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ONE HUNDRED EIGHTEENTH CONGRESS

U.S. House of Representatives

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STATEMENT OF THE COMMITTEE ON ETHICS REGARDING CERTAIN INVESTIGATIVE MATTERS INVOLVING ALLEGATIONS OF PERSONAL USE OF CAMPAIGN FUNDS

The Committee on Ethics (Committee) has investigated allegations that several Members may have used campaign funds for purposes that are not legitimate and verifiable. The Committee has now unanimously determined to close several such investigative matters, including those relating to allegations referred by the Office of Congressional Ethics (OCE) involving Representative Sanford Bishop, Representative Wesley Hunt, Representative Ronny Jackson, and Representative Alexander Mooney, in addition to other confidential matters that have been under review.

Clause 6 of the Code of Official Conduct provides that Members “may not convert campaign funds to personal use in excess of an amount representing reimbursement for legitimate and verifiable campaign expenditures,” and generally “may not expend funds from a campaign account of such individual that are not attributable to bona fide campaign or political purposes.” Federal campaign finance law also prohibits the personal use of campaign funds and the Federal Election Commission (FEC) has issued regulations and guidance relating to the definition of “personal use.” The Committee’s longstanding guidance notes that the requirement under clause 6 that expenditures be “verifiable” is “separate from, and in addition to, whatever record requirements are imposed by the [FEC].” Although Members have “wide discretion” in determining what constitutes a bona fide campaign or political purpose for which campaign funds and resources may be devoted, the Committee has cautioned that “Members have no discretion whatsoever to convert campaign funds to personal use.” In a recent report, however, the Committee noted that existing law and guidance from the FEC is often ambiguous and provides for significant gray areas of spending, and that it is apparent that the House community would benefit from updated guidance on personal use of campaign funds and related recordkeeping requirements. Accordingly, the Committee is now releasing such guidance.

In several of the matters that the Committee is resolving, there was evidence that the Member’s campaign did not fully comply with the applicable standards relating to personal use of campaign funds, as well as reporting or recordkeeping requirements for campaign expenditures. However, there was no evidence that any Member intentionally misused campaign funds for their personal benefit. The Committee has contacted relevant Members to provide them with a copy of the updated guidance as well as specific findings and recommendations with respect to that Member’s campaign activity. The Committee will take no further action in those matters and will consider them closed.

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