

CONGRESS

'Nothing but a pattern': Ethics advocates alarmed by delay for House watchdog

Independent Office of Congressional Conduct is waiting on action from House leaders



A line of storms moves over the Capitol earlier this year. Advocacy groups are crying foul over a delay in reconstituting the House's independent ethics office. (Bill Clark/CQ Roll Call)

By Justin Papp

Posted April 14, 2025 at 3:23pm

More than three months into the 119th Congress, House leaders have not yet appointed board members of the Office of Congressional Conduct, hamstringing the ethics office and its mission.

Failure to appoint the board of the OCC — an independent, nonpartisan office that reviews allegations of misconduct against House lawmakers and staff — is alarming on its own, according to some transparency advocates. But they also see a larger trend during the second administration of Donald Trump, as other ethics and accountability bodies come under fire.

“It shows this tone that’s been set in the executive branch that officials don’t have to prioritize ethics. You see that across all three branches,” said Kedric Payne, vice president and general counsel at Campaign Legal Center and a former employee of the OCC (which was known as the Office of Congressional Ethics until lawmakers renamed it in January).

“We’re very concerned,” said Lisa Gilbert, co-president of Public Citizen, a nonprofit consumer advocacy group. “It can be seen as nothing but a pattern, and one that has real ramifications for corruption and abuse and fraud.”

Since Trump took office on Jan. 20, he has targeted many of the independent watchdogs meant to hold the federal government accountable. He quickly fired more than a dozen inspectors general, several of whom sued the administration. He ousted the heads of the Office of Government Ethics and the Office of Special Counsel. And his administration has removed officials tasked with handling Freedom of Information Act requests, an important tool for the public and the media to compel the release of documents.

In a letter sent to House members on Monday, advocates said the delay has effectively closed the OCC, and they called on leaders to act.

“When elected officials are credibly accused of unethical, corrupt, or illegal acts, the public has the right to know that such allegations will be investigated,” the letter reads.

‘It seems to be deliberate’

The ethics watchdog was formed in 2008 (as the OCE) after pressure from outside advocacy groups and in the wake of congressional scandals. Then-Speaker Nancy Pelosi and Minority Leader John A. Boehner convened a special task force, whose Democratic members urged the House to create an independent body to supplement its standing Ethics Committee and ensure that lawmakers aren’t left fully alone to investigate themselves. Such a change, argued the task force’s chair, would break up the “old boy network.”

This isn’t the first time the office has been on uncertain ground. House Republicans tried to undercut it in 2017, prompting outcry and a bemused tweet from President-elect Trump himself. And in the 118th Congress, they imposed a quick turnaround for hiring staff and reinstated term limits for board members, dislodging longtime Democratic appointees in the process. That led advocates to worry the office could stall out.

Those fears were relieved when House leaders speedily filled the vacancies. But now observers say the current lapse is the longest the office has gone without a board.

“Certainly in the past with the Office of Congressional Ethics, they had a board fully constituted by February or at the latest mid-March, so this is really an unprecedented delay,” said Aaron Scherb, senior director of legislative affairs at Common Cause. “It seems to be deliberate on the part of House Republicans and Speaker Johnson.”

“I don’t think it’s slipped anybody’s mind. I don’t know what else is in the way of the speaker making his appointments,” said David Skaggs, a former Democratic member of the House who served on the office’s board from its inception until 2021. “The Republican Conference in the House has been, over the years from time to time, reluctant to see OCE do its thing.”

NBC News first reported the delay in March. The OCC board typically consists of six members and at least two alternates and is reconstituted anew at the beginning of each Congress. Three of those members are appointed by the speaker and three are appointed by the minority leader, each in consultation with the other.

Speaker Mike Johnson, R-La., through a spokesperson, did not respond to a request for comment. Minority Leader Hakeem Jeffries, D-N.Y., declined to comment, but according to a source familiar with the situation, he has submitted his board nominations to the speaker's office.

Limited scope of power

In the meantime, the office can do little other than receive complaints, Payne said. It cannot initiate any investigations without a board. And in a sign of inaction, it has yet to release its report for the fourth quarter of 2024. The last release from the office came on Jan. 2, just before the end of the 118th Congress.

