

How can we support our closest ally in the Middle East when the President and the Senate stand in the way?

The House has done its job. It is now time for the President and Mr. SCHUMER to clear their B-S roadblock.

Mr. SELF. Mr. Chair, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Texas has 3 minutes remaining.

Mr. SELF. Mr. Chair, deterrence is based on strength and the willingness to use it.

In my time in the Middle East, I understood that our adversaries there, including Iran and its proxies, understand only strength. If we put an arbitrary sunset clause in this bill, it will be demonstrating weakness and not strength.

Mr. Chair, I oppose this amendment. I encourage my colleagues to vote against it, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. JACKSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. JACKSON of Illinois. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

Mr. SELF. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SELF) having assumed the chair, Mr. CLYDE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5961) to freeze certain Iranian funds involved in the 2023 hostage deal between the United States and Iran, and for other purposes, had come to no resolution thereon.

□ 1445

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. D'ESPOSITO. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution that was previously noticed.

The SPEAKER pro tempore (Mr. MOOLENAAR). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 878

Whereas Representative George Santos is a Member of the United States House of Representatives;

Whereas soon after his election in November 2022, Representative Santos' background came under public scrutiny;

Whereas, on February 28, 2023, the Committee on Ethics of the House unanimously voted to impanel an Investigative Subcommittee (hereinafter in this resolution referred to as the "ISC") to review whether Representative Santos may have engaged in

unlawful activity with respect to his 2022 congressional campaign, failed to properly disclose required information on statements filed with the House, violated Federal conflict of interest laws in connection with his role in a firm providing fiduciary services, and engaged in sexual misconduct towards an individual seeking employment in his congressional office;

Whereas the ISC met nine times and, over the course of its investigation, authorized 37 subpoenas and 43 voluntary requests for information (RFIs) leading to its receipt of over 172,000 pages of documents, contacted or interviewed over 40 witnesses, and reviewed materials received from the Office of Congressional Ethics and relevant court records;

Whereas the ISC determined in its investigation that there was substantial evidence of violations of Federal law, the Rules of the House, and other applicable standards related to many of the allegations charged in the indictment, and substantial evidence of additional unlawful and unethical conduct not charged in the indictment;

Whereas these additional violations relate to falsely reported loans reportedly received by his 2020 campaign and leadership political action committee, GADS PAC, improper loan repayments to himself, systemic reporting errors in his 2020 and 2022 campaign's Federal Election Commission filings, and substantial evidence that campaign funds were converted to personal use;

Whereas the ISC also identified additional errors and omissions in his 2020 and 2022 Financial Disclosure Statements, as well as violations of Federal law and the Rules of the House related to his unfiled 2021 and 2023 Financial Disclosure Statements, which were not charged in the indictment;

Whereas the ISC also found that Representative Santos failed to meet his duty of candor with respect to the ISC's investigation, and instead presented the ISC with misrepresentations and delay tactics;

Whereas, on May 10, 2023, Representative Santos was charged in Federal court in the Eastern District of New York with wire fraud in connection with a fraudulent political contribution scheme, unlawful monetary transactions in connection with the wire fraud allegations, theft of public money in connection with his alleged receipt of unemployment benefits, fraudulent application for and receipt of unemployment benefits, and false statements in connection with his 2020 and 2022 House of Representatives Financial Disclosure Statements;

Whereas Nancy Marks, who served as Treasurer to Representative Santos' campaign, pleaded guilty to conspiracy to commit wire fraud, falsifying records, and identity theft in connection with the Santos campaign;

Whereas a superseding indictment was filed on October 10, 2023, charging Representative Santos with additional violations related to his 2022 campaign, including allegations of falsifying Federal Election Commission reports in connection with a \$500,000 personal loan that was never made, falsifying the names of contributors to his campaign, engaging in aggravated identity theft and access device fraud, and enriching himself through a fraudulent contribution scheme;

Whereas Sam Miele, who served as a fundraiser to Representative Santos' campaign, pleaded guilty to a Federal wire fraud charge after impersonating a senior congressional aide for the purposes of soliciting funds;

Whereas the ISC that was established to review the allegations against Representative Santos adopted a report of its findings and submitted the report to the full committee;

Whereas the Committee on Ethics of the House unanimously voted to adopt the ISC report based upon the investigation providing substantial evidence that Representative Santos—

(1) knowingly caused his campaign committee to file false or incomplete reports with the Federal Election Commission, used campaign funds for personal purposes, engaged in fraudulent conduct in connection with RedStone Strategies LLC, and engaged in knowing and willful violations of the Ethics in Government Act as it relates to his Financial Disclosure Statements filed with the House;

(2) was a knowing and active participant in the wrongdoing; and

(3) was given an opportunity, pursuant to Committee Rule 17(b), to submit a signed written statement responding to the allegations raised in a complaint filed by his fellow Members but did not do so;

Whereas the ISC—

(1) requested that Representative Santos provide all documents and information responsive to its Request for Information, but he did not do so;

(2) asked Representative Santos to voluntarily testify, but he did not do so; and

(3) provided Representative Santos the opportunity, pursuant to Committee Rule 19(b)(3), to provide a statement under oath, but he did not do so;

Whereas as a Member of the United States House of Representatives, Representative Santos must be held accountable to the highest standards of conduct in order to safeguard the public's faith in this institution;

Whereas the Constitution of the United States charges the House with policing the behavior of its own Members, and the House should take action against Representative Santos commensurate with his violations of Federal law and the Rules of the House; and

Whereas given his egregious violations, Representative George Santos is not fit to serve as a Member of the United States House of Representatives: Now, therefore, be it

Resolved, That pursuant to article I, section 5, clause 2 of the Constitution of the United States, Representative George Santos, be, and he hereby is, expelled from the United States House of Representatives.

