

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation

You are hereby commanded to be and appear before the
Committee on the Judiciary

of the House of Representatives of the United States at the place, date, and time specified below.

- ☒ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: House Committee on the Judiciary, 2138 Rayburn House Office Building

Date: March 1, 2023

Time: 9:00 a.m.

- ☐ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony:

Date:

Time:

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony:

Date:

Time:

To The U.S. Marshals Service, or any authorized Member or congressional staff

to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 2d day of February, 2023

Attest:

Clerk

Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for Thomas J. Sobocinski, Special Agent in Charge, Baltimore Field Office, Federal
Bureau of Investigation

Address Federal Bureau of Investigation Baltimore Field Office

2600 Lord Baltimore Drive Baltimore, MD 21244

before the Committee on the Judiciary



*U.S. House of Representatives
118th Congress*

Served by (print name)

Title

Manner of service

Date

Signature of Server

Address

In accordance with the attached Schedule instructions, you, the Honorable Christopher A. Wray, are required to produce the following items in your possession, custody, or control, from January 20, 2021 to present, in unredacted form:

SCHEDULE A

1. All documents and communications referring or relating to (a) convening meeting(s) with U.S. Attorneys' Offices in accordance with the Attorney General's October 4, 2021 memorandum, (b) the establishment of the Department of Justice's task force as announced in the October 4, 2021 press release, or (c) the Federal Bureau of Investigation's (FBI) role as a member of the task force;
2. All documents, including but not limited to, both formal and informal recommendations created or relied upon by FBI employees, referring or relating to meeting(s) in each federal judicial district in accordance with the Attorney General's October 4, 2021 memorandum;
3. All documents and communications referring or relating to the EDUOFFICIALS threat tag;
4. All documents and communications referring or relating to investigations identified and labeled with the EDUOFFICIALS threat tag; and
5. All documents and communications sent or received by the following individuals referring or relating to FBI investigations of school board threats: Carlton L. Peebles; Jay Greenberg; Calvin A. Shivers; Brian M. Cohen; Timothy R. Langan Jr.; and Kevin Vorndran.

INSTRUCTIONS

For the purposes of this Subpoena, please apply the instructions and definitions as set forth below:

1. In complying with this subpoena, you are required to produce all responsive documents in unredacted form that are in your possession, custody, or control or otherwise available to you, regardless of whether the documents are possessed directly by you.
2. Requested documents responsive to the subpoena shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this subpoena has been, or is currently, known by any other name, the subpoena shall be read also to include such other names under that alternative identification.
4. The Committee's preference is to receive documents responsive to the subpoena in electronic form (i.e., via cloud content services, CD, memory stick, or thumb drive) in lieu of paper productions. Committee staff shall be consulted prior to production to discuss the best production method. If documents are produced in paper form, each document should be produced in a form that may be copied by standard copying machines.
5. Documents produced in electronic format should also be organized, identified, and indexed electronically.
6. Documents produced pursuant to this subpoena shall be produced in the order in which they appear in your files and should not be rearranged. Any documents that are stapled, clipped, or otherwise fastened together should be produced together in the order they appear in your files. Documents produced in response to this subpoena should be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this subpoena was issued. Indicate the office or division and person from whose files each document was produced.
7. Documents produced to the Committee should include an index describing the contents of the production and should identify the paragraph(s) and/or clause(s) in the Committee's schedule to which the document responds. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
8. All documents shall be Bates-stamped sequentially and produced sequentially.

9. Responsive documents must be produced regardless of whether any other person or entity possesses non-identical or identical copies of the same document.
10. If any document responsive to this subpoena was, but no longer is, in your possession, custody, or control, or has been placed into the possession, custody, or control of any third party and cannot be provided in response to this subpoena, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control, or was placed in the possession, custody, or control of a third party.
11. If any document responsive to this subpoena was, but no longer is, in your possession, custody or control, state:
 - a. how the document was disposed of;
 - b. the name, current address, and telephone number of the person who currently has possession, custody or control over the document;
 - c. the date of disposition; and
 - d. the name, current address, and telephone number of each person who authorized said disposition or who had or has knowledge of said disposition.
12. If any document responsive to this subpoena cannot be located, describe with particularity the efforts made to locate the document and the specific reason for its disappearance, destruction, or unavailability.
13. If a date or other descriptive detail set forth in this subpoena referring to a document, communication, meeting, or other event is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
14. This subpoena is continuing in nature and applies to any newly discovered documents, regardless of the date of its creation. Any document not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
15. A cover letter shall be included with each production and shall include the following:
 - a. A total page count for the entire production, including both hard copy and electronic documents;
 - b. A list of custodians, identifying the Bates range for each custodian; and
 - c. All Bates Prefix and Suffix formats for all documents contained in the production.
16. Two sets of the documents should be delivered to the Committee, one set to the majority staff in Room 2138 of the Rayburn House Office Building and one set to the

minority staff in Room 2142 of the Rayburn House Office Building. You should consult with Committee majority staff regarding the method of delivery prior to sending any materials.

17. In the event that a responsive document is withheld on any basis, including by a claim of privilege, you should provide a log containing the following information concerning every such document: (i) the reason the document is not being produced; (ii) the type of document; (iii) the general subject matter; (iv) the date, author and addressee; (v) the relationship of the author and addressee to each other; and (vi) any other description necessary to identify the document and to explain the basis for not producing the document. If a claimed privilege applies to only a portion of any document, only that portion should be withheld and the remainder of the document should be produced. As used herein, "claim of privilege" includes, but is not limited to, any claim that a document either may or must be withheld from production pursuant to any legal doctrine, statute, rule, or regulation.
 - a. Any objections or claims of privilege are waived if you fail to provide an explanation of why full compliance is not possible and a log identifying with specificity the ground(s) for withholding each withheld document prior to the subpoena compliance date.
 - b. In complying with this subpoena, be apprised that (unless otherwise determined by the Committee) the Committee does not recognize: any purported non-disclosure privileges associated with the common law including; any purported privileges or protections from disclosure under the Freedom of Information Act; or any purported contractual privileges, such as non-disclosure agreements.
 - c. Any assertion by a subpoena recipient of any such non-constitutional legal bases for withholding documents or other materials, for refusing to answer any deposition question, or for refusing to provide hearing testimony, shall be of no legal force and effect and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Committee (or the chair of the Committee, if authorized) has consented to recognize the assertion as valid.
18. If the subpoena cannot be complied with in full, it should be complied with to the extent possible, which should include an explanation of why full compliance is not possible.
19. Upon completion of the document production, you must submit a written certification, signed by you or your counsel, stating that: (a) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; (b) documents responsive to the subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee since the date of receiving the Committee's subpoena or in anticipation of receiving the Committee's subpoena, and (c) all documents identified during the search that are responsive have been produced to the Committee, identified in a log provided

to the Committee, as described in (17) above, or identified as provided in (10), (11) or (12) above.

20. When representing a witness or entity before the Committee in response to a subpoena, document request, or request for transcribed interview, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations.

DEFINITIONS

The following definitions apply to terms used within the Subpoena, Schedule A, these Instructions, and these Definitions:

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail ("e-mail"), instant messages, calendars, contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, power point presentations, spreadsheets, and work sheets, and graphic or oral records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. The term "document" includes all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments to the foregoing, as well as any attachments or appendices thereto. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "documents in your possession, custody or control" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
3. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, encrypted instant messaging application (e.g., Signal, WhatsApp, Telegram, etc.), Discord message, Google Hangouts message, Microsoft Teams message, Slack message, Skype message, Viber message, regular mail, telexes, releases, one-way communications channels (e.g., Teleporter), or otherwise.
4. The terms "and" and "or" should be construed broadly and either conjunctively or disjunctively as necessary to bring within the scope of this subpoena any information

which might otherwise be construed to be outside its scope. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.

5. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, limited liability corporations and companies, limited liability partnerships, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, other legal, business or government entities, or any other organization or group of persons, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
6. The terms "referring" or "relating," with respect to any given subject, mean anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
7. The term "employee" means agent, borrowed employee, casual employee, consultant, de facto employee, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, contract employee, contractor, or any other type of service provider.
8. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
9. The term "Administration" means and refers to any department, agency, division, office, subdivision, entity, official, administrator, employee, attorney, agent, advisor, consultant, staff, or any other person acting on behalf or under the control or direction of the Executive Branch.
10. The term "you" or "your" means and refers to you as a natural person and the United States and any of its agencies, offices, subdivisions, entities, officials, administrators, employees, attorneys, agents, advisors, consultants, staff, contractors, or any other persons acting on your behalf or under your control or direction; and includes any other person(s) defined in the subpoena document request letter.
11. The term "judicial district" means and refers to (a) in the case of a United States district court, a judicial district of the United States; and (b) in the case of a State court, the applicable geographic area over which such court exercises jurisdiction.
12. The term "Attorney General's October 4, 2021 memorandum" means and refers to the memorandum issued by the Attorney General on October 4, 2021 with the subject "Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff."
13. The term "task force" means and refers to the task force "consisting of representatives from the department's Criminal Division, National Security Division, Civil Rights

Division, the Executive Office for U.S. Attorneys, the FBI, the Community Relations Service and the Office of Justice Programs, to determine how federal enforcement tools can be used to prosecute these crimes, and ways to assist state, Tribal, territorial and local law enforcement where threats of violence may not constitute federal crimes” as announced in the Department of Justice’s October 4, 2021 press release titled “Justice Department Addresses Violent Threats Against School Officials and Teachers.”

14. The term “EDUOFFICIALS threat tag” means and refers to the threat tag created by the FBI to apply to and track “investigations and assessments of threats specifically directed against school board administrators, board members, teachers, and staff.”

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2130 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6218

(202) 225-6966
judiciary.house.gov

April 10, 2023

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, DC 20535

Dear Director Wray:

The Committee on the Judiciary is conducting oversight of the Federal Bureau of Investigation's (FBI) handling of domestic violent extremism investigations against Catholic Americans and its effect on protected First Amendment activity. Based on the limited information produced by the FBI to the Committee, we now know that the FBI relied on at least one undercover agent to produce its analysis, and that the FBI proposed that its agents engage in outreach to Catholic parishes to develop sources among the clergy and church leadership to inform on Americans practicing their faith. This shocking information reinforces our need for all responsive documents, and the Committee is issuing a subpoena to you to compel your full cooperation.

We have repeatedly sought information from the FBI relating to a January 23, 2023 document generated by the Richmond Field Office entitled "Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities" ("FBI's Richmond document").¹ In this document, the FBI purported to categorize Catholic Americans based on theological distinctions and relied on the Southern Poverty Law Center to suggest that certain kinds of Catholic Americans may be domestic terrorists.² On February 16, 2023, we first wrote to you requesting documents and information to inform our oversight.³ After receiving no response, we reiterated our outstanding requests in a subsequent letter dated March 20, 2023.⁴ On March 23, 2023, we received a

¹ Fed. Bureau of Investigation, U.S. Dep't of Justice, Domain Perspective, Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities (Jan. 23, 2023).

² *Id.*

³ See, Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Christopher A. Wray, Dir., Fed. Bureau of Investigation (Feb. 16, 2023).

⁴ See, Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Christopher A. Wray, Dir., Fed. Bureau of Investigation (Mar. 20, 2023).

substandard and partial response consisting of only 18 pages—many with significant redactions of “personally identifiable information” or “specific non-public information about [FBI] investigations, sources, and methods” that prevents the Committee from fully assessing the content and context of the documents and obtaining information requested from the Bureau.⁵

The limited information that was provided to the Committee makes clear that we must possess all responsive material without redactions. From this selective production, we know that the FBI, relying on information derived from at least one undercover employee, sought to use local religious organizations as “new avenues for tripwire and source development.”⁶ For example, in a section of the document entitled “Opportunities,” the FBI wrote:

In addition to [redaction], engage in outreach to the leadership of other [Society of Saint Pius X] chapels in the FBI Richmond [area of responsibility] to sensitize these congregations to the warning signs of radicalization and **to enlist their assistance to serve as suspicious activity tripwires.**⁷

The FBI similarly noted two other opportunities to engage in outreach with religious institutions in the Richmond area, citing a desire “to sensitize the congregation to the warning signs of radicalization and enlist their assistance to serve as suspicious activity tripwires.”⁸ This outreach plan even included contacting so-called “mainline Catholic parishes” and the local “diocesan leadership[.]”⁹ The FBI also expressed an interest in “leverag[ing] existing sources and/or initiat[ing] Type 5 Assessments to develop new sources with the placement and access” to report on suspicious activity.¹⁰

This information is outrageous and only reinforces the Committee’s need for all FBI material responsive to our request. The documents produced to date show how the FBI sought to enlist Catholic houses of worship as potential sources to monitor and report on their parishioners. Americans attend church to worship and congregate for their spiritual and personal betterment. They must be free to exercise their fundamental First Amendment rights without worrying that the FBI may have planted so-called “tripwire” sources or other informants in their houses of worship.

Although the FBI claims to have “numerous” and “rigorous” policies to protect First Amendment rights,¹¹ the FBI’s Richmond document plainly undercuts these assertions. The document itself shows that its contents, including its proposal to develop sources in Catholic churches, were reviewed and approved by two senior intelligence analysts and even the local

⁵ Letter from Christopher Dunham, Acting Asst. Dir., Fed. Bureau of Investigation, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Mar. 23, 2023).

⁶ *Id.* (encl.).

⁷ *Id.* (emphasis added).

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Letter from Dunham, *supra* note 5.

The Honorable Christopher A. Wray

April 10, 2023

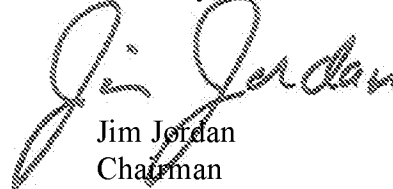
Page 3

Chief Division Counsel. We know from whistleblowers that the FBI distributed this document to field offices across the country. It is unclear, however, how many FBI employees explored “new avenues for tripwire and source development” in Catholic houses of worship across the country as a result of the FBI’s Richmond document.

The Supreme Court has recognized that Congress has a “broad and indispensable” power to conduct oversight, which “encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them.”¹² Pursuant to the Rules of the House of Representatives, the Committee is authorized to conduct oversight of the Justice Department and FBI—including with respect to the agencies’ use of law-enforcement and counterterrorism resources and their policies to protect civil liberties—to inform potential legislative reforms.¹³ These potential legislative reforms could include, among other proposals, legislation to prescribe how federal law-enforcement entities investigate constitutionally protected activity, legislation to educate federal law-enforcement personnel on civil liberty protections, or legislation to prevent the misuse of federal law-enforcement and counterterrorism resources in the future. The information we have requested about the FBI’s Richmond document is necessary to inform such potential legislation.

Accordingly, and in light of your disregard of our earlier voluntary requests, please find attached a subpoena for the requested documents and information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Jordan", is written over a printed name and title.

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

Enclosure

¹² See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citations omitted).

¹³ Rules of the U.S. House of Representatives, R. X (2023).

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation

You are hereby commanded to be and appear before the
Committee on the Judiciary

of the House of Representatives of the United States at the place, date, and time specified below.

- ☒ **to produce the things identified on the attached schedule** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: House Committee on the Judiciary, 2138 Rayburn House Office Building

Date: April 28, 2023

Time: 9:00 a.m.