Even when the OCC is fully up and running, its scope of power is limited. It doesn't have subpoena power, and instead of reaching final conclusions about potential wrongdoing, it can refer what it finds to the House Ethics Committee for further review.

Still, the office is unpopular on both sides of the aisle because of the watchdog role it plays, Payne said.

In 2023, members of the board and the office's longtime staff director, Omar Ashmawy, were called before a House subcommittee, where Republican members accused the office of being superfluous, overly partisan and lacking in transparency.

"The Senate does not have a corresponding entity," said Rep. Barry Loudermilk, R-Ga., who chaired the now-defunct House Administration Oversight Subcommittee. "This calls into

question, if the Senate doesn't need a similar entity, what value does OCE add to transparency and accountability that the House Ethics Committee doesn't already provide?"

Members from both parties also expressed concern over two incidents involving Ashmawy: a 2022 charge for driving under the influence and a 2015 altercation at a bar in Pennsylvania. Ashmawy was not criminally charged in the 2015 incident but admitted to lawmakers that he may have improperly contacted investigators in the aftermath.

"Yes, I used my work email to communicate with law enforcement and other individuals involved in the investigation," Ashmawy said during the hearing. "At the time, I believed that I was within the bounds of House Ethics rules. I realize now that I may not have been."

Ashmawy, through an OCC spokesperson, declined to comment for this article.

Another layer of transparency

Advocates argue that the office helps House members hold themselves to a higher standard than they could manage on their own. Since many of its referral reports become public, it provides another layer of transparency, they say. Pushing back on accusations of partisanship, then-board member Michael Barnes told the subcommittee in 2023 that the office had an evenly divided track record over the years, referring allegations involving 52 Republicans and 52 Democrats to House Ethics.

Payne, Scherb and Gilbert agreed that without a functioning OCC, potential wrongdoing could fly under the radar. The House Ethics Committee typically goes after high-profile, hard-to-ignore cases, like the allegations of sexual misconduct and illicit drug use by former Rep. Matt Gaetz, R-Fla., or the various allegations of fraud by former Rep. George Santos, R-N.Y.

"With an OCC that cannot yet operate, we worry that will further allow the House Ethics Committee to look the other way on ethical scandals," Scherb said.

And in the absence of answers from House leadership, some are assuming the worst.

“I’ve been watching it, hoping that it was simply a slow process. But now it looks like there’s no process,” Payne said. “It looks like the House leadership is trying to shut down the office.”

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About

The Office of Congressional Conduct (OCC), formerly known as the Office of Congressional Ethics (OCE), is an independent, non-partisan entity charged with reviewing allegations of misconduct against Members, officers, and staff of the United States House of Representatives and, when appropriate, referring matters to the House Committee on Ethics. In all but one set of circumstances, the report and findings of the OCC Board must be publicly released.



In **H. Res. 5** of the 119th Congress, the OCE was renamed to the Office of Congressional Conduct (OCC). All references to the OCE should be construed as references to the OCC while updates are pending.

The OCC has a **professional staff** consisting primarily of attorneys and other professionals with expertise in ethics law and investigations. The mission of the OCC and its Board is to assist the House in upholding high standards of ethical conduct for its Members, officers, and staff and, in so doing, to serve the American people. Governed by an eight-person **Board of Directors**, Members of the OCC Board are private citizens and cannot serve as members of Congress or work for the federal government.

History Of The OCC



The Office of Congressional Ethics, later renamed to the Office of Congressional Conduct, was established March 11, 2008, by House Resolution 895. It was to be the first ever independent body overseeing the ethics of the House of Representatives. The OCC was formed after members of a congressional task force proposed an independent entity in the U.S. House to increase accountability and transparency. The OCC's mission is to assist the U.S. House in

upholding high ethical standards with an eye toward increasing transparency and providing information to the public.

The OCC reviews allegations of misconduct against House Members, officers, and staff and, when appropriate, refers investigations to the House Ethics Committee for further review. While our two-stage investigative process is confidential, in almost all circumstances, OCC cases sent to the Ethics Committee must become public.