The SPEAKER pro tempore. The resolution qualifies.

Pursuant to clause 2 of rule IX, the gentleman from New York (Mr. D'ESPOSITO) and the gentleman from New York (Mr. SANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. D'ESPOSITO).

Mr. D'ESPOSITO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are here this afternoon at a point that none of us wanted to ever be at. The Ethics Committee of the House of Representatives has filed their report, which revealed a complex web of illegal activities that involved Representative GEORGE SANTOS' campaign, his personal finances, and business finances.

SANTOS tried to exploit every aspect of his candidacy for personal financial gain. Records subpoenaed by the Committee on Ethics show that Congressman SANTOS stole from his campaign by deceiving donors into providing contributions that were actually payments for his personal benefit.

SANTOS also reported fictitious loans to his political committees to induce

donors in party committees to contribute more to his campaign, keeping the elaborate scheme moving forward.

GEORGE SANTOS is a liar; in fact, he has admitted to many of them. He has used his position of public trust to personally benefit himself from day one.

SANTOS now faces 23 criminal charges in connection with his long list of misdeeds. We have already seen two former SANTOS staffers, including his former treasurer, plead guilty to Federal charges in connection with SANTOS' corrupt campaign.

Despite blaming others, including his former treasurer for the numerous campaign violations, all signs point toward Mr. SANTOS that he knowingly and actively participated in a widespread misconduct of his campaign. In fact, the Ethics Committee records demonstrate this to a tee.

GEORGE SANTOS has continuously said that he has not received his due process. I ask my colleagues: If we do not take the Ethics Committee and their results seriously, then why even have the committee in the first place?

Through the ISC investigation, SANTOS has been awarded due process, and has been provided ample opportunity to be heard during both the investigation by the House Committee on Ethics and throughout the expulsion process.

Even after being offered multiple opportunities to present his side of the story, Mr. SANTOS refused to engage with the Ethics Committee in good faith and refused to cooperate with those tasked with leading the investigation.

The ISC report notes that he failed to submit a written response to the allegations. He failed to provide numerous documents requested. He refused to testify voluntarily. He failed to provide a statement under oath.

SANTOS also informed the committee that if he was subpoenaed, he would plead the Fifth Amendment.

We continually hear that the expulsion of Congressman SANTOS would set a new precedent. Mr. Speaker, it would.

To my colleagues that have said that it would start a new precedent and to those that are here with us in this institution in this great Chamber today that are arguing about precedent, I would simply say this: The American people expect us to do the right thing. The American people are watching for us to do the right thing.

Mr. Speaker, if we have an opportunity in this great institution to start a new precedent, one that means we hold Members of the House of Representatives to a higher standard, I am pretty confident that the American people would applaud that. I am pretty confident that the American people expect that.

Mr. Speaker, I hope tomorrow in this great Chamber we set that precedent. I hope we set a precedent that we, as Members of America's oldest institution, are held to a higher standard.

Mr. Speaker, I reserve the balance of my time.

Ms. SANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, every Member expelled in the history of this institution has been convicted of crimes or were Confederate turncoats guilty of treason. Neither of those apply to me, but here we are.

On what basis does this body feel that precedent must be changed for me?

Mr. Speaker, I am an American citizen, duly elected, and elected to represent the Third District of New York. I have been convicted of no crimes.

My loyalty to this country that gave me life, liberty, and the pursuit of happiness is true and unquestionable. I stand here today debating for the second time in less than a month for the same exact reasons that were brought up last time.

The difference is that one can say I have been indicted once more by the findings of the Ethics Committee—a process that, by the admission of the chair himself, was not complete and conclusive because they didn't want to put more time into it, as if this committee runs on a schedule that, quite frankly, is in a rush.

Mr. Speaker, some Members have been under investigation for over 5 years. Some leave while still under investigation. I am not trying to be arrogant or spiteful or disrespectful of the committee, but I am curious to know: What is the schedule of the Ethics Committee?

Why rush this? To deliver a predetermined outcome sought out by some Members of our Conference or some Members of this body?

This is what it looks like to me. It is a predetermined necessity for some Members in this body to engage in this smear campaign to destroy me. I will not stand by quietly. If they want me out of this body—the people of the Third District of New York sent me here—if they want me out, they are going to have to go silence those people and take the hard vote.

Mr. Speaker, I reserve the balance of my time.

□ 1500

Mr. D'ESPOSITO. Mr. Speaker, I am not sure how a predetermined outcome happens from a committee reviewing 170,000 pages of documents, numerous subpoenas, and weeks and months of investigation. I am not sure how a predetermined outcome is generated from that.

Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. GUEST), who is the chairman of the House Ethics Committee.

Mr. GUEST. Mr. Speaker, GEORGE SANTOS has built his persona, his personal and his political life, on a foundation of lies. Many of those lies are well-documented. We know that Mr. SANTOS lied about his education, both graduate and postgraduate, claiming that he attended universities where he was never

enrolled and claiming that he obtained degrees that he did not earn.

We know that Mr. SANTOS lied about his employment when he claimed that he worked for two prestigious financial institutions, Citigroup and Goldman Sachs.

We know that Mr. SANTOS lied about his religious faith when he said he was Jewish and then later, when called out, said he meant to say he was Jew-ish.

