



For Immediate Release

November 18, 2022

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MEMO: Facts First Rebuts MAGA House Judiciary Nonsense

As McCarthy pursues a corrupt bargain to become Speaker Jim Jordan is proceeding with his conspiracy half of the deal

WASHINGTON, DC – Today, Facts First issued a research memo rebutting the conspiracy theories and lies in the MAGA House Judiciary memo that was the basis of letters Jim Jordan sent to agencies today.

“The real scandal here is McCarthy can’t get the votes to be Speaker without a corrupt bargain with MAGA extremists to let them run wild with any conspiracy theory investigation or impeachment they want no matter how much it abuses the institution he so desperately wants to lead,” **said Facts First President David Brock**. “But while McCarthy remains short in the vote count Jim Jordan is moving full speed ahead with his conspiracy half of the deal.”

On November 4, 2022, Republicans on the House Judiciary Committee released a report on the so-called politicization of the FBI and the Department of Justice. But even a cursory review of the document reveals some facts to assess its credibility:

- The 1,050 pages included 1,000 pages of previously released letters – some of them reproduced over 90 times – as a way to manufacture the appearance of substance.
- 46 of the 314 footnotes cite to letters or staff reports written by Republican members promoting their agenda
- The report cites to the New York Post, Fox News, the Washington Times, and the Joe Rogan podcast at least 27 times as factual support for their claims.

On the substance, the claims advanced by House Republicans can be summarized as one broad assertion: the FBI is a leftist organization promoting its political preferences. Let’s break down the allegations:

CLAIM: The FBI leadership is carrying out a leftist, woke agenda.

FACT: Since 1978, the FBI has been led exclusively by Republicans:

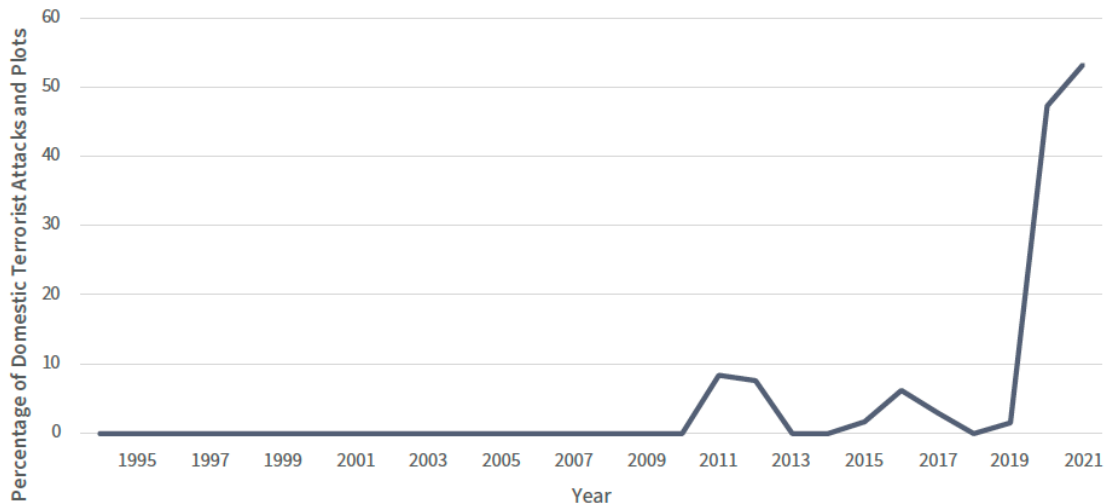
- William Webster, 1978-1987
- William Sessions, 1987-1993

- Louis Freeh, 1993-2001
- Robert Mueller, 2001-2013
- James Comey, 2013-2017
- Christopher Wray, 2017-present

CLAIM: The FBI is inflating domestic violent extremism statistics.