Since the OCC was created, its authorizing resolution has been renewed each Congress. The OCC has reviewed a wide variety of allegations relating to earmarks, travel, financial disclosure, and legal expense funds among other topics.

On January 3, 2025, by **H. Res. 5** of the 119th Congress, the OCE was renamed to the Office of Congressional Conduct.

The OCC **publishes a summary** of the Board's actions on a quarterly basis. The reports and findings of the Board are made public according to the OCC's authorizing resolution. These referrals are available at the **reports page**. The OCC's investigations are done in two phases. Our **Citizen's Guide** shows how the OCC fits into the structure of government ethics enforcement. Visit our **FAQs** for more details on how the OCC operates.

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CONGRESS

After delay, Johnson appoints ethics watchdog board members

Office of Congressional Conduct had been unable to function so far this year without the picks



Speaker Mike Johnson, seen here in April, was slow to appoint members to the Office of Congressional Conduct, compared to previous House leaders. (Tom Williams/CQ Roll Call)

By Justin Papp

Posted May 13, 2025 at 5:26pm, Updated at 8:06pm

Speaker Mike Johnson on Tuesday named his appointees to a nonpartisan, independent congressional ethics and oversight board, ending an unprecedented delay in getting the office up and running.

The Office of Congressional Conduct had gone the first four months of the 119th Congress without an appointed board, rendering it unable to initiate investigations of member misconduct, a function core to its mission. But with the picks, which were read on the House floor Tuesday afternoon, the office can get back to work.

“The OCC is now able to resume its vital operation of ensuring lawmakers abide by ethics rules, which is essential to our democracy,” Kedric Payne, vice president and general counsel at Campaign Legal Center and a former OCC employee, said in a statement.

The ethics watchdog was formed in 2008 and has at times been the target of political attacks.

The OCC board typically consists of six members and at least two alternates and is reconstituted anew at the beginning of each Congress. Half of those members are chosen by the speaker and half are chosen by the minority leader, each in consultation with the other.

As of April, Minority Leader Hakeem Jeffries, D-N.Y., had already submitted his board nominations to the speaker’s office, according to a person familiar with the situation, leaving the ball in Johnson’s court.

House Republicans tried to undercut the office in 2017, and in 2023 they imposed a quick turnaround for hiring staff and reinstated term limits for board members, dislodging longtime Democratic appointees in the process. That led advocates to worry the office could stall out. Those fears did not come to fruition.

But at the start of the 119th Congress, advocates wondered whether the delay was merely an oversight or part of an assault on the office.

“This delay, which is now entering its fourth month of the 119th Congress, not only undermines the integrity of this body but threatens to erode the trust that the American people place in our capacity to hold ourselves accountable,” a group of lawmakers led by New Hampshire Democratic Rep. Chris Pappas wrote to Johnson in early May, calling on him to appoint the board.

Johnson, through a spokesperson, has declined to comment on the delay, and on Tuesday did not respond to a request for comment on the formation of the board.

The OCC board will consist of two Johnson nominees, Karen L. Haas, who will chair the board, and Lynn Westmoreland. Jeffries, meanwhile, nominated William P. Luther, who will serve as co-chair, and Lorraine C. Miller. All are returning members of the board.

With just four names and no alternates, the board is not fully stocked, but it can meet a quorum to conduct its work.

Previously known as the Office of Congressional Ethics, the office has a limited scope. It doesn’t have subpoena power, and instead of reaching final conclusions about potential wrongdoing by members of Congress and staff, it can refer what it finds to the House Ethics Committee for further review.

“It’s about time,” Pappas said of Tuesday’s appointments. “I think people have an expectation about how Congress should comport itself and it includes that we’re serving the public and not ourselves. So making sure that this board is in place, that it’s functional, is critically important.”

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Complaints Languished as Johnson's Delays Hobbled House Watchdog

May 30, 2025 in News



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In the first three months of this year, the independent watchdog that investigates members of the House of Representatives received more than 4,000 messages from the public, some accusing lawmakers of serious misconduct.

