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One Hundred Eighteenth
Congress of the United States
House of Representatives

SUBCOMMITTEE ON OVERSIGHT
COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6157
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August 8, 2023

Richard A. Sauber
Special Counsel to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20006

Dear Mr. Sauber:

I write to you today in my capacity as the Chairman of the Committee on House Administration Subcommittee on Oversight, which has jurisdiction over the safety and security of the United States Capitol.¹ To assist in this oversight, it is imperative that this Subcommittee review any and all documents collected by the House Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”). I, therefore, write to arrange for the return of all original documents and records related to the events of January 6, 2021, that the White House has that originated from the Select Committee.

The resolution establishing the Select Committee added an additional requirement mandating that all records of the Select Committee be transferred to any committee designated by the Speaker of the House.² In the 118th Congress, the House Rules reiterated that all records from the Select Committee would be transferred to the Committee on House Administration.³

According to a letter signed by then-Chairman Thompson and dated December 30, 2022, before the Select Committee dissolved, it provided certain transcripts to you for “appropriate review” and “timely return.”⁴ However, it is not clear which transcripts were provided to you by the Select Committee. Additionally, the National Archives and Records Administration confirmed to this Committee that it is not in possession of the aforementioned letter, or any records referenced by the letter.

¹ Rule X, Rules of the U.S. House of Representatives for the 118th Congress; Paragraph (c)(2), Rule 17 Rules of the Committee on House Administration for the 118th Congress.

² Establishing the Select Comm. to Investigate the Jan. 6th Attack on the U.S. Capitol, H.Res. 503, 117th Cong. (2021).

³ Rule XXVIII of the Rules of the U.S. House of Representatives, 118th Cong. (2023).

⁴ Letter from Bennie G. Thompson and Liz Cheney, Chairman and Vice Chair of the Select Comm. To Investigate the Jan. 6th attack on the U.S. Capitol, to Richard A. Sauber, Special Counsel to the President (Dec. 30, 2022), available at <https://s3.documentcloud.org/documents/23561125/gpo-j6-transcript-chair-vice-chair-letter-to-white-house.pdf>.

As such, I wrote to Mr. Thompson inquiring about these missing records. In his response, Mr. Thompson stated that the records were “loaned” to the White House.⁵ Mr. Thompson admitted that the Select Committee did not archive these Committee Records as required by House rules before the Select Committee dissolved. Mr. Thompson stated the Select Committee “did not have the opportunity to properly archive that material with the rest of its records” Mr. Thompson also acknowledged that

[a]t this time, only the Committee on House Administration, as the successor to the Select Committee, has the authority under House Resolution 5, 118th Congress, to coordinate with the White House and DHS to arrange for the return of the records mentioned in those letters along with the Executive Branch’s archiving guidance.

The heavily redacted letter memorializing the “loan” of documents to the White House was published as part of the Government Publishing Office’s public release of documents from the Select Committee.⁶ However, the original, unredacted letter from the Select Committee to you, as well as the records referenced in the letter, were not provided to the Committee on House Administration as required by House Rules.

Accordingly, I ask that you provide to the Committee on House Administration the following:

1. An unredacted original copy of the letter dated December 30, 2022, from then-Chairman Thompson to you;
2. Original copies of all documents referenced in the December 30, 2022, letter;⁷
3. Documentation and specifics of the loan agreement entered into between your office and the Select Committee, which was referenced in the July 7, 2023 letter from Mr. Thompson to Mr. Loudermilk;
4. The name of anyone made available pursuant to this agreement if not named in the unredacted December 30, 2022, letter;
5. Unredacted copies of all correspondence between you and the Select Committee;
6. Unredacted copies of all correspondence received by you from the Select Committee; and
7. All documents that were transmitted or transferred to the White House by the Select Committee at any time in complete, original, and unredacted form.

If you do not have any of the requested materials, please provide a written response explaining why you do not have them. If any other entity is in possession of the requested records, please provide a written response listing which entity is in possession of the records. Should you have questions concerning this correspondence, please contact Elliott Tomlinson, Deputy General Counsel, at Elliott.Tomlinson@mail.house.gov.

⁵ Letter from Bennie Thompson to Barry Loudermilk (July 7, 2023)

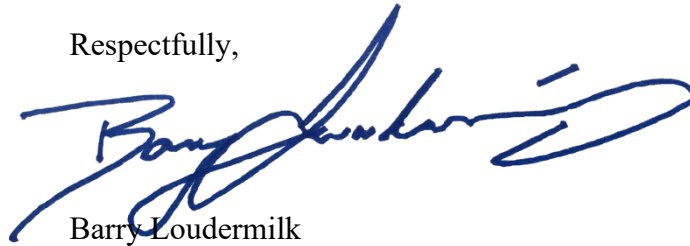
⁶ *Supra* note 4

⁷ Any materials provided to the White House with the above-referenced letter are records of the House. Therefore, the originals should be promptly returned without redaction.

Richard A. Sauber
August 1, 2023
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Your response, including any digital or physical materials, should be delivered to the Committee on House Administration at 1309 Longworth House Office Building by August 22, 2023.

Respectfully,

A handwritten signature in blue ink, appearing to read "Barry Loudermilk", with a large, stylized flourish at the end.

Barry Loudermilk
Chairman
Subcommittee on Oversight
Committee on House Administration

BDL/l1