- ☐ **to testify at a deposition** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

- ☐ **to testify at a hearing** touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To The U.S. Marshals Service, or any authorized Member or congressional staff

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 6th day of April, 2023

Attest:

[Signature]
Clerk

[Signature]
Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for

The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation

Address Federal Bureau of Investigation, 935 Pennsylvania Avenue, N.W. Washington DC, 20535

before the Committee on the Judiciary

U.S. House of Representatives
118th Congress

Served by (print name) _____

Title _____

Manner of service _____

Date _____

Signature of Server _____

Address _____

SCHEDULE A

In accordance with the attached Schedule instructions, you, The Honorable Christopher A. Wray, are required to produce the following items in your possession, custody, or control, from January 20, 2021 to present, in unredacted form:

1. All documents and communications referring or relating to intelligence products about "Racially or Ethnically Motivated Violent Extremists," "Radical-Traditionalist Catholics," and "traditionalist Catholics";
2. All documents, including but not limited to formal and informal recommendations, created, reviewed by, or cited to by FBI employees, referring or relating to "Radical-Traditionalist Catholic Ideology";
3. All social media posts reviewed by or cited to by FBI employees while drafting the Domain Perspective, entitled "Interest of Racially or Ethnically Motivated Violent Extremist Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities" referring or relating to "Racially or Ethnically Motivated Violent Extremists" and "Radical-Traditionalist Catholics";
4. All documents and communications referring or relating to the justification for the January 23, 2023, Domain Perspective, entitled "Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities," approved and disseminated by the FBI's Richmond Field Office;
5. All documents and communications referring or relating to FBI investigative case files, local law enforcement agency reporting, or liaison reporting that the FBI's Richmond Field Office reviewed or cited in making its assessment in the January 23, 2023, Domain Perspective, entitled "Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities";
6. Documents and communications sufficient to show all FBI employees involved in drafting, reviewing, approving, or disseminating the January 23, 2023, Domain Perspective, entitled "Interest of Racially or Ethnically Motivated Violent Extremist Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities"; and
7. All documents and communications referring or relating to outreach to the leadership of various Catholic chapels and parishes in the FBI Richmond Area of Responsibility.

INSTRUCTIONS

For the purposes of this Subpoena, please apply the instructions and definitions as set forth below:

1. In complying with this subpoena, you are required to produce all responsive documents in unredacted form that are in your possession, custody, or control or otherwise available to you, regardless of whether the documents are possessed directly by you.
2. Requested documents responsive to the subpoena shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this subpoena has been, or is currently, known by any other name, the subpoena shall be read also to include such other names under that alternative identification.
4. The Committee's preference is to receive documents responsive to the subpoena in electronic form (i.e., via cloud content services, CD, memory stick, or thumb drive) in lieu of paper productions. Committee staff shall be consulted prior to production to discuss the best production method. If documents are produced in paper form, each document should be produced in a form that may be copied by standard copying machines.
5. Documents produced in electronic format should also be organized, identified, and indexed electronically.
6. Documents produced pursuant to this subpoena shall be produced in the order in which they appear in your files and should not be rearranged. Any documents that are stapled, clipped, or otherwise fastened together should be produced together in the order they appear in your files. Documents produced in response to this subpoena should be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this subpoena was issued. Indicate the office or division and person from whose files each document was produced.
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9. Responsive documents must be produced regardless of whether any other person or entity possesses non-identical or identical copies of the same document.
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11. If any document responsive to this subpoena was, but no longer is, in your possession, custody or control, state:
 - a. how the document was disposed of;
 - b. the name, current address, and telephone number of the person who currently has possession, custody or control over the document;
 - c. the date of disposition; and
 - d. the name, current address, and telephone number of each person who authorized said disposition or who had or has knowledge of said disposition.
12. If any document responsive to this subpoena cannot be located, describe with particularity the efforts made to locate the document and the specific reason for its disappearance, destruction, or unavailability.
13. If a date or other descriptive detail set forth in this subpoena referring to a document, communication, meeting, or other event is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
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 - a. Any objections or claims of privilege are waived if you fail to provide an explanation of why full compliance is not possible and a log identifying with specificity the ground(s) for withholding each withheld document prior to the subpoena compliance date.
 - b. In complying with this subpoena, be apprised that (unless otherwise determined by the Committee) the Committee does not recognize: any purported non-disclosure privileges associated with the common law including; any purported privileges or protections from disclosure under the Freedom of Information Act; or any purported contractual privileges, such as non-disclosure agreements.
 - c. Any assertion by a subpoena recipient of any such non-constitutional legal bases for withholding documents or other materials, for refusing to answer any deposition question, or for refusing to provide hearing testimony, shall be of no legal force and effect and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Committee (or the chair of the Committee, if authorized) has consented to recognize the assertion as valid.
18. If the subpoena cannot be complied with in full, it should be complied with to the extent possible, which should include an explanation of why full compliance is not possible.
19. Upon completion of the document production, you must submit a written certification, signed by you or your counsel, stating that: (a) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; (b) documents responsive to the subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee since the date of receiving the Committee's subpoena or in anticipation of receiving the Committee's subpoena, and (c) all documents identified during the search

that are responsive have been produced to the Committee, identified in a log provided to the Committee, as described in (17) above, or identified as provided in (10), (11) or (12) above.

20. When representing a witness or entity before the Committee in response to a subpoena, document request, or request for transcribed interview, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations.

DEFINITIONS

The following definitions apply to terms used within the Subpoena, Schedule A, these Instructions, and these Definitions:

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail ("e-mail"), instant messages, calendars, contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, power point presentations, spreadsheets, and work sheets, and graphic or oral records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. The term "document" includes all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments to the foregoing, as well as any attachments or appendices thereto. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The phrase "possession, custody or control" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
3. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, encrypted instant messaging application (e.g., Signal, WhatsApp, Telegram, etc.), Discord message, Google Hangouts message, Microsoft Teams message, Slack message, Skype message, Viber message, regular mail, telexes, releases, one-way communications channels (e.g., Teleporter), or otherwise.

4. The terms "and" and "or" should be construed broadly and either conjunctively or disjunctively as necessary to bring within the scope of this subpoena any information which might otherwise be construed to be outside its scope. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
5. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, limited liability corporations and companies, limited liability partnerships, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, other legal, business or government entities, or any other organization or group of persons, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
6. The terms "referring" or "relating," with respect to any given subject, mean anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
7. The term "employee" means agent, borrowed employee, casual employee, consultant, de facto employee, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, contract employee, contractor, or any other type of service provider.
8. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
9. The term "Administration" means and refers to any department, agency, division, office, subdivision, entity, official, administrator, employee, attorney, agent, advisor, consultant, staff, or any other person acting on behalf or under the control or direction of the Executive Branch.
10. The term "you" or "your" means and refers to you as a natural person and the United States and any of its agencies, offices, subdivisions, entities, officials, administrators, employees, attorneys, agents, advisors, consultants, staff, contractors, or any other persons acting on your behalf or under your control or direction; and includes any other person(s) defined in the subpoena document request letter.

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Ms. Jennifer Leigh Moore, Executive Assistant Director, Human Resources Branch, Federal Bureau of Investigation

You are hereby commanded to be and appear before the
Committee on the Judiciary

of the House of Representatives of the United States at the place, date, and time specified below.

- ☐ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____

Time: _____

- ☒ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2237 Rayburn House Office Building

Date: May 10, 2023

Time: 10:00 a.m.

