

Congress of the United States
Washington, DC 20515

January 17, 2023

Mr. Ronald A. Klain
Assistant to the President and Chief of Staff
The White House
Washington, DC 20500

Dear Mr. Klain:

Since the beginning of the Biden Administration, we have made several requests for information and documents concerning the misuse of federal criminal and counterterrorism resources to target concerned parents at school board meetings. These requests remain outstanding. As we begin the 118th Congress, we write again to reiterate our requests and ask that you immediately comply in full.

The Executive Office of the President (EOP) has been on notice about our oversight requests—and aware that the requests are outstanding—for months. For your convenience in promptly complying with our requests, we itemized our outstanding requests in a letter dated October 17, 2022. Subsequently, again for your convenience, we notified you once more about these outstanding requests in a letter dated November 18, 2022. A copy of this most recent letter, with its enclosure, is enclosed.

To date, you have not complied with our long-outstanding requests for information and documents. Instead, the Biden White House provided a perfunctory letter that discounted Congress’s constitutional oversight authorities, failed to produce any documents or information requested, and declined to address any matters of substance.¹ The White House leaked this letter to the media, and briefed at least one reporter on it, before transmitting the letter to the Committee at 4:34 a.m.—severely undercutting the White House’s purported commitment to working with us in “good faith.”²

The White House has sought to excuse its noncompliance with our requests by asserting that the requests “were not made as part of the congressional oversight process to which the constitutional accommodation obligations apply.”³ Setting aside the constitutional and legal fallacies inherent in the White House’s argument, nothing in federal law prevented the White House from voluntarily complying with our requests. In addition, to the extent the White House believed it was bound *only* to comply with requests from committee chairmen, the White House

¹ Letter from Richard Sauber, Special Counsel to the President, to Rep. Jim Jordan, H. Comm. on the Judic. (Dec. 29, 2022).

² *Id.*

³ *Id.*

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has had notice since at least November 16, 2022, that a returning Republican Member would lead the Judiciary Committee in the 118th Congress and has taken no steps to comply with our outstanding requests in that time. In fact, as of today, we have seen no evidence that the White House has taken any steps to comply with our requests.

The Administration's stonewalling must stop. Accordingly, we reiterate our outstanding requests—itemized in our letter dated November 18, 2022, and its enclosure, and incorporated herein—and ask that you provide this material immediately. We are prepared to resort to compulsory process, if necessary, to obtain this material.

In addition, in our letter of November 18, 2022, we provided you with a preliminary list of EOP employees from whom we require testimony to advance our oversight. We asked that you direct your staff to begin scheduling dates for the Committee to receive this testimony. Here too, the EOP has ignored our requests. Please know the Committee will not be hesitant to compel testimony from EOP employees if necessary.

The Judiciary Committee is authorized to conduct oversight of matters involving civil liberties and criminal law pursuant to the Rules of the House of Representatives.⁴

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman
Committee on the Judiciary

cc: The Honorable Jerrold L. Nadler, Ranking Member, Committee on the Judiciary

Enclosures

⁴ Rules of the U.S. House of Representatives, R. X (2023).

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6216
(202) 225-3951
judiciary.house.gov

November 18, 2022

Mr. Ronald A. Klain
Assistant to the President and Chief of Staff
The White House
Washington, DC 20500

Dear Mr. Klain:

As we prepare for the 118th Congress, we write again to obtain your voluntary compliance with the outstanding requests for documents and information necessary for our oversight. We appreciate your prompt attention to these outstanding matters.

Over the past twenty-one months, we have made several requests for information and documents concerning the Biden Administration's misuse of federal criminal and counterterrorism resources to target concerned parents at school board meetings. We reiterated and itemized these requests in our recent letter of October 17, 2022, which is enclosed for your convenience. To date, you have ignored these requests. Please be aware that if our requests remain outstanding at the beginning of the 118th Congress, the Committee may be forced to resort to compulsory process to obtain the material we require.

In addition, to advance our oversight of the Biden Administration's use of federal law enforcement with respect to school board-related threats, we require prompt testimony from employees of the Executive Office of the President (EOP). We expect your unfettered cooperation in arranging for the Committee to receive testimony from EOP employees. As an initial matter, we anticipate requiring testimony, in hearings or transcribed interviews, from the following employees early in the 118th Congress:

1. Mary C. Wall, Senior Advisor, COVID-19 Response Team;
2. Julie C. Rodriguez, Director of the Office of Intergovernmental Affairs;
3. Katherine Pantangco, Policy Advisor for Intergovernmental Affairs; and
4. Nezly Silva, Senior Policy Analyst for Intergovernmental Affairs.

To avoid any unnecessary delay in receiving the testimony of these employees, we ask that you direct your staff to work with Committee staff now on scheduling these events.

