

August 4, 2020

Omar Ashmawy
Chief Counsel and Staff Director
Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, D.C. 20515-0895

Re: Request for Investigation of Representative Douglas Collins (R-GA)

Dear Mr. Ashmawy:

I respectfully request that the Office of Congressional Ethics (“OCE”) investigate Representative Douglas Collins’s misuse of coverage of U.S. House of Representatives proceedings for partisan political purposes in blatant disregard of the House Ethics Rules and Code of Official Conduct.

Factual Background

Representative Collins represents Georgia’s Ninth Congressional District.¹ He is currently running in the special election for United States Senate in Georgia in 2020.² His principal campaign committee is Collins for Senate, Inc (“Collins for Senate”).³ Representative Collins hosts a YouTube page that posts videos that advocate Representative Collins’s election to U.S. Senate.⁴

On June 26, 2020, Representative Collins posted a Collins for Senate campaign advertisement entitled “Trump Defender” to his YouTube channel page.⁵ This advertisement uses Fox News footage from House proceedings such as the House speeches⁶ and public hearings⁷ from the impeachment proceedings against President Donald Trump. The footage of Representative Collins speaking on the House floor is taken from his closing statement on the House floor on December 18, 2019 ahead of the impeachment vote.⁸ On July 28, 2020, the campaign used a clip from the

¹ United States Representative Doug Collins, <https://dougcollins.house.gov/meet-doug>

² FEC, Statement of Candidacy (filed January 30, 2020), <https://docquery.fec.gov/cgi-bin/forms/S0GA00567/1375664/>.

³ *Id.*

⁴ See Doug Collins, YouTube, <https://www.youtube.com/channel/UCSdKpKukfg7KvkahRzxfSJA> (last visited June 30, 2020).

⁵ See “Trump Defender | Doug Collins for Senate,” YouTube, (June 26, 2020) https://www.youtube.com/watch?v=uhrP5CkC_Lo.

⁶ See *id.* at 0:00, 0:26, 0:35.

⁷ See *id.* at 0:18.

⁸ PBS NewsHour, “WATCH: Rep. Collins’ full closing statement ahead of House impeachment vote | Trump impeachment,” YouTube, (Dec. 18, 2019) <https://www.youtube.com/watch?v=hD-3Ahgi8k>.

same footage in a new television advertisement that is currently airing statewide on Fox News in Georgia.⁹

Legal Analysis

The Rules of the House of Representatives prohibit the use of coverage of House proceedings “for any partisan political campaign purpose.”¹⁰ According to the House Ethics Manual, “any coverage of House committee proceedings may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for public office.”¹¹ This rule enables House proceedings to be open to the public while also upholding standards of “dignity, propriety, and decorum” necessary to the House of Representatives.¹² In short, prohibiting the use of floor footage for partisan political purposes helps ensure that Members do not use official proceedings to generate campaign content and instead remain focused on protecting the interests of the American people.

By using coverage of House proceedings for partisan campaign purposes, Representative Collins violated the Rules of the House of Representatives and failed to meet his ethical obligations to maintain the dignity and decorum of the House. As noted above, in a campaign video posted on his YouTube page on June 26, 2020, Representative Collins used coverage of himself delivering a closing statement on the House floor on December 18, 2019 prior to the House impeachment vote. He continues to use the same footage now on a television advertisement airing statewide. The recent advertisement demonstrates a continued and escalating violation of Representative Collins’ ethical obligations. Because Representative Collins may not use footage of House proceedings for campaign purposes, the use of this footage in a campaign video is a blatant violation of House Rules. Representative Collins’s use of House proceedings and official House resources for the benefit of his political campaign not only violates his fundamental duty as a Member of the House of Representatives to uphold the letter and spirit of the House Rules, but also violates his duty to “behave at all times in a manner that shall reflect creditably on the House.”¹³

This conduct is all the more problematic in the context of an impeachment vote. The United States Constitution vests sole power of impeachment with the U.S. House of Representatives.¹⁴ The gravity of this power cannot be overstated - our nation’s founding document entrusts the Members of the House with the power to begin the process of removing the President of the United States from office. Representative Collins’s use of floor footage of his role in the impeachment proceedings for political purposes undermines public confidence in the House of Representatives as an institution. Did Representative Collins’s craft his speech with the intent to use it for political purposes or was he speaking in the best interests of his constituents? Due to his improper actions, it is impossible to know. This is the exact kind of conduct the ethics rules are designed to prevent.

⁹ See Playbook, Politico, (July 28, 2020); advertisement available at: <https://vimeo.com/user18775385/review/441809398/c7f16a7ffc> (0:07).

¹⁰ Rules of the House of Representatives, 116th Congress, Rule 5, clause 2(c); Rule 11, clause 4(b).

¹¹ H. Comm. on Standards of Official Conduct, House Ethics Manual 128 (2008).

¹² Rules of the House of Representatives, Rule 11, clause 4(a).

¹³ See *id.* Rule 23, cl. 1.

¹⁴ U.S. Const. art. I, § 2, cl. 5.

I therefore urge OCE to commence an immediate investigation into Representative Collins's conduct. I understand that 18 U.S.C. § 1001 applies to the information I am providing. To the best of my knowledge and ability all evidence submitted was not obtained in violation of any law, rule or regulation.

Sincerely,

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