

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515–6216
One Hundred Sixteenth Congress

December 16, 2020

The Honorable Jerrold L. Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler:

We received your memorandum, dated today, about your intention to issue a subpoena in the 117th Congress to former White House Counsel Donald McGahn.¹ We are disappointed that you failed to consult with Republicans on this subpoena as you promised. We are also disappointed that you are continuing to misuse limited Committee resources on your fanatical obsession with attacking President Donald Trump. On behalf of the Republican Members of the Committee, I write to object to this subpoena and request an in-person business meeting on this matter in the 117th Congress.²

At the beginning of this Congress, you pledged to “avoid the use of unilateral subpoenas wherever possible” and promised to consult with Republicans well in advance.³ In making this promise, you said:

Our members deserve the opportunity to go on the record for some of the most important work we will do this Congress, and the public deserves the opportunity to see us do that work out in the open.⁴

Your memorandum today breaks your promise by announcing your decision to subpoena Mr. McGahn unilaterally without an opportunity for Member discussion or any public transparency.

If you insist on moving forward with this subpoena, the Committee must consider the subpoena in the 117th Congress. The Committee’s membership will be different next year and our new Members should be allowed to evaluate the wisdom of this subpoena and your broader litigation goals and strategy. In addition, some returning Democrat Members may reconsider

¹ Memorandum from Rep. Jerrold L. Nadler, Chairman, H. Comm. on the Judiciary, Continuation of Ongoing Litigation in the 117th Congress (December 16, 2020).

² Business Meeting of the H. Comm. on the Judic., 116th Cong. (2019) (colloquy between Chairman Nadler and then-Ranking Member Collins).

³ *Id.*

⁴ *Id.*

The Honorable Jerrold L. Nadler

December 16, 2020

Page 2

their prior support for this subpoena after the American people clearly rejected House Democrats' radical and misguided priorities last month.

For too long, you have allowed your oddly personal obsession with President Trump to cloud the Committee's work. It is time that you stop. For all these reasons, I object to you reissuing a subpoena to Mr. McGahn and request an in-person business meeting in the 117th Congress.

Sincerely,



Jim Jordan
Ranking Member