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ONE HUNDRED FIFTEENTH CONGRESS

U.S. House of Representatives

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STATEMENT REGARDING THE INVESTIGATIVE SUBCOMMITTEE IN THE MATTER OF REPRESENTATIVE BLAKE FARENTHOLD

Pursuant to Committee Rule 7(g), the Chairwoman and Ranking Member of the Committee on Ethics (Committee) determined to release the below statement, in consultation and with the unanimous agreement of the full Committee:

Because Representative Blake Farenthold has resigned from Congress, the Investigative Subcommittee (ISC) established to investigate allegations involving him no longer has jurisdiction over him. We thank ISC Chairman Leonard Lance, Ranking Member Anthony Brown, and Members Ann Wagner and Suzanne Bonamici for their diligent work in moving this matter forward expeditiously.

Sexual harassment and discrimination in the workplace are serious matters and such conduct should have no place in the halls of Congress. Members' offices should serve as an example for the modern American workplace, and accordingly those offices should be professional and fair environments for all who work within them. Members should act in a manner that avoids even the appearance of impropriety.

We note Representative Farenthold publicly promised to reimburse the U.S. Treasury for \$84,000 in funds paid to settle the lawsuit brought against him for claims of sexual harassment, gender discrimination and retaliation. We encourage him in the strongest possible terms to uphold that promise.

Investigation Background

On June 29, 2015, the Committee received a referral from the Office of Congressional Ethics (OCE) regarding whether Representative Farenthold sexually harassed a former member of his staff, discriminated against her on the basis of her gender, and retaliated against her for complaining about the alleged unlawful treatment. In its referral, OCE unanimously recommended that the Committee dismiss the matter. Due to the seriousness of the allegations referred by OCE, on September 28, 2015, the Committee announced it would continue to review the allegations.

Pursuant to Committee Rule 18(a), the Committee reviewed more than 200,000 pages of documents and interviewed witnesses. The Committee's investigation was delayed by difficulties obtaining testimony from key witnesses and in accessing confidential documents exchanged during federal litigation discovery.

On December 7, 2017, the Committee announced it voted to establish an ISC with jurisdiction to investigate the allegations referred by OCE, as well as allegations that Representative Farenthold made inappropriate statements to other members of his official staff. The Committee determined to take that action based upon a discretionary review of the allegations, as well as the evidence obtained pursuant to Committee Rule 18(a).

On December 21, 2017, the Committee voted unanimously to expand the jurisdiction of the ISC's inquiry to include:

Whether Representative Farenthold violated the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the performance of his duties or the discharge of his responsibilities, with respect to: (1) allegations of sexual harassment, discrimination, or retaliation by Representative Farenthold, or any person acting on his behalf, toward any member of his congressional staff while they were employed in his congressional office; (2) allegations that Representative Farenthold's congressional staff may have used House resources, including staff time, to benefit his congressional campaigns; (3) allegations that Representative Farenthold, or any person acting on his behalf, may have required members of his congressional staff to work on his congressional campaigns; and (4) allegations that Representative Farenthold may have made false statements or omissions in testimony to the Committee.

The ISC expeditiously investigated the allegations within its jurisdiction. In addition to reviewing the evidence obtained pursuant to Committee Rule 18(a), the ISC issued and received response to seven requests for information, reviewed approximately 12,000 pages of documents, and interviewed six witnesses. The ISC provided an opportunity for Representative Farenthold to appear for a voluntary interview, but he declined to do so in the time frame offered by the ISC; he did present a written statement regarding the allegations.

Pursuant to Committee Rule 26(c), on March 30, 2018, the ISC informed Representative Farenthold it had scheduled a vote on a Statement of Alleged Violation in this matter, to occur on April 11, 2018. Representative Farenthold resigned from Congress on April 6, 2018, before the scheduled vote on a Statement of Alleged Violation, at which time the ISC lost jurisdiction over him.

This statement constitutes the Committee's final action regarding this matter.

We also call upon the Senate to pass the legislation reforming the Congressional Accountability Act, which has already passed the House with overwhelming bipartisan support.

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