

October 21, 2021

Chairman Mike Barnes
Co-Chairman Paul Vinovich
Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, D.C. 20515-0895

Re: Mrs. Marjorie Taylor Greene's Failure to Follow Federal Ethics Law

Dear Chairman Barnes and Co-Chairwoman Vinovich:

I write to notify you of violations of federal law and House rules by Representative Margorie Taylor Greene, who has improperly used her campaign and leadership PAC to conduct official House activities – namely, to urge her Republican colleagues in the House to vote “no” on a bill that she opposes. We respectfully request that the Office investigate this matter.

Background

Rep. Greene is a Member of Congress who represents Georgia's Fourteenth Congressional District. Her principal authorized campaign committee is Greene for Congress (the “Committee”) and its treasurer is Perry Greene.¹ Save America Stop Socialism PAC (“SASS PAC”) is her leadership PAC.²

Earlier this year, Rep. Greene aired a 60-second advertisement, which was posted to YouTube on or about August 17.³ At the beginning of the advertisement, Rep. Greene states that she “approve[s] this message so that you know the facts.”⁴ She then proceeds to appear on-screen and speak for the entirety of the 60-second advertisement as she states the following to camera:

Nineteen cowardly Senate Republicans joined Chuck Schumer and the Senate Democrats to pass the so-called infrastructure bill that's really the first step in Biden's communization of America. Now, it goes to the House where Republicans need to stay united and stop this bill. Now, Democrats are tying this to the \$3.5 trillion budget

¹ Greene for Congress FEC Form 1, Statement of Organization (05/03/2021), *available at* <https://docquery.fec.gov/cgi-bin/forms/C00708289/1514931/>.

² Save America Stop Socialism PAC FEC Form 1, Statement of Organization (08/18/2021), *available at* <https://docquery.fec.gov/pdf/081/202108189466323081/202108189466323081.pdf#navpanes=0>.

³ Marjorie Taylor Greene Attacks Senate Republicans Who Voted for Infrastructure in New Ad, Aug. 17, 2021, YouTube, <https://www.youtube.com/watch?v=jkgpl-NvB6c>.

⁴ *Id.*

Chairman Mike Barnes
Co-Chairman Paul Vinovich
House of Congressional Ethics
October 21, 2021
Page 2

full of woke identity politics and AOC's pro-China Green New Deal. These America last bills will usher in amnesty for illegals, higher taxes, sky-rocketing inflation, and destroy American energy independence. It's all a lie. The infrastructure bill just isn't infrastructure and the budget passes the Green New Deal. It's time for Republicans to stay united, stand strong, and vote no.⁵

At the end, the advertisement asks the audience, in writing to "Call Congress" and it includes the number for the Capitol switchboard (202-224-3121).

Subsequently, SASS PAC aired an almost identical video advertisement on the One America News Network ("OANN"), which was posted to YouTube on or about September 29, 2021.⁶ The SASS PAC advertisement omits the initial "approved by" message, but is otherwise virtually identical to the Greene for Congress advertisement. It begins with a voiceover disclaimer that states "Save America Stop Socialism PAC is responsible for the content of this advertising" and a written disclaimer that states "Paid for by Save America Stop Socialism PAC. Not authorized by any candidate or candidate's committee. www.saveamericastopsocialism.com."⁷ After the 4-second disclaimer, Rep. Greene appears on screen and makes the same statement that she did in her campaign advertisement. Just like the campaign advertisement, the ad ends with an exhortation for the viewer to "Call Congress" and posts the number for the Capitol switchboard.

Legal Background and Analysis

Federal law and House rules prohibit Members of the House of Representatives from maintaining an "unofficial office account."⁸ Under this rule, Members may not use outside sources of funding to pay for official activities.⁹ The purpose of this rule "was to create a 'wall' between campaign funds and official allowances, with 'campaign funds used only for politically related expenses on one side, and official allowances used only for official purposes on the other.'"¹⁰

⁵ *Id.*

⁶ Rep. Marjorie Taylor Greene Urges Republicans to Vote No on Infrastructure Bill, September 29, 2021, YouTube, <https://www.youtube.com/watch?v=CfWSR8rDaHs>.

