

# Eligible Congressional Member Organizations' Handbook



## Committee on House Administration

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ADOPTED September 28, 2023

*All citations to the House Rules refer to the Rules of the House of Representatives*

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# **INTRODUCTION**

Congressional Member Organizations (CMOs) are informal Member organizations formed by Members to pursue common legislative objectives. CMOs have no separate corporate or legal identity, are not an employing authority and are not authorized funds.

CMOs must register with the Committee on House Administration (“Committee”) each Congress to utilize House resources such as: internal House mail, intranet, and a postbox at House Postal Operations. Members personal office staff can assist a CMO with its legislative objectives and use official resources in support of the objectives of a CMO. However, no employee may be appointed in the name of a CMO and business cards for employees who work on CMO issues must list the employing authority before the name of the CMO.

Eligible Congressional Member Organizations (ECMOs) were established to alleviate the administrative burden of large CMOs that had to function under complicated administrative arrangements to move staff on and off individual Members payroll. Since the 114<sup>th</sup> Congress, House Rules allow CMOs that meet certain criteria to become “eligible” to set up a dedicated account to be used for the salary and related expenses of employees of Member offices to carry out official and representational duties of the Member by assignment to the ECMO. ECMOs have no statutory, legislative or oversight authority.

The following regulations of the Committee, collectively known as the Eligible Congressional Member Organizations Handbook (“ECMO Handbook”), govern all expenditures from the Members’ Representational Allowance (MRA) on behalf of ECMOs.

The Handbook regulations are guidelines that assist Members of ECMOs in determining whether expenses are reimbursable. Questions about reimbursement of an expense should be directed to the Committee at x58281 prior to incurring the expense.

## **GENERAL**

### **ELIGIBILITY**

To become an ECMO, a CMO must:

1. be registered as a CMO in the prior and current Congress;
2. designate a single Member to be responsible for the administration of the organization;
3. had at least 3 employees of the House assigned to work for the CMO in the prior and current Congresses; and
4. in the prior Congress, at least 30 Members used a portion of their MRA for salary and related expenses of an employee who was a shared employee who worked on issues related to the CMO.

### **REGISTRATION**

To register as an ECMO, the CMO Chair and/or co-chairs must submit a letter to the Committee Chair requesting approval to become an ECMO. The letter must include:

1. Name of the ECMO

2. Statement of Purpose
3. Chair and Vice Chair of the ECMO
4. Employees designated to work on issues related to the ECMO (minimum of three employees are required).

## **MEMBERSHIP**

The Chair and Vice Chair of an ECMO must be a Member of the House. Members of both the House and Senate may participate in ECMOs. The participation of Senators in an ECMO does not impact the scope of authorized ECMO activities in any regard.

## **FUNDING AND RESOURCES**

Unlike Member and committee offices, ECMOs are not entitled to specific numbers of staff positions and are not authorized funds. An ECMO may acquire staff positions and the resources to fund the positions only by written agreement (“Agreement between Donating Member and ECMO”) between a participating ECMO Member and the ECMO Chair. Once the agreement is signed, funds are transferred from individual Members’ MRA to the ECMO for the expenses associated with the indicated employee in carrying out the Member’s official and representational duties.

## **EXPENSES**

Only expenses the primary purpose of which are official and representational of an ECMO and which are incurred in accordance with the Handbook are reimbursable. An ECMO’s funds derived from Members’ MRAs pursuant to an agreement may only be used for official and representational expenses of the ECMO. In general:

1. The MRA and/or ECMO funds may not be used to pay for:
  - a. any expenses related to activities or events that are primarily social in nature;
  - b. personal expenses;
  - c. campaign expenses;
  - d. campaign-related political party expenses;
  - e. committee expenses; or
  - f. any expenses related to a charity or fundraiser.
2. Committee resources may not pay for an ECMO’s official and representational expenses.
3. The Chair of an ECMO may expend personal funds in support of official and representational duties.
4. Except where authorized by the Committee on Ethics, campaign funds may not pay for an ECMO’s official and representational expenses.
5. A Member may not maintain, or have maintained for his or her use, an unofficial office account for the purpose of defraying or reimbursing ordinary and necessary expenses incurred in support of an ECMO’s official and representational duties.

