



CITIZENS FOR  
RESPONSIBILITY &  
ETHICS IN WASHINGTON

November 14, 2024

The Honorable Michael Guest  
Chairman  
House Committee on Ethics  
1015 Longworth House Office Building  
Washington, DC 20515

The Honorable Susan Wild  
Ranking Member  
House Committee on Ethics  
1015 Longworth House Office Building  
Washington, DC 20515

Re: Release of the Committee's Investigative Report of Alleged Misconduct by  
Rep. Matt Gaetz

Dear Chairman Guest and Ranking Member Wild,

Citizens for Responsibility and Ethics in Washington (“CREW”) respectfully requests that the House Committee on Ethics complete its investigation of alleged misconduct by publicly releasing its report and exhibits related to allegations of ethical misconduct against former Rep. Matt Gaetz, including that he may have engaged in sexual misconduct and obstructed government investigations into his conduct.<sup>1</sup> Mr. Gaetz allegedly resigned his office just days prior to the Committee’s planned vote to release this information to the public, and hours after President Trump announced that he intended to nominate Mr. Gaetz to serve as Attorney General, the chief law enforcement officer of the United States.<sup>2</sup> While Mr. Gaetz can no longer be sanctioned by the Committee or the House, nothing in Committee or House rules bars the Committee from sharing its report, findings and exhibits with the public. In fact, the Committee’s charge to prevent violations of and promote compliance with House rules and related statutes by House members, officers, or employees demands release of this information to the public.

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<sup>1</sup> Will Steakin, *Gaetz subpoenaed by woman he allegedly had sex with when she was a minor in defamation suit brought by friend*, ABC NEWS (Mar. 14, 2024, at 6:42 ET), <https://abcnews.go.com/US/rep-matt-gaetz-subpoenaed-defamation-suit-woman-allegedly/story?id=108098265>; Press Release, U.S. House of Representatives Committee on Ethics, Statement Regarding the Matter of Representative Matt Gaetz (June 18, 2024) If any staff were involved in the allegations against Mr. Gaetz and they’re still employed, the Committee also has a separate jurisdictional hook to continue its investigation and publish its findings. (<https://ethics.house.gov/press-releases/statement-regarding-matter-representative-matt-gaetz>).

<sup>2</sup> Andrew Solender, *Matt Gaetz resigns ahead of key Ethics Committee meeting*, AXIOS, (Nov. 13, 2024), <https://www.axios.com/2024/11/14/matt-gaetz-resigns-congress-ethics-committee>; Kevin Breuninger, *Trump picks Rep. Matt Gaetz as attorney general*, CNBC (Nov. 13 2024, at 3:28 ET), <https://www.cnn.com/2024/11/13/trump-taps-rep-matt-gaetz-as-attorney-general.html>.

As a former Ethics Committee counsel, I am familiar with Committee members' troubling history of burying investigations of sexual misconduct when the subject resigns in disgrace. For example, in 2017, the Committee launched an investigation against former Republican Rep. Blake Farenthold based on allegations that he sexually harassed a staff member and retaliated against her when she complained.<sup>3</sup> In 2018, that investigation was closed by the Committee after Rep. Farenthold resigned. Despite the fact that the Committee interviewed six witnesses and reviewed more than 12,000 pages of documents, the Committee did not publicly release a report of its investigative files.<sup>4</sup> This practice flies in the face of the Committee's purpose in promoting ethics among House members and staff. As strong public advocates on behalf of the rule of law, children and victims of sexual assault, the Chairman and Ranking Member should eschew this practice given the damning allegations against Mr. Gaetz, and release the Committee's completed report.<sup>5</sup> Nothing in the Committee's rules prevents you from doing so; in fact, the Committee's mission commands it.

While the Committee has not typically continued investigations or released its investigative findings after a member has resigned, there have been some notable exceptions to this practice that suggest the Committee can and should proceed with finalizing its investigation into Mr. Gaetz and releasing its findings. For example, in March 2010, former Democratic Rep. Eric Massa resigned from Congress after reports of sexually inappropriate conduct with staff led to an investigation by the Committee.<sup>6</sup> Despite his resignation, the Committee issued a bipartisan statement announcing that the Committee was investigating "alleged or actual misconduct on the part of former Representative Massa including actions that were offensive, inappropriate, created a hostile work environment, or were otherwise in violation of laws, rules, regulations or other standards of conduct."<sup>7</sup> Leadership insisted that the investigation continue in part to assist the House in strengthening its sexual

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<sup>3</sup> Rachael Bade and John Bresnahan, *Ethics Committee launches investigation into Farenthold sexual harassment allegations*, POLITICO (Dec. 7, 2017, at 4:13 ET), <https://www.politico.com/story/2017/12/07/blake-farenthold-lauren-greene-house-ethics-286073>.

<sup>4</sup> Press Release, U.S. House of Representatives Committee on Ethics, Statement regarding the investigative subcommittee in the matter of Blake Farenthold (Apr. 12, 2018) ([https://ethics.house.gov/sites/ethics.house.gov/files/documents/Press%20Release\\_2.PDF](https://ethics.house.gov/sites/ethics.house.gov/files/documents/Press%20Release_2.PDF)).

<sup>5</sup> See e.g. Press Release, Michael Guest, Member, House of Representatives, The case for Mayorkas's impeachment is simple (Jan. 23, 2024), <https://guest.house.gov/media/in-the-news/case-mayorkass-impeachment-simple>; Press Release, Susan Wild, Member, House of Representatives, Representatives Wild, Moran, & McCaul, Join Senator Cornyn, Introducing Bipartisan Legislation to Prevent Child Abuse (Feb. 6, 2024), <https://wild.house.gov/media/press-releases/representatives-wild-moran-mccaul-join-senator-cornyn-introducing-bipartisan>.