We know Mr. SANTOS lied when he said that he had four employees who were killed in a mass shooting in Florida.

Nonetheless, Mr. Speaker, those lies, while troubling, did not justify his removal from this body. However, these and other misleading statements reflect directly on Mr. SANTOS' credibility.

In May, Mr. Speaker, GEORGE SANTOS said that he looked forward to seeing the ethics process play out and that if the committee finds reason to remove him, then that is the process.

Today, Mr. Speaker, GEORGE SANTOS would have you believe that the process that he endorsed in May is fatally flawed and that he, instead, is the subject of a political witch hunt.

Mr. SANTOS has described the report issued by the Ethics Committee as slanderous. He said that if there was a single ounce of ethics in the Ethics Committee then they would not have released the biased report. He referred to the report as a political hit piece.

Mr. Speaker, I want to remind you that in March of this year, GEORGE SANTOS promised to fully cooperate with the ethics investigation. Just weeks ago, Mr. SANTOS said: I have been very cooperative since the investigation started, and I have no plans to change that.

Nonetheless, Mr. Speaker, the record of the investigation reveals otherwise. The report of the Ethics Committee noted these things, Mr. Speaker: first, that Mr. SANTOS failed to submit a written response to the allegations filed by his fellow Members; that Mr. SANTOS failed to provide many of the documents requested by the investigative subcommittee; that when given an opportunity to provide a statement under oath that Mr. SANTOS declined to do so; and that when asked to voluntarily testify, Mr. SANTOS refused.

The committee learned through his counsel that if the investigative subcommittee were to subpoena Mr. SANTOS that he would plead the Fifth Amendment and not give any testimony for fear that it may incriminate him.

So while Mr. SANTOS has failed to speak with the committee, Mr. Speaker, he has spoken freely to the media. Just this past weekend, he was participating in a 3-hour X Livestream Podcast with Monica Matthews.

In that 3-hour interview, he said:

I have made it very clear, I am not running for reelection, not because this was a damning report. I am not running for reelection because I don't want to work with a bunch of

hypocrites. It is gross. I have colleagues who are more worried about getting drunk every night with the next lobbyist that they are going to screw and pretend none of us know what is going on, and sell off the American people, not show up to vote because they are too hungover or whatever the reason is or not show up to vote at all and just give their card out like candy for someone else to vote for them.

He went on to say regarding the Ethics report:

It is flawed. It was designed to smear me. It was designed to force me from my seat. That was the intention of the report. This wasn't a finding of fact.

So, Mr. Speaker, I want to talk a few minutes about the report of the investigative subcommittee and the report of the Ethics Committee and the work that they did over an 8-month period. I will tell you that the findings of the committee were shocking.

We know that the Ethics Committee authorized 37 subpoenas, they issued 43 requests for information, they interviewed 40 witnesses, they reviewed 172,000 pages of documents, and they issued a 56-page investigation report.

In addition to this 56-page investigation report, Mr. Speaker, these are the exhibits that they attached to the investigative report. The 50-plus page report goes into great detail, and it paints a picture of the fraud committed by Mr. SANTOS. In many cases it also tracks the allegations for which Mr. SANTOS has been indicted in the Eastern District of New York.

Mr. Speaker, if you look at the language of the report, the language of the report says, the investigative subcommittee revealed a complex web of unlawful activity involving Representative SANTOS' campaign, personal, and business finances.

It says that Representative SANTOS sought to fraudulently exploit every aspect of his House candidacy for his own personal profit.

The report says that he blatantly stole from his campaign and that he deceived donors into providing what they thought were contributions to his campaign, but they were, in fact, payments for his personal benefit.

The report goes on to say that he reported fictitious loans to his political committees to induce donors and party committees to make further contributions to his campaign.

Then later the report said that despite SANTOS' efforts to blame his former treasurer for the numerous campaign violations, the ISC's record demonstrates that Representative SANTOS knowingly and actively participated in the misconduct.

Mr. Speaker, through records that were subpoenaed by the Ethics Committee, we learned that Mr. SANTOS spent campaign-related funds on personal rent, on personal credit card payments, and on ATM withdrawals. We know that he made luxury designer purchases at at least two high-end stores, that he spent money on payments made at OnlyFans, and that Mr. SANTOS spent almost \$3,000 on Botox

treatments, in addition to questionable expenses involving travel expenses for trips to Atlantic City; Las Vegas, Nevada; and The Hamptons.

Mr. Speaker, in addition to this, there was additional fraud that was uncovered and contained in this report issued by the Ethics Committee.

The Ethics Committee found in 2020 that bank records indicate that Mr. SANTOS was repaid over \$29,000 for fictitious loans that he never made to his campaign.

The report goes on to say that in 2021 he falsely reported loaning his campaign \$580,000, and he falsely reported loaning an additional \$25,000 to his leadership PAC.

The report goes on to document that the committee found, according to bank records, that Mr. SANTOS transferred \$200,000 from RedStone Strategies and they were found to be an unregistered super PAC controlled by Mr. SANTOS, and that he transferred in 2022 alone over \$200,000 into his personal account.

Mr. Speaker, I know that some Members of this body have expressed concern about due process. They believe that Mr. SANTOS was not given due process, therefore that this should not go forward.

Mr. Speaker, I want to address the argument of due process. Mr. Speaker, you are well aware that due process was referred to in the Fifth and 14th Amendments. In the Fifth Amendment it says no person shall be deprived of life, liberty, or property without due process of law.

We know the 14th Amendment then applies the Fifth Amendment to the States where it says no State shall deprive any person of life, liberty, or property without due process of law.