6. An ECMO may not accept from any private source in-kind support having monetary value for an official activity.
7. The Chair of an ECMO is personally responsible for the payments of any official and representational expenses incurred that exceed the provided ECMO funds or that are incurred but are not reimbursable under these regulations.
8. Unless specifically authorized by an applicable provision of federal law, House Rules, or Committee Regulations, no Member, relative of the Member, or anyone with whom the Member has a professional or legal relationship may directly benefit from the expenditure of ECMO funds.
9. The ECMO funds are available for services provided and expenses incurred from January 3 of one year through January 2 of the following year. All expenses incurred will be charged to the allowance available on the date the services were provided or the expenses were incurred. Upon the death, resignation, or expulsion of a Member who is an ECMO Chair, an ECMO Vice-Chair shall assume the duties of an ECMO Chair until such time as a new ECMO Chair is elected.
10. ECMOs are not eligible to make advance payments, except for subscriptions to publications, or to obligate funds via a letter of intent.
12. ECMO funds are not transferable between years.
13. ECMOs may not use official resources to misrepresent their current official positions or titles within the House.
14. Pursuant to 18 U.S.C. § 1913, ECMO funds may not be used for certain activities in the absence of authorization by Congress. Contact the Committee for more information.

## **BUDGETING AND DISCLOSURE**

Prior to any funds being transferred from the MRA of Members of the ECMO into the ECMO account, the ECMO Chair must submit a letter to the Committee and ECMO Members stating the proposed amount of annual dues per Member for each session of the Congress and a proposed budget outlining the use of those dues for both sessions of the Congress.

An ECMO, by ratification of a majority of its Members, may require approval of the proposed dues and budget as a condition prior to the collection of dues.

## **MONTHLY REPORTS**

ECMOs must submit to the Committee, by the 18th of each month, a report signed by the ECMO Chair on the activities of the ECMO during the preceding month. The monthly report must include the following:

1. Statement of expenses for the month and year to date. An ECMO must reconcile its figures with the Monthly Financial Statement prior to submitting the monthly reports.

2. List of ECMO employees, job titles, and gross monthly salaries (a copy of the monthly Payroll Certification Form is acceptable).
3. Certification by the Chair of the reporting ECMO that the report is available to Members of the ECMO for examination.

Monthly reports for each ECMO will be posted on the Committee's website.

## **OVERSPENDING**

The ECMO Chair is personally responsible for the payment of any official and representational expenses incurred that exceed available ECMO funds. If an ECMO incurs an obligation to the U.S. House of Representatives and the amount of the obligation incurred exceeds the ECMO's funds, the Chair of the ECMO shall pay the obligation from personal funds. If an ECMO Chair fails to pay the obligation voluntarily, the CAO will deduct the amount owed from any pay, mileage, or expense money due to the ECMO Chair in the case of a sitting Member or through an administrative offset or legal action in the case of a former Member. The Office of Finance will notify an ECMO Chair if that ECMO is projected to overspend the available ECMO funds.

Contact the Office of Finance at x57474 or the Committee at x58281 for assistance with accounting and budgeting.

## **STAFF**

No ECMO has hiring authority without the contribution of a staff position, or "hiring slots," by a participating ECMO Member. Once contributed to an ECMO by an ECMO Member, an ECMO Chair will enjoy authority to hire, establish the terms and conditions of employment, and terminate the employment of ECMO staff made possible by the contribution of the hiring slot by an ECMO Member.

An ECMO may employ staff only pursuant to an agreement between an ECMO Member contributing a hiring slot and the ECMO Chair. No ECMO may simultaneously employ more than 18 individuals.

All applicable federal laws, House Rules and House regulations including the House Ethics Manual and Members' Congressional Handbook regulations governing Member office employees apply to ECMO employees with the following exceptions:

1. Green and Gold Congressional Aide Program fellows may not be assigned to an ECMO.
2. ECMOs cannot directly participate in the House Paid Internship Program. An intern employed by an ECMO Member may be placed with an ECMO, provided not more than one intern is placed with the ECMO in any 120-day period.

