



October 23, 2025

Commissioner Shana M. Broussard
Commissioner Dara Lindenbaum
Federal Election Commission
1050 First St. NE
Washington, DC 20463

Re: In Light of President Trump’s Decision to Commute George Santos’s Criminal Sentence, the FEC Must Hold Santos Accountable for Violating Federal Campaign Finance Laws

Dear Commissioners:

When federal candidates and elected officials violate the law, it is essential that they be held accountable to uphold the integrity of our elections, deter others who might emulate their unlawful conduct, and maintain the public’s trust in our democracy. Unfortunately, President Donald Trump’s recent decision to commute the criminal sentence of former congressman George Santos—who was expelled from Congress, convicted of defrauding his campaign donors, and sentenced to seven years’ imprisonment last April—undermines these important government interests and threatens to further erode public confidence in our democracy.¹ Indeed, President Trump’s commutation advances the opposite message, signaling that someone who abuses the American electoral process and defrauds American voters to unlawfully enrich himself can do so without consequence.

The Federal Election Commission (“FEC”) is the independent agency whose sole mission is to ensure the integrity of our elections by administering and enforcing federal campaign finance laws,² including those that Santos has brazenly and admittedly broken. The FEC already has a pending administrative complaint

¹ See Michael Gold and Grace Ashford, *Santos Is Released After Trump Commutes His Sentence*, N.Y. Times (Oct. 17, 2025), <https://www.nytimes.com/2025/10/17/us/politics/trump-george-santos-sentence-commute.html>.

² Federal Election Commission, Mission and History, <https://www.fec.gov/about/mission-and-history/>.

regarding Santos's federal campaign finance violations,³ and it is thus uniquely positioned to ensure accountability and restore public confidence in our democratic process by exercising its independent civil enforcement authority to hold Santos accountable. Under the Federal Election Campaign Act ("FECA"), the FEC could potentially fine Santos and his campaign more than \$2 million based solely on Santos's deliberate violations of FECA's reporting requirements and prohibition on the personal use of campaign funds.⁴ Campaign Legal Center ("CLC") thus respectfully urges the FEC to act on this enforcement matter immediately upon restoration of the agency's quorum.

After deliberately fabricating his campaign's finances (in addition to countless aspects of his own biography), blatantly misusing campaign funds to pay for his personal expenses, and stealing thousands of dollars from his political supporters,⁵ Santos walked free having served just three months in prison, and with no obligation to pay the court-ordered \$373,000 in restitution to his victims—a sum calculated to compensate those victims for Santos's theft. This outcome in Santos's criminal case undermines the accountability that fosters public trust in our political system, while weakening legal guardrails against corruption and self-dealing. It effectively invites others to follow the same corrupt path in the future, and it leaves Santos's victims, including the individuals he defrauded and the voters he duped into supporting him, without a just resolution or compensation for the harm they suffered at his hands.

Unlike in many previous cases where President Trump's actions have foreclosed any hope for accountability,⁶ there is a way forward here: The FEC can still hold Santos

³ See CLC Files Complaint Alleging Rep. George Santos Violated Federal Campaign Finance Laws (Jan. 9, 2023), <https://campaignlegal.org/document/clc-files-complaint-alleging-rep-george-santos-violated-federal-campaign-finance-laws>.

⁴ For knowing and willful violations, FECA prescribes a civil penalty equal to the greater of \$53,088 per violation and the overall amount in violation multiplied by 200 percent. 52 U.S.C. § 30109(a)(6)(C), 11 C.F.R. § 111.24(a)(2)(i). On the reporting violations, Santos is alleged to have fabricated over \$250,000 in campaign contributions and at least \$705,000 in personal loans to his campaign committee; that amount (\$955,000), multiplied by the 200% penalty aggravator for knowing and willful violations, yields a penalty of \$1.9 million. On the personal use violations, a conservative estimate of the campaign funds Santos misappropriated, multiplied by the 200% penalty aggravator, would result in a civil penalty of between \$40,000 and \$100,000.

⁵ See House Ethics Comm., *Report in the Matter of Allegations Relating to Rep. George Santos* (Nov. 17, 2023), <https://www.congress.gov/committee-report/118th-congress/house-report/274/1> ("Representative Santos sought to fraudulently exploit every aspect of his House candidacy for his own personal financial profit.").