Then as you are also well aware, Mr. Speaker, the Sixth Amendment talks about criminal proceedings and the rights that attach to a criminal proceeding.

Mr. Speaker, we are not here today on a criminal proceeding. The rights of the Sixth Amendment do not apply, but due process under the Fifth and 14th Amendments do apply here at these proceedings, and so it is important to talk about due process.

The due process that is contained in the Fifth and 14th Amendments, if you study due process, Mr. Speaker, you will know that there are two subsections; two components, if you will; two legs upon which due process must stand.

That first subsection, that first leg, is substantive due process.

What is substantive due process?

Substantive due process asks this question: Is there a right to bring the action in question?

Mr. Speaker, I say that there is. We know that that right exists because that right is found in the United States Constitution. The expulsion clause, which is found in Article I, Section 5, Clause 2 of the United States Constitution says this, Mr. Speaker: Each

House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of a two-thirds vote, expel a Member.

So, Mr. Speaker, I tell you that as it relates to substantive due process, clearly substantive due process applies in this case. Nonetheless, that second leg of the stool of due process, is procedural due process.

Procedural due process is a process that governs the fairness of the proceedings.

There are three primary requirements, three primary tenets of procedural due process.

Those requirements are, first, was adequate notice given?

Mr. Speaker, I hold in this case that adequate notice was given. Adequate notice was given by the fact that the investigative subcommittee notified Mr. SANTOS in February that the investigation was going to be ongoing. It actually had contact with him and his office well before that in January shortly after he was sworn in.

I would argue that Mr. SANTOS had notice of this hearing because the motion was filed 2 weeks ago, the resolution was filed to expel him from this body. So, clearly, Mr. SANTOS has been given proper notice.

The second requirement of due process says: Did Mr. SANTOS have an opportunity to be heard?

Mr. Speaker, I will tell you that he has had an opportunity to be heard. He had an opportunity repeatedly to be heard by the Ethics Committee. He had the opportunity to submit a written statement, but he refused to do so. He had an opportunity to submit a statement under oath. He refused to do so. He had an opportunity to come in and testify, and he declined to do so.

Even when faced with a subpoena, he was planning to come in before the Ethics Committee and exercise his Fifth Amendment right not to testify.

So, Mr. Speaker, I hold that he has had ample opportunity to be heard by the investigative subcommittee, and he has been, once again, presented the opportunity here today, before this body and before the American people, he has the opportunity today to rebut the findings of the Ethics Committee. He has the opportunity to point out any errors or omissions that he claims are in the report.

So, clearly, Mr. Speaker, Mr. SANTOS has had the opportunity to be heard.

Then finally, the third and final point is the opportunity to have a fair tribunal. We are following the Constitution which says that the body of other elected Members, this body as a whole, must be the body that conducts a vote in this case.

So, Mr. Speaker, I want to remind you of a statement I earlier referenced, that statement made by Mr. SANTOS in May, that statement where he said that he looked forward to seeing the ethics process play out and that if the Ethics Committee finds a reason to remove him, then that is the process.

□ 1515

Mr. Speaker, the Ethics Committee found substantial evidence—this is language taken directly from the report: Substantial evidence that Representative SANTOS knowingly caused his campaign to file false or incomplete reports with the Federal Election Commission.

The Investigative Subcommittee found substantial evidence that he used campaign funds for personal purposes. It found substantial evidence that he engaged in fraudulent conduct in connections with RedStone Strategies, LLC. It found substantial evidence that Mr. SANTOS did knowingly and willfully engage in violations of the Ethics and Government Act.

Mr. Speaker, I ask in accordance with Article I, Section 5, Clause 2 of the United States Constitution, that all Members vote to support the expulsion of Representative SANTOS.

Mr. SANTOS. Mr. Speaker, we hear a lot about process. We hear a lot about findings. Before I yield some time to my colleague from Texas, I just want to point out in the resolution that the distinguished chairman from Mississippi (Mr. GUEST) filed, he states that I engaged in sexual misconduct when his own report states otherwise. That is just a clear evidence of how this process has been skewed, how this process is sloppy, and how it is contradictory to the core.

The fact that in the report it states that that was not the case, but they still bring it to the floor of the House of Representatives shows you the lack of respect for one's reputation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Mr. Speaker, we are in uncharted waters. The swamp water is very murky and it is deep, and you try to navigate those treacherous waters. Every once in a while you try to find that safe lily pad to land on, but for GEORGE SANTOS there doesn't appear to be a safe lily pad.

The United States' House of Representatives is attempting to expel a Member of Congress who has not been convicted of a crime. In the history of our country, Mr. Speaker, only five Members have been expelled from Congress.

In 1861, John Clark, John Reid, and Henry Burnett were expelled on the grounds of treason for supporting the Confederate rebellion. In 1980, Michael Myers was convicted of bribery involving an FBI sting that led to the convictions of seven Members of Congress.

Six Members resigned, and Myers was expelled on a vote of 376–30.

Then in 2002, James Traficant was convicted on 10 counts, including bribery, conspiracy to defraud the United States, corruption, and obstruction of justice.

All five of these men had one thing in common: They were all convicted under Federal law and then rightfully expelled from Congress.

Kicking out Mr. SANTOS is setting a very dangerous precedent. Never before has Congress expelled a Member based on indictments. Indictments require nothing more than probable cause. An indictment is not a conviction.

Then why today would we remove a Member from this House based on an indictment? It has never been done before. It shouldn't happen today.