## **PAID INTERNS**

Paid interns may be the subject of an agreement between a Member office and an ECMO. Interns participating in the House Paid Internship Program are eligible for placement with an ECMO, provided the ECMO does not employ more than one intern in any 120-day period. Interns performing duties for an ECMO must be employed by a Member who belongs to the ECMO and are subject to same to the same federal laws and regulations, House Rules, House regulations, and

Ethics regulations as interns who may be paid with MRA funds and program participants performing duties for Members' offices.

## **OFFICE EXPENSES**

ECMOs are ONLY authorized to expend funds for office expenses listed in this Handbook.

### **APPLIANCES**

Small appliances (microwaves, coffee makers, etc.) under \$500 in value for use in the ECMO offices are reimbursable. ECMO funds may not be used to pay for items that are readily supplied to offices by the CAO and AOC.

### **AUDIO AND VIDEO EXPENSES**

Ordinary and necessary expenses related to audio and video recording and materials, including but not limited to the following, are reimbursable:

1. Filming related to the appearance of an ECMO Chair or an ECMO's employee at an official event; or
2. Recordings and transcripts of commercial broadcasts related to an ECMO for in-office use; or
3. Recordings that are produced by an ECMO or recordings that are provided to an ECMO and authorized by the providing entity to be reproduced for official distribution; or
4. Video teleconferencing services incurred in support of an ECMO's official duties.

Except where authorized, the costs related to purchasing television broadcast time are not reimbursable. ECMOs are subject to copyright laws when utilizing outside materials. The House Recording Studio is available for audio and video services. Contact the House Recording Studio at x53941 for information on services, charges, and availability.

There are certain election-related restrictions on mass communications. Please consult the Committee prior to use of any video or audio services.

### **BOTTLED WATER**

ECMO funds may be used to purchase bottled water, water coolers and water filtration systems for use in the ECMO office.

### **BUSINESS CARDS**

Ordinary and necessary expenses for business cards for an ECMO Chair and employees are reimbursable. Business cards must contain the name of the employing authority and accurately describe the position to which the employee has been appointed.

### **CONTRACTORS**

ECMOs may contract with firms or individuals only for general, non-legislative and non-financial, office services (e.g., equipment maintenance, staff training, and web services) for a

specified time period not to exceed a Congress. Such contracts are reimbursable.

Contractors may not perform regular core functions of employees or provide consulting services (including, but not limited to: legal fees, speech writers, personal financial advisors, communications advisers, political party or campaign advisers). Contractors are not employees of the House and are ineligible for benefits.

## **EDUCATIONAL EXPENSES**

Ordinary and necessary expenses for ECMO employees to attend informational programs (i.e., conferences, seminars, and briefings) and take professional training in Washington, D.C. related to their official duties are reimbursable.

1. Expenses to obtain a primary, secondary, graduate, postgraduate, professional degree, or acquiring or maintaining a professional certification or license are not reimbursable.
2. Expenses related to professional training or development that relates to an employee's official duties are reimbursable even if such a program provides a certification upon completion.
3. Informational programs include conferences, forums and symposiums on issues, policies and legislative matters that directly relate to an employee's official duties.
4. ECMO funds cannot be used to attend events that are primarily political or social in nature (such as award ceremonies, galas, balls) or events in which official interaction is incidental and the primary benefit of the employee's attendance is to the organization hosting the event.
5. Travel and lodging expenses are not reimbursable with the exception of local parking and transport within the Washington, D.C., metropolitan area.

## **EMPLOYMENT-RELATED EXPENSES**

Ordinary and necessary expenses related to filling employment vacancies are reimbursable.

The following expenses are not reimbursable:

1. Transportation to and from employment interviews; or
2. Relocation expenses upon acceptance or termination of employment; or
3. Relocation expenses incidental to a change in duty station.

## **EQUIPMENT**

All official work of the House of Representatives must be performed and maintained on House equipment, except for in certain circumstances handheld devices. ECMO Members may use campaign funds to pay for handheld devices (phones and tablets only) and/or use their personal handheld devices for official use.

Ordinary and necessary expenses for equipment (including cost of installation, maintenance, warranties and repairs) for use in ECMO offices are reimbursable subject to Committee



regulations. The ECMO may only acquire equipment on a one-time payment plan and cannot transfer such equipment to the inventory of any ECMO Member. During a transition, the succeeding ECMO Chair will inherit all the items assigned to the previous Chair's inventory. Upon dissolution of the ECMO, the equipment assets of the ECMO will transfer to the House.