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To The U.S. Marshals Service, or any authorized Member or congressional staff

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 24th day of April, 2023

Attest:

Clerk

J. C. Jordan
Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for Ms. Jennifer Leigh Moore, Executive Assistant Director, Human Resources Branch,
Federal Bureau of Investigation 

Address 935 Pennsylvania Avenue, N.W. Washington, DC 20535

before the Committee on the Judiciary 

U.S. House of Representatives
118th Congress

Served by (print name) _____

Title _____

Manner of service _____

Date _____

Signature of Server _____

Address _____

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

SECURITY (202) 225-1073

MINORITY (202) 225-5001

<https://oversight.house.gov>

May 3, 2023

VIA ELECTRONIC TRANSMISSION

The Honorable Christopher Wray
Director
Federal Bureau of Investigation

Director Wray:

To assist the Committee on Oversight and Accountability's (Committee) investigation into the matter described in the May 3 letter from Senator Grassley and myself, attached hereto is a subpoena for specific documents. The subpoena requires the FBI to produce all specified FD-1023 forms created in the timeframe identified in the attached schedule, along with all accompanying attachments and other documents.

The Committee's independent and objective review of this matter will inform potential legislative solutions that the Committee is exploring. Specifically, the Committee is considering legislation aimed at deficiencies in the current legal framework regarding disclosure of financial interests related to Vice Presidents and Presidents (and the family members thereof)—deficiencies that may place American national security at risk. The Committee is seeking meaningful reforms to government ethics and disclosure laws that will provide necessary transparency into a Vice President's or a President's (and their immediate family members') income, assets, and financial relationship with foreign and domestic companies. Public corruption, influence peddling, federal ethics/financial disclosures regulations, and national security matters are directly within the purview of the Committee's oversight authorities.

The Committee on Oversight and Accountability is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. The attached subpoena is issued pursuant to my authority as the Chairman of the Committee pursuant to both Rule XI.2(m)(1)(B) of the Rules of the House of Representatives and Rule 12(g) of the Committee's rules.

Thank you for your prompt attention to this important investigation.

Director Wray
May 3, 2023
Page 2 of 2

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, prominent "C" at the end. It is positioned above a horizontal line.

James Comer
Chairman
Committee on Oversight and Accountability

cc: The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Christopher Wray, Director
Federal Bureau of Investigation

You are hereby commanded to be and appear before the
Committee on Oversight and Accountability

of the House of Representatives of the United States at the place, date, and time specified below.

- ☒ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: 2157 Rayburn House Office Building, Washington, D.C. 20515

Date: May 10, 2023

Time: 12:00p.m.

- ☐ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To any authorized staff member or the U.S. Marshals Service

to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 3rd day of May, 2023.

Attest:

Clerk

Kevin F. McCullen

James Comer

Chairman or Authorized Member

Schedule to Subpoena

In accordance with the attached Schedule instructions, you, Christopher Wray, are required to produce the following records in unredacted form that are in your possession, custody, or control:

1. All FD-1023 forms, including within any open, closed, or restricted access case files, created or modified in June 2020, containing the term "Biden," including all accompanying attachments and documents to those FD-1023 forms.

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2130 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6218

(202) 225-6966
judiciary.house.gov

August 17, 2023

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, DC 20535

Dear Director Wray:

The Committee on the Judiciary (Committee) is conducting oversight of how and the extent to which the Executive Branch has coerced and colluded with companies and other intermediaries to censor speech.¹ To develop effective legislation, such as the possible enactment of new statutory limits on the Executive Branch's ability to work with social media platforms and other companies to restrict the circulation of content and deplatform users, the Committee on the Judiciary must first understand the nature of this collusion and coercion. To this end, we have asked for communications between the Federal Bureau of Investigation (FBI), private companies, and other third-party groups such as nonprofit organizations, in addition to other information.² Your response without compulsory process has, to date, been woefully inadequate.

The Committee's investigation, along with other public reporting, and publicized discovery in an ongoing federal court case, *Missouri v. Biden*, have exposed how the federal government has pressured and colluded with Big Tech and other intermediaries to censor certain viewpoints on social and other media in ways that undermine First Amendment principles.³ The First Amendment prohibits government officials from imposing viewpoint-based censorship restrictions. State action doctrine stands for the proposition that government officials may not circumvent constitutional strictures by using private actors—whether through coercion,

¹ See Rep. Jim Jordan (@Jim_Jordan), Twitter (July 27, 2023, 12:03 PM), https://twitter.com/Jim_Jordan/status/1684595375875760128.

² Letter from Hon. Jim Jordan, Chair, H. Comm. on the Judic., to Director Christopher Wray (Apr. 18, 2023).

³ See, e.g., Ryan Tracy, *Facebook Bowed to White House Pressure, Removed Covid Posts*, Wall St. J. (July 28, 2023); Rep. Jim Jordan (@Jim_Jordan), Twitter (July 28, 2023, 12:03 PM), https://twitter.com/Jim_Jordan/status/1684957660515328001; Rep. Jim Jordan (@Jim_Jordan), Twitter (Aug. 3, 2023, 11:00 AM), https://twitter.com/Jim_Jordan/status/1687116316073930752.

encouragement, entwinement, or joint participation—to accomplish what the government cannot directly.⁴

Numerous documents that have been made publicly available reflect the weaponization of the federal government’s power to censor speech online directly and by proxy. It is necessary for Congress to gauge the extent to which FBI agents coerced, pressured, worked with, or relied upon social media and other tech companies in order to censor speech. The scope of the Committee’s investigation includes understanding the extent and nature of the FBI’s involvement in this censorship.

On April 18, the Committee wrote to you seeking your voluntary cooperation with our oversight.⁵ Among other things, we asked for communications between FBI employees and private companies, internal communications, and communications between the FBI and other third parties discussing content moderation. To date, the FBI has produced only a single document: a publicly available transcript of a civil deposition of Federal Bureau of Investigation Assistant Special Agent in Charge Elvis Chan from *Missouri v. Biden*. Through its investigation, the Committee has uncovered evidence that contradicts several statements in Agent Chan’s deposition, particularly as they relate to his communications with social media platforms.⁶

This production is woefully inadequate and omits voluminous responsive material, including communications between FBI and tech companies, internal communications, and communications between FBI and other executive branch entities.

Indeed, on July 4, the court in *Missouri v. Biden* enjoined the FBI from communicating with tech companies for the purpose of influencing their content moderation policies.⁷ The court found that, along with other government defendants, the FBI, Agent Chan, and Agent Laura Dehmlow:

“jointly participated” with the social-media companies to such an extent that [they] have become “pervasively entwined” in the private companies’ workings to such an extent as to blur the line between public and private action. Therefore, Plaintiffs are likely to succeed on the merits that the government Defendants are responsible for the private social media companies’ decisions to censor protected content on social media platforms.⁸

⁴ See *Norwood v. Harrison*, 413 U.S. 455, 465 (1973) (“[i]t is ... axiomatic that a state may not induce, encourage, or promote private persons to accomplish what it is constitutionally forbidden to accomplish.”).

⁵ Letter from Hon. Jim Jordan, Chair, H. Comm. on the Judic., to Director Christopher Wray (Apr. 18, 2023).

⁶ Rep. Jim Jordan (@Jim_Jordan), Twitter (Aug. 7, 2023, 10:11 AM), https://twitter.com/Jim_Jordan/status/1688553339624042496.

⁷ See *Missouri v. Biden*, No. 3:22-cv-01213 (W.D. La. Jul. 4, 2023), Dkt. 294 (order and judgment granting preliminary injunction). While the U.S. Court of Appeals for the Fifth Circuit administratively stayed the injunction, such a ruling is not based on the merits of the case. “Entering temporary administrative stays so that a panel may consider expedited briefing in emergency cases is routine practice in our court.” *In re Abbott*, 800 F.App’x 296, 298 (5th Cir. 2020).

⁸ *Id.*, Dkt. 293 (memorandum ruling on request for preliminary injunction) at 117.

