



February 3, 2021

Chairman Theodore E. Deutch
Ranking Member Jackie Walorski
U.S. House of Representatives Committee on Ethics
1015 Longworth House Office Building
Washington, D.C. 20515

Sent via email (EthicsCommittee@mail.house.gov)

Dear Chairman Deutch and Ranking Member Walorski:

Campaign Legal Center (“CLC”) calls on the U.S. House of Representatives Committee on Ethics (“Committee”) to immediately address threats from congressional staff to condition official actions and access to elected officials on campaign contributions. These threats follow widespread promises by donors to cease political contributions in the aftermath of the attack on the Capitol.¹ CLC condemns granting special access or favors for wealthy special interests based on the size of their political donations. We also do not condone lawmakers promoting a pay-to-play culture by legislatively retaliating against those who do not contribute.

Over 70 companies² announced that they will suspend all or some of their PAC contributions because of their disapproval of the lawmakers who challenged the election results and fueled the riot at the Capitol on January 6. Reporting subsequently emerged alleging that congressional staffers for Republican and Democratic lawmakers “say they may be less willing to help undermine [legislation harmful to the companies] by speaking out against them in public, offering amendments to water them down in committee or

¹ Alyce McFadden, *A look at the companies freezing PAC contributions after Capitol riot*, POLITICO (Jan. 12, 2021), <https://www.opensecrets.org/news/2021/01/corporate-pac-contributions-paused-to-josh-hawley-and-others/>; List of Corporate PACs Suspending Contributions, https://docs.google.com/spreadsheets/d/1cmDhMtZd3h2UIBmc_7p91-TxpDhgZbAAW-5ACkuMMd4/edit#gid=0 (attached as Exhibit A).

² See *id.*

lending their support to competing proposals.”³ In addition, “[a]ides to some Republicans lawmakers say they are considering punishing the companies that halted PAC donations by banning their lobbyists from coming to their offices to advocate on legislation.”⁴

The House Ethics Manual clearly advises that “Members and staff are not to take or withhold any official action on the basis of the campaign contributions or support of the involved individuals . . . Members and staff are likewise prohibited from threatening punitive action on the basis of such considerations.”⁵ The Committee “has long advised Members and staff that they should always exercise caution to avoid even the appearance that solicitations of campaign contributions are connected in any way with an action taken or to be taken in their official capacity.”⁶ These congressional staffers are running afoul of House rules and ethics standards, and their actions implicate bribery, illegal gratuities, and other criminal laws.

The Committee is often criticized for not investigating or disciplining lawmakers for ethics violations, but it routinely issues public advisories to lawmakers to prevent foreseeable ethics violations. If the Committee fails to at the very least issue a statement reiterating that this conduct is prohibited and potentially illegal, it sets a tone in the beginning of a new Congress that fundamental ethics principles are not enforced and thereby meaningless. To avoid this result, CLC respectfully urges the Committee to uphold the ethics rules and fend off attacks on the integrity of the institution.

Sincerely,

_____/s/_____
Kedric L. Payne
General Counsel and Senior Director,
Ethics

_____/s/_____
Delaney N. Marsco
Senior Legal Counsel, Ethics

³ Brody Mullins, Emily Glazer & Chad Day, Pause in Corporate PAC Spending Triggers Political Pushback, Wall St. J (Feb. 1, 2021), <https://www.wsj.com/articles/pause-in-corporate-pac-spending-triggers-political-pushback-11612175400>.

⁴ *Id.*

⁵ COMM. ON STANDARDS OF OFFICIAL CONDUCT, 110TH CONG., HOUSE ETHICS MANUAL 150 (2008), available at https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf.

⁶ *Id.* at 147.

