



Inspector General

2024-0012-INVI-P — CONGRESSIONAL OFFICE GIFTS

Suspected Violation of Appropriations Law. **Not Substantiated**

In January 2024, the Architect of the Capitol (AOC) Office of Inspector General (OIG) initiated an investigation into potential violations of the Antideficiency Act, 31 U.S.C. § 1341(a), and the Purpose Statute, 31 U.S.C. § 1301(a), based on articles that appeared in [Politico](#) and [Roll Call](#) alleging that the AOC created gavels made from fallen trees on the Capitol campus at the request of former Speaker of the House, Kevin McCarthy. The articles, based on information provided by a former AOC employee, alleged that Speaker McCarthy wanted the gavels to give away as gifts.

The OIG investigation found that Congressional requests for items, particularly gavels, made from trees that have fallen or been cut down on Capitol grounds go back years. While it would seem that using wood from these trees is a simple matter that saves taxpayer money, our investigation found it is actually the opposite. While AOC personnel in the Carpentry Section are capable of crafting gavels, and have done so for years, much of the wood that is recovered from Capitol campus trees is unsuitable for that use. Additionally, the AOC lacks the necessary space and resources to dry and process large pieces of wood.

The investigation found that Speaker McCarthy's request for gavels was approved. AOC personnel located several pieces of suitable wood to create eight gavels, and the gavels were delivered to Speaker McCarthy. All witnesses interviewed in the course of this investigation stated that they believed the gavels would be used for official purposes only. No one claimed to have any knowledge that Speaker McCarthy planned to, or did, give gavels away as gifts. One witness stated they were aware that the gavels were used on the House floor until McCarthy was removed from the position of Speaker. They did not know what became of the gavels when McCarthy left office. The gavels were not accountable AOC property and there was no way to track them once they were turned over to the Speaker.

The OIG has referred this matter to the House Committee on Ethics to determine whether any actions by Speaker McCarthy violated the House of Representatives Code of Official Conduct.

The investigation did not determine by a preponderance of the evidence that any funds expended on the creation of the gavels were in excess of legally available amounts or expended in violation of a statutory prohibition in violation of the Antideficiency Act. To determine a violation of the Purpose Statute, the Government Accountability Office applies a three-part test, known as the necessary expense rule. Applying this analysis to the creation of the gavels, the OIG also did not determine by a preponderance of evidence that any funds expended violated the Purpose Statute.



While it is the role of the AOC to support the Congress in its work on behalf of the American people and provide the tools necessary for Congress to operate efficiently and effectively, the AOC also has an obligation to American taxpayers. Thus, the AOC should pursue the most responsible and cost-effective ways to source materials to fulfill the mission of the agency and avoid wasting government resources.

Final Management Action: The case is closed.