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CONTEMPT REPORT RELATED TO THE CONDUCT OF BRANDON PHILLIPS

R E P O R T

OF THE

COMMITTEE ON ETHICS



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119TH CONGRESS, 2D SESSION
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ETHICS

CONTEMPT REPORT RELATED TO THE CONDUCT OF BRANDON PHILLIPS

November 23, 2026

Mr. GUEST, from the Committee on Ethics, submitted the following

REPORT

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LETTER OF TRANSMITTAL

November 23, 2026

The Honorable Kevin F. McCumber
Clerk, House of Representatives
H-154, The Capitol
Washington, DC 20515

Dear Mr. McCumber:

Pursuant to House Rule XI, clauses 2(m)(1)(B) and 3(o)(1), House Rule XIII, clause 2(b)(1), and Rule 26(n) of the Rules of the Committee on Ethics, we hereby submit to the House a resolution and an accompanying report, "Contempt Report Related to the Conduct of Brandon Phillips."

Sincerely,

Michael Guest
Chairman

Mark DeSaulnier
Ranking Member

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R E P O R T

The Committee on Ethics (Committee) submits this report pursuant to House Rule XI, clauses 2(m)(1)(B) and 3(o)(1), House Rule XIII, clause 2(b)(1), and Rule 26(n) of the Rules of the Committee on Ethics.

I. INTRODUCTION

The Committee on Ethics, pursuant to Committee Rule 18(a), initiated an investigation to review allegations relating to Representative Mike Collins and his then-Chief of Staff, Brandon Phillips. Mr. Phillips was Representative Collins' Chief of Staff from January 3, 2023, through January 15, 2026, and was then a Senior Advisor through May 5, 2026.[1] The matter under review relates to allegations that Mr. Phillips was directly involved in hiring and employing an individual with whom he had a preexisting romantic relationship as a district intern in Representative Collins' congressional office. In addition, the Committee reviewed allegations that Mr. Phillips sought and received reimbursements for expenses that may not have been permissible under the Members' Representational Allowance.

The Committee first sought testimony and documents from Mr. Phillips on a voluntary basis. Through his attorney, Mr. Phillips provided the Committee with minimal information about his addresses and asserted that he had no documents responsive to the Committee's request for unofficial documents related to the district intern's employment. Thereafter, Mr. Phillips stopped cooperating, or even communicating, with the Committee. He never responded to the Committee's request for a voluntary interview. Accordingly, the Committee issued a subpoena to compel his testimony. Mr. Phillips ignored all subsequent communications, attempted to evade service of the subpoena, and did not appear on the date he was called to testify. At no point did Mr. Phillips offer a satisfactory legal justification for his failure to comply with the subpoena. Accordingly, the Committee adopted the following Report and hereby recommends that the House of Representatives take the necessary actions to find Mr. Phillips in contempt of Congress.

[1] Upon his resignation from House employment, the Committee lost jurisdiction over Mr. Phillips as a Respondent in its investigation. The Committee retained jurisdiction to review the matter, with Representative Collins as the sole Respondent, and Mr. Phillips remained a relevant witness.

II. AUTHORITY AND PURPOSE

The Committee on Ethics is a standing committee of the House of Representatives charged with fulfilling the House's duty to discipline its Members under Article I, Section 5, clause 2 of the U.S. Constitution: "Each House may . . . punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member." Pursuant to that authority, the House has delegated many functions to the Committee, including the specific authority to investigate and advise upon ethics issues under House rules and federal law. Under House Rule X, the Committee is authorized to: enforce standards of conduct for Members, officers, and employees; investigate alleged violations of any law, rule, or regulation; and make recommendations to the House for further action.

House Rule XI, clause 2(m)(1)(B), specifically authorizes the Committee and its subcommittees "to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary." Courts have recognized Congress's power to compel witnesses to testify and produce documents.[2] An individual has a legal obligation to comply with a duly issued and valid congressional subpoena, unless a valid privilege or other legal justification excuses compliance.[3] As the Supreme Court stated in *United States v. Bryan*:

> A subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase. If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.[4]

The Chairman and Ranking Member of the Committee may authorize an investigation pursuant to Committee Rule 18(a).[5] This matter was initially referred to the Committee by the Office of Congressional Conduct (OCC). In early 2025, OCC investigated allegations that Representative Collins may have: (1) used congressional resources for unofficial or otherwise unauthorized purposes; (2) retained an employee who did not perform duties commensurate with the compensation the employee received; and (3) discriminated unfairly by dispensing special

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[2] *See McGrain v. Daugherty*, 273 U.S. 135, 174 (1927) ("[T]he power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function."); *Barenblatt v. United States*, 360 U.S. 109, 111 (1959) ("The scope of the power of inquiry, in short, is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.").

