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U.S. House of Representatives
Washington, DC 20515

january6th.house.gov
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One Hundred Seventeenth Congress

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

November 23, 2021

Mr. Elmer Stewart Rhodes
President
Oath Keepers



Dear Mr. Rhodes:

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 produce the documents set forth in the accompanying schedules A and B by December 7, 2021, and to appear for a deposition on December 14, 2021.

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, politics, procedures, rules, or regulations. The inquiry includes examination of how various individuals and entities coordinated their activities leading up to the events of January 6, 2021, as well as the influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.

The Select Committee investigation and public reports have revealed credible evidence of your involvement, and the involvement of the Oath Keepers, in the events within the scope of the Select Committee’s inquiry. The Oath Keepers is an entity incorporated in Nevada and records indicate that you serve as the President of the organization.¹ An indictment returned by a federal grand jury in Washington, D.C., describes a conspiracy among at least 18 Oath Keepers in which members of the Oath Keepers planned to move together in coordination and with regular communication to storm the United States Capitol (“the Capitol”) on January 6, 2021,² including by traveling to Washington, D.C., with paramilitary gear and supplies including firearms, tactical

¹ Nevada Business ID: NV20091497338. Entity Number: E0559982009-3. Registered Agent: Silver State Legal, 4625 West Nevso Drive, Suite 2 & 3, Las Vegas, NV 89103.

² *United States v. Caldwell et al.*, Fifth Superseding Indictment, D.D.C., Crim. No. 21-cr-28-APM, Aug. 4, 2021, available at <https://www.justice.gov/usao-dc/press-release/file/1382471/download>.

vests with plates, helmets and radio equipment.”³ On October 6, 2021, another Oath Keeper was charged separately from the conspiracy.⁴

According to press reports, you are the individual referred to as “PERSON ONE” in the indictment involving 18 Oath Keepers.⁵ The indictment explains that you were in direct contact with several of these members before, during, and shortly after the attack on the Capitol.⁶ Moments after the attack, you gathered approximately 100 feet from the Capitol with the Oath Keepers members who had just breached the building.⁷

In written and spoken remarks delivered prior to January 6, 2021, you repeatedly suggested that the Oath Keepers should, or were prepared to, engage in violence to ensure their preferred election outcome.⁸

On election day, you declared that “an honest election” could only result in a win for Donald Trump, called for Oath Keepers to operate as “undercover” poll watchers, and encouraged your members to “stock up on ammo” and prepare for a “full-on war in the streets.”⁹

On November 10, 2020, days after the presidential election, you encouraged Oath Keepers to gather for the November 14, 2020, “Million MAGA March” in Washington, DC, stating, “Our men will be standing by, awaiting the President’s orders to call us up as the militia, which would override D.C.’s ridiculous anti-gun laws,” and, “Oath Keepers will have some of most skilled special warfare veterans standing by armed, just outside D.C.” That same post sought to encourage attendance by recalling when Serbians overthrew their own government. Under a header titled “WHAT WE THE PEOPLE MUST DO,” you quoted a “patriot from Serbia”: “Millions gathered in our capital. There were no barriers strong enough to stop them, nor the police determined enough to stop them[.] Police and Military aligned with the people after few hours of fist-fight[.] We stormed the Parliament[.] And burned down fake state Television! WE WON!”¹⁰

³ *Fifth Superseding Indictment Unsealed in Oath Keeper Conspiracy Case Related to Jan. 6 Capitol Breach*, Aug. 9, 2021, <https://www.justice.gov/usao-dc/pr/fifth-superseding-indictment-unsealed-oath-keeper-conspiracy-case-related-jan-6-capitol>.

⁴ BROWN, Jeremy, Case No. 1:21-mj-619, <https://www.justice.gov/usao-dc/defendants/brown-jeremy>.

⁵ *Oath Keepers founder draws scrutiny from federal officials and followers*, WASHINGTON POST, Sept. 17, 2021, https://www.washingtonpost.com/national-security/rhodes-oath-keepers-capitol-riot/2021/09/16/a6a872c0-10b6-11ec-a511-cb913c7e5ba0_story.html.

