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*2nd Session*

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HOUSE OF REPRESENTATIVES

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REPORT  
118-\_\_

IN THE MATTER OF ALLEGATIONS  
RELATING TO REPRESENTATIVE BILL  
HUIZENGA

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R E P O R T  
OF THE  
COMMITTEE ON ETHICS



June 5, 2024.—Referred to the House Calendar and ordered to be  
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**118TH CONGRESS, 2D SESSION  
U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON ETHICS**

**IN THE MATTER OF ALLEGATIONS RELATING TO REPRESENTATIVE  
BILL HUIZENGA**

**JUNE 5, 2024**

Mr. Guest from the Committee on Ethics submitted the following

**REPORT**

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ONE HUNDRED EIGHTEENTH CONGRESS

## U.S. House of Representatives

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### LETTER OF TRANSMITTAL

June 5, 2024

The Honorable Kevin F. McCumber  
Acting Clerk, House of Representatives  
H-154, The Capitol  
Washington, DC 20515

Dear Mr. McCumber:

Pursuant to clauses 3(a)(2) and 3(b) of Rule XI of the Rules of the House of Representatives, we herewith transmit the attached report, "In the Matter of Allegations Relating to Representative Bill Huizenga."

Sincerely,

Michael Guest  
Chairman

Susan Wild  
Ranking Member

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**118TH CONGRESS, 2D SESSION  
U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON ETHICS**

**IN THE MATTER OF ALLEGATIONS RELATING TO  
REPRESENTATIVE BILL HUIZENGA**

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**JUNE 5, 2024**

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Mr. GUEST from the Committee on Ethics submitted the following

**R E P O R T**

In accordance with House Rule XI, clauses 3(a)(2) and 3(b), the Committee on Ethics (Committee) hereby submits the following Report to the House of Representatives:

**I. OVERVIEW**

On August 16, 2019, the Office of Congressional Ethics (OCE) forwarded to the Committee a Report and Findings (OCE's Referral) regarding Representative Bill Huizenga. OCE reviewed allegations that Representative Huizenga's principal campaign committee, Huizenga for Congress, reported campaign disbursements that may not be legitimate and verifiable campaign expenditures attributable to bona fide campaign or political purposes. Specifically, OCE considered whether certain campaign-funded trips and a campaign-funded dinner involved personal use. OCE also reviewed allegations that Representative Huizenga's campaign accepted contributions from individuals employed in his congressional office, and that Representative Huizenga authorized expenditures from his Members' Representational Allowance (MRA) that were not for permissible official expenses. OCE recommended that the Committee further review the campaign-related allegations and recommended that the Committee dismiss the allegation regarding the MRA.

Following its extensive review of the record in this matter, the Committee found that Representative Huizenga and his staff generally acted within the bounds of the law when spending campaign and official funds. Some expenditures paid for by Representative Huizenga's campaign, particularly during travel to recreational destinations, fell within unclear areas of FEC regulations. However, there was an established campaign purpose for each of the trips reviewed and there was no clear pattern of misspending.

The Committee did find that Representative Huizenga's campaign did not fully comply with relevant standards with respect to its reporting and reimbursement practices, largely due to lack of knowledge or confusion about the applicable requirements. However, while the Committee's review was ongoing, several additional matters were initiated relating to the personal use of campaign funds, including matters referred by OCE as well as matters that the Committee

opened on its own initiative. In reviewing all such matters, it was apparent to the Committee that the House community would benefit from updated guidance on personal use of campaign funds and related recordkeeping expectations.

Based on the totality of the circumstances, including the lack of any clear pattern of misspending or intentional circumvention of any standards of conduct, as well as Representative Huizenga's consistent cooperation with this review, the significant remedial steps that his campaign has undertaken, and the widespread need for updated guidance on the personal use of campaign funds, the Committee determined that Representative Huizenga's conduct did not merit a sanction. Accordingly, the Committee will close this matter by issuing this report, updating its guidance on personal use of campaign funds, and sending Representative Huizenga a private letter detailing its findings in his matter and conveying its expectation that he continue to employ appropriate safeguards to ensure proper spending and reporting of both official and campaign funds.

## II. INVESTIGATION BACKGROUND

The Committee independently reviewed the allegations referred by OCE. Representative Huizenga and his staff fully cooperated with the Committee's review. Following OCE's recommendation that the Committee further review the matter, the Committee began an investigation pursuant to Committee Rule 18(a).<sup>1</sup> The Committee reviewed all materials provided to it by OCE, including the transcript of OCE's interview with Representative Huizenga. In addition, the Committee requested and received information from Representative Huizenga, and two fundraising firms used by Representative Huizenga's campaign. In total, the Committee reviewed nearly 10,000 pages of material and interviewed five witnesses.