⁶ E.g., Neil Vigdor, *Trump Pardons Ex-Tennessee State Senator Imprisoned for Campaign Fraud*, N.Y. Times (Mar. 15, 2025), <https://www.nytimes.com/2025/03/12/us/tennessee-senator-kelsey-trump-pardon.html> (pardoning former Tennessee State Sen. Brian Kelsey, convicted of fraud arising from a 2016 congressional campaign); Jeremy B. White, *Trump Pardons Former Rep. Duncan Hunter*, Politico (Dec. 22, 2020), <https://www.politico.com/states/california/story/2020/12/22/trump-pardons-former-rep-duncan-hunter-1350183> (pardoning former congressman Duncan Hunter, convicted of using campaign funds to finance personal expenses); Camila Domonoske and Ayesha Rascoe,

accountable because it is, by design, independent from the president and endowed with the authority and responsibility to enforce the campaign finance laws that Santos violated.

Importantly, the presidential power to pardon a criminal conviction or commute a criminal sentence has no effect on the FEC's independent *civil* enforcement authority.⁷ Thus, the FEC has—and should use—its independent civil enforcement authority under FECA to investigate Santos's unlawful conduct, enforce the law, and impose the appropriate civil penalties prescribed by Congress to hold Santos accountable and demonstrate the agency's commitment to protecting the integrity of our political process.⁸

The necessary process is already in motion: in January 2023, CLC filed a complaint with the FEC alleging that Santos violated FECA.⁹ The commutation of Santos's criminal sentence elevates the importance of the FEC fulfilling its duty to ensure accountability here: the FEC should proceed with the enforcement matter against Santos initiated by CLC's complaint.

There can be no serious doubt, in light of the facts presented in CLC's complaint and in additional information provided through the investigative work of other agencies, that Santos and his campaign knowingly and willfully violated FECA. Santos's unlawful conduct was based on fabricating his congressional campaign's financial situation and exploiting his campaign donors, and both issues fall squarely within the reporting and personal use provisions in FECA—and under the FEC's area of legal authority and expertise. It is especially important, now that Santos has skirted criminal accountability, that the FEC do what it can to preserve the public trust, and hold Santos accountable for his many outrageous abuses. The FEC must show voters that there are consequences for candidates who enrich themselves at the public's expense.

Trump Pardons Dinesh D'Souza, Who Pleaded Guilty To Campaign Finance Fraud, NPR (May 31, 2018), <https://www.npr.org/sections/thetwo-way/2018/05/31/615759943/trump-says-hell-pardon-dinesh-dsouza-who-pleaded-guilty-to-campaign-finance-fraud> (pardoning political commentator Dinesh D'Souza, convicted of making illegal "straw" donations).

⁷ See *Ex Parte Grossman*, 267 U.S. 87, 111 (1925) (concluding that while presidential pardon provided relief to individual convicted of criminal contempt of court, it could not have provided relief with regard to an action for civil contempt); see also Protect Democracy, *The Presidential Pardon Power, Explained* (Mar. 18, 2024), <https://protectdemocracy.org/work/the-presidential-pardon-power-explained/> ("The Pardon Clause makes explicit that pardons may only extend to 'Offenses against the United States,' meaning state criminal offenses and civil liability are not pardonable.").

⁸ See 52 U.S.C. § 30106(b)(1) ("The Commission shall have exclusive jurisdiction with respect to the civil enforcement of [FECA].").

⁹ *CLC Files FEC Complaint Against Rep. George Santos for Violating Campaign Finance Laws* (Jan. 9, 2023), <https://campaignlegal.org/press-releases/clc-files-fec-complaint-against-rep-george-santos-violating-campaign-finance-laws>.

We respectfully urge the Commission, upon regaining the necessary quorum, to act promptly on the pending enforcement matter against Santos in MUR 8095.

Respectfully submitted,

/s/ Saurav Ghosh

Erin Chlopak
Saurav Ghosh
Campaign Legal Center
1101 14th St. NW, Suite 400
Washington, DC 20005