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The congressional oversight power, rooted in Article I of the Constitution, is “broad and indispensable.”¹ This authority “encompasses inquiries into the administration of existing laws, studies of proposed law, and surveys of defects in our societal, economic, or political system for the purpose of enabling the Congress to remedy them.”² The Judiciary Committee is authorized to conduct oversight of matters involving civil liberties and criminal law enforcement pursuant to the Rules of the House of Representatives.³

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member




Steve Chabot
Member of Congress



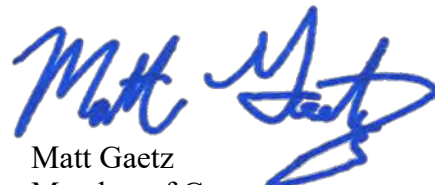
Louie Gohmert
Member of Congress



Darrell Issa
Ranking Member
Subcommittee on Courts, Intellectual
Property, and the Internet



Ken Buck
Ranking Member
Subcommittee on Antitrust, Commercial
and Administrative Law



Matt Gaetz
Member of Congress

¹ See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (citing *Watkins v. United States*, 354 U.S. 178, 187, 215 (1957)) (internal quotation marks and citations omitted).

² *Id.*

³ Rules of the U.S. House of Representatives, R. X (2021).



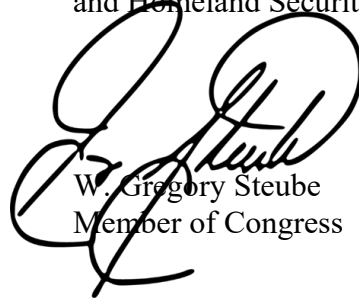
Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties



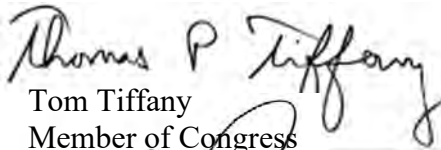
Andy Biggs
Ranking Member
Subcommittee on Crime, Terrorism
and Homeland Security



Tom McClintock
Ranking Member
Subcommittee on Immigration
and Citizenship



W. Gregory Steube
Member of Congress



Tom Tiffany
Member of Congress



Thomas Massie
Member of Congress



Chip Roy
Member of Congress



Dan Bishop
Member of Congress



Michelle Fischbach
Member of Congress



Victoria Spartz
Member of Congress



Scott Fitzgerald
Member of Congress



Cliff Bentz
Member of Congress



Burgess Owens
Member of Congress

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cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951
judiciary.house.gov

October 17, 2022

Mr. Ronald A. Klain
Assistant to the President and Chief of Staff
The White House
Washington, DC 20500

Dear Mr. Klain:

We are investigating the Biden Administration's misuse of federal criminal and counterterrorism resources to target concerned parents at school board meetings. We know from publicly available information that employees of the Executive Office of the President were involved in discussions surrounding the National School Boards Association's (NSBA) September 29, 2021, letter to President Biden and the letter's specific request that the Biden Administration use the Patriot Act to target parents. We also know that President Biden called the NSBA head to tell her he was "appreciative" of the letter and to invite her to the Oval Office. The American people, however, deserve much more accountability and transparency about the Biden Administration's anti-parent directives.

On June 14, 2022, Committee Republicans wrote to you requesting documents and information regarding the White House's collusion with the NSBA and its involvement in effectuating the misuse of federal criminal and counterterrorism resources against parents.¹ Now over four months later, you have failed to produce any of the requested documents or information. This is unacceptable.

Parents voicing their concerns at school board meetings are not domestic terrorists. Yet, the Attorney General's anti-parent directive of October 4, 2021, remains in effect, and as a result, the threat of federal law enforcement continues to chill the First Amendment rights of American parents. Committee Republicans intend to continue to pursue this serious misuse of federal law-enforcement resources, including if necessary into the 118th Congress. We reiterate our requests, which are itemized in the attached appendix and incorporated herein, and ask that you produce the entirety of the requested material as soon as possible but no later than October 31, 2022.

Furthermore, this letter serves as a formal request to preserve all existing and future records and materials in your possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the

¹ Letter from Rep. Jim Jordan et al., Ranking Member, H. Comm. on the Judiciary, to Mr. Ronald A. Klain, Assistant to the President and Chief of Staff, The White House (Jun. 14, 2022).

Mr. Ronald A. Klain

October 17, 2022

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destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Sincerely,



Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

Appendix: Document Requests to the White House

June 14, 2022:

1. All documents and communications between or among employees or officials of the Executive Office of the President referring or relating to the NSBA;
2. All documents and communications between or among employees or officials of the Executive Office of the President and employees or officials of the Department of Justice, Department of Homeland Security, Department of Education, and any executive branch department or agency referring or relating to the NSBA or school board-related threats;
3. All documents and communications between or among employees or officials of the Executive Office of the President and employees or officials of the Department of Justice referring or relating to the Attorney General's memorandum dated October 4, 2021; and
4. All documents and communications between or among employees or officials of the Executive Office of the President and employees of the NSBA referring or relating to the NSBA's September 29, 2021, letter to President Biden.