⁷ *Id.*

⁸ 2 U.S.C. § 503(d); House R. XXIV, cl. 1(a).

⁹ Committee on Standards of Official Conduct, House Ethics Manual, at 323 (2008 ed.).

¹⁰ *Id.* at 174 (quoting House Comm'n on Admin. Review, Financial Ethics, H. Doc. 95-73, 95th Cong., 1st Sess. 17, 18 (1977)).

In the case of most outside entities, such as a Member’s leadership PAC, this prohibition is absolute. In the case of a Member’s principal campaign committee, the rule permits a Member to use campaign funds to pay for certain officially connected expenses, but it prohibits the use of campaign funds to pay for “official expenses for mail or other communications, compensation for services, office space, office furniture, office equipment, or any associated information technology services.”¹¹ The Committee on Ethics views this prohibition expansively and recently opined:

[A Member] may not use campaign funds to pay for any official communication, regardless of the medium. This prohibition is very broad, and encompasses everything from a relatively straightforward communication, like a letter, to items that you might not think of as a communication, such as a coin with the Member’s name and district on it. The same prohibition applies equally to traditional and social/new media. As an example, the campaign cannot use any method to promote or advertise a Member’s official event. TIP: Because “communication” is interpreted very broadly, if there are words on something paid for by the campaign, it likely may not be used for an official purpose.¹²

Here, Representative Greene has violated these provisions by using both her campaign and her leadership PAC to conduct a grassroots lobbying campaign to oppose legislation she opposes. Both advertisements twice urge her Republican colleagues to vote “no” on an infrastructure bill that Representative Greene opposes. Representative Greene says “[n]ow, [the infrastructure bill] goes to the House where Republicans need to stay united and stop this bill.” She concludes the advertisement by saying “[i]t’s time for Republicans to stay united, stand strong, and vote no.” The advertisement then urges the audience to “Call Congress” about the topic, and provides the audience with the number for the Capitol switchboard.

These activities – attempts to influence the formulation and adoption of legislation – are fundamentally official in nature. Under the U.S. Constitution, “[a]ll legislative Powers herein granted shall be vested in [the] Congress of the United States.”¹³ And as the Committee on Ethics, has stated, voting on legislation “go[es] to the very heart of a Member’s official

¹¹ House R. XXIV, cl. 1(b)(2).

¹² Committee on Ethics, *Pink Sheet: Campaign Activity Guidance* (June 7, 2018), available at https://ethics.house.gov/sites/ethics.house.gov/files/FINAL%202018%20Campaign%20Activity%20Pink%20Sheet_0.pdf.

¹³ U.S. Const. art. I, § 1.

Chairman Mike Barnes
Co-Chairman Paul Vinovich
House of Congressional Ethics
October 21, 2021
Page 4

responsibilities.”¹⁴ Here, Representative Greene is using her campaign committee and her leadership PAC to try to defeat legislation that she opposes, by both calling on her colleagues to oppose it and by calling on the public to put pressure on Congress toward the same end. This effort is official in nature and, therefore, violates federal law and House Rule XXIV. Accordingly, we respectfully request that the Office of Congressional Ethics initiate an investigation into Representative Greene’s violations of these provisions.

Sincerely,

Tiffany Muller
President and Executive Director
End Citizens United

¹⁴ House Ethics Manual at 233.

Submission Affirmation

I, Tiffany Muller, affirm that to the best of my knowledge and ability all evidence submitted was not obtained in violation of any law, rule, or regulation.

I acknowledge that that Section 1001 of title 18 of the United States Code (popularly known as the False Statements Act) applies to the information provided.

Date: Oct 20, 2021

Signature:



Tiffany Muller