[3] *See Watkins v. United States*, 354 U.S. 178, 187-88 (1957) ("It is unquestionably the duty of all citizens to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action.").

[4] *United States v. Bryan*, 339 U.S. 323, 331 (1950).

[5] Comm. on Ethics Rule 18(a) ("[T]he Committee may consider any information in its possession indicating that a Member . . . or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or standard of conduct . . . ." and "The Chair and Ranking Minority Member may jointly gather additional information concerning such alleged violation . . . .").

favors or privileges by retaining an employee with whom his Chief of Staff had a personal relationship.[6] At the same time, OCC also investigated allegations that Mr. Phillips may have: (1) used congressional resources for unofficial or otherwise unauthorized purposes; and (2) discriminated unfairly by dispensing special favors or privileges by participating in the retention of an employee with whom Mr. Phillips had a personal relationship.[7] OCC transmitted its referrals to the Committee on October 7, 2025, recommending that the Committee further review the allegations against Representative Collins and Mr. Phillips. Mr. Phillips did not cooperate with OCC's review, and OCC recommended that the Committee subpoena him.[8] On January 5, 2026, the Committee announced it had determined to continue investigating the allegations referred by OCC related to Representative Collins and Mr. Phillips.[9] On May 5, 2026, Mr. Phillips' employment with the House was terminated, meaning that Mr. Phillips was no longer a Respondent, though he remained a witness to the matter in which Representative Collins was a Respondent.

III. BACKGROUND

Mr. Phillips began serving as Chief of Staff to Representative Collins when the Member first took office in January 2023. Later that year, Mr. Phillips hired a district intern with whom he had a preexisting romantic relationship. According to the Statement of Disbursements of the House, the district intern received $5,044.00 between November 4 and December 31, 2023, and another $5,244.44 between October 7 and December 5, 2024. With respect to allegations that Mr. Phillips misused Representative Collins' Members' Representational Allowance funds to pay for hotels, meals, and travel between Georgia and D.C., including for campaign or personal purposes, Mr. Phillips' expense reports from 2023 and 2024 indicate that Representative Collins' office spent $70,760.63 on travel and related expenses by Mr. Phillips in 2023 and $58,525.70 in 2024. These expenses include lodging, taxi/ride shares, airfare, meals, wi-fi during travel, and parking.

To further investigate these issues, the Committee sent a voluntary Request for Information to Mr. Phillips on March 31, 2026, seeking a list of his official travel, information to identify his residence(s), and unofficial documents related to the district intern's employment, among other things.[10] At that time, Mr. Phillips was represented by the same counsel as Representative Collins. Counsel provided the Committee with Mr. Phillips' property addresses in Georgia and stated that

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[6] *See* OCC Report and Findings, Rev. No. 25-7636 (Oct. 7, 2025) (hereinafter OCC Referral), *available at* https://wordpress-1275988-6249768.cloudwaysapps.com/wp-content/uploads/2026/01/OCC-Report-and-Findings-Rep.-Mike-Collins-1.5.26.pdf.

[7] *See* OCC Report and Findings, Rev. No. 25-7735 (Oct. 7, 2025), *available at* https://wordpress-1275988-6249768.cloudwaysapps.com/wp-content/uploads/2026/01/OCC-Report-and-Findings-Brandon-Phillips-1.5.26.pdf.

[8] *Id*.

[9] Comm. on Ethics, Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Representative Mike Collins (Jan. 5, 2026), https://ethics.house.gov/press-releases/statement-of-the-chairman-and-ranking-member-of-the-committee-on-ethics-regarding-representative-mike-collins-2; Comm. on Ethics, Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Brandon Phillips (Jan. 5, 2026), https://ethics.house.gov/press-releases/statement-of-the-chairman-and-ranking-member-of-the-committee-on-ethics-regarding-brandon-phillips-2.

[10] *See* Exhibit 1 (Request for Information from Committee on Ethics Chairman Michael Guest and Ranking Member Mark DeSaulnier to Brandon Phillips (Mar. 31, 2026)).

Mr. Phillips had no unofficial documents related to the intern's employment.[11] Thereafter, counsel terminated his representation of Mr. Phillips because he was unable to contact Mr. Phillips.[12] Mr. Phillips did not provide any additional documents or information in response to the Request for Information.