Not a single one was examined, because Speaker Mike Johnson had yet to constitute the office charged with doing so.

Under House rules, the Office of Congressional Conduct cannot start inquiries, hire staff members or take formal action on public complaints without a board named by the speaker. Mr. Johnson did not do so until this month, the longest delay since the office was created in 2008. And even now, he has yet to install a full complement of board members, hobbling its ability to act.

Mr. Johnson has not explained why he waited until May 13 to empower investigators to begin their work, and his office has not responded to questions about it. But the delay has mired the lone in-house independent overseer of congressional conduct in quicksand at a time when the Trump administration has been [conducting a full-scale assault on independent watchdogs](#) within the federal government.

Just days after Mr. Trump was inaugurated, the White House fired 17 inspectors general, the independent officials who investigate abuse and misconduct inside federal agencies. The F.B.I. and the Justice Department have both dismantled or downsized groups that investigate public corruption and fraud. And Mr. Trump dismissed the leaders of two independent agencies charged with good-government oversight — the Office of Government Ethics and the Office of Special Counsel — and placed them under the control of cabinet members in unrelated posts.

“The Trump administration has ushered in a whole new era in which ethics does not matter whatsoever,” said Craig Holman, a government ethics and campaign finance expert with the watchdog group Public Citizen.

Mr. Johnson’s recent move has effectively made the Office of Congressional Conduct one of the few government-funded watchdogs to be given the green light — albeit belatedly and in a weakened capacity — to operate at a time when others are under siege.

With their party in full control of the federal government, Republicans in Congress have shown little interest in flexing their investigatory muscles on the Trump administration. Instead they have [preemptively ceded their oversight and spending powers](#) to a president eager to blow past any check or balance.

Good-government groups and a number of Democrats had been urging Mr. Johnson for months to appoint a board for the Office of Congressional Conduct to show that lawmakers still had some appetite for oversight of themselves.

Still, Mr. Johnson has left the office operating at only partial strength. He named just four members to a board meant to have six, meaning that there must be unanimous agreement for the office to formally conclude its reports. And the backlog of complaints that accumulated

while the speaker left the board vacant may delay its small staff from carrying out timely investigations.

Mr. Johnson's tarrying also underscored the reliance of the watchdog agency, originally created as the Office of Congressional Ethics, on the chamber that it is supposed to be policing. The office cannot operate without the speaker's say-so. And it has no punitive power; it can only refer issues to House members for further action.

Representative Chris Pappas of New Hampshire, who led a group of Democrats in a letter this month urging Mr. Johnson to appoint a board, said that he welcomed the speaker's move to finally do so. But he said Mr. Johnson's stalling proved that the office needed further independence.

"We shouldn't be doing this on an annual, biennial basis," Mr. Pappas said in an interview. "We really should codify this permanently. We've sought to do that through legislation, and we're going to continue to push that idea."

The watchdog office was originally set up in 2008 in the aftermath of corruption and bribery scandals that ultimately sent three members of Congress to jail. At the time, the House faced criticism that members were too slow or reluctant to investigate their peers, offering little deterrent against misconduct. That perception has lingered; the secretive House Ethics Committee rarely takes aggressive action against one of its own.

This year, that committee, which is evenly split between Republicans and Democrats, was not officially constituted until March. And it began the year facing heightened scrutiny after it [released a bombshell report](#) in December that found that former Representative Matt Gaetz, the Florida Republican who was Mr. Trump's first pick for attorney general, had regularly paid women for sex, had sex with an underage girl and used illegal drugs.

[Mr. Johnson initially sought to block the release of the report](#), arguing that Mr. Gaetz's resignation put him beyond the committee's jurisdiction. The panel ultimately made it public just before Christmas, weeks after Mr. Gaetz had withdrawn from consideration to lead the Justice Department.

Kedric Payne, a vice president at the Campaign Legal Center who previously was a deputy chief counsel for the Office of Congressional Ethics, said the case further exposed the need for an independent body to investigate members of Congress.

