @RepAOC · Mar 22

There is no world in which the forced famine of 1.1 million people cannot be considered genocide. And that is exactly what we are watching unfold in Gaza now.

We must enforce U.S. laws and halt weapons transfers to the Israeli government to stop an atrocity in the making.



Mr. Speaker, I know 0:00 / 4:23

8.1K 9.4K 28K 3.1M

Alexandria Ocasio-Cortez 15.2K posts

Alexandria Ocasio-Cortez reposted

Kaivan Shroff @KaivanShroff · Feb 16

WATCH: Here's the moment from 2019 — her very first committee hearing after being sworn in — where @AOC asked Michael Cohen the question that led to NY AG Tish James's investigation into the Trump Org., culminating in Trump being fined over \$350 million today.



Trump's former lawyer Michael Cohen testifies before House Oversight Committee

0:19

425 3.8K 16K 1M

Federal Law Prohibits Members from Using Official House Video. Federal law states that “appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.”³ The House ethics rules enforce this law by also prohibiting Members from using any official resource for campaign or political purposes.⁴ An “official resource” is anything funded by taxpayers, examples include: all government buildings and House offices,⁵ a Member’s official website and social media accounts,⁶ and photographs and video from the House floor or Committee proceedings.⁷

House Floor & Committee Proceedings Video. Members are prohibited from using photographs and video of House floor or committee proceedings for campaign or political purposes. This includes any photograph or video footage of official proceedings even if it was reposted from a third-party source, i.e. another website or news organization.⁸ As the Ethics Committee has stated, “Members may not re-use an image of a floor proceeding published by a third-party, if the Member could not use that image in the first instance.”⁹

Websites and Social Media Accounts. A Member’s campaign social media account may not include any official content or resources, and cannot include a link to the Member’s official

³ 31 U.S.C. sec. 1301(a).

⁴ U.S. House of Reps Comm. on Ethics, [House Ethics Manual](#), at 133 (Dec. 2022 Print) (official House resources “may not be used for campaign or political purposes”).

⁵ *Id.* at 137.

⁶ *Id.* at 140-141 (prohibiting the use of Member and Committee websites for political purposes); U.S. House of Reps., Comm. on House. Admin., [Members’ Congressional Handbook](#), at 38 (Adopted Jul. 25, 2018; Updated March 31, 2023) (“[C]ontent on Social Media Accounts is subject to the same requirements as content on Member websites”).

⁷ House Rule V, cl. 2(c)(1) (A Member is also specifically prohibited from using a House floor “recording” for “any partisan political campaign purpose.”); House Ethics Manual, at p. 137 (“Broadcast coverage and recordings of House floor proceedings may not be used for any political purpose under House Rule 5, clause 2(c)(1). In addition, under House Rule 11, clause 4(b), radio and television tapes and film of **any coverage of House committee proceedings** may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for public office.” (Emphasis added)); Report of the Comm. on Ethics, [In re Lujan](#), Aug. 1, 2017, at 13 (stating a Member is prohibited from using a still image or photograph of House floor proceedings for political purposes).

⁸ Derivative use of House floor photographs and video is prohibited. [In re Lujan](#), at 12-13 (citing U.S. House of Rep. Comm. on Ethics, Memorandum from the Comm. to All Members, [Campaign Activity Guidance](#), Aug. 15, 2014, at 16).

⁹ *Id.*

House website or social media accounts.¹⁰ **A Member’s campaign social media account “may not share, like, retweet, etc., a post from an official social media account.”¹¹ This ban on republishing includes official social media accounts of other Members or government officials.**

The laws at issue in this case protect taxpayer-funded resources from abuse and theft and strict enforcement addresses the public’s concerns that incumbents wrongfully use government funds to run for reelection.

Rep. Ocasio-Cortez Abused Official Resources for Political Purposes. The legal violations in this case are clear and there are no facts that can excuse them. Rep. Ocasio-Cortez published official House floor and committee proceeding footage on her campaign social media account. In fact, Rep. Ocasio-Cortez’s campaign social media accounts demonstrate that she consistently uses numerous types of taxpayer-funded resources for political purposes. The posts using official House floor and committee proceeding footage are especially egregious because Members are clearly forbidden from using this specific government resource to maintain the integrity of official proceedings.¹² Yet Rep. Ocasio-Cortez has chosen to use this taxpayer-funded resource simply because it advantages her politically.

This is exemplified by a single screenshot of her campaign account showing her use of federal funds for political purposes:

¹⁰ See, e.g., House Ethics Manual, at 187 (“A Member’s campaign website may not include a link to the congressional office site”; and “A congressional office site may not be advertised on the Member campaign website or on materials issued by the Member’s campaign.”).

¹¹ Committee on Ethics, [Memorandum for All Members, Officers, and Employees on Campaign Activity Guidance](#) (June 7, 2018), at 15-16.

¹² One issue the House Ethics Manual acknowledges is the public perception that incumbents are simply using their office to run for re-election or to run for a higher office. [House Ethics Manual](#), at 133 (stating the laws and rules prohibiting use of official resources for political purposes reflect “the basic principle that government funds should not be spent to help incumbents gain reelection”).



In addition to violating the specific laws laid out here, her use of official resources does not reflect credibly on the House.¹³

It is the Office of Congressional Ethics duty to ensure that federal law and ethics rules are applied to each Representative. This is not an isolated incident and the violations are numerous and obvious, this requires the Board to act immediacy and stop these violations.

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.

¹³ Members are required to “conduct themselves at all times in a manner that reflects creditably on the House.” *Id.* at 1, 12 (citing House Rule 23, clause 1).

Sincerely,

/s/Kendra Arnold

Kendra Arnold
Executive Director, Foundation for Accountability & Civic Trust