⁶ *Id.*

⁷ *Id.*

⁸ *See, e.g., Stewart Rhodes, Open Letter to President Trump: You Must Use Insurrection Act to “Stop the Steal” and Defeat the Coup*, OATH KEEPERS, Dec. 14, 2020, <https://oathkeepers.org/2020/12/open-letter-to-president-trump-you-must-use-insurrection-act-to-stop-the-steal-and-defeat-the-coup/>; *Militia leader Stewart Rhodes says that his group will be at polling locations and is ready to kill Democrats*, MEDIA MATTERS FOR AMERICA, Oct. 28, 2020, <https://www.mediamatters.org/infowars/militia-leader-stewart-rhodes-says-his-group-will-be-polling-locations-and-ready-kill>; *Oath Keepers leader Stewart Rhodes says he has men stationed outside of D.C. ready to engage in violence on Trump’s order*, MEDIA MATTERS FOR AMERICA, Nov. 12, 2020, <https://www.mediamatters.org/infowars/militia-leader-stewart-rhodes-says-he-has-men-stationed-outside-dc-ready-engage-violence>; *Stewart Rhodes, Oath Keepers Deploying to DC to Protect Events, Speakers, & Attendees on Jan 5-6: Time to Stand!*, OATH KEEPERS, Jan. 4, 2021, <https://oathkeepers.org/2021/01/oath-keepers-deploying-to-dc-to-protect-events-speakers-attendees-on-jan-5-6-time-to-stand/>.

⁹ *Stewart Rhodes, Oath Keepers Critical Message to Patriots on Election Day – and After*, OATH KEEPERS, Nov. 3, 2020, <https://oathkeepers.org/2020/11/oath-keepers-critical-message-to-patriots-on-election-day-and-after/>.

¹⁰ *Stewart Rhodes, Call to Action! March on DC, Stop the Steal, Defend the President, & Defeat the Deep State*, OATH KEEPERS, Nov. 10, 2020, <https://oathkeepers.org/2020/11/call-to-action-march-on-dc-stop-the-steal-defend-the-president-defeat-the-deep-state/>.

On December 12, 2020, you gave a speech in Washington, D.C., calling for then-President Trump to invoke the Insurrection Act, warning that the Oath Keepers would mount a “much more desperate [and] much more bloody war” if he did not do so.¹¹ On January 4, 2021, you wrote a post on the Oath Keepers website, stating that it is “CRITICAL” for your followers to support “President Trump’s fight to defeat the enemies foreign and domestic who are attempting a coup, through the massive vote fraud and related attacks on our Republic,” and exhorted them to come to Washington, D.C. on January 6, 2021.¹² In the same post on January 4, 2021, you announced that the Oath Keepers would provide security and protection for “multiple scheduled events, speakers, VIPs, and event attendees” on January 5 and 6, 2021.¹³ Video from January 6, 2021, appears to show Oath Keepers, including Roberto Minuta, with Roger Stone outside the Willard Hotel.¹⁴

Accordingly, the Select Committee seeks documents and a deposition regarding these and other matters that are within the scope of the Select Committee’s inquiry.

A copy of the rules governing Select Committee depositions, and document production definitions and instructions are attached. Please contact staff for the Select Committee at 202-225-7800 to arrange for the production of documents.

Sincerely,



Bennie G. Thompson
Chairman

¹¹ *Pro-Trump Rallies in DC Attract Extremists & Erupt into Violence*, ADL, Dec. 13, 2020, <https://www.adl.org/blog/pro-trump-rallies-in-dc-attract-extremists-erupt-into-violence>.

¹² Stewart Rhodes, *Oath Keepers Deploying to DC to Protect Events, Speakers, & Attendees on Jan 5-6: Time to Stand!*, OATH KEEPERS, Jan. 4, 2021, <https://oathkeepers.org/2021/01/oath-keepers-deploying-to-dc-to-protect-events-speakers-attendees-on-jan-5-6-time-to-stand/>.

¹³ *Oath Keepers Deploying to DC to Protect Events, Speakers, & Attendees on Jan 5-6: Time to Stand!*, OATH KEEPERS, Jan. 4, 2021, <https://oathkeepers.org/2021/01/oath-keepers-deploying-to-dc-to-protect-events-speakers-attendees-on-jan-5-6-time-to-stand/>.

¹⁴ *New video shows Roger Stone with Oath Keepers on Jan. 6*, THE HILL, Feb. 5, 2021, <https://thehill.com/homenews/news/537627-new-video-shows-roger-stone-with-oath-keepers-on-jan-6>.