Though the Ethics Committee began investigating Mr. Gaetz in 2021, it was never under any obligation to conclude or publish its findings. The Office of Congressional Conduct is a nonpartisan body that is required to complete its inquiries in no more than 89 days.

And Mr. Payne said that the dispute over the Gaetz investigation underscored how lawmakers on the Ethics Committee could be subject to political pressure.

“Because the Committee on Ethics is bipartisan and made up of sitting members, they end up being paralyzed by political pressure,” Mr. Payne said.

Under rules that have been in place since the watchdog office was established, the Office of Congressional Conduct cannot properly operate without at least four members of a six-person board, half of which is chosen by the speaker and half by the minority leader. Sitting lawmakers, lobbyists and federal employees are barred from serving on the board, which is often made up of former officials or members of Congress who serve in a part-time capacity. The board members named this month include two former House clerks and two retired lawmakers, one Republican and one Democrat.

Representative Hakeem Jeffries, the Democratic leader, provided the names of his nominees to Mr. Johnson months ago, according to two people familiar with the matter who said they were not authorized to discuss it publicly.

Under the office’s rules, staff members can start an initial investigation only when one board member appointed by the speaker and another by the minority leader agree. A deeper review requires a meeting of at least four board members.

The office, which has no equivalent counterpart in the Senate, can investigate accusations of misconduct made by people outside Congress or detailed in news reports. It has no subpoena power, but its staff conducts interviews and collects documents, then issues detailed reports that describe any possible violation of ethics rules or laws.

Four members of the board must agree whether to recommend that the Ethics Committee further investigate a case or dismiss it. If the office suggests a review, the ethics panel is generally required to publicly release the office’s report, even if lawmakers decide not to take any action themselves.

House members from both parties have criticized the independent office over the years, particularly when they are in its sights. In early years, representatives often argued that the board duplicated the Ethics Committee’s work and was overzealous.

The office has also more recently faced accusations of partisan bias, though board members testified at a hearing in 2023 that its cases had been almost equally divided between Democrats and Republicans.

And though both parties have grumbled publicly and privately about the office, Republicans have more recently sought to diminish it.

In early 2017, House Republicans moved to [effectively kill the office](#) by putting it under the control of the Ethics Committee and taking away its ability to accept anonymous complaints. Mr. Trump, then weeks away from the start of his first term, publicly questioned the move, and Republicans reversed course.

More recently, Republicans in 2023 pushed rules through the House that weakened the office by allowing the Ethics Committee to begin accepting complaints from the public, bypassing the independent office. And they created a new rule requiring the office to hire staff members within the first 30 days of Congress, a deadline that ethics watchdogs predicted might make hiring difficult.

This year, the rules package that Republicans approved required the office to hire staff members and set salaries within the first 30 days after Mr. Johnson named its board.

Michael Gold covers Congress for The Times, with a focus on immigration policy and congressional oversight.

The post [Complaints Languished as Johnson's Delays Hobbled House Watchdog](#) appeared first on [New York Times](#).

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POLITICO

House ethics watchdog now open for business

Hailey Fuchs

Tue, May 13, 2025 at 7:54 PM CDT

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The House's outside ethics watchdog will soon be able to begin investigating lawmakers after the longest period of dormancy in its 17-year history.

The Office of Congressional Conduct — which vets misconduct allegations against lawmakers then sends findings to the House Ethics Committee, which can recommend potential formal action — has been effectively shuttered since

the start of the 119th Congress as it awaited the appointment of board members.

But on Tuesday afternoon, the House clerk read aloud the names of those four members from the chamber floor, permitting the office to make moves toward resuming normal operations once again.

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Karen Haas, a former House clerk, will serve as board chair; ex-Minnesota Democratic Rep. Bill Luther will serve as board co-chair. Another former House clerk, Lorraine Miller, alongside former Georgia GOP Rep. Lynn Westmoreland, will also hold seats.

It follows drawn-out pleading by good government organizations and a personal appeal earlier this month from a group of House Democrats who directly asked Speaker Mike Johnson to appoint members to the board.

"Ensuring OCC can operate effectively should not be a partisan issue," wrote Rep. Chris Pappas (D-N.H.) and seven colleagues.