On July 2, 2026, Committee staff requested Mr. Phillips participate in a voluntary interview.[13] Mr. Phillips did not respond to any outreach. Thereafter, on July 23, 2026, Committee counsel informed Mr. Phillips via email that a subpoena for his testimony had been authorized by the Committee.[14] After receiving no response from Mr. Phillips, the testimonial subpoena was issued on July 30, 2026, compelling his testimony on August 25, 2026, at 10:00 a.m. in 1015 Longworth House Office Building.[15] The U.S. Marshals Service (Marshals) attempted to personally serve the subpoena on Mr. Phillips three times at his residence during the week of August 3rd. The Marshals confirmed with Mr. Phillips' neighbors that he resided at the address provided and saw both his and the former district intern's cars at the residence. The Marshals ultimately determined that Mr. Phillips was evading service and were thus unable to personally serve him with the subpoena. As a result, the Committee subsequently served Mr. Phillips with the testimonial subpoena by email on August 10, 2026, and at an additional email address known to be associated with him on August 13, 2026.[16] On August 20, 2026, Mr. Phillips was again emailed a reminder of the date and time of his scheduled deposition. He was also informed at that time that if he failed to comply with the Committee's subpoena, the Committee might consider whether to hold him in contempt of Congress.[17] Mr. Phillips never responded to the Committee regarding his subpoena. On August 25, 2026, Mr. Phillips failed to appear before the Committee as required by the subpoena.[18]

On August 31, 2026, Committee staff sent Mr. Phillips a letter by certified mail informing him that the Committee was considering taking further action regarding his willful non-compliance with the subpoena, including the invocation of contempt of Congress proceedings.[19] Mr. Phillips was also informed that if he wished to discuss alternatives, he could contact the Committee within seven days of the date of the letter. However, on October 8, 2026, Committee staff received a return mailing of this letter in the unopened envelope and understood that Mr. Phillips did not receive this original mailing.

In the interim, on September 21, 2026, Committee staff again mailed Mr. Phillips a copy of the August 31, 2026, letter, as well as the July 30, 2026, subpoena, by certified mail to both the same address as the August 31, 2026, letter and to an additional address associated with Mr. Phillips. On October 6, 2026, Mr. Phillips signed to confirm his receipt of this mail at the same

[11] *See* Exhibit 2 (Letter from Counsel to Brandon Phillips to Committee on Ethics Chairman Michael Guest and Ranking Member Mark DeSaulnier (Apr. 24, 2026)).
[12] *See* Exhibit 3 (Emails between Committee staff and Counsel to Brandon Phillips (May 12, 2026, to June 9, 2026)).
[13] *See* Exhibit 4 (Emails from Committee staff to Brandon Phillips (July 2, 2026, to Aug. 20, 2026)).
[14] *Id*.
[15] *Id*.; *see also* Exhibit 5 (Subpoena *Ad Testificandum* to Brandon Phillips (July 30, 2026)).
[16] Exhibit 4.
[17] *Id*.
[18] Exhibit 6 (Brandon Phillips Deposition Transcript (Aug. 25, 2026)).
[19] Exhibit 7 (Letter from Committee staff to Brandon Phillips (Aug. 31, 2026)). *See also* Exhibit 8 (Emails from Committee staff to Brandon Phillips (July 2, 2026, to Aug. 31, 2026)).

address where the U.S. Marshals attempted to serve the subpoena and where the August 31, 2026, mail was sent.[20] Mr. Phillips again did not respond.

IV. FINDINGS

Mr. Phillips' failure to appear in response to the Committee's subpoena is egregious and warrants a referral to the U.S. Department of Justice for contempt of Congress. An individual who fails or refuses to comply with a House subpoena may be cited for contempt of Congress.[21] Pursuant to 2 U.S.C. § 192, the willful refusal to comply with a congressional subpoena is punishable by a fine of up to $100,000 and imprisonment for up to one year. A committee may vote to seek a contempt citation against a recalcitrant witness. This action is then reported to the House. If a contempt resolution is adopted by the House, the matter is referred to a U.S. Attorney, who has a duty to refer the matter to a grand jury for an indictment.[22]

The Committee determined that Mr. Phillips' testimony was necessary to its investigation and issued him a duly authorized subpoena in accordance with House and Committee Rules. Mr. Phillips was previously an employee of the House. His refusal to provide information to the Committee created unnecessary delays and limited the Committee's ability to fully investigate allegations of misconduct relating to a Member of Congress. Such complete refusal to comply with a lawful subpoena has hampered the Committee's ability to carry out its functions.