In this country, I thought everyone is presumed innocent until proven guilty in a court of law. I do not and have not and will not support the removal of Representative SANTOS, and I encourage my colleagues to agree.

Mr. D'ESPOSITO. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. WILD), the ranking member of the Ethics Committee.

Ms. WILD. Mr. Speaker, as ranking member of the Committee on Ethics, I rise in support of H. Res. 878, which seeks to expel GEORGE SANTOS from the House of Representatives.

One of our most basic obligations as Members of Congress is to adhere to the principle that public office is a public trust. As the Ethics Committee's report lays out in thorough detail, Mr. SANTOS has repeatedly, egregiously, and brazenly violated the public's trust. Mr. SANTOS is not a victim; he is a perpetrator of a massive fraud on his constituents and the American people.

In fewer than 9 months, and despite Mr. SANTOS' noncooperation and numerous attempts to mislead the committee, the Ethics Committee compiled a staggering factual record against him. My colleague, Chairman GUEST, has already outlined all of the subpoenas and pages of documents and witnesses, and I am not going to go through that again.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. D'ESPOSITO. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Pennsylvania.

Ms. WILD. Mr. Speaker, this achievement owes to the superb work of the committee's nonpartisan attorneys and investigative staff who I would like to sincerely thank for their efforts and dedicated service to the House. I just want to remind everyone that the Ethics Committee is the only committee in Congress that is completely bipartisan, an equal number of Democrats and Republicans, and this was a unanimous decision.

Mr. SANTOS. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, many times in the course of my life as a military police officer and civilian police officer, I have had occasion to say: Calm down, son. I have heard your argument. I feel your passion. I understand your position, but you are about to go too far. Just calm down and step back.

This is what I advise my colleagues on both sides of the aisle to do. One of

my brothers here, whom I love and respect, he is the man seated here, is making a mistake.

Mr. Speaker, one of the gentleman said we should be held to a higher standard. We are talking about the removal of a Member of Congress. Do we want the American people to believe that the opinions of Congressmen is a higher standard than the deliberate vote of the American people? Is a report from a committee a higher standard than the 2-year election cycle as established by our Founding Fathers and enshrined in our Constitution?

Let's calm down.

Mr. Speaker, I have spoken for 7 years to this body here, and very rarely have I had a prepared statement, nor do I today, but I am going to read a letter that I distributed to my Republican colleagues for the benefit of my Democratic colleagues that did not receive a copy of the letter. Perhaps, I am wrong for that. I considered sending you all this letter. I did not, and I apologize for that. The media has gotten it. It is out there. It reads as follows:

"Although I completely respect the work of our colleagues on the Ethics Committee, I have serious concerns about the way this particular case is being handled, and I'll oppose the GEORGE SANTOS expulsion.

"In the 7 years I've been a Member of Congress, many Members have been subject to campaign expenditure ethics investigations. To my recollection, Members have always had the opportunity to settle the matter by restitution, even if they disagreed with the Ethics Committee conclusions. Further, in many prior instances of allegations of misconduct, I recall no massive media release from the Ethics Committee. After a bit of a whispered brush fire, the matter just went away. Maybe the Member left Congress, maybe the Member didn't leave Congress, but they weren't publicly crucified and expelled. The very fact that we have all read the 'investigative report' indicates a level of public character assassination that I have not witnessed through four terms of congressional service. It's troubling to me, that a Republican-led Ethics Committee would present itself as so judgmental. Previous Ethics Committee investigations have always been conducted quietly, reflective of our constitutional standards of innocent until proven guilty in a court of law. Reports of similar allegations of campaign finance violations like family vacations overseas and cosmetic dental procedures and sexual adventures of every sort have not historically been released to the public. This particular Ethics Committee investigation seems to be quite public, and I am not seeing any allowance for the Member to make restitution of alleged campaign finance violations. Full media disclosure, combined with intention to move straight to expulsion, appears weaponized to me.

"Colleagues, you can believe what you like, but the 56-page 'Investigative

Subcommittee Report' is most certainly not written within the parameters normally found in an unbiased, impartial investigative report. It's filled with conjecture, opinion, and pejorative language that no professional investigative report should include, no experienced cop would present to a D.A., and no impartial D.A. would ever present to a court as unbiased. You may accept this report as grounds for expulsion from Congress, but I say no. It's not right, the totality of circumstance appears biased, it stinks of politics, and I'll oppose this action in every way. Perhaps my colleagues should step back from expulsion, look in the mirror, reflect upon the long established historical record of congressional behavior, consider the Founders' intent, and let we the people of New York determine their Representative. This report is posing as an objective presentation of fact, yet it is most certainly written with notable disregard for professional objectivity, and it is wrapped in a media incensed public disclosure that any reasonable man can see is the congressional equivalent of a public crucifixion. I'm stunned that Members would cheer for this public shaming and expulsion. It's like witnessing an otherwise fair and compassionate village gather to celebrate the burning of an alleged witch.

"Since the Civil War, only two Members of Congress have been expelled, and both had been convicted in court of Federal crimes. That's the standard, and the House of Representatives should not deviate from that standard. I'm a solid no on expulsion, and I encourage every Member to carefully consider what kind of precedent we are setting."

Mr. Speaker, I appreciate this opportunity to encourage my colleagues sincerely on both sides of the aisle to step back from this expulsion.

Mr. D'ESPOSITO. Mr. Speaker, I fully respect my friend from Louisiana and have much love for him. I want to reassure: No one is cheering for this Ethics report.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. LALOTA), a fellow Long Islander and friend.