It's not currently clear what the hold-up was about, though House GOP leadership made early moves to suggest it was seeking to slow-walk the OCC's ability to get up and running. The rules package at the start of this Congress included language that changed the name of the body and required the board to meet to formally appoint the staff, essentially stalling its ability to resume operations.

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Former GOP Rep. Porter Goss, who helped create the office in 2008, said he believed the inaction in forming OCC's board for the new Congress might have been intended to quietly kill it altogether. A spokesperson for Johnson did not respond to an inquiry about the reason for the delay.

In any event, with the board's reappointment — all four members served last year, too — the OCC now has its work cut out for it.

Staffers will soon face a mountain of cases that have accumulated during the OCC's months of relative inactivity. The absence of a board forced the agency to sit almost entirely idle: While it could continue to gather freely-accessible information to develop cases, it lacked the ability to open any investigations without a formal governing body.

Beyond reviewing complaints against lawmakers, the inaction from House leadership in appointing a board for the new Congress also prevented OCC from formally changing its name on some official materials — as was required in the Rules package for this Congress — and from releasing reports on its activities.

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Launched in 2008 by then-Speaker Nancy Pelosi, the OCC was a response to a series of ethics scandals roiling Capitol Hill at that time, including the high-profile bribery charges against the notorious lobbyist Jack Abramoff.

Whereas the House Ethics Committee's operations are shrouded in secrecy, the OCC was set up to receive complaints from the outside public about any House member. The independent, nonpartisan body could then investigate the matter and turn over credible allegations to the bipartisan Ethics panel made up of House members evenly divided between the two parties.

Goss said he, Pelosi and others proponents of the OCC believed that public-shaming could compel good behavior: Whereas the OCC is governed by a board of private citizens, the House Ethics Committee is a panel of members who adjudicate cases against their peers. And while the Ethics Committee is notoriously quiet, OCC is public-facing.

"The idea was that this would take the pressure" off the Ethics Committee, Goss said.

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The House also took months to reappoint members to its Ethics Committee in the longest delay in recent history. It [followed the tumultuous circumstances](#)

surrounding the release of the report into former Rep. Matt Gaetz, accused of illicit drug use and paying a minor for sex.

But many lawmakers revile the OCC, regarding it as a politically-motivated operation unfit to oversee the activities of the House. Shortly after Trump's first election, lawmakers [sought to kneecap the office altogether](#).

Former Rep. Gregg Harper (R-Miss.), who as a member of Congress served on the Ethics Committee, has since leaving office represented people with cases pending before the OCC and said in an interview he would advise future clients to not cooperate with the office's requests. He called it a "gotcha organization" with little usefulness to the House and said it was time to shut it down to save taxpayer dollars.

One current House member, who requested anonymity to discuss sensitive matters around Congressional ethical concerns, argued that the OCC was a partisan entity that would take up just about any complaint — and that, despite the headaches the body creates, it has no real power in how the House Ethics Committee adjudicates complaints.

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In the meantime, polls have found public trust in the federal government, particularly trust in Congress, to be exceptionally low. Good governance activists argue that the OCC is a key tool in restoring that trust and bemoaned the delays in reconstituting the office.

Aaron Scherb, a lobbyist for the progressive group Common Cause, cited concerns about "misconduct just being swept under the rug" in the OCC's absence.

"As we've seen, the House Ethics Committee is extremely lacking in its investigations, and so the OCC has in some cases helped spur or kind of helped catalyze the House Ethics Committee to conduct more rigorous investigations," Scherb said.

A spokesperson for OCC declined to comment.