Mr. Phillips' efforts to evade service of the subpoena provide no defense. After initially communicating with the Committee through counsel (whom he shared with Representative Collins), Mr. Phillips ceased communicating with the Committee as of June 2026. The Committee engaged the U.S. Marshals to personally serve the subpoena on Mr. Phillips, and the Marshals ultimately concluded after three failed attempts that Mr. Phillips was evading service. The Committee then served the subpoena by email more than two weeks before Mr. Phillips' scheduled deposition. He never responded to the Committee about the subpoena. He was further made aware of the subpoena by letter dated September 21, 2026, but made no attempt to contact the Committee.

The House cannot accept a key witness simply ignoring its subpoenas. The Committee was clear throughout its investigation that Mr. Phillips' failure to comply with its subpoena could result in the Committee recommending that the House hold him in contempt of Congress, which could result in criminal charges pursuant to 2 U.S.C. § 192, which prohibits any person "having been summoned as a witness" by the Committee from willfully making default on the subpoena.[23] Nonetheless, Mr. Phillips has willfully failed to comply with the Committee's duly issued subpoena. It is imperative to protect the institutional interests of the House by enforcing the subpoenas through the contempt process. This serious matter requires action by the full House.

Numerous witnesses over the House's history have been cited for contempt for failing to appear to answer questions at an investigative proceeding.[24] Several contempt resolutions have

[20] Exhibit 9 (United States Postal Service Proof of Delivery (Oct. 6, 2026)).
[21] *See Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 515 (1975).
[22] *See* 2 U.S.C. § 194.
[23] *See, e.g.*, Exhibit 7; Exhibit 8.
[24] *See generally* 4 Deschler's Precedents § 20 et al.

been approved by the House in this and other recent Congresses.[25] This Committee has also found witnesses to be in contempt for refusing to produce documents or to appear or answer questions.[26]

The Committee on Ethics voted on November 19, 2026, to adopt this Report and recommends that the Report be approved. The form of Resolution that the Committee would recommend to the House of Representatives for citing Brandon Phillips for contempt of Congress pursuant to this Report is as follows:

HOUSE RESOLUTION

Resolved, That Brandon Phillips shall be found to be in contempt of Congress for failure to comply with the subpoena *ad testificandum* issued to him on July 30, 2026.

Resolved, That pursuant to 2 U.S.C. §§ 192 and 194, the Speaker of the House of Representatives shall certify the Report of the Committee on Ethics, detailing the refusal of Brandon Phillips to appear before the Committee on Ethics as directed by this subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Phillips be proceeded against in the manner and form provided by law.

Resolved, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

V. STATEMENT UNDER HOUSE RULE XIII CLAUSE 3(c)

The Committee made no special oversight findings in this Report. No budget statement is submitted. No funding is authorized by any measure in this Report.

[25] *See, e.g.*, H. Res. 1504 (119th Cong.) (Michael Joseph); H. Res. 1505 (119th Cong.) (Hector Roos); H. Res. 730 (117th Cong.) (Steve Bannon); H. Res. 851 (117th Cong.) (Mark Meadows); H. Res. 574 (113th Cong.) (Lois Lerner); H. Res. 711 (112th Cong.) (Eric Holder). The resolutions each stated that the witness "shall be found to be in contempt of Congress for failure to comply with a congressional subpoena." In those instances, the House specifically resolved that the Speaker shall certify the contempt report to the U.S. Attorney "[p]ursuant to 2 U.S.C. §§ 192 and 194," and that "the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena."

[26] In the current Congress, the House unanimously adopted resolutions holding Michael Joseph and Hector Roos in contempt of Congress for their failure to comply with subpoenas *duces tecum* and *ad testificandum* issued pursuant to the Committee's investigative subcommittee's investigation of allegations concerning former Representative Sheila Cherfilus-McCormick. *See* Comm. on Ethics, *Contempt Report Related to the Conduct of Michael Joseph*, H. Rept. 119-693, 119th Cong. 2d Sess. (2026); Comm. on Ethics, *Contempt Report Related to the Conduct of Hector Roos*, H. Rept. 119-694, 119th Cong. 2d Sess. (2026). There are also historical matters where the Committee has found witnesses in contempt. *See* Comm. on Standards of Official Conduct, *Proceedings Against O. Robert Fordiani*, H. Rept. 96-1078, 96th Cong. 2d Sess. (1980); Comm. on Standards of Official Conduct, *Proceedings Against Hancho Kim*, H. Rept. 95-1214, 95th Cong. 2d Sess. (1978).