<sup>6</sup> Glenn Thrush and John Bresnahan, *Rep. Eric Massa to resign* (Mar. 5, 2010, at 3:34 ET), <https://www.politico.com/story/2010/03/rep-eric-massa-to-resign-034001>.

<sup>7</sup> Jennifer Yachnin, *Ethics panel launches Massa investigation*, ROLL CALL (Apr. 21, 2010, at 1:30 ET), <https://rollcall.com/2010/04/21/ethics-panel-launches-massa-investigation/>.

harassment rules.<sup>8</sup> On July 14, 2011, more than a year after Rep. Massa's resignation, the Committee announced that it "voted to re-authorize an investigative subcommittee for the 112th Congress that had been previously authorized during the 111th Congress for the matter involving former Representative Eric Massa."<sup>9</sup>

In a similar example, the Committee released a report into allegations of ethical violations by former Republican Rep. Madison Cawthorn on December 6, 2022, less than a month before Rep. Cawthorn's term ended, and despite the fact that he lost his primary six months prior and would not be serving in Congress going forward.<sup>10</sup> These examples make clear that the Committee has the discretion to pick and choose when continuing investigations or releasing investigative findings are in the public interest. It should do so here. Notably, in 2011, the Senate Select Committee on Ethics publicly released its report of Preliminary Inquiry against former Republican Senator John Ensign days after his resignation.<sup>11</sup> The Senate Ethics Committee also forwarded the report to the Department of Justice and the Federal Election Commission, and noted, "Although Senator Ensign's resignation divests the Committee of jurisdiction to impose discipline on him as of its effective date, Special Counsel, as required by the governing Resolution and Rules of the Senate, tenders this Report to the Committee for its consideration in the exercise of its continuing authority, obligations, and discretion under the Resolution and Rules."<sup>12</sup>

The allegations against Mr. Gaetz under investigation by the Committee, if substantiated, would represent a significant breach of public trust. They include not only allegations of sexual misconduct, but also the acceptance of improper gifts, and the dispensation of special privileges and favors to individuals with whom he had a

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<sup>8</sup> Press release, Steny Hoyer, Majority Leader, House of Representatives, Hoyer: Review harassment rules (Apr. 21, 2010), <https://leaderarchive-hoyer.house.gov/content/hoyer-review-harassment-rules>.

<sup>9</sup> Press Release, U.S. House of Representatives Committee on Ethics, Statement of the Chair and Ranking Member Regarding Former Representative Eric Massa (July 15, 2011), <https://ethics.house.gov/press-release/statement-chairman-and-ranking-member-regarding-former-representative-eric-massa>.

<sup>10</sup> H.R. Doc. No. 117-591, 2d Sess., (2022), <https://ethics.house.gov/sites/ethics.house.gov/files/documents/Report%20%28GPO%20Print%29%2011.pdf>; Myah Ward, *Cawthorn loses primary in North Carolina*, POLITICO (May 7, 2022, at 10:44 ET), <https://www.politico.com/news/2022/05/17/cawthorn-north-carolina-primary-00033315>.

<sup>11</sup> Manu Raju and John Bresnahan, *Nevada Sen. John Ensign to resign*, POLITICO (Apr. 21, 2011, at 6:10 ET), <https://www.politico.com/story/2011/04/nevada-sen-john-ensign-to-resign-053557>.

<sup>12</sup> Press Release, U.S. Senate Select Committee on Ethics, Preliminary Inquiry concerning Senator John E. Ensign (May 12, 2011), <https://www.ethics.senate.gov/public/index.cfm/pressreleases?ID=451C2D6E-643F-4026-B7C4-3F6587FCC2DC>; Special Counsel of S. Comm. on Ethics, 112th Cong., Report of the Preliminary Inquiry into the Matter of Senator John E. Ensign, [https://www.ethics.senate.gov/public/\\_cache/files/676add17-2c7f-40f7-a4d9-b35526e4da97/public-report-preliminary-inquiry-into-the-matter-of-sen-ensign.pdf](https://www.ethics.senate.gov/public/_cache/files/676add17-2c7f-40f7-a4d9-b35526e4da97/public-report-preliminary-inquiry-into-the-matter-of-sen-ensign.pdf).

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personal relationship.<sup>13</sup> The public has a right to access and review the Committee's findings. This demand is even more acute given that the Committee was also investigating allegations that Mr. Gaetz sought to obstruct government investigations of his conduct, and he has now been nominated to become the next Attorney General.

Releasing the Committee's report related to Mr. Gaetz is a reasonable and warranted step to ensure public transparency and accountability that the Committee's charge demands. We implore you to take this action. If the Committee does not see fit to release the Committee's report to the public, then at the very least, the entire investigative file should be transmitted to the Senate Judiciary Committee as they consider the nomination of Mr. Gaetz to be Attorney General.

Sincerely,

A handwritten signature in blue ink, appearing to read "D.K. Sherman", with a long horizontal flourish extending to the right.

Donald K. Sherman  
Executive Director & Chief Counsel

cc:

The Hon. Richard Durbin  
Chairman  
Senate Committee on the Judiciary

The Hon. Lindsey Graham  
Ranking Member  
Senate Committee on the Judiciary

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<sup>13</sup> Press Release, U.S. House of Representatives Committee on Ethics, Statement Regarding the Matter of Representative Matt Gaetz (June 18, 2024), <https://ethics.house.gov/press-releases/statement-regarding-matter-representative-matt-gaetz>).