FACT: The only basis for this assertion are anonymous sources who claim to work within the FBI. The Republican report fails to note that in 2020 the FBI released a study noting that *LEFT-WING domestic violent organizations “were among the extremist groups presenting the greatest threats of violence.”* But even if one discounts the FBI entirely, outside researchers and bipartisan thinktanks have documented the same disturbing trend of a sharp increase in domestic violent extremism. Consider this graphic from the Center for Strategic & International Studies (CSIS), which includes on its Board former Secretary of State Henry Kissinger, former Secretary of Defense William Cohen, and former Speaker of the House Paul Ryan:

Figure 1: Percentage of U.S. Terrorist Attacks and Plots Related to Demonstrations, 1994–2021



Source: Data compiled by CSIS Transnational Threats Project.

CSIS based this chart on data it compiled. George Washington University’s Program on Extremism has similarly found a steep rise in domestic violent extremism. And, it’s worth noting, in November 2021, the Program released a report, [Anarchist/Left-Wing Violent Extremism in America: Trends in Radicalization, Recruitment, and Mobilization](#).

CLAIM: The FBI “manufactured” the domestic violent extremism matter involving the planned kidnapping of Michigan Governor Gretchen Whitmer.

FACT: To date, juries have convicted five people in the plot to kidnap Governor Whitmer, with three convictions coming less than two weeks before the Republicans released their “report.”¹

CLAIM: The FBI is covering up information from Hunter Biden’s Laptop.

¹ <https://www.cnn.com/2022/10/26/politics/gretchen-whitmer-kidnapping-plot-michigan>.

FACT: Senator Johnson, Senator Grassley, and House Republicans teamed up with Rudy Giuliani in 2020 and sought to use the powers of their offices to create an “October surprise” that would derail Joe Biden’s presidential campaign. The entirety of the “evidence” cited in the report comes from the following sources:

- **A report released by Senator Johnson and Senator Grassley in *September 2020***
- **Letters from congressional Republicans**
- **New York Post and Fox News articles**
- **Statements from a press conference arranged by Rudy Giuliani the same day as a presidential debate in October 2020**
- **A Joe Rogan podcast**

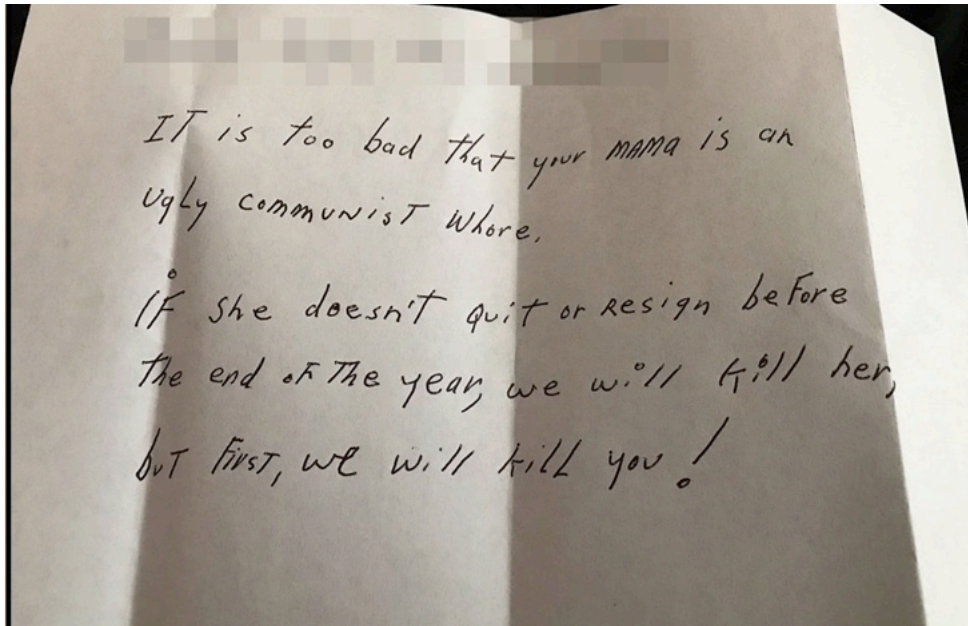
Additionally, as the report accuses the FBI of covering up information from Hunter Biden’s laptop, it fails to acknowledge that Representative Gaetz placed the laptop into the congressional record and that the laptop’s contents have been circulating around the dark web for years.