Director Christopher Wray

August 17, 2023

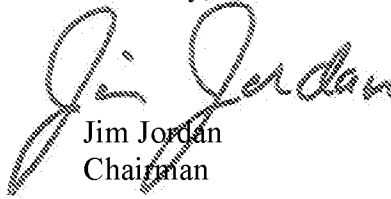
Page 3

In other words, a federal judge has found that the FBI's communications with social media platforms very likely violated Americans' First Amendment rights, including through joint participation and by use of deception.⁹ Yet you have produced nothing of substance in response to the Committee's request, which hinders the Committee's ability to fulfill its constitutional oversight obligations. The Committee has engaged with the FBI in identifying the Committee's highest priority documents and information in both letters to you and during calls with Committee staff.¹⁰

Pursuant to the Rules of the House of Representatives, the Committee has jurisdiction to conduct oversight of matters concerning "civil liberties" to inform potential legislative reforms.¹¹ In addition, H. Res. 12 authorized the Committee's Select Subcommittee on the Weaponization of the Federal Government to investigate "issues related to the violation of the civil liberties of citizens of the United States."¹²

Accordingly, given the FBI's inadequate voluntary compliance, even after the Committee identified the highest priority documents and information, please find attached a subpoena for the Committee's highest priority documents and information.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

Enclosure

⁹ *Id.* at 106-07.

¹⁰ *See, e.g.*, Letter from Hon. Jim Jordan, Chair, H. Comm. on the Judic., to Director Christopher Wray (July 20, 2023); August 8, 2023 Telephone Call between Committee Staff and FBI and Dep't of Justice Personnel.

¹¹ Rules of the House of Representatives R. X (2023).

¹² H. Res. 12 § 1(b)(1).

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation

You are hereby commanded to be and appear before the
Committee on the Judiciary



of the House of Representatives of the United States at the place, date, and time specified below.

- ☒ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: House Committee on the Judiciary, 2138 Rayburn House Office Building

Date: September 18, 2023

Time: 9:00 a.m.

- ☐ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To The U.S. Marshals Service, or any authorized Member or congressional staff

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at
the city of Washington, D.C. this 17 day of AUGUST, 20 23

Attest:

Deputy Clerk

Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for

The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation

Address 935 Pennsylvania Avenue, N.W. Washington DC, 20535

before the Committee on the Judiciary



*U.S. House of Representatives
118th Congress*

Served by (print name)

Title

Manner of service

Date

Signature of Server

Address

In accordance with the attached Schedule instructions, you, Christopher Wray, in your capacity as Director of the Federal Bureau of Investigation, are required to produce the following documents and communications that are in the FBI's possession, custody, or control, from January 1, 2020 to present, in unredacted form:

SCHEDULE A

1. All documents and communications referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the development, execution, or application of companies' content moderation policies; companies' treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation. This request includes but is not limited to:
 - a. All such documents and communications internal to the FBI;
 - b. All such documents and communications between or among the FBI and any person; and,
 - c. All such documents and communications between or among the FBI and the Executive Branch of the United States Government.
2. All documents and communications referring or relating to the FBI's or any person's identification or analysis of alleged "misinformation," "disinformation," or "malinformation."

INSTRUCTIONS

For the purposes of this Subpoena, please apply the instructions and definitions as set forth below:

1. In complying with this subpoena, you are required to produce all responsive documents in unredacted form that are in your possession, custody, or control or otherwise available to you, regardless of whether the documents are possessed directly by you.
2. Requested documents responsive to the subpoena shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this subpoena has been, or is currently, known by any other name, the subpoena shall be read also to include such other names under that alternative identification.
4. The Committee's preference is to receive documents responsive to the subpoena in electronic form (i.e., via cloud content services, CD, memory stick, or thumb drive) in lieu of paper productions. Committee staff shall be consulted prior to production to discuss the best production method. If documents are produced in paper form, each document should be produced in a form that may be copied by standard copying machines.
5. Documents produced in electronic format should also be organized, identified, and indexed electronically.
6. Documents produced pursuant to this subpoena shall be produced in the order in which they appear in your files and should not be rearranged. Any documents that are stapled, clipped, or otherwise fastened together should be produced together in the order they appear in your files. Documents produced in response to this subpoena should be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this subpoena was issued. Indicate the office or division and person from whose files each document was produced.
7. Documents produced to the Committee should include an index describing the contents of the production and should identify the paragraph(s) and/or clause(s) in the Committee's schedule to which the document responds. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
8. All documents shall be Bates-stamped sequentially and produced sequentially.
9. Responsive documents must be produced regardless of whether any other person or entity possesses non-identical or identical copies of the same document.

10. If any document responsive to this subpoena was, but no longer is, in your possession, custody, or control, or has been placed into the possession, custody, or control of any third party and cannot be provided in response to this subpoena, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control, or was placed in the possession, custody, or control of a third party.
11. If any document responsive to this subpoena was, but no longer is, in your possession, custody or control, state:
 - a. how the document was disposed of;
 - b. the name, current address, and telephone number of the person who currently has possession, custody or control over the document;
 - c. the date of disposition; and
 - d. the name, current address, and telephone number of each person who authorized said disposition or who had or has knowledge of said disposition.
12. If any document responsive to this subpoena cannot be located, describe with particularity the efforts made to locate the document and the specific reason for its disappearance, destruction, or unavailability.
13. If a date or other descriptive detail set forth in this subpoena referring to a document, communication, meeting, or other event is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
14. This subpoena is continuing in nature and applies to any newly discovered documents, regardless of the date of its creation. Any document not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
15. A cover letter shall be included with each production and shall including the following:
 - a. A total page count for the entire production, including both hard copy and electronic documents;
 - b. A list of custodians, identifying the Bates range for each custodian; and
 - c. All Bates Prefix and Suffix formats for all documents contained in the production.
16. Two sets of the documents should be delivered to the Committee, one set to the majority staff in Room 2138 of the Rayburn House Office Building and one set to the minority staff in Room 2142 of the Rayburn House Office Building. You should

consult with Committee majority staff regarding the method of delivery prior to sending any materials.

17. In the event that a responsive document is withheld on any basis, including by a claim of privilege, you should provide a log containing the following information concerning every such document: (i) the reason the document is not being produced; (ii) the type of document; (iii) the general subject matter; (iv) the date, author and addressee; (v) the relationship of the author and addressee to each other; and (vi) any other description necessary to identify the document and to explain the basis for not producing the document. If a claimed privilege applies to only a portion of any document, only that portion should be withheld and the remainder of the document should be produced. As used herein, "claim of privilege" includes, but is not limited to, any claim that a document either may or must be withheld from production pursuant to any legal doctrine, statute, rule, or regulation.
 - a. Any objections or claims of privilege are waived if you fail to provide an explanation of why full compliance is not possible and a log identifying with specificity the ground(s) for withholding each withheld document prior to the subpoena compliance date.
 - b. In complying with this subpoena, be apprised that (unless otherwise determined by the Committee) the Committee does not recognize: any purported non-disclosure privileges associated with the common law including; any purported privileges or protections from disclosure under the Freedom of Information Act; or any purported contractual privileges, such as non-disclosure agreements.
 - c. Any assertion by a subpoena recipient of any such non-constitutional legal bases for withholding documents or other materials, for refusing to answer any deposition question, or for refusing to provide hearing testimony, shall be of no legal force and effect and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Committee (or the chair of the Committee, if authorized) has consented to recognize the assertion as valid.
18. If the subpoena cannot be complied with in full, it should be complied with to the extent possible, which should include an explanation of why full compliance is not possible.
19. Upon completion of the document production, you must submit a written certification, signed by you or your counsel, stating that: (a) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; (b) documents responsive to the subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee since the date of receiving the Committee's subpoena or in anticipation of receiving the Committee's subpoena, and (c) all documents identified during the search that are responsive have been produced to the Committee, identified in a log provided to the Committee, as described in (17) above, or identified as provided in (10), (11) or (12) above.

