

January 4, 2023

We the undersigned write to urge members of the 118th Congress to revise language in the proposed House Rules package that will weaken the U.S. Office of Congressional Ethics (OCE) to the point that it will not be able to perform its essential core function: providing oversight and accountability in Congress.

OCE provides independent, nonpartisan oversight and accountability, which increases the public's trust in the U.S. House of Representatives and its members. OCE is Congress' only independent investigative body, and therefore one of the only safeguards against corruption in the House of Representatives. It is essential to protect and preserve the efficient functioning of OCE.

The proposed rules package severely curtails the ability of OCE to do the job it exists to do. First, Sec. 4(d)(6) of the proposed rule forces three of the four Democrats who currently sit on the eight-member board to vacate their positions immediately because they would be serving beyond the newly imposed eight-year term limit. Filling these vacancies cannot be done quickly and leaving these posts empty would hamstring OCE's ability to efficiently conduct investigations and publish reports.

Second, Sec. 4(d)(7) would require OCE to hire its staff for the 118th Congress within 30 days of the adoption of the rule. This provision essentially limits any hiring for the office, including investigative staffers, to an impossibly brief period that would make it difficult to rigorously assess candidates for these high-stakes jobs. Additionally, the 30-day hiring period applies to the entire 118th Congress, meaning that regardless of when a vacancy at the OCE occurs under this rule, the position cannot be filled.

Together these changes weaken OCE to the point where the office would struggle to perform its core function, dismantling one of the only ways members of Congress are held accountable for ethics violations. Past attempts to gut OCE have not only been detrimental to the public's trust in Congress, but those moves have also been politically damaging and met with widespread public backlash. There is no reason to think this time will be any different.

We strongly urge this Congress to reverse course and remove Sec. 4(d)(6) and Sec. 4(d)(7) from the House rules proposal so that the Office of Congressional Ethics maintains its full strength.

In addition to making these essential changes, we ask the House to take this opportunity to strengthen OCE by giving OCE the ability to issue subpoenas to 3rd parties; allowing OCE to publish a written report about a non-cooperative member as soon as it refers the investigation to the House Committee on Ethics; and requiring the Speaker to nominate OCE board members through concurrence with the minority leader, not consultation.

Sincerely,

Campaign Legal Center  
American Federation of Teachers  
Blue Wave Postcard Movement

Business for America  
Campaign for Accountability  
Cause Communications  
Citizens for Responsibility and Ethics in Washington (CREW)  
Common Cause  
Demand Progress  
DemCast USA  
Democracy 21  
End Citizens United / Let America Vote Action Fund  
Fix Democracy First  
Government Information Watch  
Indivisible  
Indivisible Santa Fe  
Issue One  
Pride At Work  
Protect Democracy  
Public Citizen  
Revolving Door Project  
Senior Executives Association (SEA)  
The Digital Democracy Project  
Professor James A. Thurber  
20/20 Vision DC