CLAIM: The FBI is targeting parents challenging a far-left educational curriculum.

FACT: The Republican report takes issue with a one-page memorandum issued by Attorney General Garland. The directive required the FBI and U.S. Attorneys to meet with state and local leaders to discuss strategies for responding to the increase in threats against school board members and school employees. Importantly, even within the short memo, Attorney General Garland made sure to note that policy disagreements and spirited debate were protected by the U.S. Constitution and that the only focus of the concern rested with the increase in threats of physical violence. And that increase has been documented from sources outside of the Department of Justice. For example, Education Week – an independent news organization – reported in November 2021 that sixty percent of principals and district leaders confirmed that at least one of their staffs had received threats.² Reuters, too, reported an increase in threats faced by school boards and school administrators, including such notes as:³

² <https://www.edweek.org/leadership/just-how-widespread-are-the-threats-to-educators-over-covid-policies/2021/11>.

³ <https://www.reuters.com/investigates/special-report/usa-education-threats/>.



"WE ARE COMING AFTER ALL OF YOU STINKING TRAITORS OF AMERICA!"

THREAT SENT TO SCHOOL BOARD MEMBERS IN DUBLIN, OHIO

"This why hitler threw you c--ts in a gas chamber."

ANONYMOUS THREAT TO SCHOOL BOARD MEMBERS IN PENNSYLVANIA'S PENNSBURY SCHOOL DISTRICT

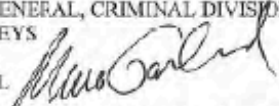
Newspapers across the country have documented the rise in these types of threats. Attorney Garland's letter, found below in its entirety, is a constrained response to the attacks on public servants. Further, the Republican report betrays its extremism and biases by labeling the hotline for reports about threats or concerns as "snitch-line."



Office of the Attorney General
Washington, D. C. 20530

October 4, 2021

MEMORANDUM FOR DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
DIRECTOR, EXECUTIVE OFFICE FOR U.S. ATTORNEYS
ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION
UNITED STATES ATTORNEYS

FROM: THE ATTORNEY GENERAL 
SUBJECT: PARTNERSHIP AMONG FEDERAL, STATE, LOCAL, TRIBAL,
AND TERRITORIAL LAW ENFORCEMENT TO ADDRESS
THREATS AGAINST SCHOOL ADMINISTRATORS, BOARD
MEMBERS, TEACHERS, AND STAFF

In recent months, there has been a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools. While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views.

Threats against public servants are not only illegal, they run counter to our nation's core values. Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety.

The Department takes these incidents seriously and is committed to using its authority and resources to discourage these threats, identify them when they occur, and prosecute them when appropriate. In the coming days, the Department will announce a series of measures designed to address the rise in criminal conduct directed toward school personnel.

Coordination and partnership with local law enforcement is critical to implementing these measures for the benefit of our nation's nearly 14,000 public school districts. To this end, I am directing the Federal Bureau of Investigation, working with each United States Attorney, to convene meetings with federal, state, local, Tribal, and territorial leaders in each federal judicial district within 30 days of the issuance of this memorandum. These meetings will facilitate the discussion of strategies for addressing threats against school administrators, board members, teachers, and staff, and will open dedicated lines of communication for threat reporting, assessment, and response.

The Department is steadfast in its commitment to protect all people in the United States from violence, threats of violence, and other forms of intimidation and harassment.

CLAIM: The FBI's raid on Mar-a-Lago is unprecedented.