OCE specifically reviewed campaign expenditures during annual fundraising events at Disney World in Orlando, disbursements made during a biennial political conference on Mackinac Island in Michigan, and a yearly fundraising trip to Deer Valley Ski Resort in Park City, Utah. The Committee reviewed evidence relating to each of those trips, as well as other out-of-district campaign or political travel by the congressman. OCE also reviewed additional allegations of personal use, including those regarding the amount spent on golf-related expenses; mileage reimbursements; and a September 2014 disbursement for a dinner Representative Huizenga attended with his half-brother (who is also his Campaign Manager) and their spouses. The Committee also sought and received evidence related to those and other discrete expenditures.

The allegations against Representative Huizenga's campaign relating to potential personal use of campaign funds were initially raised in a complaint filed with the FEC in November 2018. The FEC was equally divided on whether to find reason to believe a violation occurred and accordingly, the FEC matter was closed in June 2019 (while OCE's review was ongoing).<sup>2</sup> The

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<sup>1</sup> Pursuant to House Rule XI, cl. 3(b)(3) and Committee Rule 18(d), the Committee voted to determine that the allegations that Representative Huizenga may have converted campaign funds to personal use and/or reported campaign disbursements that were not legitimate and verifiable campaign expenditures in the 113th or 114th Congress are directly related to the allegations concerning similar conduct occurring during and after the 115th Congress.

<sup>2</sup> See Matter Under Review (MUR) 7534, First Gen. Counsel's Rpt.

FEC's General Counsel's office recommended the Commission dismiss the allegations, direct the campaign to work with FEC staff to amend its reports,<sup>3</sup> and close the file. In making its recommendations, the General Counsel's office noted that the complaint's assertion that the campaign's spending was significantly greater than that of comparable campaign committees was not sufficient to "raise to a reasonable inference that Respondents converted campaign funds to personal use."<sup>4</sup> Thereafter, the campaign implemented changes to improve its reporting. Representative Huizenga noted he has "worked with a new compliance professional and counsel to implement new policies to prevent any even incidental future violations," and that the new compliance firm works to ensure that receipts, expenditures, and reimbursements are properly accounted for and reported.<sup>5</sup>

### III. COMMITTEE FINDINGS

The Committee found that Representative Huizenga and his staff generally acted within the bounds of the law when spending campaign and official funds. Some expenditures paid for by Representative Huizenga's campaign, particularly during travel to recreational destinations, fell within unclear areas of FEC regulations.

Each year, Representative Huizenga attends and/or hosts several fundraisers or other political events that take place outside of his district or in Washington, D.C., and cause him and his family to travel to various resorts and other recreational destinations. Several of Representative Huizenga's congressional staffers are also involved with his campaign, and those staffers sometimes join him on the destination fundraising trips, bringing their families at the campaign's expense.<sup>6</sup> Representative Huizenga believed these expenses to be legitimate uses of campaign funds because the campaign benefited from the general attendance of the staffers and their families over the course of the trips, as well as his own family's participation in the fundraising weekend.

Campaign finance laws and regulations explicitly prohibit the use of campaign funds for "vacations." However, while the trips involved recreational destinations and activities, the primary purpose of each trip was clearly campaign-related. The record supports the general notion that the presence of the Member's family at such "family friendly" events was to the benefit of the campaign. The FEC has explicitly authorized the use of campaign funds to pay for the travel expenses of a candidate's spouse and children.<sup>7</sup> While OCE raised concerns about whether the

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<sup>3</sup> The campaign does not appear to have made amendments to past reports to address the reporting issues identified by the FEC.

<sup>4</sup> *Id.* at 11-12.

<sup>5</sup> Appendix B.

<sup>6</sup> For example, the expenses associated with the Disney trips included airfare, lodging, gas or ground transportation, food and beverage, park tickets and express passes, unspecified "merchandise," and a stroller rental.

<sup>7</sup> FEC Advisory Opinion (AO) Roemer (AO 1995-20) (approving payment of wife's travel expenses as "clearly attributable to her participation in your campaign for re-election," and children's travel expenses to the district as necessary due to the children's ages (noting "[t]his is not the same as family travel to vacation locales").); FEC AO Thornberry (AO 1996-34) (noting that the campaign represented that the candidate's wife and children would "play a significant role in the political receptions and fundraising events that are part of the trip."); FEC AO Dodd (AO 2005-09) (campaign "may use campaign funds to defray the costs of travel by Senator Dodd's minor children to accompany their parents between their home in Connecticut and Washington, D.C., provided that the parents are



participation of the families of the Member's staff was also permissible, the Committee found the considerations used in examining the Member's family's participation also generally applied to his staff's families' participation, and there is no clear prohibition on using campaign funds to pay for travel by staffers' family members.