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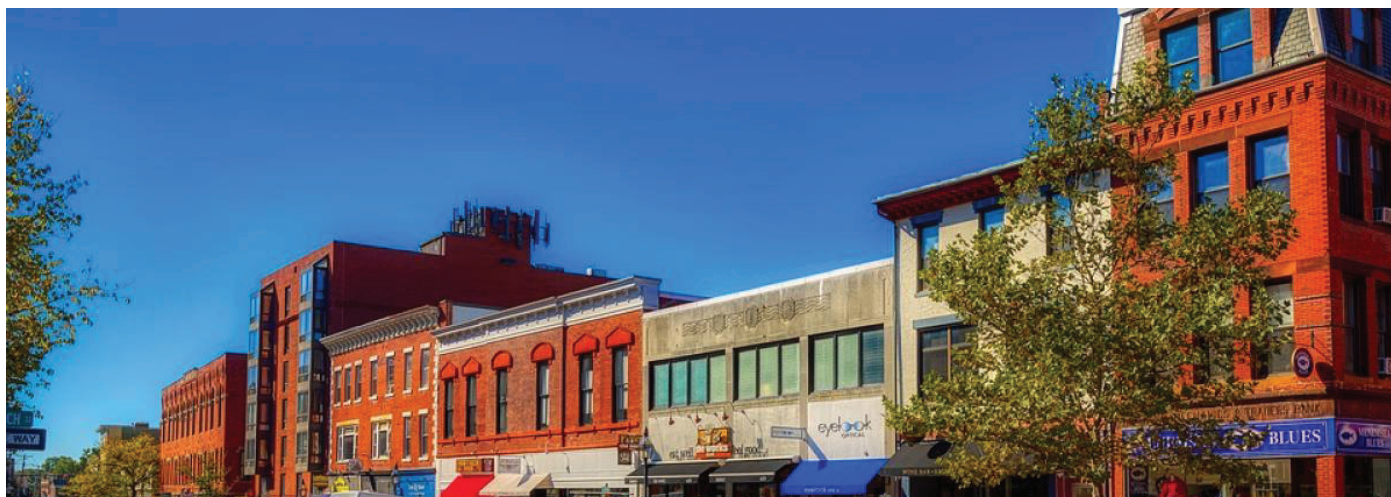
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Pappas Calls on Speaker Johnson to Appoint Office of Congressional Conduct Members, Ensure Integrity in the House

May 8, 2025 [Press Release](#)

OCC was established in 2008 as an independent, nonpartisan office designed to review allegations of misconduct against Members of the House, officers, and staff.

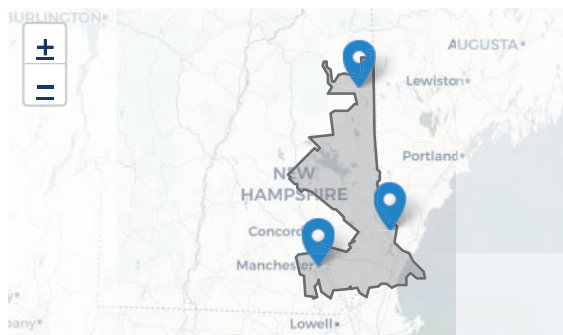
This week **Congressman Chris Pappas (NH-01)** led a group of his colleagues in **calling on Speaker Mike Johnson to make his appointments to the bipartisan board of the Office of Congressional Conduct (OCC)**, formerly known as the Office of Congressional Ethics (OCE). Democrats have submitted their appointees, but the work of the OCC remains stalled due to Johnson's failure to appoint Republican members, despite at least two former GOP members of the board agreeing to return.

In the letter, the lawmakers wrote, "This delay, which is now entering its fourth month of the 119th Congress, not only undermines the integrity of this body but threatens to erode the trust that the American people place in our capacity to hold ourselves accountable."

They continued to highlight how Johnson's delays are compounding repeated efforts to weaken the board, negatively impacting the ability of our institutions to hold elected officials to the highest possible ethical standards, writing, "This pattern of obstruction is not new. Since OCC's inception, it has faced repeated attempts to weaken or dismantle it. For instance, the most recent rules package adopted at the start of the 119th Congress has made it even harder for the OCC to function by requiring the board to be fully seated before staff could be reappointed. These changes, layered atop the current delay, have made the situation exponentially more difficult."

They closed by calling on Johnson to take immediate action: "To rectify this oversight, we urge you to move swiftly to appoint the Republican members of the OCC board when Congress returns for this work period."

Read the full letter [here](#).



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