Mr. LALOTA. Mr. Speaker, I would like to address three issues in hopes of persuading my colleagues from both sides of the aisle who at this time are either against or undecided about expelling GEORGE SANTOS to ultimately vote "yes." Those three issues are: fraud, due process, and election integrity.

Regarding fraud, Mr. Speaker, both Federal and State laws would require jail time or a monetary fine or both for any of our constituents who tricked another person into an agreement to another American's disadvantage.

Here, in the 2022 election, by his own admission, GEORGE SANTOS induced New York voters and donors throughout the Nation to support him by fraudulently creating an entire new

person that donors and voters would support. SANTOS did this intentionally, figuring the uneducated, underemployed, and person of simple means he actually is could not earn the support of voters and donors.

□ 1530

The facts of GEORGE SANTOS' fraud are not in dispute. GEORGE SANTOS is not the person he offered to voters. He didn't work where he said he did. He didn't go to school where he said he did. He is far from rich. He is not Jewish. His mother was not in the South Tower during 9/11.

Therefore, the argument that New Yorkers voted GEORGE SANTOS in and that we should wait until November 2024 for voters to decide his fate is inherently flawed since voters weren't given a fair chance to determine who they were actually voting for, Mr. Speaker.

While our constituents would go to jail or be fined for similar lies, one question we have before us today is whether we are going to hold GEORGE SANTOS to the same standard to which our constituents are held or a lesser one.

Regarding due process, Mr. Speaker, we should clear up some things. It has been a while since I took Professor Sample's civil procedures class or Professor Ku's constitutional law class, but the due process clauses in our Fifth and 14th Amendments do not apply to House proceedings.

Rather, the constitutional proceeding which does apply here is Article I, Section 5, Clause 2, which states clearly and simply: "Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member." It is that simple, Mr. Speaker.

While constitutional due process does not apply here, GEORGE SANTOS has actually been afforded every single element of it through the bipartisan Ethics Committee process. Due process requires notice and opportunity to be heard and a decision by a fair and impartial tribunal.

First, SANTOS got his notice when the Ethics Committee informed him of the probe into his conduct.

Second, SANTOS had every opportunity to be heard when the Ethics Committee invited him to confront the accusations against him, an invitation SANTOS rejected.

Finally, his tribunal is us, the House of Representatives, whose collective impartiality is proven every day by the partisan fights we have day in and day out.

Mr. Speaker, while this proceeding is not covered by the Due Process Clause, GEORGE SANTOS has indeed been afforded much more process than a person in his shoes deserves.

Mr. Speaker, let me speak on the matter of election integrity. Before I came to the House, I was my county's elections commissioner for 7 years,

where I fought for more integrity in our elections. As elections commissioner, I fought for removing deceased voters from our rolls, for voter ID, against fraudulently submitted absentee ballots, and against voters being registered in two different places.

Following the 2016 and 2020 elections, Members of Congress from both sides of the aisle voted not to certify those elections, stating the results were not reliable.

Tomorrow, by voting "yes" to expulsion, Republicans and Democrats can stand for election integrity and against voter fraud because there is no more provable case of election fraud before this Congress than GEORGE SANTOS' 2022 election fraud.

Mr. Speaker, I offer that New Yorkers from Queens and Nassau Counties deserve better than GEORGE SANTOS, a total fraud and serial liar, representing them in Congress. Each day that Mr. SANTOS is allowed to remain a Member of Congress, my New York neighbors to the west are being denied real representation in these Halls. That is because their Representative is incapable of getting a bill passed, a project funded, or even sitting on a committee because he lacks the minimum amount of trust necessary to be a Member of Congress.

Today, the best way to support my fellow New Yorkers and overcome GEORGE SANTOS' fraud is to expel GEORGE SANTOS from the House of Representatives.

Mr. SANTOS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Mr. Speaker, I do not believe that the Long Island crew is acting in bad faith, just exceedingly bad judgment. Here is why. Since the beginning of this Congress, there are only two ways you get expelled: You get convicted of a crime, or you participated in the Civil War. Neither apply to GEORGE SANTOS.

I rise not to defend GEORGE SANTOS, whoever he is, but to defend the very precedent that my colleagues are willing to shatter.

Let's speak to due process. Mr. SANTOS hasn't been convicted of anything, but we haven't even moved to expel the people who have.

Mr. BOWMAN pled guilty to a misdemeanor for his little fire alarm stunt weeks ago. While the Ethics Committee is marching to throw GEORGE SANTOS out of Congress, they take no action as to someone who actually pled guilty to a crime? What is that all about?

Then, there is all this talk about, well, he could have testified to the Ethics Committee, and he didn't, so he had his due process. That belies the fact that he faces a trial. Had Mr. SANTOS testified before the Ethics Committee, an argument could have been made that he waived any of his rights that he would have had at trial, that any American would enjoy. It was a procedural double bind that shouldn't be held against Mr. SANTOS as some sort of adverse inference.

Let's also talk about this precedent. The fact pattern as to Mr. SANTOS is remarkably similar to the fact pattern of former Representative Duncan Hunter. Duncan Hunter used campaign money on girlfriends, trips, home improvements, and all sorts of personal lavishes. He was indicted for those crimes and continued to serve in Congress. He pled guilty to a number of those crimes and continued to serve in Congress. He was in Congress for, like, an additional pay period after having pled guilty to the very same things that Mr. SANTOS has been indicted for.

I think it is persuasive to me that Mr. HIGGINS and Mr. NEHLS, two law enforcement officials with sterling reputations, are here not necessarily to defend Mr. SANTOS but to defend this precedent and this due process that is being shattered.