Equipment used for remote work purposes should only be issued to paid employees or vendors.

Any equipment with a purchase price of \$1,000 or more and any high-risk equipment (e.g., equipment that presents a cybersecurity risk because it contains official data and/or provides access to the House network) regardless of original cost.

The ECMO Chair is personally liable for all equipment on the ECMO's office inventory. If an item is lost, stolen or damaged, the ECMO Chair is automatically assigned liability. The ECMO Chair may request a waiver from liability.

## **FOOD AND BEVERAGE EXPENSES**

Food and beverage expenses incidental to an official and representational meeting that includes one or more person(s) who are not a Member or employee of the House are reimbursable.

Food and beverage expenses related to social activities or social events (e.g., hospitality, receptions, entertainment, holiday or personal celebrations, and swearing-in or inauguration day celebrations) are not reimbursable.

The cost of alcoholic beverages are not reimbursable.

## **FRAMING**

Framing services for items to be displayed in Washington, D.C., offices are reimbursable and when in-House framing service is provided by the CAO, costs will be automatically charged to the ECMO.

## **FURNITURE AND DECORATIONS**

Decorations (e.g., as frames, bookends, flags, seals, rugs, etc.) under \$1,000 in value are reimbursable. ECMO funds cannot be used to purchase furniture or other items (e.g., carpet, draperies, repairs, etc.) that are readily supplied by the CAO and AOC.

ECMO funds may be used to procure or reimburse the cost of items such as desks (standing and traditional), office chairs, and desk lamps necessary for remote work situations, subject to any applicable telework requirements. ECMOs are required to maintain an inventory of items used in remote work locations. The purchase of any single item exceeding \$250.00 is subject to preapproval by the Committee on House Administration.

## **OFFICIAL MEETINGS**

Ordinary and necessary expenses related to conducting official meetings in the Washington, D.C. metropolitan area are reimbursable.

## **PRINTING AND PRODUCTION**

Ordinary and necessary expenses related to the printing and production of materials related to official business of the ECMO are reimbursable. Printed materials are prohibited from use as an unsolicited mass communication by the ECMO.

## **PUBLICATIONS**

Ordinary and necessary expenses related to purchasing or subscribing to print and electronic publications, including but not limited to research materials, reference books, informational brochures, periodicals and clipping/media monitoring services of such publications are reimbursable.

All invoices for subscriptions received by the Office of Finance through the close of business January 2 will be debited from the current ECMO year. Subscriptions beginning on January 1 or 2 may be debited from either allowance year, as directed by an ECMO Chair. Subscriptions to newspapers and periodicals may exceed an ECMO Chair's term. Subscriptions that exceed an ECMO Chair's term in office will be assigned to the ECMO Chair's successor.

## **STAFF RETREATS**

ECMO Members and staff may attend a staff retreat at a Member-authorized location in the Washington, D.C., metropolitan area for official purposes, and may be reimbursed for expenses (including food and beverage) related to attendance at such meetings no more than two times per year, provided that such expenses are otherwise consistent with all other Handbook regulations.

ECMO staff may not be reimbursed for lodging expenses. The ECMO funds may not be used for social events or activities (including but not limited to: boating, skiing, sporting events, theme or adventure parks, touring national monuments or historical sites, etc).

## **STATIONERY**

Pursuant to 44 U.S.C. § 734, ordinary and necessary expenses associated with the printing and production of official stationery are reimbursable. Official stationery may be procured from the Government Publishing Office through the Legislative Resources Center (x65200) or an outside vendor.

Ordinary and necessary expenses related to the purchase of other types of stationery are reimbursable.

## **Appearance**

Official stationery must contain the ECMO's name, name of the ECMO Chair and Congress of the United States, House of Representatives, or comparable language.

Official stationery may not contain the following information:

1. Seals other than the Great Seal, Congressional Seal, or State Seal
2. Member's political party identification

3. Slogans
4. Private entity information or endorsement
5. Campaign contact information (e.g., address, phone number, email address)
6. Greetings
7. Picture or likeness of the Member
8. Family crest

### **Use of Stationery**

Official stationery may be used only for a letter or other document the content of which must be official in nature and must comply with the Communications Standards Manual.