20. When representing a witness or entity before the Committee in response to a subpoena, document request, or request for transcribed interview, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations.

DEFINITIONS

The following definitions apply to terms used within the Subpoena, Schedule A, these Instructions, and these Definitions:

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail ("e-mail"), instant messages, calendars, contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, power point presentations, spreadsheets, and work sheets, and graphic or oral records or representations of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. The term "document" includes all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments to the foregoing, as well as any attachments or appendices thereto. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The phrase "possession, custody or control" means (a) documents that are in the FBI's possession, custody, or control, whether held by the FBI or the FBI's past or present agents, employees, or representatives acting on the FBI's behalf; (b) documents that the FBI has a legal right to obtain, that the FBI has a right to copy, or to which the FBI has access; and (c) documents that have been placed in the possession, custody, or control of any third party.
3. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, encrypted instant messaging application (e.g., Signal, WhatsApp, Telegram, etc.), Discord message, Google Hangouts message, Microsoft Teams message, Slack message, Skype message, Viber message, regular mail, telexes, releases, one-way communications channels (e.g., Teleporter), a project management software, platform, or application (such as Jira), or otherwise.

4. The terms “and” and “or” should be construed broadly and either conjunctively or disjunctively as necessary to bring within the scope of this subpoena any information which might otherwise be construed as outside its scope. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
5. The term “companies” as used in the subpoena Schedule means any person that operates, owns, controls, or provides an interactive computer service, including any website or application that allows users to create, share, or exchange information or content, or interact with one another, or to participate in social networking, or any search engines, content sharing platforms, e-commerce platforms, crowd sourced platforms, and instant messaging systems.
6. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, limited liability corporations and companies, limited liability partnerships, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, other legal, business or government entities (other than foreign government entities), colleges or universities, or any other organization or group of persons, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
7. The terms “referring” or “relating,” with respect to any given subject, mean anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
8. The term “employee” means agent, borrowed employee, casual employee, consultant, de facto employee, joint adventurer, loaned employee, part-time employee, permanent employee, director, provisional employee, contract employee, contractor, or any other type of service provider.
9. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; and (b) the individual’s business address and phone number.
10. The term “Executive Branch of the United States Government” means any federal executive department of the United States, any federal agency or independent agency, any government corporation, any independent establishment, and the Executive Office of the President as well as any such entity’s agencies, offices, subdivisions, entities, officials, administrators, employees, attorneys, agents, advisors, consultants, staff, contractors, or any other persons acting on any such entity’s behalf or under any such entity’s control or direction.
11. The term “FBI” means the Federal Bureau of Investigation, including (i) its predecessors, successors, subagencies, divisions, affiliates, task forces, partnerships (whether with public and/or private partners), and joint ventures and (ii) any current, past, or future partners, officers, directors, employees, representatives, or agents of any of the above entities.

12. The term “content” as used in Schedule A above, means content referring or relating to any of the following subjects: SARS-CoV-2 or COVID-19, including but not limited to the origination of the SARS-CoV-2 virus, the transmissibility of the SARS-CoV-2 virus, the fatality rate of COVID-19, the effectiveness or efficacy of non-vaccine treatments and remedies, the effectiveness or efficacy or side effects of vaccines, herd immunity, government policies relating to the pandemic, masking, lockdowns, social distancing, and other precautionary measures, the Great Barrington Declaration,^[1] and the so-called “disinformation dozen” (i.e., Joseph Mercola, Robert F. Kennedy, Jr., Ty and Charlene Bollinger, Sherri Tenpenny, Rizza Islam, Rashid Buttar, Erin Elizabeth, Sayer Ji, Kelly Brogan, Christiane Northrup, Ben Tapper, Kevin Jenkins); the October 2020 *New York Post* story regarding Hunter Biden’s laptop;^[2] elections in the United States, including but not limited to mail-in balloting, absentee ballots, allegations of coded incitement, allegations of voter fraud or suppression, Hamilton 68, concerns regarding foreign interference, concerns regarding an “October surprise,” and concerns regarding hacked or leaked materials; any current or former elected official or candidate in the United States, including but not limited to President Donald Trump and Members of Congress, including but not limited to the censorship, moderation, suspension, “shadow-banning,” “visibility filtering” or deamplification of the official or candidate, but not including impersonation accounts; any publication, and/or journalist, including but not limited to the *New York Post*, the *Daily Wire*, the *Federalist*, the *Babylon Bee*, Alex Berenson, Matt Taibbi, Bari Weiss, James O’Keefe, Michael Shellenberger, David Zweig, Glenn Greenwald, and Lee Fang; issues related to gender identity and sexual orientation, including but not limited to transgender-related policies, gender dysphoria, gender-affirming surgery, and any of the preceding topics with respect to minors; the curriculum of grade schools; Critical Race Theory; the Department of Homeland Security’s Disinformation Governance Board; the Internal Revenue Service (IRS); issues related to abortion including but not limited to attacks on churches and crisis pregnancy centers, the June 24, 2022 *Dobbs v. Jackson Women’s Health Organization* U.S. Supreme Court decision, the investigation into the leak of the *Dobbs* decision, the FBI raid of Mark Houck’s home, and corporate and government policies regarding abortion; the FBI’s memorandum regarding “Radical-Traditionalist Catholics”; climate change, including but not limited to “climate change denialism,” and Environmental, Social, and Governance (ESG) policies and standards; the United States’ withdrawal from Afghanistan in August 2021; issues related to immigration and the United States’ southern border; the Twitter Files; social credit scores; the ongoing war between Russia and Ukraine; other social media platforms, including but not limited to Parler and Truth Social; Ayatollah Khamenei; the use of financial services and systems to further political or social objectives; gun control or the right to bear arms; and efforts by any government official in the United States to sidestep or infringe, directly or indirectly, First Amendment protections.

^[1] Dr. Martin Kulldorff, Dr. Suneeta Gupta, Dr. Jay Bhattacharya et al., GREAT BARRINGTON DECLARATION, (Oct. 4, 2020) <https://gbdeclaration.org/>.

^[2] Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun email reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, N.Y. Post (Oct. 14, 2020).

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2128 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6215

(202) 225-6800
judiciary.house.gov

August 21, 2023

Ms. Ryeshia Holley
Assistant Special Agent in Charge
Baltimore Field Office
Federal Bureau of Investigation
2600 Lord Baltimore Drive
Baltimore, MD 21244

Dear Ms. Holley:

The Committee on the Judiciary is conducting oversight of the Executive Branch's commitment to impartial justice, as well as investigating the veracity of statements made in response to congressional inquiries related to the Department of Justice's investigation of Hunter Biden. As a part of this oversight, the Committee requires testimony from several Department officials, including you, who have first-hand knowledge of the Department's investigation.

In a letter dated June 29, 2023, the Committee, along with the Committees on Ways and Means and Oversight and Accountability, requested transcribed interviews with eleven Department officials, including you.¹ The Department declined the request for voluntary compliance.² On July 21, 2023, the three Committees made a second request for voluntary transcribed interviews.³ Once again, the Department did not agree.⁴ As such, the request for information from Department officials remains outstanding.

According to publicly available information, the Department and FBI have been investigating tax and other matters concerning Hunter Biden since at least 2019.⁵ The

¹ Letter from Chairmen Jim Jordan, Jason Smith, and James Comer, to Merrick B. Garland, Att'y Gen., U.S. Dep't of Just. (June 29, 2023).

² Letter from Carlos Felipe Uriarte, Assistant Att'y Gen., U.S. Dep't of Just., to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (July 13, 2023).

