



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

January 20, 2026

The Honorable Michael Guest
Chairman, House Committee on Ethics
450 Cannon House Office Building
Washington, D.C. 20515

The Honorable Mark DeSaulnier
Ranking Member, House Committee on Ethics
2134 Rayburn House Office Building
Washington, D.C. 20515

Re: Congressional Investigation of Allegations Involving Representative Henry Cuellar

Dear Chairman Guest and Ranking Member DeSaulnier,

On behalf of Citizens for Responsibility and Ethics in Washington (CREW), a nonpartisan nonprofit organization dedicated to promoting accountability in government, we strongly urge you to promptly and thoroughly complete the bipartisan investigation of alleged violations of numerous federal criminal and ethics laws by Representative Henry Cuellar that resulted in his indictment, despite President Trump recently granting him clemency. The allegations of wrongdoing that have been acknowledged by the Committee—initially in May 2024¹ and again in July 2025²—require a fulsome investigation to provide the public with confidence that its elected officials are held accountable for any potential violations of the public trust even if they otherwise are spared a criminal trial in a court of law.

Following an investigation by the Department of Justice (DOJ) and a federal grand jury's indictment of Rep. Cuellar in 2024 arising from his alleged acceptance of nearly \$600,000 in bribes from a company controlled by a foreign government and a foreign bank, unlawful foreign influence, and money laundering, CREW called on Rep. Cuellar to resign from office because “the serious charges leveled against him make it inappropriate for him to remain in

¹ Press Release, H.R. Comm. on Ethics, Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Rep. Henry Cuellar (May 29, 2024), <https://perma.cc/Q7ZI-A5NG>.

² Press Release, H.R. Comm. on Ethics, Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Rep. Henry Cuellar (July 25, 2025), <https://perma.cc/6CSN-9Z5A>.

office.”³ CREW reiterates that call today. However, to date, Rep. Cuellar has not resigned, and instead announced that he will seek another term in public office.⁴ The significant allegations in the indictment, alleging that he abused his position to enrich himself and benefit foreign interests, continue to undermine the trust that his constituents and the American public have in the integrity of his service individually as well as Congress as a whole.

While Rep. Cuellar has not been convicted of these allegations, and can no longer be prosecuted by the executive branch for these federal offenses after receiving a preemptive presidential pardon,⁵ the facts regarding Rep. Cuellar’s conduct and fitness to serve in public office must come to light. It is therefore crucial that the allegations be fully investigated and resolved by an authorized and independent body. The Constitution grants the House the authority to police the ethical conduct of its members by determining the rules of its proceedings, punishing its members for disorderly behavior and, with the concurrence of two-thirds, expelling a member.⁶ This authority in turn grants the Committee jurisdiction to investigate and enforce alleged violations of any standards of official conduct, rules, statutes and regulations.⁷ Under this authority, the Committee’s unanimous authorization and re-authorization of the Investigative Subcommittee to review the allegations against Rep. Cuellar were important steps to resolve the questions regarding Rep. Cuellar’s fitness to continue serving.⁸

The subcommittee’s continued investigation properly recognizes that the Committee’s authority to proceed with its own investigation is constitutionally distinct from the president’s pardon authority.⁹ Just as the Committee noted prior to the pardon, despite the risks of “dual investigations” by both itself and the DOJ, its own investigation is necessary to “[meet] the Committee’s obligations to safeguard the integrity of the House.”¹⁰ However, despite the distinct execution of these inquiries in the respective branches of government, the DOJ’s closed case file for this matter may inform the subcommittee of relevant information and facilitate its deliberations. CREW has filed a request under the Freedom of Information Act to obtain a copy of that file¹¹ and urges the Committee to request a copy as well, which may expedite the

³ Press Release, Citizens for Responsibility and Ethics in Washington, Rep. Henry Cuellar Must Resign (May 7, 2024), <https://www.citizensforethics.org/news/press-releases/rep-henry-cuellar-must-resign/>.

⁴ Calen Razor and Meredith Lee Hill, *Henry Cuellar Will Seek Reelection as a Democrat After Trump Pardon*, Politico, Dec. 3, 2025, <https://www.politico.com/live-updates/2025/12/03/congress/henry-cuellar-pardon-reelection-party-00674518>.

⁵ President Donald J. Trump, Executive Grant of Clemency (Dec. 2, 2025), <https://www.justice.gov/pardon/media/1419976/dl?inline>.

⁶ U.S. Const. art. I, § 5, cl. 2.

⁷ See *About Us*, Committee Jurisdiction, H. Comm. on Ethics, <https://ethics.house.gov/committee-jurisdiction/> (last visited Jan. 8, 2025).

⁸ *Supra* note 1; *supra* note 2.

⁹ Contrast U.S. Const. art. II, § 2, cl. 1 (executive power to grant pardons) with U.S. Const. art. I, § 5, cl. 2 (legislative power to discipline members).

¹⁰ *Supra* note 2.

¹¹ FOIA Requests, Citizens for Responsibility and Ethics in Washington (Feb. 22, 2023) <https://tinyurl.com/4x8e96ah> (links to relevant FOIA requests available at entry for Dec. 12, 2025).

Committee’s determination regarding whether Rep. Cuellar has violated any of the obligations of his position so that his constituents can be properly informed before the November election.

While the DOJ’s parallel investigation may be informative, its findings are not dispositive to the Committee’s deliberations. The Committee’s distinct constitutional authority also means that it is not bound by the same standard of review, nor result. While the standard for criminal conviction is guilt “beyond a reasonable doubt,” members of Congress have been disciplined or expelled from the body for conduct below that standard.¹² Under Committee rules, the investigating subcommittee may hold trial-like proceedings to determine whether a member has violated the law and House rules, using a standard of “clear and convincing evidence.”¹³ For example, in the case of Representative Charles B. Rangel, an investigative subcommittee held a public hearing with evidence and witnesses and found by a “clear and convincing evidence” standard that Rangel had committed 11 of 13 charged violations.¹⁴ The Committee’s investigation, and the House’s expulsion, of Representative George Santos in 2023 reflects recent precedent of its exercise of authority to take action against members for conduct—even that which may not be charged in an indictment—and to do so without a criminal conviction for such conduct.¹⁵

Similarly, the final disposition of the executive branch’s case against Rep. Cuellar, led by the DOJ, does not bind the Committee’s work in this inquiry. The president’s pardon of Rep. Cuellar preempted a fair trial and verdict on the corruption charges. And while the president’s authority to grant pardons may be broad, the legal effect of presidential pardons has been limited.¹⁶ Accordingly, a pardon generally does not establish innocence, particularly if, as was the case for Rep. Cuellar, the pardon does not assert his innocence.¹⁷ The House’s separate and superseding responsibility to police the conduct of its members requires it to review the questions of wrongdoing in light of House rules and standards of conduct, as well as federal law, without deference to the executive branch’s decision to end its prosecution.¹⁸

The importance of the Committee’s continued commitment to a bipartisan investigation is underscored by serious concerns about political motivations in the granting of the pardon and, more broadly, politicization of the judicial process. President Trump’s preemptive pardon is one of the most recent additions to his pattern of granting clemency to

¹² See generally Todd Garvey, Cong. Rsch Serv., R45078, *Expulsion of Members of Congress: Legal Authority and Historical Practice* (Nov. 7, 2023).

¹³ H.R. Comm. on Ethics, 119th Cong., *Rules of the Committee on Ethics, Rules 2(i) and 10(a)(4)* (2025), <https://ethics.house.gov/wp-content/uploads/2025/03/Committee-Rules-for-the-119th-Congress.pdf>.

¹⁴ See John Bresnahan, *Rangel Guilty on 11 Ethics Charges*, Politico, Nov. 16, 2010, <https://www.politico.com/story/2010/11/rangel-guilty-on-11-ethics-charges-045198>.

¹⁵ H. Res. 878, 118th Cong. (2023), <https://www.congress.gov/bill/118th-congress/house-resolution/878/text>.

¹⁶ Michael Foster, Cong. Rsch Serv., R46179, *Presidential Pardons: Overview and Selected Legal Issues* (Jan. 14, 2020).

¹⁷ *Id.* at 11.

¹⁸ *Supra* note 6.

public officials accused or convicted of public corruption crimes.¹⁹ Put together with some members' criticisms of the DOJ's investigation, it augments concerns that enforcement of federal ethics laws is being politicized.²⁰ To prevent further erosion of the public's confidence that elected officials are working on the public's behalf, Congress must not abdicate its constitutional responsibility to investigate serious allegations of illegal and unethical conduct by Rep. Cuellar.

CREW urges, and the Constitution demands, that the House Committee on Ethics continue fully investigating Rep. Cuellar's alleged illegal and unethical conduct promptly, committing itself to the fight against corruption in our public institutions and restoring the public's faith in its elected officials.

Sincerely,



Donald Sherman
President and Chief Executive Officer

Cc: The Honorable Ben Cline
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¹⁹See generally *Trump Has Granted Clemency to 17 Corrupt Politicians-So Far*, Citizens for Responsibility and Ethics in Washington (Oct. 17, 2025), <https://www.citizensforethics.org/reports-investigations/crew-investigations/trump-has-granted-clemency-to-16-corrupt-politicians-so-far/>.

²⁰J.P. Cooney and Molly Gaston, *The Pardon That Represents the New Era of Corruption*, N.Y. Times (Dec. 12, 2025), <https://www.nytimes.com/2025/12/12/opinion/trump-pardon-cuellar-justice.html>.

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