### **SUPPLIES**

Office supplies to support the conduct of the ECMO's official duties are reimbursable.

### **TELEWORKING**

Ordinary and necessary expenses incurred in compliance with the Committee's Telework Policy are reimbursable.

### **TRANSPORTATION**

ECMOs may not conduct official travel outside of the Washington, DC area.

Transportation by ECMO staff for nominal taxi and parking fees within the Washington, D.C., Metropolitan Area is reimbursable up to \$2,000 annually.

No ECMO funds may be used for expenses related to the lease of a vehicle in support of the conduct of official duties of the ECMO.

## **COMMUNICATIONS**

ECMOs may not use the Frank, nor may a Member lend his or her Frank to an ECMO. ECMOs cannot send any official documents via the Frank or use official funds to pay to mail any official documents via postage (i.e., stamps, certified mail, UPS, FEDEX, etc.).

A Member may send electronic communications related to the purpose of an ECMO. Any such communication must still comply with Communications Standards Manual.

### **PRESS CONFERENCES**

Ordinary and necessary expenses related to conducting an official press conference are reimbursable.

### **ELECTRONIC Communications**

Ordinary and necessary expenses related to electronic communications are reimbursable.

- No unsolicited mass communications are allowed.
- All official electronic communications must comply with House information technology and security policies as approved by the Committee.
- All official electronic communications sent to an email list of 100 or more individuals must include a usable opt-out in the body of the email that enables an individual to opt-out from the email list. Opt-out requests must be honored. These mailings must comply with IT Policy 007.0 - Email List Management Policy as approved by the Committee.

### **Subscribed Emails**

A subscribed email is an email sent to individuals who have taken a willful action to subscribe to an ECMO's email list. ECMOs must notify individuals who subscribe to email updates that the individual is authorizing the ECMO to send regular email updates from the ECMO to the individual's email account. All email updates to subscribers must contain an option that enables the individual to unsubscribe from the email list. ECMOs may send subscribed email updates without obtaining an advisory opinion, but the contents must still adhere to Franking regulations.

Opt-in subscriber lists may not be transferred to other House entities, including the personal office of the ECMO Chair. Upon dissolution, the work product and data of the ECMO transfers to the final Chair.

### **Non-Subscribed Emails**

If each email address used in a mass communication was not obtained with an individual subscribing for subscribed email updates, then an ECMO may not send the communication until those email addresses obtained without consent are removed.

## **WEBSITES**

Ordinary and necessary expenses associated with the creation and continued operation of websites, in support of an ECMO's official duties, are reimbursable.

1. An ECMO Chair may request a URL for an ECMO, provided that the request complies with the ECMO domain name regulations issued by the Committee on House Administration. Web pages using such a URL need not have the same design or layout as the Web site of the sponsoring Member. An ECMO may also be hosted on the sponsoring Member's website.
2. The content of an official website and official social media is governed by the Communications Standards Manual.
3. Websites may be maintained by either House Information Resources (HIR), the ECMO, or a private vendor authorized to provide Web services to the House in compliance with the regulations issued by the Committee on House Administration.
4. ECMOs' websites may link to Member and Committee websites, but Member or Committee websites may not be located on websites paid for by an ECMO.
5. Members may include information within their Website about ECMO issues and activities. All ECMO references within a Website must relate to the Member's official and representational duties.

6. In addition to their official HOUSE.GOV website, an ECMO may establish profiles, pages, channels or any similar presence on third-party sites that allow individuals or organizations to offer information about themselves to the public (Social Media Accounts). ECMO-controlled content on Social Media Accounts is subject to the same requirements as content on ECMO websites.
7. Regulations governing the use of URLs and information security are located in the User's Guide.

## **MODIFICATIONS**

### **ADDITIONAL CHANGES**

The Chair of the Committee is authorized to make technical and conforming modifications to the ECMO Handbook, and to make other modifications with the concurrence of the Ranking Minority Member of the Committee and notification to all members of the Committee. In the event changes are made pursuant to this clause, the Chair shall notify all ECMO offices by suitable means.

The Chair of the Committee on House Administration, with the concurrence of the Ranking Minority Member, is authorized to waive certain provisions of these regulations as they may deem necessary. In the event waivers are made pursuant to this clause, the Chair shall notify the other Members of the Committee when such a waiver is made.