In his submission to the Committee, Representative Huizenga argued: “[B]ecause I have determined, under the broad discretion provided to me under federal law, that attendance by my family and my staffs’ families serves a bona fide campaign purpose, the use of campaign funds for these events was permissible. This should be sufficient to end the inquiry into this allegations.”<sup>8</sup> The Committee has indeed long recognized that Members have “wide discretion to determine whether any particular expenditure would serve” a bona fide campaign purpose.<sup>9</sup> That is not, however, the end of the inquiry, as the Committee has also made clear that Members have no discretion to convert campaign funds to personal use, and “[a] bona fide campaign purpose is not established merely because the use of campaign money might result in a campaign benefit as an incident to benefits personally realized by the recipient of such funds.”<sup>10</sup> In other words, it is not enough that a Member can articulate a campaign benefit for an expense; what matters is the animating purpose of the disbursement. If, for example, the Huizengas planned a family vacation to Disney World and decided to meet with some potential donors in the area while they were there, that would not convert the personal trip to a campaign trip.<sup>11</sup> But that is not what happened in this case; there was a well-established campaign purpose for each of the trips reviewed.

Campaign fundraisers and political events are a routine and sometimes necessary aspect of serving as a Member of Congress. Members also carry a duty to ensure their campaign committees comply with appropriate laws and regulations in connection with such events and the funds that they raise. The Committee has long advised that Members “must exercise great care” with respect to campaign travel expenditures (as well as expenditures for meals, or goods or services provided by the Member’s family), as “such outlays by their nature raise a concern of personal use.”<sup>12</sup> It is especially prudent to maintain more detailed records of recreational campaign activities.

While the Committee’s record did not reveal any pattern of clear personal use, the Committee notes that Representative Huizenga should have exercised more care to avoid even the appearance of improper use of campaign funds. As a Member of the House, Representative Huizenga has a duty above and beyond the technical requirements of campaign finance laws and regulations, and the Committee has advised him to exercise more circumspection in the future.

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traveling to participate in a function directly connected to the Senator’s bona fide official responsibilities.”); MUR 7100, First Gen. Counsel’s Rpt. at 14 (“The Commission has previously determined that campaign funds may be used to pay for a candidate’s immediate family members to travel to participate in campaign events.”).

<sup>8</sup> Appendix B.

<sup>9</sup> *Ethics Manual* at 154.

<sup>10</sup> *Id.* at 164.

<sup>11</sup> *Cf.* FEC AO Jager (AO 2002-05) (in which the FEC rejected the argument that, if travel to a destination is campaign-related, “campaign funds could be used to pay for all expenses of the trip, including the sight-seeing” and other “portions,” noting such a result “would be inconsistent with or even contrary to the Commission’s personal use regulations.”).

<sup>12</sup> *Id.* at 167.

The Committee also found that the campaign did not fully comply with relevant standards with respect to its reporting and reimbursement practices, largely due to lack of knowledge or confusion about the applicable requirements. Representative Huizenga has acknowledged some recordkeeping gaps. While he made a substantial production of receipts, financial records, and other documents relating to the expenditures under review, there were instances in which the Committee could not confirm the campaign-related purpose of an expenditure based on the documentation available. The campaign's inadequate recordkeeping practices led to a violation of clause 6 of the House Code of Official Conduct.

Members have broad discretion to determine the bona fide needs of their campaign, which can sometimes result in a campaign operating within unclear areas of what may or may not be permissible under the various laws and regulations. The Committee has long recognized that certain areas of spending, including spending that involves travel, meals, and/or family members, can by their nature raise concerns of abuse. Frequent and substantial spending in these areas, coupled with maintaining poor records and reporting practices, will invite increased scrutiny into a campaign's finances and create the appearance that a Member is living a lavish lifestyle by virtue of his position.

For Representative Huizenga, such appearance issues led to an FEC complaint, OCE review, and ultimately, an investigation by this Committee. Representative Huizenga took full advantage of the discretion afforded to him, even in instances where it appeared that the campaign spent more to attend fundraisers than it raised. By maintaining consistent records verifying the campaign purpose of such spending, a Member in Representative Huizenga's position would be able to more readily respond to questions raised about their spending and exercise more restraint in whether to permit certain campaign expenses.<sup>13</sup>

While the Committee's review was ongoing, several additional matters were initiated relating to the personal use of campaign funds, including matters referred by OCE as well as matters that the Committee opened on its own initiative. In reviewing all such matters, it was apparent to the Committee that the House community would benefit from updated guidance on personal use of campaign funds and related recordkeeping expectations. With respect to whether the use of campaign funds is considered impermissibly "personal," existing law and guidance from the FEC is often ambiguous and provides for significant gray areas of spending. While House Rules impose additional requirements and expectations with respect to campaign spending and personal use, the Committee has found that those standards are not widely known or understood. Accordingly, the Committee will refresh its guidance to the House community on these issues based on lessons learned from this and other matters.