EXHIBIT A

Statement by category	Business name	Time frame	Source
	Facebook	Remainder of 1st quarter	https://popular.info/p/three-major-corporations-sa
	Citigroup	Remainder of 1st quarter	https://www.cnbc.com/2021/01/10/capitol-riot-jpn
	Goldman Sachs	Pending review	https://www.nytimes.com/2021/01/11/business/b
	JP Morgan Chase	Next 6 months	https://www.cnn.com/2021/01/10/business/citigr
	Microsoft	Remainder of 1st quarter pend	https://popular.info/p/three-major-corporations-sa
	Deloitte	Pending review	https://popular.info/p/three-major-corporations-sa
	Visa	Pending review	https://popular.info/p/three-major-corporations-sa
	American Airlines	3 months	https://popular.info/p/three-major-corporations-sa
	Archer-Daniels-Midland (ADM)	Pending review	https://www.bloomberg.com/news/articles/2021-0
	American Fuel and Petrochemical Manufacturers	Indefinite	https://www.eenews.net/stories/1063722287
	British Petroleum	6 months	https://twitter.com/bp_America/status/134872863
	Alphabet Inc. (Google)	Pending review	https://www.politico.com/news/2021/01/11/faceb
	Leidos	Indefinite	https://www.defensenews.com/smr/transition/202
	Union Pacific		https://www.reuters.com/article/usa-election-com
	Freeport McMorRan	Pending review	https://www.bloomberg.com/news/articles/2021-0
	United Parcel Services (UPS)	Indefinite	https://www.bloomberg.com/news/articles/2021-0
	Hilton	Indefinite	https://www.bloomberg.com/news/articles/2021-0
	American Investment Council	Indefinite	https://www.bloomberg.com/news/articles/2021-0
	US Bank	Indefinite	https://www.startribune.com/best-buy-suspends-
	Loan Syndications and Trading Association	Pending review	https://www.bloomberg.com/news/articles/2021-0
	MLB	Pending review	https://apnews.com/article/election-2020-joe-bide
	Safeway	Indefinite	https://twitter.com/JuddLegum/status/135020567
	Altria	Indefinite	https://popular.info/p/three-major-corporations-sa
	Clorox	Pending review	https://twitter.com/JuddLegum/status/135018290
	FirstEnergy	Indefinite	https://www.bloomberg.com/news/articles/2021-0
	McDonalds	Pending review	https://popular.info/p/three-major-corporations-sa
	Marathon Petroleum	Indefinite	https://www.eenews.net/stories/1063722287
	3M	Remainder of 1st quarter pend	https://www.startribune.com/best-buy-suspends-
	Smithfield Foods	Indefinite	https://finance.yahoo.com/news/smithfield-foods-
	Ernst and Young	Pending review	https://popular.info/p/three-major-corporations-sa
	Duke Energy	30 days	https://www.bloomberg.com/news/articles/2021-0
	Boeing	Pending review	https://popular.info/p/three-major-corporations-sa
	Capital One	Pending review	https://popular.info/p/three-major-corporations-sa

Donations suspended to everyone	Edison	Indefinite	https://www.bloomberg.com/news/articles/2021-01-12-health-grumman-suspends-donations
	Northrop Grumman	Pending review	https://www.defensenews.com/smr/transition/2021/01/12/health-grumman-suspends-donations
	Amgen		https://www.statnews.com/2021/01/12/health-grumman-suspends-donations
	Gilead Sciences	Indefinite	https://www.statnews.com/2021/01/12/health-grumman-suspends-donations
	International Council of Shopping Centers	3 months	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	BlackRock	Pending review	https://www.axios.com/business-donations-capitol-covid-19-2021-01-12
	Novo Nordisk		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Tyson Foods		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Liberty Mutual		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Aflac		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Occidental Petroleum		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Lockheed Martin		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Spirit Aerosystems		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Baker & Hostetler		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Edward Jones		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Squire Patton Boggs		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Accenture		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Boston Scientific	Pending review	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
	Marriott International	Indefinite	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/
American Express	Eternity	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/	
Morgan Stanley		https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/	
Blue Cross Blue Shield	Indefinite	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/	
Dow Chemical	For the duration of members' service	https://www.eenews.net/stories/1063722287	
Comcast	Indefinite	https://www.axios.com/business-donations-capitol-covid-19-2021-01-12	
Mastercard	Indefinite	https://www.eenews.net/stories/1063722287	
Dell	Indefinite	https://twitter.com/JuddLegum/status/1349000164	
Amazon		https://www.wsj.com/articles/more-blue-chip-companies-suspend-donations-to-the-american-red-cross-2021-01-12	
Intel		https://www.bloomberg.com/news/articles/2021-01-12-health-grumman-suspends-donations	
AT&T	Indefinite	https://twitter.com/JuddLegum/status/1348742314	
BestBuy	Indefinite	https://www.startribune.com/best-buy-suspends-donations-to-the-american-red-cross-2021-01-12/	
PhRMA	Indefinite	https://www.statnews.com/2021/01/12/health-grumman-suspends-donations	
S&P	Indefinite	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/	
Verizon	Through 2021	https://popular.info/p/three-major-corporations-suspend-donations-to-the-american-red-cross/	
Nike		https://twitter.com/AnaCabrera/status/1349420364	

