

Board
Paul Vinovich, Chair
Lynn Westmoreland
Karen Haas
Michael Barnes, Co-Chair
William Luther
Lorraine Miller

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Congress of the United States

House of Representatives

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FIRST QUARTER 2023 REPORT

January 2023 – March 2023

I. INTRODUCTION

The Office of Congressional Ethics (“OCE”) is an independent, non-partisan entity charged with reviewing allegations of misconduct involving Members, Officers and staff of the House and, when appropriate, referring matters to the House Committee on Ethics. In all but one set of circumstances, the report and findings of the OCE Board included in a referral to the Committee on Ethics eventually must be publicly released.

The mission of the OCE and its Board is to assist the United States House of Representatives in upholding high standards of ethical conduct for its Members, Officers and staff and, in so doing, to serve the American people.

The following is a report of the OCE’s work in the first quarter of 2023 for the 118th Congress.

II. OCE PROCESS

The OCE’s investigations have two stages: (1) a preliminary review, which must be completed in 30 days and (2) a second-phase review, which must be completed in 45 days, with the option of a 14-day extension. Two Board members (one appointed by the Speaker of the House and one appointed by the Minority Leader) may authorize a preliminary review if all available information provides a *reasonable basis* to believe that a violation may have occurred.

Three Board members may authorize a second-phase review if all available information provides *probable cause* to believe a violation may have occurred.

A decision to undertake a preliminary review or second-phase review should not be misconstrued. Historically, the majority of reviews have resulted in termination or dismissal of the matter.

At the end of a second-phase review, the Board must recommend to the Committee on Ethics either that the matter warrants further review by the Committee on Ethics or that the Committee on Ethics should dismiss the matter. The standard of proof generally required under OCE Rules to refer a matter to the Committee on Ethics for further review is *substantial reason* to believe a violation may have occurred. A recommendation for further review does not constitute a determination that a violation occurred. Similarly, a recommendation for dismissal

does not constitute a determination that a violation did not occur, but only that the information available to the OCE does not provide a substantial reason to believe a violation occurred or, in some cases, that the conduct at issue falls outside of the OCE’s jurisdiction.

The OCE is not authorized to sanction Members, officers or employees of the House or to recommend any sanctions. The Committee on Ethics has the exclusive authority to determine if a violation has occurred and, if so, what sanction may be in order. When it makes its recommendation, the OCE Board may also transmit to the Committee on Ethics findings that include, among other things, findings of fact and citations to laws, rules or regulations that may have been violated. A chart depicting the OCE’s review process is available on the OCE website at <http://oce.house.gov>.

III. CITIZEN COMMUNICATIONS

Any member of the public may bring a matter of suspected misconduct involving a Member, Officer or staff of the House to the attention of the OCE. Approximately 2,728 private citizens have contacted the OCE during the first quarter of 2023. These contacts were of two types: (1) requests for information about the OCE and its procedures; and, (2) allegations of misconduct. Staff or any Board member may also submit information regarding an alleged violation for consideration by the Board. The OCE requests all submissions of information be made in writing.

IV. BOARD ACTIONS

The following is a statistical summary of the Board’s actions in the first quarter of 2023.

Type of Action Date	Commence Preliminary Review	Matter Terminated	Commence Phase II Review	Commence Phase II Review Extension	Transmit Referral for Review	Transmit Referral for Dismissal	Transmit Referral as Unresolved ¹
February 17	2	0	0	0	0	0	0
March 17	0	0	2	0	0	0	0
Total for Quarter	2	0	2	0	0	0	0
Total for 118th Congress	2	0	2	0	0	0	0

¹ Pursuant to H. Res. 895, in a case where the Board cannot resolve the matter due to a tie vote, the Board will transmit the referral to the Committee with a statement that the matter is unresolved.

V. BOARD UPDATE

Minority Leader of the House Hakeem Jeffries appointed Ms. Lorraine Miller as an OCE Board Member during the first quarter of 2023.

The six members of the OCE Board are currently:

- Former Congressional Staffer Mr. Paul Vinovich, Chairman
- Former Representative Mike Barnes, Co-Chairman
- Former Clerk of the House Karen Haas
- Former Clerk of the House Lorraine Miller
- Former Representative William Luther
- Former Representative Lynn Westmoreland

VI. STAFFING UPDATE

During the first quarter of 2023, the OCE hired Docketrel Cromartie, Kristina Crump, and Aaron Wilensky, all as investigative counsels.

Prior to joining the OCE, Mr. Cromartie reviewed private placement offerings and led complex investigations relating to corporate financing activities and potential rule violations concerning federal securities laws at the Financial Industry Regulatory Authority, Department of Corporate Financing. Mr. Cromartie also served as a Staff Attorney within the United States Marshals Service Office of General Counsel.

Mr. Cromartie graduated from The George Washington University Law School, earning the recognition of a JD Concentration in Business and Finance Law. Prior to attending law school, Mr. Cromartie enjoyed a successful career as a detective, investigating matters involving drug trafficking and organized crime.

Prior to joining the OCE, Ms. Crump served as a commercial litigation associate at Vinson & Elkins LLP and Copeland & Rice LLP. Ms. Crump also served as a judicial law clerk to Chief Justice Nathan L. Hecht of the Texas Supreme Court.

Ms. Crump received her B.A. in English from Trinity University in San Antonio, Texas. She received her Juris Doctor from the University of Michigan Law School.

Prior to joining the OCE, Mr. Wilensky was an Associate Counsel with the United States Capitol Police, Office of the General Counsel, where he investigated and litigated employment matters and defended the agency in regulatory enforcement proceedings. Mr. Wilensky previously worked as an Associate at Ogletree, Deakins, Nash, Smoak and Stewart, P.C., where he represented clients in regulatory enforcement proceedings brought by state and federal agencies and advised clients on regulatory compliance. Mr. Wilensky also previously held a position with Mason, Mason, Walker and Hedrick, P.C. in Newport News, VA where he advised and represented diverse clients from Fortune 500 companies to individuals.

Mr. Wilensky received his B.A. in Political Science, cum laude, from Lehigh University. He received his Juris Doctor from the College of William and Mary Law School, cum laude, where he was a member of the Journal of Women and the Law and served on the Student Bar Association.