

Office of Congressional Ethics  
United States House of Representatives  
425 3rd Street, S.W.  
Suite 1110  
Washington, D.C. 20024

June 4, 2024

**Re: Representative Nancy Mace's Violation of House Reimbursement Program Rules**

To whom it may concern:

Complainant requests that the Office of Congressional Ethics investigate whether Representative Nancy Mace violated the House Ethics prohibition against seeking reimbursement in excess of actual lodging expenses related to a Washington, D.C. townhouse that she co-owns with her ex-fiancée. Based on publicly available information, Complainant alleges that Rep. Mace has unlawfully sought and received reimbursement that exceeds her actual monthly lodging expenses and/or converted such excess reimbursement payments to an impermissible use and should be formally reprimanded.

**Statement of Facts**

On June 4, 2024, the Washington Post published an article analyzing Members' utilization of the House of Representatives' expense reimbursement program during its first year of existence.<sup>1</sup> The article noted that "[t]he program has only a few strict rules," among them that "[l]awmakers cannot be repaid for principal or interest on their mortgage" and that "they can't ask for more back than their actual expenses."<sup>2</sup>

Unlike many Members of Congress, Rep. Mace "co-owns a \$1,649,000 Capitol Hill townhouse she purchased in 2021 with her then-fiancée."<sup>3</sup> While Member homeowners like Rep. Mace are permitted to "expense taxes, insurance, maintenance, utilities and other ancillary costs" of owning a home, they are prohibited from using the reimbursement program "to cover their mortgage payments."<sup>4</sup> According to public reporting, "[p]eople involved with her office finances" told Rep. Mace "that she could not justify claiming more than about \$1,800 a month for expenses on the townhouse," and one document reviewed by the Post confirmed that her monthly townhouse expenses amounted to approximately \$1,726.<sup>5</sup>

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<sup>1</sup> Jacqueline Alemany, Clara Ence Morse, & Liz Goodwin, *Lawmakers Expensed Millions in 2023 Under New Program That Doesn't Require Receipts*, Wash. Post (June 4, 2024), <https://www.washingtonpost.com/politics/2024/06/04/house-representatives-expenses-receipts-lodging/>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

Nevertheless, Rep. Mace has consistently sought reimbursements for lodging that exceed these estimated expenses. In January, March, and May of 2023, “[s]he expensed over \$3,000 for lodging”—almost double the estimated monthly expenses calculated by her staff.<sup>6</sup> Overall, during the nine month period from January through September 2023, her average lodging expenses exceeded \$2,000 per month.<sup>7</sup> According to two former members of Rep. Mace’s staff, this was no accident but was instead her plan from the start: “Mace instructed her staff to seek the maximum reimbursement each day the House was in session, regardless of her actual expenses.”<sup>8</sup>

### **Analysis**

Representative Mace has violated House Ethics Rules by repeatedly seeking reimbursement for lodging in excess of the actual monthly expense of maintaining her co-owned townhouse in Washington, D.C., resulting in a misuse of taxpayer funds for purposes unrelated to her official duties.

The Members’ Congressional Handbook published by the Committee on House Administration contains the following explanation of the reimbursement rule:

Ordinary and necessary expenses incurred by Members during official travel between a Member’s primary residence and Washington, D.C., as well as while on official business in Washington, D.C., are reimbursable. These expenses include meals, incidentals and lodging. Lodging reimbursement may include costs associated with hotels, rentals, or other housing expenses. Members may be reimbursed for official and necessary travel expenses incurred for meals, incidentals, and lodging on days the House is in session or when attending an official committee business meeting or hearing but not to exceed the daily rate for meals, incidentals and lodging as determined by the General Services Administration for the Washington, D.C. area. Members seeking reimbursement shall submit a monthly expense voucher, and reimbursement shall not exceed expenses incurred.<sup>9</sup>

In addition to the restrictions imposed by House Rules, the theft of federal funds also violates federal law. “Whoever embezzles, steals, purloins, or knowingly converts to [her] use or the use of another” has committed a felony punishable by fines or imprisonment of up to ten years.<sup>10</sup> Moreover, if a Member submits “a claim for payment” to the U.S. House of Representatives that contains a false statement concerning the purpose for which reimbursement is sought, then the Member has “knowingly and willfully” made a “materially false, fictitious, or fraudulent statement or representation” to the legislative branch in violation of federal law.<sup>11</sup>

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Comm. on House Admin., Members’ Congressional Handbook 40 (Apr. 30, 2024), available at: [https://cha.house.gov/\\_cache/files/1/d/1db10826-1c45-4262-9cc5-3b617ea0ba60/9BB060DA6353C563584F7C384AF76E94.members-congressional-handbook-04-30-24-20-.pdf](https://cha.house.gov/_cache/files/1/d/1db10826-1c45-4262-9cc5-3b617ea0ba60/9BB060DA6353C563584F7C384AF76E94.members-congressional-handbook-04-30-24-20-.pdf).

<sup>10</sup> 18 U.S.C. § 641.

<sup>11</sup> 18 U.S.C. §§ 1001(a)(2), (c)(1).



As an initial matter, Rep. Mace has clearly violated the prohibition on seeking reimbursements in excess of monthly expenses incurred. Former staffers in her office have claimed on background that she instructed them "to seek the maximum reimbursement each day the House was in session, regardless of her actual expenses."<sup>12</sup> This allegation alone deserves further investigation as well as interviews of former staff. If true, then this is a flagrant abuse of House Rules and a clear example of a Member secretly fleecing taxpayers.

But if her former employees are accurately recounting the instructions their boss gave them, then that raises a second question: What did Rep. Mace do with the excess reimbursement money that was not allocated towards the permissible monthly expenses of maintaining her Capitol House townhouse? Money is fungible, so the thousands of excess dollars received by Rep. Mace could conceivably have been put towards any use. However, if she used the reimbursements she received from the U.S. House of Representatives to cover her monthly mortgage payment on the \$1.6 million townhouse, then she has violated House Rules twice: First by claiming reimbursements in excess of her actual lodging expenses, and then by allocating the excess payments towards an impermissible use.

### **Conclusion**

The claims by former Mace congressional staffers raise serious ethical concerns and are worthy of further investigation. Although there are few restrictions on the actions of Members under the House reimbursement program, the restrictions that do exist should be vigorously enforced. Therefore, the Office of Congressional Ethics should initiate an investigation and, if it determines that Rep. Mace has violated those restrictions, punish her accordingly.

Complainant affirms to the best of their knowledge and ability that all evidence submitted in this complaint was not obtained in violation of any law, rule, or regulation. Complainant also acknowledges that the False Statement Act, 18 U.S.C. § 1001, applies to the information provided in this complaint.

Sincerely,

A handwritten signature in black ink, appearing to be "H. D. [unclear]".

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<sup>12</sup> Alemany et al., *supra* note 1.