FACT: This is true. No former president has ever violated our national security laws as former President Trump did and after repeated attempts by the Department of Justice to negotiate a return of classified documents, the Department secured a search warrant and retrieved the stolen materials. The comparison that the report attempts to make to Hillary Clinton's emails lacks credibility for reasons that have been well-documented by experts, prosecutors, and the media. For example, the information contained in Clinton's emails were "relevant to" and "associated with" special access programs and the Inspector General found that, "evidence of a conscious effort to avoid sending classified information, by writing around the most sensitive material." In contrast, Trump possessed more than 100 "unique documents" marked "secret" and dozens of other

documents marked "top secret," including "Special Access Program materials." Additionally, investigators did obtain Clinton's servers and other devices – more than 30 of them from her and her staff – because that is where the emails existed. Trump kept paper versions of classified documents, so investigators had to obtain them from his residence. But, more importantly, here's the unanswered question: if the situations are comparable, and Trump and Republicans considered Hillary's emails disqualifying for the presidency (and regularly chanted "lock her up" over the emails), then surely those same Republicans consider Trump's actions disqualifying and criminal, right?

CLAIM: The FBI stalked Congressman Perry to seize his personal cell phone.

FACT: The FBI secured a warrant to seize Representative Perry's cell phone. After making an image of the data, the FBI returned the phone the same day. Representative Perry sued to have the information returned, but recently dropped his lawsuit. Representative Perry is hardly the first congressman to be subjected to a federal investigation. Since 2001, the following members have faced federal charges:

<u>Democrats</u>	<u>Republicans</u>
Frank Balance	Chris Collins
Corrine Brown	Duke Cunningham
Chaka Fattah	Michael Grimm
Jesse Jackson Jr.	Duncan Hunter
William Jefferson	Bob Ney
James Traficant	Rick Renzi
Anthony Weiner	Steve Stockman

CLAIM: The FBI allows attacks on pro-life facilities but protects abortion facilities.

FACT: The primary focus on the report rests on protests outside Supreme Court justices' homes and while dining at restaurants and suggests that such picketing violated federal law because they were attempts to influence the justices in their decision-making. In truth, the protests were a response to the Court's *Dobbs* decision and the suggestion that they constituted an attempt to influence the justices lacks credibility. Additionally, the Department of Justice has made clear to the public that pro-life pregnancy counseling centers are protected by the Freedom of Access to Clinic Entrance Act and that the FBI will investigate and charge attacks on pro-life centers. Further, the federal government has labeled extreme pro-choice groups like Jane's Revenge a violent extremist group. But the Republican report faults the FBI for failing to execute SWAT team raids to protect the centers. Importantly, data from the nonprofit Armed Conflict Location & Event Data Project reveals that far-right extremist groups, like the Proud Boys, have begun attending abortion-related rallies (typically as counter-protestors) in significantly greater numbers than in the past. For example, appearances by right-wing extremist groups like the Proud Boys at abortion-related events increased by 160% over the previous year. Finally, the National Abortion Federation has been compiling statistics on the attacks on abortion providers for 45 years and, in 2021, its study showed dramatic increases across the board in the types of violence and disruptions: stalking

(increased by 600% over 2020), blockades barring access to clinics (450%), suspicious packages or hoax devices (163%), invasions of abortion facilities (129%) and assault and battery (128%).⁴

CLAIM: The FBI is purging conservatives from within its ranks.

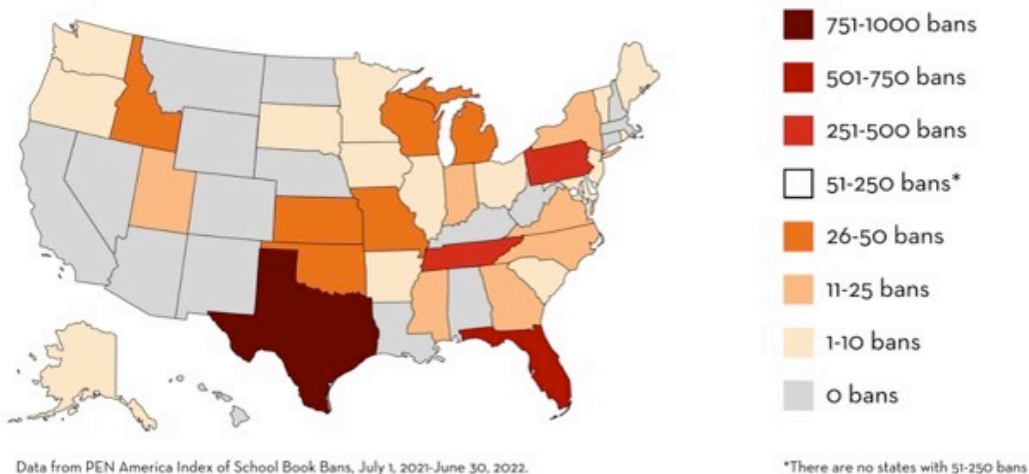
FACTS: The FBI suspended two agents who attended the January 6, 2021 events that resulted in the attack on the United States Capitol.

