January 9, 2022

The Honorable Bennie Thompson
Chairman
Select Committee to Investigate the January 6th
Attack on the United States Capitol
U.S. House of Representatives
Washington, DC 20515

Dear Representative Thompson:

The American people are tired of Democrats’ nonstop investigations and partisan witch hunts. Your letter of December 22, 2021, unfortunately continues this Democrat obsession. It amounts to an unprecedented and inappropriate demand to examine the basis for a colleague’s decision on a particular matter pending before the House of Representatives. This request is far outside the bounds of any legitimate inquiry, violates core Constitutional principles, and would serve to further erode legislative norms.

As you well know, I have no relevant information that would assist the Select Committee in advancing any legitimate legislative purpose. I cannot speak to Speaker Pelosi’s failure to ensure the appropriate security posture at the Capitol complex in advance of well-publicized protests on January 6, 2021. I cannot elaborate on former U.S. Capitol Police Chief Steven Sund’s statement that a concern about “optics”—following widespread calls from Democrats in 2020 to defund the police—contributed to the limited security response.\(^1\) I have nothing to add to the bipartisan, comprehensive findings of the Senate investigative committees or to those issued by federal inspectors general.\(^2\) I cannot testify about the Justice Department’s ongoing law-

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enforcement efforts, although I am aware of reports that the FBI has determined the violence was not coordinated or part of any “organized plot to overturn the presidential election result.”

At the time of the security breach of the Capitol, I was present in the House chamber performing my official duties pursuant to the U.S. Constitution and federal law. The other topics referenced in your letter likewise relate to the performance of official duties. Your attempt to pry into the deliberative process informing a Member about legislative matters before the House is an outrageous abuse of the Select Committee’s authority. This unprecedented action serves no legitimate legislative purpose and would set a dangerous precedent for future Congresses.

It is telling that the Select Committee has chosen only to target Republican Members with demands for testimony about January 6. Unlike many senior Democrats, I have been consistent in denouncing political violence and supporting law enforcement personnel—whether the violence occurred on January 6 at the Capitol or in the summer of 2020 in cities across the country. I am aware of no effort by the Select Committee to solicit testimony from Speaker Pelosi, House Administration Chair Zoe Lofgren, or any other Democrat Members with responsibility for or oversight of the security posture at the Capitol complex on January 6. This double standard confirms our suspicion that Democrats are using the Select Committee as a partisan cudgel against their political adversaries and not to advance any legitimate legislative purpose.

Even if I had information to share with the Select Committee, the actions and statements of Democrats in the House of Representatives show that you are not conducting a fair-minded and objective inquiry. House Democrats have already prejudged the results of the Select Committee’s work, declaring in their February 2021 impeachment brief that President Trump is “unmistakably responsible for the events of January 6.” Democrats have accused their Republican colleagues of “sedition” and called them “traitors” for objecting to Electoral College results in certain states—an official action taken pursuant to federal law, and the same objections that you and other senior House Democrats made following the 2000, 2004, and 2016 presidential elections.

5 Trial Memorandum of the United States House of Representatives in the Impeachment Trial of President Donald J. Trump, Im re Impeachment of President Donald J. Trump (Feb. 2, 2021).
Democrats violated the most fundamental and longstanding safeguard for fairness in House proceedings in standing up the Select Committee. In an unprecedented action, Speaker Pelosi rejected Leader McCarthy’s chosen Republican Members to serve on the Select Committee. Speaker Pelosi also failed to consult with Leader McCarthy about the appointment of Republican Members, in direct violation of the requirement in the resolution establishing the Select Committee that she do so.\(^8\) As a result, and without any Republican Members selected by the Republican Leader, the Select Committee has no effective measure of balance or objectivity.

The conduct of the Select Committee to date reinforces the perception that it cannot be trusted to operate fairly or in good faith. The Select Committee has abused fundamental civil liberties—investigating private citizens’ political speech protected by the First Amendment, and seeking to impose gag orders on telecom and email companies to prevent them from notifying their customers that the Select Committee has demanded their data.\(^9\) When good-faith disputes over privileged information have arisen, the Select Committee has declined to make genuine efforts to obtain information through the civil contempt mechanism available to Congress, instead choosing to punish individuals with criminal contempt referrals. The Select Committee has also failed to operate transparently, holding just a single public hearing to gather testimony. The Select Committee has exploited this lack of transparency to selectively leak information, alter and misrepresent nonpublic documents in its possession, and spread misinformation to paint a false and misleading narrative. To cite just a few examples:

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\(^8\) H. Res. 503, 117th Cong. (2021).

\(^9\) Glenn Greenwald, *Civil Liberties are being trampled by exploiting “insurrection” fears. Congress’s 1/6 Committee may be the worst abuse yet*, Substack, Oct. 17, 2021.
• In a widely distributed letter, you falsely accused former New York Police Commissioner Bernard Kerik of attending a meeting in Washington on January 5, 2021, when Kerik was actually in New York City.\(^{10}\)

• During a business meeting to consider holding our former colleague Mark Meadows in criminal contempt of Congress, Representative Adam Schiff, a member of the Select Committee, doctored a text message I had forwarded to Mr. Meadows.\(^{11}\)

• During the floor debate on the Meadows criminal contempt resolution, Representative Jamie Raskin, another member of the Select Committee, falsely attributed a second text message to a “lawmaker” when in fact it was not sent by any Member of Congress.\(^{12}\)

If the Select Committee can so readily violate American civil liberties and mislead Americans about the information it possesses—including information relating to me—I have no confidence that the Select Committee will fairly or accurately represent any information I could provide. And make no mistake, any such information would be directly related to my deliberations and objections pursuant to a statutorily prescribed procedure.

The American people deserve better than the Democrats’ incessant focus on partisan investigations. Rampant inflation is hurting American families, an unmitigated crisis at the southern border threatens American communities, the Biden Administration is weaponizing counterterrorism tools against American parents, and President Biden’s weak leadership endangers American service members overseas. These real challenges affecting our constituents today are the issues on which Congress should properly be focused.

Sincerely,

Jim Jordan

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