

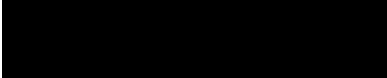


## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

February 15, 2022

Mark W. Finchem



Dear Mr. Finchem:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”) hereby transmits a subpoena that compels you to produce the documents set forth in the accompanying schedule by March 1, 2022, and to appear for a deposition on March 15, 2022.

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations. The inquiry includes examination of how various individuals and entities coordinated their activities leading up to the events of January 6, 2021.

The Select Committee has tremendous respect for the roles and responsibilities of federal, state, and local elected officials and we do not seek information from you that is related to official actions that you took as an elected lawmaker. At the same time, we have a solemn responsibility to investigate fully the facts and circumstances of these events.

Based on publicly available information and information produced to the Select Committee, we believe that you have documents and information that are relevant to the Select Committee’s investigation. For example, in the days after Arizona certified that Joseph Biden, Jr. had won the 2020 presidential election, you advanced unsubstantiated claims about the election, including that it was “rigged,” that the American people had been “robbed,” and that the country was “under assault . . . by foreign powers . . . .”<sup>1</sup> In addition, on November 30, 2020, you helped

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<sup>1</sup> See, e.g., @MarkFinchem, Twitter (Dec. 4, 2020), “Proud to Chair the #ArizonaHearing to fight for fair elections and transparent ballot counting. We will never concede to a rigged election! I have more updates coming TODAY!” available at <https://web.archive.org/web/20201222090309/http://twitter.com/markfinchem>; @MarkFinchem, Twitter (Dec. 19, 2020), “As an Arizona State Representative, I am outraged at the irregularities, lack of transparency, and outright fraud in our elections. This election was robbed from the American people. We will fight to #StopTheSteal!” available at <https://web.archive.org/web/20201222090309/http://twitter.com/markfinchem>; @MarkFinchem, Twitter (Dec. 15, 2020), “Folks, don’t stand on the sidelines, this is your nation under assault just like December 7th, 1941, a day which will live in infamy. We have been deliberately and premeditatedly attacked by foreign powers, and it is time to mobilize. #stopthesteal #AZForensicAudit” available at <https://web.archive.org/web/20201222090309/http://twitter.com/markfinchem>.

organize a purported hearing at a Phoenix, Arizona hotel where representatives from former President Trump's legal team and others spoke and advanced unproven claims of election and voter fraud.<sup>2</sup> During a break in the meeting, you reportedly claimed, "Not only do we have ballots that are improper but we have an election system that's been hacked."<sup>3</sup>

Prior to and on the day of January 6, 2021, you communicated with leaders from the Stop the Steal organization regarding a January 6th event on the U.S. Capitol grounds and at which you were scheduled to speak.<sup>4</sup> In the days following the January 6th attack on the United States Capitol, you stated that you were also in Washington, D.C. "to deliver an evidence book and letter to Vice President Pence showing key evidence of fraud in the Arizona Presidential Election, and asking him to consider postponing the award of electors...."<sup>5</sup> You have also indicated that you were at the Capitol Grounds on January 6 and "took a few photos."<sup>6</sup>

We would like to better understand these and other statements, events that you witnessed or in which you participated, and communications we believe you may have had with national, state, and local officials and others about the outcome of the November 2020 election and the events of January 6, 2021. Accordingly, the Select Committee seeks documents and a deposition regarding these and other matters that are within the scope of the Select Committee's inquiry.

A copy of the rules governing Select Committee depositions, and document production definitions and instructions are attached. Please contact staff for the Select Committee at 202-225-7800 to arrange for the production of documents.

Sincerely,



Bennie G. Thompson  
Chairman

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<sup>2</sup> Catherine Fusillo, CRONKITE NEWS, *State leaders deride daylong rehash of rejected voting irregularities* (Nov. 30, 2020) available at <https://cronkitenews.azpbs.org/2020/11/30/state-leaders-deride-daylong-rehash-of-rejected-voting-irregularities/>.

<sup>3</sup> Howard Fischer, ARIZONA CAPITOL TIMES, *Vote certified, GOP challenges continue* (Dec. 1, 2020) available at <https://azcapitoltimes.com/news/2020/12/01/vote-certified-gop-challenges-continue/>.

<sup>4</sup> Documents on file with the Select Committee.

<sup>5</sup> News Release, *Statement from Representative Mark Finchem* (Jan. 11, 2021) available at <https://www.azleg.gov/press/house/55LEG/1R/210111FINCHEM.pdf>.

<sup>6</sup> Id.