CLAIM: The FBI is helping Big Tech censor Americans' political speech.

FACTS: Former Republican and Democratic national security leaders have warned against Russian attempts to influence U.S. elections through propaganda and disinformation campaigns. In fact, on November 7, 2022 – just one day before the midterms – Yevgeny Prigozhin, a top ally of Vladimir Putin, confirmed that Russia, “[Has] interfered, we are interfering and we will continue to interfere” in U.S. elections. Facebook’s efforts to prevent Russian interference with U.S. elections does not constitute censorship of speech. The greatest risk of censorship, in fact, is occurring in public schools across the country as rightwing politicians and groups seek to remove from the curriculum and libraries materials that discuss topics they disagree with. A September 2022 report by the nonprofit PEN International details the rise of book bans in U.S. schools, primarily pushed by far-right activists:⁵

School Book Bans by State

July 1, 2021-June 30, 2022



⁴ <https://prochoice.org/national-abortion-federation-releases-2021-violence-disruption-report/>.

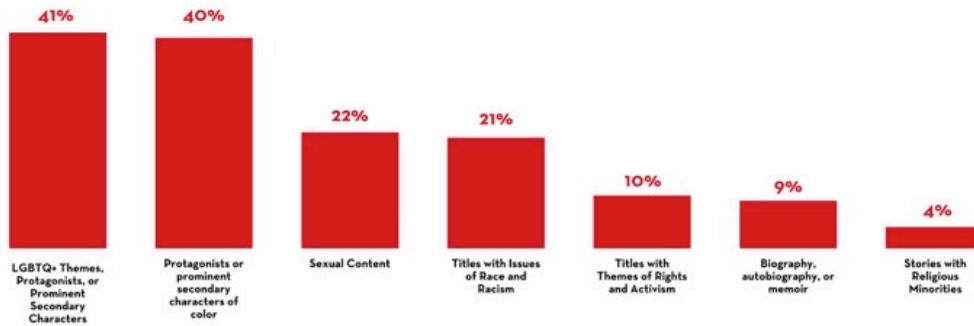
⁵ https://pen.org/report/banned-usa-growing-movement-to-censor-books-in-schools/?utm_source=google&utm_medium=paid&utm_campaign={CampaignName}&gclid=Cj0KCCQiA1NebBhDDARIsAANiDDiCNF8yckelzkr7P2k3G2kvbRQIYVLFQgzLDO8hx8e9DKniLymmKUUaAgAYEALw_wcB.

Subject Matter of Banned Content

By Percentage of Unique Banned Titles, July 1, 2021-June 30, 2022



Note: many titles contain more than one type of content.



Data from PEN America Index of School Book Bans, July 1, 2021-June 30, 2022.

While censorship is alive in the United States, it is occurring in America's schools and the behest of the right-wing.

The Republican House Judiciary Committee report demonstrates that Republican members intend to use their newfound power to offer the same discredited misinformation that they have been circulating for years. They will use their position of authority to settle political scores, defend former President Trump's criminality, and to frame a false narrative that aids in Trump's reelection effort. And, most importantly, the report proves conclusively that the Republicans lack any interest in facts. They have proven themselves unfit to fairly assess, judge, or oversee the Biden Administration.

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Facts First is a bipartisan organization focused on ensuring that our national discourse is grounded in facts and honest debate. Facts First USA will keep the focus on facts in the face of abuse of government oversight being used to settle partisan scores. Learn more at FactsFirstUSA.org