

# COMPLAINT

To: U.S. House Communications Standards Commission, Mary Gay Scanlon, Chair  
U.S. House Committee on Ethics, Ted Deutch, Chair  
Office of Congressional Ethics  
U.S. Dept of Justice, Merrick Garland, Attorney General

CC: Ranking Members

From: Lt. Col. Robert Hill, USA, Retired

Regarding: Illegal and unethical use of taxpayer resources for campaigning by U.S. Representative Scott Fitzgerald (WI-5)

Date: September 21, 2022

Members of the U.S. House of Representatives are able to use their taxpayer-funded, official office budget to “frank” mail and send unsolicited information to members of the public within their constituency.

According to standards proffered by the U.S. House Communications Standards Commission and adopted by the U.S. House, “Official communications may only be used for official Congressional business.” Further, “All content in official communications must be related to official business,” “Official communications should not be used for political or personal business,” and “No campaign content or electioneering” is permitted.

In addition, “No content laudatory of a Member on a personal or political basis” is allowed, and “Official communications critical of policy may not be personalized or politicized, and may not be used to disparage Members, other individuals or political parties.”

Finally, all communications must choose from one of three “Required Disclaimers,” and “Mass communications must make clear that the communication is coming from an official source.”

Through at least one newspaper ad and myriad taxpayer-funded mailers, Rep. Fitzgerald has abused the privilege of his office, violated these rules, and conducted a broad, expensive campaign for re-election using taxpayer funds.

Attached are copies of seven mailers sent to area residents, as well as a newspaper ad that does not include a paid for disclaimer. These mailers are campaign material, intended to engender political support for Congressman Fitzgerald. We have also included four additional mailers that we do NOT believe violate the rules, and that fit within the allowable purpose of taxpayer-funded franked mail. The contrast between the allowable mail and the disallowed mail is stark, evidencing Congressman Fitzgerald knew what the law was and chose to ignore it.

In addition to violating the rules of the Commission, this abuse of office deserves investigation and rebuke from the US House Committee on Ethics, and should also be investigated for potential criminal culpability by the U.S. Department of Justice.