

Berke | Farah LLP

Attorneys at Law

701 8th St. NW • Suite 620 • Washington, DC 20001 • [REDACTED] [REDACTED]
www.berkefarah.com

August 9, 2021

The Honorable Ted Deutch, Chairman
The Honorable Jackie Walorski, Ranking Member
Committee on Ethics
U.S. House of Representatives
1015 Longworth House Office Building (LHOB)
Washington, DC 20515

Dear Chairman Deutch and Ranking Member Walorski:

On behalf of Congressman Jim Hagedorn, this letter responds to a referral from the Office of Congressional Ethics (“OCE”) to the Committee on Ethics (“Committee”) recommending further review of two allegations involving him.

As the Committee on Ethics is aware, on August 10, 2020 Congressman Hagedorn self-reported the first allegation to it in accordance with Committee Rule 18(c).¹ Congressman Hagedorn stands by the self-reported information he has already provided to the Committee and will continue to answer any questions the Committee might have with respect to this matter, including to provide comment on the material misstatements made to the OCE and on the unfounded conclusions reached by the OCE in its referral.²

¹ As the Committee recently explained: “Committee Rule 18(c) provides that a House Member or staffer may submit a written request to the Chair and Ranking Member of the Committee for an investigation into that individual’s own conduct. The Committee encourages self-reporting of potential violations of House Rules, laws, and other standards of conduct. As a general proposition, self-reported matters, when accompanied by full cooperation, may be resolved more expeditiously than other matters. Self-reporting does not guarantee or prevent any particular outcome in a matter. The Committee may consider voluntary disclosure as a mitigating factor when determining how to resolve a matter; however, the Committee does not consider self-disclosure of violations following the commencement of a preliminary review by OCE to be “self-reports” in the same sense as disclosure of allegations that are not already part of the congressional ethics investigative process.” *In the Matter of Allegations Relating to Representative David Schweikert*, Adopted by the Investigative Subcommittee on June 30, 2020, 116th Congress, 2nd Session, U.S. House of Representatives Committee on Ethics, at 3.

² A copy of the OCE’s referral and accompanying documents is enclosed with this letter.

We are also troubled by the OCE's implication that because Congressman Hagedorn did not cooperate with its review it somehow demonstrates culpability on his part. The OCE was informed he had self-reported this matter to the Committee nearly a year ago, but nevertheless decided to waste taxpayer resources to refer a matter to the Committee it was already reviewing. We look forward to working with the next Congress on a rule change that can institute better fiscal discipline within the OCE.

With respect to the second allegation, Congressman Hagedorn has been targeted before the Federal Election Commission ("FEC") by leftist groups. Please find enclosed his response to the FEC on this matter. His campaign committee no longer uses the P.O. Box that is referenced in the complaint. Should the Committee have any questions regarding it, Congressman Hagedorn stands ready to cooperate fully and voluntarily.

Please also find enclosed our communications with the OCE as requested. Please let us know if you have any additional questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Elliot S. Berke". The signature is written in a cursive, flowing style.

Elliot S. Berke

Enclosures