



November 15, 2022

The Honorable Elise Stefanik
Chair, House Republican Conference
2211 Rayburn House Office Building
Washington, DC 20515

Dear Representative Stefanik:

Facts First USA is a bipartisan organization focused on ensuring that our national discourse is grounded in facts and honest debate. We write to you in your capacity as Chair of the House Republican Conference and ask that you share this letter with your members.

As you undoubtedly know, several of your colleagues have refused to comply with lawful subpoenas issued by one of Congress's own committees – the Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”).

The Select Committee is investigating one of the most serious crimes ever committed against the United States and, indeed, democracy itself. On January 6, 2021, heeding the call by their leaders to “fight,” rioters made their way to the Capitol, breached security, vandalized the building, assaulted police officers, and sought to hunt down members of Congress and Vice President Pence. Nine people died as a result of the insurrection, including four police officers who committed suicide within seven months of responding to the attack.¹ The insurrectionists injured over 138 police officers.² To date, 910 people have been charged in connection with the January 6 insurrection, with at least 390 of those defendants pleading guilty, and courts have imposed sentences reaching over 60 months.³

¹ Jan Wolfe, *Four Officers Who Responded to U.S. Capitol Attack Have Died by Suicide*, Reuters (Aug. 2, 2021), available at <https://www.reuters.com/world/us/officer-who-responded-us-capitol-attack-is-third-die-by-suicide-2021-08-02/>.

² Michael S. Schmidt & Luke Broadwater, *Officers' Injuries, Including Concussions, Show Scope of Violence at Capitol Riot*, N.Y. Times (Feb. 12, 2021), available at <https://www.nytimes.com/2021/02/11/us/politics/capitol-riot-police-officer-injuries.html>.

³ Madison Hall et. al., *At Least 910 People Have Been Charged in the Capitol Insurrection so far. This Searchable Table Shows Them All*, Insider (Sept. 12, 2022), <https://www.insider.com/all-the-us-capitol-pro-trump-riot-arrests-charges-names-2021-1>.

As the subpoenas state, the Select Committee determined that Representative McCarthy, Representative Jordan, Representative Perry, and Representative Biggs possessed information important to the investigation:

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN
ZOE LOPERFID, CALIFORNIA
ADAM B. SCHIFF, CALIFORNIA
PETE AGUILAR, CALIFORNIA
STEPHAN L. MURPHY, FLORIDA
JAMES BAKER, MARYLAND
ELaine G. LORIA, VIRGINIA
LIZ CHENEY, WYOMING
ADAM KINWIGER, ILLINOIS



U.S. House of Representatives
Washington, DC 20515
jmcarty@hous.gov
(202) 225-7800

One Hundred Seventeenth Congress

Select Committee to Investigate the January 6th Attack on the United States Capitol

May 12, 2022

VIA HAND DELIVERY

The Honorable Kevin McCarthy
Republican Leader
H-204, The Capitol
Washington, DC 20515

Dear Leader McCarthy:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Select Committee") hereby transmits a subpoena that compels you to appear for a deposition on May 31, 2022.

On January 12, 2022, the Select Committee delivered to you a letter seeking your voluntary cooperation with our investigation. As explained in the letter, which is attached to this subpoena, the Select Committee has tremendous respect for the prerogatives of Congress and the privacy of its Members. At the same time, we have a solemn responsibility to investigate fully the facts and circumstances of the violent attack on the United States Capitol and issues relating to the peaceful transfer of power, and the Select Committee believes that you have information that is important to its investigation. Unfortunately, you declined voluntary cooperation, and we are left with no choice but to issue you this subpoena.

A copy of the rules governing Select Committee depositions is attached. Please contact staff for the Select Committee at 202-225-7800 with any questions.

Sincerely,

Bennie G. Thompson
Chairman

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN

DOE LOPEZ, CALIFORNIA
ADAM B. SCHIFF, CALIFORNIA
PETE AGUIAR, CALIFORNIA
STEPHANE N. MURPHY, FLORIDA
JAMES RAGAN, MARYLAND
ELAINE G. LORIA, VIRGINIA
LE CHENNY, MISSOURI
ADAM KINZINGER, ILLINOIS



U.S. House of Representatives
Washington, DC 20515

january@h.house.gov
(202) 225-7800

One Hundred Seventeenth Congress

Select Committee to Investigate the January 6th Attack on the United States Capitol

May 12, 2022

VIA HAND DELIVERY

The Honorable Kevin McCarthy
Republican Leader
H-204, The Capitol
Washington, DC 20515

Dear Leader McCarthy:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Select Committee") hereby transmits a subpoena that compels you to appear for a deposition on May 31, 2022.

On January 12, 2022, the Select Committee delivered to you a letter seeking your voluntary cooperation with our investigation. As explained in the letter, which is attached to this subpoena, the Select Committee has tremendous respect for the prerogatives of Congress and the privacy of its Members. At the same time, we have a solemn responsibility to investigate fully the facts and circumstances of the violent attack on the United States Capitol and issues relating to the peaceful transfer of power, and the Select Committee believes that you have information that is important to its investigation. Unfortunately, you declined voluntary cooperation, and we are left with no choice but to issue you this subpoena.

A copy of the rules governing Select Committee depositions is attached. Please contact staff for the Select Committee at 202-225-7800 with any questions.