I was struck when the author of this resolution said the quiet part out loud. He didn't try to shoehorn the expulsion of GEORGE SANTOS into some existing construct or precedent. He said, yep, we are making a whole new precedent, and we are making whole new rules right now. However, he defends that by saying that the new rules are better, that it is a higher standard, so we should just throw away everything that has happened from the First Congress to the 118th because the new precedent is more robust. The problem is, it is a lower standard for due process without merit.

Mr. Speaker, whatever Mr. SANTOS did with Botox or OnlyFans is far less concerning to me than the indictment against Senator MENENDEZ, who is holding gold bars inscribed with Arabic on them from Egypt while he is still getting classified briefings today. He is not getting thrown out of the Senate. He is getting classified briefings. He is under indictment for bribery, but because SANTOS was buying Botox and OnlyFans, we have to throw him out?

If GEORGE SANTOS is convicted, he ought to be expelled. Until then, it is an incredibly dangerous thing for people in Washington, D.C., to substitute their judgment for the judgment of voters.

Winston Churchill said that in a democracy people get the government that they deserve. Well, the people of Mr. SANTOS' district elected him. This is not some district in rural Mississippi with, like, one newspaper. This is New York City, and GEORGE SANTOS rolls in there, wins, and do you know what? It is between him and his voters, him and the justice system.

The fact that the Ethics Committee has done this incredible violation of precedent will do grave damage to this institution for many years to come because now there is no requirement for any conviction. There is a departure from the precedent from the Duncan Hunter matter and many others, and I fear that may indicate what lies ahead for the future of due process in the House of Representatives.

Mr. D'ESPOSITO. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROBERT GARCIA).

Mr. ROBERT GARCIA of California. Mr. Speaker, truth and justice are crucial components of a healthy and strong democracy. It speaks to the public trust we hold and the dignity of this institution.

As a freshman Member of Congress, I take the oath very seriously. I love this country deeply, and we should all have intentions to defend it.

That is why I rise today to defend the integrity of the House and to support the expulsion of Representative SANTOS. I wish no personal harm to the Representative from New York, and I imagine it is a difficult moment for him and for the institution. However, I believe strongly that he must be held accountable for his actions as well as his lies.

He fabricated his qualifications and his background. He lied to the FEC and participated in unemployment fraud. That is why he is under a serious 23-count indictment.

The bipartisan report is out. It is damning. It should convince all Members to vote for this expulsion.

People want better from Congress. They want good and ethical government. They deserve the truth.

I once again ask the Representative from New York to resign and save himself and the country from this vote. If not, I encourage a "yes" vote to restore integrity to the body and to expel Representative SANTOS.

Mr. SANTOS. Mr. Speaker, you know, I hear a lot the lines, "I encourage Representative SANTOS to resign," and, "Do the right thing," which is resign. What I hear is people don't want to take this vote.

I am just here. I am willing to take the vote. Take the vote, guys. I am okay with it. This is your time. This is what they have all built up to all year.

The most damning feature of this farce is the total perversion of the priorities of this body and this Conference, which ran on the Commitment to America.

Yes, witch hunting GEORGE SANTOS is great. Right there, I remember that on the top line of the Commitment to America.

This Conference has failed to pass four different appropriations bills, Mr. Speaker. It had rules fail on the floor. We had Members weaponizing the Rules Committee because it didn't do what they wanted. Our borders are wide open. It is a no man's land being run by NGOs.

Yet, this Congress has now taken three measures and the insurmountable amount of time that goes behind them to expel a Member duly elected by the people of the Third District of New York.

I didn't think that my tenure in Congress would be this way, Mr. Speaker. I came here to do work. I came here to pass and work on conservative legislation. I have a stellar conservative

record that I am proud of. The work I have done in this body I am proud of. The votes I have taken in this body I am proud of. Every vote that I have taken that might have been against leadership, I stand by those votes not because I disrespect leadership but because I want a more conservative agenda for our country.

Now, I can't say the same thing about some of my colleagues, especially the ones most adamant to remove me, almost as if we remove him, there is no comparison. It is that much simpler. They can go home and say they are conservative. They won't know what a real conservative will look like on Long Island. That is just the reality. The votes are there.

Now, let's talk about the fact of due process that everybody seems to say that I have taken and have received. You know, it is no secret in this body that, obviously, I have an ongoing process with the DOJ. I was given a deadline, an unrealistic deadline, to testify before the committee the same day that I had to go to court. They gave us a hard-line, yes or no answer. They wouldn't settle for anything else.

That was the deadline. I could not surpass that date, which means it was either I go to New York City to adhere to my DOJ case or go to the Ethics Committee. No disrespect to the committee—I have incurred over \$200,000 of legal fees that have been predominantly paid for, so to suggest that I have not complied with them is yet another lie.

They have received every document they have asked for. Documents we did not have, we have told them that we don't have them. We don't have access to what you are asking for. They persisted and insisted in inventing documents, communication between myself and people that did not exist—thus, communication. We informed them. This was all on the record.

However, I rise and question again to the chairman: Will he set the record straight that his expulsion resolution contradicts the findings of his report? Which one is it? Am I guilty of a sexual harassment claim, or am I not? The report says I am not. His filing on this expulsion resolution says I am. That is a very serious allegation, one that I sought to see the end of where the Office of Congressional Ethics sent a referral to the investigative subcommittee saying that they did not suggest further investigation into the matter because it lacked credibility, yet it sits on their expulsion resolution.