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⁴ Letter from Carlos Felipe Uriarte, Assistant Att'y Gen., U.S. Dep't of Just., to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (July 24, 2023).

⁵ Letter from Merrick B. Garland, Att'y Gen., U.S. Dep't of Just., to Sen. Richard J. Durbin, Chair, S. Comm. on the Judiciary, et al. (Aug. 11, 2023). *See also*, Lucien Bruggeman, *What to know about the Hunter Biden federal*

investigation has been led by David Weiss, U.S. Attorney for the District of Delaware, and the FBI's Wilmington Resident Office, part of the Baltimore Field Office. Veteran Internal Revenue Service (IRS) investigators have revealed how the Department deviated from its established practices in this investigation, preventing investigators from speaking to certain witnesses or pursuing certain lines of inquiry. As one investigator explained: "The normal process must be followed. If search warrants or witness interviews or document requests that include the actual subjects' names are not allowed, for example, that is simply a deviation from the normal process that provided preferential treatment, in this case to Hunter Biden."⁶

An FBI supervisory special agent later corroborated these allegations in transcribed testimony, stating that FBI Headquarters preemptively tipped off U.S. Secret Service Headquarters and the Biden transition team about investigators' plan to interview Hunter Biden and other case subjects the following day.⁷ Additionally, for the first time in his twenty-year career with the Bureau, this supervisory special agent was told that he had to wait outside the case target's house to arrange an interview with the target after the target first contacted him.⁸ The Committee is concerned by these allegations because they illustrate abnormal conduct from federal law enforcement in carrying out its investigative duties.

In May 2023, around the time the whistleblowers first testified to the Committee on Ways and Means about irregularities in the Department's investigation, the Department began negotiating with Hunter Biden's lawyers about potential plea and pretrial diversion agreements.⁹ The agreements, reached on June 20, 2023, shifted a broad immunity provision from the plea agreement to the pretrial diversion agreement, which would have benefitted Hunter Biden and prevented the District Court from being able to scrutinize and reject that immunity provision.¹⁰ Additionally, the Department would have given up its ability to bring charges against Hunter Biden at a later date if it concluded that he had breached the pretrial diversion agreement.¹¹ Rather, the Department would then have to seek District Court's permission to bring charges, even though the District Court normally has no role in overseeing a pretrial diversion agreement in that manner.¹² U.S. Attorney Weiss signed off on this unconventional agreement.

investigations, ABC NEWS (July 26, 2023); Carrie Johnson, *Garland names special counsel in Hunter Biden investigation*, NPR (Aug. 11, 2023).

⁶ Transcribed Interview of Gary Shapley, Supervisory Special Agent, Internal Revenue Serv. at 10 (May 26, 2023) [hereinafter Shapley Interview].

⁷ Transcribed Interview of [Redacted], Supervisory Special Agent, Fed. Bureau of Investigation at 32-33 (July 17, 2023).

⁸ Transcribed Interview of [Redacted], Supervisory Special Agent, Fed. Bureau of Investigation at 34 (July 17, 2023).

⁹ Defendant's Response to the U.S. Motion to Vacate the Court's Briefing Order, *U.S. v. Robert Hunter Biden*, No. 23-mj-274-MN, No. 23-cr-61-MN (D. Del. Aug. 13, 2023). *See also*, Jessica Lynch, *Hunter Biden began negotiating plea deal with DOJ right after IRS whistleblower first came forward, court docs show*, DAILY CALLER (Aug. 14, 2023).

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¹¹ *Id.*

¹² *Id.* *See also*, Transcript of Record at 104, *U.S. v. Robert Hunter Biden*, No. 23-mj-274-MN, No. 23-cr-61-MN (D. Del. July 26, 2023).

On July 26, 2023, Judge Maryellen Noreika of the United States District Court for the District of Delaware declined to accept the Department's unusual plea and pretrial diversion agreements with Hunter Biden.¹³ Subsequently, the Department has moved to withdraw the criminal information filed before the District Court in Delaware, stating that plea negotiations were "at an impasse."¹⁴ Although the Department had previously agreed to bring the case in Delaware to allow Hunter Biden to plead guilty, it now has asserted to the Court that the proper venue for Mr. Biden's offenses were in Washington, D.C. or California.¹⁵ With the plea negotiations stalled, the Department has indicated it intends to restart prosecution, believing that "the case will not resolve short of a trial."¹⁶

The Department's filings came shortly after Attorney General Merrick Garland named U.S. Attorney David Weiss as special counsel.¹⁷ Although both Attorney General Garland and Mr. Weiss had stated that Mr. Weiss had "ultimate authority" over the investigation and prosecution of Hunter Biden, the Attorney General now asserted that special counsel status was necessary to pursue the case. In other words, after roughly four years of investigating and making critical decisions with the FBI, the Department now needs a special counsel due to the "extraordinary circumstances" relating to Mr. Biden's case.¹⁸ The timing of this decision also comes after whistleblowers have raised serious and unchallenged allegations of impropriety in the Department's investigation.¹⁹ The decision to grant Weiss special counsel status, especially in light of his handling of the case to date and his inconsistent statements to Congress about his authority, raises serious questions about the Department's handling of this investigation, and reinforces the Committee's need to speak with individuals with knowledge of the investigation.

The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."²⁰ Pursuant to the Rules of the House of Representatives, the Committee is authorized to conduct oversight of the Department as well as criminal justice matters in the United States to inform potential legislative reforms.²¹ In this matter, potential

¹³ Transcript of Record at 108, *U.S. v. Robert Hunter Biden*, No. 23-mj-274-MN, No. 23-cr-61-MN (D. Del. July 26, 2023). *See also*, Glenn Thrush and Michael S. Schmidt, *Judge delays Hunter Biden plea deal*, N.Y. TIMES (July 26, 2023); Perry Stein, Karl Baker, Devlin Barrett, and Matt Viser, *Judge puts Hunter Biden guilty plea on hold for now*, WASH. POST (July 26, 2023); Phil McCausland and Tom Winter, *Hunter Biden pleads not guilty after plea deal is derailed*, NBC NEWS (July 26, 2023).

¹⁴ U.S. Motion to Voluntarily Dismiss Criminal Tax Information Without Prejudice so that Tax Charges Can Be Brought in a District Where Venue Lies, *U.S. v. Robert Hunter Biden*, No. 23-mj-274-MN, No. 23-cr-61-MN (D. Del. Aug. 11, 2023) [hereinafter U.S. Motion to Voluntarily Dismiss]. *See also*, Kaelan Deese, *Hunter Biden investigation: Prosecutors are at 'impasse' on plea and expect a trial*, WASH. EXAMINER (Aug. 11, 2023).

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¹⁷ Off. of the Att'y Gen., Order No. 5730-2023, Appointment of David C. Weiss as Special Counsel (2023). *See also*, Kaelan Deese, *Hunter Biden investigation: Prosecutors are at 'impasse' on plea and expect a trial*, WASH. EXAMINER (Aug. 11, 2023).

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²⁰ *Trump v. Mazars*, 140 S. Ct. 2019, 2031 (2020) (internal quotation marks omitted).

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Ms. Ryeshia Holley

August 21, 2023

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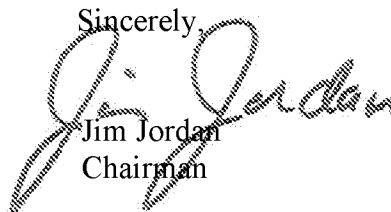
legislation could include, but is not limited to, strengthening laws protecting whistleblowers from retaliation, reforming the “special attorney” statute,²² codifying the special counsel regulations,²³ and reforming the Department’s Tax Division.