Sincerely,

Bennie G. Thompson
Chairman

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN

ZOE LOFREEN, CALIFORNIA
ADAM B. SCHIFF, CALIFORNIA
PETE AGUILAR, CALIFORNIA
STEPHANIE H. MURPHY, FLORIDA
JAMIE RASKIN, MARYLAND
ELIOT G. LITNER, WISCONSIN
LIZ CHENEY, WYOMING
ADAM KINTNER, KENTUCKY



U.S. House of Representatives
Washington, DC 20515

jenarv@h.house.gov
(202) 225-7880

One Hundred Seventeenth Congress

Select Committee to Investigate the January 6th Attack on the United States Capitol

May 12, 2022

VIA HAND DELIVERY

Representative Scott Perry
United States House of Representatives
2160 Rayburn House Office Building
Washington, DC 20515

Dear Representative Perry:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Select Committee") hereby transmits a subpoena that compels you to appear for a deposition on May 26, 2022.

On December 20, 2021, the Select Committee delivered to you a letter seeking your voluntary cooperation with our investigation. As explained in the letter, which is attached to this subpoena, the Select Committee has tremendous respect for the prerogatives of Congress and the privacy of its Members. At the same time, we have a solemn responsibility to investigate fully the facts and circumstances of the violent attack on the United States Capitol and issues relating to the peaceful transfer of power, and the Select Committee believes that you have information that is important to its investigation. Unfortunately, you declined voluntary cooperation, and we are left with no choice but to issue you this subpoena.

A copy of the rules governing Select Committee depositions is attached. Please contact staff for the Select Committee at 202-225-7800 with any questions.

Sincerely,

Bennie G. Thompson
Chairman

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN

ZOE LOFGRON, CALIFORNIA
ADAM B. SCHIFF, CALIFORNIA
PETE AGUIAR, CALIFORNIA
STEPHAN L. MURPHY, FLORIDA
JAMIE RASKIN, MARYLAND
ELAINE G. LORIA, VIRGINIA
JEE CHEMY, WYOMING
ADAM KAWAGOR, ILLINOIS



U.S. House of Representatives
Washington, DC 20515
january6th.house.gov
(202) 225-7800

One Hundred Seventeenth Congress

Select Committee to Investigate the January 6th Attack on the United States Capitol

May 12, 2022

VIA HAND DELIVERY

Representative Andy Biggs
United States House of Representatives
171 Cannon House Office Building
Washington, DC 20515

Dear Representative Biggs:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Select Committee") hereby transmits a subpoena that compels you to appear for a deposition on May 26, 2022.

On May 2, 2022, the Select Committee delivered to you a letter seeking your voluntary cooperation with our investigation. As explained in the letter, which is attached to this subpoena, the Select Committee has tremendous respect for the prerogatives of Congress and the privacy of its Members. At the same time, we have a solemn responsibility to investigate fully the facts and circumstances of the violent attack on the United States Capitol and issues relating to the peaceful transfer of power, and the Select Committee believes that you have information that is important to its investigation. Unfortunately, you declined voluntary cooperation, and we are left with no choice but to issue you this subpoena.

A copy of the rules governing Select Committee depositions is attached. Please contact staff for the Select Committee at 202-225-7800 with any questions.

Sincerely,

Bennie G. Thompson
Chairman

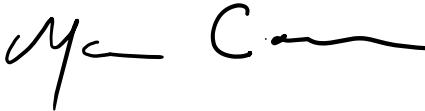
Representative McCarthy, Representative Jordan, Representative Perry, and Representative Biggs have each refused to comply with the subpoenas issued by the Select Committee. These members have deliberately obstructed a congressional investigation and demonstrated that they view themselves as above the law. As a reminder, a jury convicted Steve Bannon of the crime of contempt of Congress for disregarding the Select Committee's subpoena.

Respect for the rule of law must start at the top. Your Conference cannot reasonably expect others to respect subpoenas issued by committees chaired by individuals who themselves refused to comply with congressional subpoenas. The contempt that these members have shown for Congress itself will make it impossible for them to credibly and legitimately demand that others

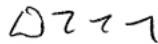
willingly participate in investigations. Indeed, one could only read Representative Jordan's November 2, 2022 letters to Attorney General Garland and FBI Director Wray with a mix of bewilderment and frustration at the seemingly unironic audacity of the requests given Representative Jordan's refusal to comply with a congressional subpoena.

We request that the House Republican Conference adopt a rule that disallows any member from serving as a chair of a committee if that individual has failed to comply with a lawfully issued subpoena over the previous five years. Taking this step would help protect the integrity of the congressional oversight function. It would demonstrate from the outset that your Conference respects the rule of law and judicial process. And, for your own benefit, it would de-weaponize Representatives McCarthy's, Jordan's, Perry's, and Bigg's failure to comply with the subpoenas issued to them. Future witnesses could not use those members' refusals to honor congressional subpoenas against the committees. If your Conference will not adopt this rule and will instead allow committees to be headed by members who have shown disdain for Congress's investigatory authority, then you should not expect much fealty from others.

Sincerely,



Maria Cardona
Co-Chair



David Jolly
Co-Chair

cc: Rep. Kevin McCarthy
Rep. Steve Scalise
Rep. Drew Ferguson
Rep. Gary Palmer
Rep. Mike Johnson
Rep. Richard Hudson
Rep. Tom Emmer