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Mr. SANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I call that hypocrisy, more lying, more swamp behavior from this body, the same reason that Americans have no trust in this body because unfortunately, far too often too many of our colleagues here will speak from both sides of their mouths without regard to who it might hurt.

As it is said, people in this town will hurt people a whole lot so they can benefit just a little bit.

I reserve the balance of my time.

Mr. D'ESPOSITO. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from New York (Mr. D'ESPOSITO) has 2 minutes remaining.

Mr. D'ESPOSITO. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MOLINARO).

Mr. MOLINARO. Dear God, Mr. Speaker, my future former colleague is divorced from reality. He has manufactured his entire life to defraud the voters of his district of an honest choice for a Member of Congress.

He has lied to donors and to colleagues, taking advantage of election law, using campaign funds to personally benefit himself, and he has defamed not only his office but the institution itself.

I was not elected, nor any of us, to defend a precedent. I was elected to defend the United States Constitution. My colleague, in the most truthful thing he said today, said, we don't want to be compared to him. My colleague is damn right. I do not want to be compared to him.

The voters that sent me here expect an independent voice, expect us to use the rules of the House, and expect us to stand up for the very decency and laws of this country in protecting the Constitution.

He has lost the right to serve in this House, and I will vote to expel him.

Mr. SANTOS. Mr. Speaker, I reserve the balance of my time.

Mr. D'ESPOSITO. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from New York (Mr. D'ESPOSITO) has 1 minute remaining.

Mr. D'ESPOSITO. Mr. Speaker, I yield 45 seconds to the gentleman from New York (Mr. LAWLER).

Mr. LAWLER. Mr. Speaker, of all the lies that GEORGE SANTOS told, two are the most jarring: that his mother perished in 9/11—was in the building, got cancer from 9/11, or that his parents or grandparents fled the Holocaust. In both instances, Mr. SANTOS used tragic events in history to try and propel himself to public office.

Worse than that, he not only defrauded the voters of the Third District, he also defrauded donors, stealing their money for personal gain.

The facts and the evidence are clear. He can defend himself in a court of law, but for the purposes of this body, he has to go. It is time to expel GEORGE SANTOS.

Mr. SANTOS. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from New York (Mr. SANTOS) has 8 minutes remaining.

Mr. SANTOS. Mr. Speaker, I reserve the balance of my time.

Mr. D'ESPOSITO. May I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from New York (Mr. D'ESPOSITO) has 15 seconds remaining.

Mr. D'ESPOSITO. Mr. Speaker, I yield 15 seconds to my friend from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Speaker, I will keep this very brief.

I, myself, have been a victim of GEORGE SANTOS, as well as other Members of Congress, in terms of defrauding through public donations.

I received an ethics complaint from the FEC for which I had to spend tens of thousands to defend myself.

You, sir, are a crook.

I know I should direct my comments to the Chair.

Mr. SANTOS. Mr. Speaker, I move to have the gentleman from Ohio's words stricken from the record, please.

The SPEAKER pro tempore. The gentleman's request is not timely. I would remind Members to direct their remarks to the Chair.

Mr. SANTOS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, hypocrisy, as I mentioned. My colleague wants to come up here and call me a crook, the same colleague who is accused of being a woman beater.

Are we really going to ignore the fact that we all have pasts, and we all have the media coming out against us on a daily basis?

Every last one of us has struggled with every little ounce of what happens in public service. I can go and read about all my colleagues.

I am not going to stand here to smear them. I am not going to stand here and use the time I have to say ill things about my colleagues. I refuse to stoop to that level.

The only thing I want to make clear is if tomorrow when this vote is on the floor, it is in the conscience of all my colleagues that they believe that this is the correct thing to do, so be it.

Take the vote. I am at peace. Whether I get expelled or I don't, I have accepted that I cannot control that fate, Mr. Speaker.

I have done the best I can to serve in this body and to deliver the best I can in my campaign promises to vote as a conservative voice in this body. I stand by that.

Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, what I ask of my colleagues, again, very respectfully on both sides of the aisle, is to just step back from this moment and reflect upon the sacred right of the American people to determine their representation in our representative Republic. This is not a right that has been enumerated for this Congress.

The American people run this thing. I believe the people of the Third District of New York are quite capable of removing Representative SANTOS if they choose to do so.

In the history of our Nation, we have never done what we are poised to do. Since the Civil War, two Members of Congress have been removed by expulsion, both having been convicted of Federal crimes. The people of these United States own the sacred right to remove their Representative.

This is reflective of our oath. I say this sincerely to my beloved colleagues, to step back from this egregious act that you have threatened.

Reflect upon the American people that we serve, the oath that we have sworn, and allow the people of New York to cast their vote as they see fit.

Mr. Speaker, I am prayerful that righteousness will, indeed, touch the heart of every Member of Congress in this consideration, just as I am prayerful that righteousness touches the heart as voting Americans across the country determine who their Representative will be.

I have faith that this anointed Nation, touched by the hand of God as our Constitution was debated and developed and the writ thereof was determined, I have faith in that document, and I am prayerful that my colleagues Republican and my colleagues Democrat will grant that sacred right as determined by our Constitution to the people to whom it belongs—in this case, the people of the Third District of New York.

Mr. Speaker, I encourage all Members to oppose the expulsion of Representative GEORGE SANTOS.

Mr. SANTOS. Mr. Speaker, I yield back the balance of my time.

Mr. D'ESPOSITO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on adoption of the resolution.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

NO FUNDS FOR IRANIAN TERRORISM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 891 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5961.

Will the gentleman from Florida (Mr. STEUBE) kindly take the chair.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole