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ONE HUNDRED TWELFTH CONGRESS

U.S. House of Representatives

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FOR RELEASE: Upon Receipt

November 26, 2012

STATEMENT OF THE CHAIRMAN AND RANKING MEMBER OF THE COMMITTEE ON ETHICS REGARDING REPRESENTATIVE MICHAEL GRIMM

Pursuant to Committee Rule 7(g), the Chairman and Ranking Member of the Committee on Ethics (Committee) determined on November 26, 2012, to release the following statement:

On June 29, 2012, the Committee received a referral from the Office of Congressional Ethics (OCE) regarding whether Representative Michael Grimm may have violated federal campaign finance laws by soliciting and accepting prohibited campaign contributions, caused false information to be included in campaign finance reports, and improperly sought assistance from a foreign national in soliciting campaign contributions in exchange for offering to use his official position to assist that individual in obtaining a green card. Pursuant to House Rule XI, clause 3(b)(8)(A) and Committee Rules 17A(b)(1)(A), 17A(d), and 17A(j), the Committee unanimously voted on July 31, 2012, to extend the Committee's review of the matter until November 26, 2012.

OCE's referral of this matter recommended dismissal because it could not establish with a sufficient certainty that a violation occurred after Representative Grimm became a Member of Congress. However, in prior Congresses, the Committee has held that it may investigate conduct that violated laws, regulations, or standards of conduct, which occurred during an initial campaign for the House of Representatives. Based on this precedent, notwithstanding OCE's view, on November 15, 2012, the Committee unanimously voted to continue to assert jurisdiction over matters relating to a successful campaign for election to the House of Representatives. Accordingly, the Committee authorized an inquiry into these matters pursuant to Committee Rule 18(a).

The Department of Justice has asked the Committee to defer consideration of this matter and the Committee, following precedent, unanimously voted to defer consideration of this matter at this time. At least annually, the Committee will make a public statement if it continues to defer taking action on the matter. The Committee notes that the mere fact of conducting further review of a referral, and any mandatory disclosure of such further review, does not itself indicate that any violation has occurred, or reflect any judgment on behalf of the Committee.

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