

**OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES**

Omar Ashmawy
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Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, D.C. 20515

Re: Request for Investigation into Representative JAMES B. RENACCI

COMPLAINT

I. INTRODUCTION

A. Summary of Allegations

1. Publicly available information indicates that Representative James B. Renacci repeatedly used official House resources for prohibited political purposes, filming multiple campaign communications in House space. At the same time, Representative Renacci has repeatedly and improperly supplemented his official allowances with campaign funds, using campaign social media accounts to promote his official activities.
2. The Board of the Office of Congressional Ethics (“the OCE”) should review the above allegation, because there is a reasonable basis to believe that Representative Renacci used official resources for political activities, impermissibly supplemented his official allowance with private funds, and improperly mixed official and political activities.

B. Jurisdiction Statement

3. The allegations that are the subject of this complaint concern Representative James B. Renacci, a Member of the United States House of Representatives from the 16th District of Ohio. The alleged conduct occurred after March 11, 2008. OCE Rule 3 authorizes OCE to accept and review information concerning allegations within its jurisdiction. The OCE Board accordingly has jurisdiction to review these allegations.

II. REPRESENTATIVE RENACCI REPEATEDLY USED OFFICIAL HOUSE RESOURCES FOR PROHIBITED POLITICAL PURPOSES

A. Applicable Law, Rules, and Standards of Conduct

4. House Ethics Manual

*“[O]fficial resources of the House must, as a general rule, be used for the performance of official business of the House, and hence those resources may **not** be used for campaign or political purposes. The laws and rules referenced in this section reflect the*

basic principle that government funds should not be spent to help incumbents gain reelection.”¹

“The House buildings, and House rooms and offices – including district offices – are supported with official funds and hence are considered official resources. Accordingly, as a general rule, they may not be used for the conduct of campaign or political activities. Thus, for example, a Member may not film a campaign commercial or have campaign photos taken in a congressional office.”²

“Anything supported with official funds is an official resource, including congressional offices. The House Office Building Commission, comprised of the Speaker, the Majority Leader, and the Minority Leader, has issued regulations governing the use of House facilities. These regulations generally ban solicitation and commercial activity, limit photography, restrict use of meeting rooms to congressionally related purposes, and impose various health and safety restraints. In addition, as is true of all official resources, congressional offices may not be used for the conduct of campaign or political activities.”³

*“Example 4. Member D is planning to film a campaign commercial. D may **not** film in her congressional office because that would be using an official resource for a campaign purpose. She may film her commercial outside the Capitol in the areas designated by the Sergeant-at-Arms as part of the public space.”⁴*

B. Representative Renacci Filmed and Posed in Photos for Multiple Campaign Communications in Official House Space

5. Representative Renacci is a candidate for United States Senate in the 2018 primary election. He filed a Statement of Candidacy with the Secretary of the Senate on January 17, 2018.⁵
6. From at least March 20, 2017, until January 11, 2018, Representative Renacci was a candidate for Governor of Ohio.⁶
7. Representative Renacci maintains a campaign Facebook page at <https://www.facebook.com/JimRenacci>.⁷
8. On November 16, 2017, while Representative Renacci was a candidate for governor, his campaign Facebook page posted a video that touted his vote for President Trump’s tax legislation. The video showed Representative Renacci walking down the steps of the

¹ House Ethics Manual (2008) at 123 (emphasis in original) (internal quotations and citations omitted).

² *Id.* at 127.

³ *Id.* at 325 (citations omitted).

⁴ *Id.* at 325 (emphasis in original).

⁵ See <http://docquery.fec.gov/pdf/882/201801170200002882/201801170200002882.pdf>.

⁶ See <https://www.ohio.com/akron/news/u-s-rep-and-former-wadsworth-mayor-jim-renacci-running-for-ohio-governor>; http://www.cleveland.com/open/index.ssf/2018/01/jim_renacci_drops_out_of_the_o.html.

⁷ See https://www.facebook.com/pg/JimRenacci/about/?ref=page_internal (“Thank you for visiting my campaign Facebook page.”).

Capitol in a “Make America Great Again” hat and contained a “Renacci for Governor” logo at the end.⁸

9. On February 6, 2018, while Representative Renacci was a candidate for Senate, his campaign Facebook page posted a video that contained “behind-the-scenes” footage of him being interviewed in Statuary Hall in the United States Capitol by Fox Business.⁹
10. Representative Renacci maintains a campaign Twitter account at <https://twitter.com/JimRenacci/>.¹⁰
11. On February 8, 2018, while Representative Renacci was a candidate for Senate, his campaign Twitter account sent a Tweet with a photo that appeared to have been taken in his House office.¹¹
12. On January 30, 2018, while Representative Renacci was a candidate for Senate, his campaign Twitter account sent a Tweet saying: “My special guest for tonight's #SOTU is a great American, Chris Cox of @BikersForTrump!” The Tweet contained a photo of Representative Renacci with Cox that appeared to have been taken in his House office.¹²
13. On January 1, 2018, while Representative Renacci was a candidate for governor, his campaign Twitter account sent a Tweet showing Renacci at his desk in his House office with a hashtag reading “#OHGov.”¹³
14. On November 16, 2017, while Representative Renacci was a candidate for governor, his campaign Twitter account sent a Tweet with a video showing him walking through the United States Capitol wearing a “Make America Great Again” hat.¹⁴
15. On October 24, 2017, while Representative Renacci was a candidate for governor, his campaign Twitter account sent a Tweet with a photo showing him at a meeting of the so-called “Bipartisan Working Group,” which appeared to have been taken in official House space. The Tweet had a “OHGov” hashtag.¹⁵

III. REPRESENTATIVE RENACCI IMPROPERLY SUPPLEMENTED HIS OFFICIAL ALLOWANCES WITH CAMPAIGN FUNDS, AND IMPERMISSIBLY MIXED OFFICIAL AND POLITICAL ACTIVITIES, BY USING CAMPAIGN SOCIAL MEDIA ACCOUNTS TO PROMOTE OFFICIAL ACTIVITIES

A. Applicable Law, Rules, and Standards of Conduct

⁸ See <https://www.facebook.com/JimRenacci/videos/10155604971765923/>.

⁹ See <https://www.facebook.com/JimRenacci/videos/10155821600610923/>.

¹⁰ See <https://twitter.com/JimRenacci/>.

¹¹ See <https://twitter.com/JimRenacci/status/961688627846795267>.

¹² See <https://twitter.com/JimRenacci/status/958488662332731393>.

¹³ See <https://twitter.com/JimRenacci/status/947883890773037058>.

¹⁴ See <https://twitter.com/JimRenacci/status/931258141936947200>.

¹⁵ See <https://twitter.com/JimRenacci/status/922850450755543042>.

16. House Rules

House Rule 24, Clause 1 states that

“(a) Except as provided in paragraph (b), a Member, Delegate, or Resident Commissioner may not maintain, or have maintained for the use of such individual, an unofficial office account. Funds may not be paid into an unofficial office account.

“(b)(1) Except as provided in subparagraph (2), a Member, Delegate, or Resident Commissioner may defray official expenses with funds of the principal campaign committee of such individual under the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

“(2) The funds specified in subparagraph (1) may not be used to defray official expenses for mail or other communications, compensation for services, office space, office furniture, office equipment, or any associated information technology services (excluding handheld communications devices).”

17. House Ethics Manual

“House Rule 24 sets forth five categories of congressional expenses that may not be paid using campaign funds. They are: office space, furniture, equipment and associated information technology services (except for handheld communication devices), mail or other communications, and compensation for services. As a general matter, expenses in these categories must be paid with official House funds under regulations issued by the Committee on House Administration.”¹⁶

“[O]nce the Member makes his determination [on whether an activity is to be official or political], he is bound by it. A single event cannot, for purposes of the House rules, be treated as both political and official.”¹⁷

B. Representative Renacci Used His Campaign Facebook and Twitter Accounts to Promote Official Activities

18. On November 29, 2017, a post on Representative Renacci’s campaign Facebook account promoted “a special Facebook Live” with “Two Thought Leaders”—Representative Renacci and Representative Mark Meadows. The post contained a link to Representative Renacci’s official Facebook page: “If you would like to participate, ask a question, or just watch the event, head over to my Facebook page at [facebook.com/RepJimRenacci](https://www.facebook.com/RepJimRenacci).” The post also contained an “#OHGov” hashtag, which indicates that the event may also have had a political purpose. The video showed the addresses for Representative Meadows’s and Representative Renacci’s official Facebook pages.¹⁸

¹⁶ House Ethics Manual (2008) at 177.

¹⁷ *Id.* at 178-79.

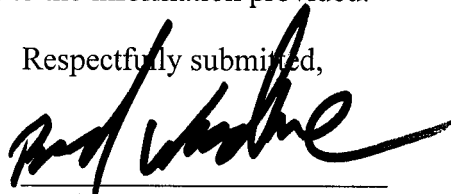
¹⁸ See <https://www.facebook.com/JimRenacci/videos/10155637068625923/>.

19. On December 19, 2017, Representative Renacci's campaign Twitter account sent a Tweet promoting an appearance on Fox News that appeared to be official activity: it showed him standing in Statuary Hall of the United States Capitol. The Tweet read: "Up now on @FoxNews @HappeningNow with @MelissaAFrancis to talk final push for #taxreform process, tune in!" The Tweet also contained an "#OHGov" hashtag, which indicates that the event may also have had a political purpose.¹⁹

IV. CONCLUSION

20. For the reasons set forth above, there is a reasonable basis to believe that Representative Renacci violated laws, rules and standards of conduct by using official resources for political activities, by impermissibly supplementing his official allowance with private funds, and by improperly mixing official and political activities. Complainant respectfully requests the Office of Congressional Ethics to review these violations.
21. I acknowledge that Section 1001 of title 18 of the United States Code (popularly known as the False Statements Act) applies to the information provided.

Respectfully submitted,



Brad Woodhouse
American Democracy Legal Fund

¹⁹ See <https://twitter.com/JimRenacci/status/943161156000206848>.