Donations suspended to 147 Republicans who voted against certification	General Electric	Indefinite	https://www.wsj.com/articles/more-blue-chip-com
	Walmart	Indefinite	https://popular.info/p/three-major-corporations-sa
	Cisco Systems	Eternity	https://www.bloomberg.com/news/articles/2021-0
	Holland & Hart	Indefinite	https://popular.info/p/three-major-corporations-sa
	Air Bnb	Indefinite	https://news.airbnb.com/an-update-on-airbnb-pa
	Commerce Bancshares	Indefinite	https://popular.info/p/three-major-corporations-sa
Future donations will take recent events into account	Berkshire Hathaway		https://popular.info/p/three-major-corporations-sa
	Ford		https://popular.info/p/three-major-corporations-sa
	Coca-Cola		https://www.nytimes.com/live/2021/01/11/us/joe-
	T-Mobile / Sprint	Pending review	https://popular.info/p/three-major-corporations-sa
	Cigna		https://www.statnews.com/2021/01/12/health-grc
	Akin, Gump et al.		https://www.politico.com/newsletters/politico-influ
Actively reviewing political contribution policies (not suspending, no intimation that future sanctions won't be pursued)	Bank of America		https://popular.info/p/three-major-corporations-sa
	Exxon Mobil		https://popular.info/p/three-major-corporations-sa
	Wells Fargo		https://popular.info/p/three-major-corporations-sa
	FedEx		https://popular.info/p/three-major-corporations-sa
	Manged Funds Association		https://www.bloomberg.com/news/articles/2021-0
	America's Health Insurance Plans	Indefinite	https://www.statnews.com/2021/01/12/health-grc
	American Hospital Association	Indefinite	https://www.statnews.com/2021/01/12/health-grc
	Target	Ongoing basis	https://popular.info/p/three-major-corporations-sa
	American Bankers Association		https://www.aba.com/about-us/press-room/press
	National Beer Wholesalers Association		https://www.ft.com/content/b4b3eaf5-1618-41bd-
	Procter & Gamble		https://popular.info/p/three-major-corporations-sa
	Truist		https://popular.info/p/three-major-corporations-sa
	Southern Company	Indefinite	https://popular.info/p/three-major-corporations-sa
	Lowe's		https://popular.info/p/three-major-corporations-sa
	Delta		https://popular.info/p/three-major-corporations-sa
	Toyota		https://popular.info/p/three-major-corporations-sa
	Home Depot		https://popular.info/p/three-major-corporations-sa
National Associations of Auto Dealers		https://www.ft.com/content/b4b3eaf5-1618-41bd-	
Cox Enterprises		https://popular.info/p/three-major-corporations-sa	
CVS Health		https://popular.info/p/three-major-corporations-sa	
Demanding money back	Hallmark	Ongoing basis	https://twitter.com/JuddLegum/status/134868200
Dissolving PAC	Charles Schwab	Permanent	https://twitter.