The Supreme Court has also recognized that Congress may seek information from the Executive Branch about “corruption, maladministration or inefficiency in agencies of the Government.”²⁴ Here, whistleblowers have brought forward numerous concerns—backed by contemporaneous documentary evidence—of corruption (e.g., preferential treatment for the President’s son), maladministration (e.g., retaliation against whistleblowers), and inefficiency (e.g., an investigation so bogged down by delays and micromanagement that the statute of limitations lapsed before prosecutors could file certain charges). These are among the matters about which the Committees require testimony to inform potential legislative reforms.

Based on information provided by whistleblowers and made available to the Committee, you have unique information that is relevant and necessary to inform our oversight and potential legislative reforms.²⁵ For instance, according to whistleblower testimony, you attended a meeting on October 7, 2022, at which U.S. Attorney David Weiss allegedly said he was “not the deciding official on whether charges are filed” against Hunter Biden.²⁶ Additionally, as Assistant Special Agent in Charge of the Bureau’s Baltimore Field Office, you would have had oversight of the Hunter Biden investigation in the Wilmington Resident Office.²⁷ The Committee has sought to obtain the Department’s voluntary compliance with our request to conduct a transcribed interview with you, and has engaged in good faith with the Department to address the purported reasons why it could not comply. Even still, the Department has not agreed to make you available.

Accordingly, and considering the Department’s non-compliance with our earlier voluntary requests, please find attached a subpoena compelling your appearance at a deposition.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Jordan", is written over the printed name and title.

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

Enclosure

²² See 28 U.S.C. § 515.

²³ See 28 C.F.R. § 600 *et seq.*

²⁴ *Watkins v. United States*, 354 U.S. 178, 200 n.33 (1957).

²⁵ See generally, Shapley Interview; Transcribed Interview of Joseph Ziegler, Special Agent, Internal Revenue Serv. (June 1, 2023).

²⁶ Shapley Interview at 178.

²⁷ *Contact Us*, Fed. Bureau of Investigation, <https://www.fbi.gov/contact-us/field-offices/baltimore/about> (last visited Aug. 15, 2023).

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

Ryeshia Holley, Assistant Special Agent in Charge, Baltimore Field Office, Federal Bureau of Investigation

To _____

You are hereby commanded to be and appear before the
Committee on the Judiciary



of the House of Representatives of the United States at the place, date, and time specified below.

- ☐ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____

Time: _____

- ☒ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2237 Rayburn House Office Building

Date: September 11, 2023

Time: 10:00 a.m.

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To The U.S. Marshals Service, or any authorized Member or congressional staff
_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 21 day of August, 2023

Attest:

Kevin F. McCabe

Clerk

J. Jordan
Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for Ryeshia Holley, Assistant Special Agent in Charge, Baltimore Field Office, Federal
Bureau of Investigation

Address Federal Bureau of Investigation Baltimore Field Office

2600 Lord Baltimore Drive Baltimore, MD 21244

before the Committee on the Judiciary



*U.S. House of Representatives
118th Congress*

Served by (print name) _____

Title _____

Manner of service _____

Date _____

Signature of Server _____

Address _____

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2130 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

August 21, 2023

Mr. Thomas J. Sobocinski
Special Agent in Charge
Baltimore Field Office
Federal Bureau of Investigation
2600 Lord Baltimore Drive
Baltimore, MD 21244

Dear Mr. Sobocinski:

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In a letter dated June 29, 2023, the Committee, along with the Committees on Ways and Means and Oversight and Accountability, requested transcribed interviews with eleven Department officials, including you.¹ The Department declined the request for voluntary compliance.² On July 21, 2023, the three Committees made a second request for voluntary transcribed interviews.³ Once again, the Department did not agree.⁴ As such, the request for information from Department officials remains outstanding.

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investigation has been led by David Weiss, U.S. Attorney for the District of Delaware, and the FBI's Wilmington Resident Office, part of the Baltimore Field Office. Veteran Internal Revenue Service (IRS) investigators have revealed how the Department deviated from its established practices in this investigation, preventing investigators from speaking to certain witnesses or pursuing certain lines of inquiry. As one investigator explained: "The normal process must be followed. If search warrants or witness interviews or document requests that include the actual subjects' names are not allowed, for example, that is simply a deviation from the normal process that provided preferential treatment, in this case to Hunter Biden."⁶

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Mr. Thomas J. Sobocinski

August 21, 2023

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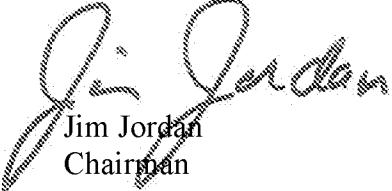
legislation could include, but is not limited to, strengthening laws protecting whistleblowers from retaliation, reforming the “special attorney” statute,²² codifying the special counsel regulations,²³ and reforming the Department’s Tax Division.

The Supreme Court has also recognized that Congress may seek information from the Executive Branch about “corruption, maladministration or inefficiency in agencies of the Government.”²⁴ Here, whistleblowers have brought forward numerous concerns—backed by contemporaneous documentary evidence—of corruption (e.g., preferential treatment for the President’s son), maladministration (e.g., retaliation against whistleblowers), and inefficiency (e.g., an investigation so bogged down by delays and micromanagement that the statute of limitations lapsed before prosecutors could file certain charges). These are among the matters about which the Committees require testimony to inform potential legislative reforms.

Based on information provided by whistleblowers and made available to the Committee, you have unique information that is relevant and necessary to inform our oversight and potential legislative reforms.²⁵ For instance, according to whistleblower testimony, you attended a meeting on October 7, 2022, at which U.S. Attorney David Weiss allegedly said he was “not the deciding official on whether charges are filed” against Hunter Biden.²⁶ Additionally, as Special Agent in Charge of the Bureau’s Baltimore Field Office, you would have had oversight of the Hunter Biden investigation in the Wilmington Resident Office.²⁷ The Committee has sought to obtain the Department’s voluntary compliance with our request to conduct a transcribed interview with you, and has engaged in good faith with the Department to address the purported reasons why it could not comply. Even still, the Department has not agreed to make you available.

Accordingly, and considering the Department’s non-compliance with our earlier voluntary requests, please find attached a subpoena compelling your appearance at a deposition.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

Enclosure

²² See 28 U.S.C. § 515.

²³ See 28 C.F.R. § 600 *et seq.*

²⁴ *Watkins v. United States*, 354 U.S. 178, 200 n.33 (1957).

²⁵ See generally, Shapley Interview; Transcribed Interview of Joseph Ziegler, Special Agent, Internal Revenue Serv. (June 1, 2023).

²⁶ Shapley Interview at 178.

²⁷ Press Release, Fed. Bureau of Investigation, Thomas J. Sobocinski Named Special Agent in Charge of the Baltimore Field Office (July 14, 2021).

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

Thomas J. Sobocinski, Special Agent in Charge, Baltimore Field Office, Federal Bureau of Investigation

To _____

You are hereby commanded to be and appear before the

Committee on the Judiciary



of the House of Representatives of the United States at the place, date, and time specified below.

- ☐ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____

Time: _____

- ☒ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2237 Rayburn House Office Building

Date: September 7, 2023

Time: 10:00 a.m.

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To The U.S. Marshals Service, or any authorized Member or congressional staff

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 21 day of August, 2023

Attest:

Kevin F. McCubben

Clerk

J. Jordan
Chairman or Authorized Member

PROOF OF SERVICE

Subpoena for

The Honorable Christopher A. Wray, Director, Federal Bureau of Investigation

Address Federal Bureau of Investigation, 935 Pennsylvania Avenue, N.W. Washington DC, 20535

before the Committee on the Judiciary

*U.S. House of Representatives
118th Congress*

Served by (print name) _____

Title _____

Manner of service _____

Date _____

Signature of Server _____

Address _____