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<sup>13</sup> The campaign also improperly accepted "contributions" from congressional staffers in the form of outlays made by those staffers, which the campaign properly reimbursed; Representative Huizenga and his staff were not aware at the time that such outlays, even when reimbursed, are impermissible contributions. Representative Huizenga's campaign has since instituted significant remedial efforts and now appears to be operating in compliance with applicable requirements.

#### IV. CONCLUSION

The Committee recognizes Representative Huizenga's cooperation with its extensive review, which covered a span of years and involved the collection of vast amounts of information. The Committee also acknowledges his efforts to correct the campaign's practices, both prior to and following the Committee's involvement. Based on its review, the Committee determined that Representative Huizenga's campaign had inadequate recordkeeping practices that led to a violation of clause 6 of the Code of Official Conduct. The Committee did not find that Representative Huizenga engaged in clear personal use of campaign funds. The Committee does, however, advise that Members exercise care to avoid even the appearance of improper spending.

In a recent matter involving Representative George Santos, the Committee noted that the Member's failure "to take reasonable steps to prevent or correct" reporting errors, despite being made aware of concerns about the campaign's reporting practices, resulted in "the misreporting of substantial sums," and that related "poor recordkeeping" meant that the Member's campaign spending could not be verified and had "called into question the integrity of the House, contrary to clauses 1 and 6" of the Code of Official Conduct.<sup>14</sup> In an older matter involving Representative Bud Shuster, the Committee found that "the number and dollar amount" of vague expenditures, "combined with the record keeping practices followed by" the Member's campaign, "created the appearance that certain expenditures may not have been attributable to bona fide campaign or political purposes."<sup>15</sup> Representative Huizenga has acknowledged some recordkeeping gaps during his former bookkeeper's tenure. In many instances, while there was documentation to confirm what expenses were paid for by the campaign, there was no record to demonstrate the campaign nexus. This is not a matter, however, like that of Representative Shuster, where campaign funds were spent "without making even the most minimal effort to document or verify that the expenditures were related to legitimate campaign activity."<sup>16</sup> Nor is this a matter like that of Representative Santos, where campaign reporting was deliberately obscured to hide fraudulent financial activity. The record reflects that Representative Huizenga and his staff often sent receipts or other records of their spending to the former bookkeeper. Clause 6 requires more effort, however, and Representative Huizenga is ultimately responsible for ensuring the legitimacy of his campaign spending can be verified.<sup>17</sup>

It is apparent to the Committee that all Members would benefit from more direct and updated guidance on how standards related to the personal use of campaign funds apply to the realities of their campaign. The Committee trusts, however, that Representative Huizenga now understands that implementation of appropriate verification measures and more cautious spending

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<sup>14</sup> Comm. on Ethics, *In the Matter of Allegations Relating to Representative George Santos*, H. Rept. 118-274, 118th Cong. 1st Sess. (2023).

<sup>15</sup> Comm. on Ethics, *In the Matter of Representative E.G. "Bud" Shuster*, H. Rept. 106-979, 106th Cong. 2d Sess. 64-65 (2000).

<sup>16</sup> *Id.* at 78.

<sup>17</sup> FEC regulations require a campaign to keep records for each disbursement for three years, including the amount, date, name and address of payee, and a brief but specific description of why the disbursement was made. *See Recording disbursements*, FEC, <https://www.fec.gov/help-candidates-and-committees/keeping-records/records-disbursements/>; *see also* 11 C.F.R. §102.9(b). The FEC will consider a campaign in compliance with the recordkeeping requirements if it can show that "best efforts have been made" to obtain the required records. 11 C.F.R. §102.9(d).

will serve to ensure the public's trust in the integrity of Members' campaigns – and reduce the need for lengthy and costly investigations into campaign activities. The Committee hopes that all who campaign for election or reelection to the House learn from his experience.

Accordingly, the Committee unanimously voted to adopt this Report, and take no further action.

**V. STATEMENT UNDER RULE XIII, CLAUSE 3(c) OF THE RULES OF THE HOUSE OF REPRESENTATIVES**

The Committee made no special oversight findings in this Report. No budget statement is submitted. No funding is authorized by any measure in this Report.