

C A M P A I G N F O R

ACCOUNTABILITY

January 22, 2021

BY EMAIL: oce@mail.house.gov

Omar Ashmawy
Staff Director and Chief Counsel
Office of Congressional Ethics
U.S. House of Representatives
425 3rd Street, S.W. Suite 1110
Washington, D.C. 20024

RE: Request for Investigation of Representatives Paul Gosar, Andy Biggs and
Madison Cawthorn

Dear Mr. Ashmawy:

Campaign for Accountability (“CfA”) respectfully requests that the Office of Congressional Ethics (“OCE”) investigate whether Representatives Paul Gosar (R-AZ), Andy Biggs (R-AZ), and Madison Cawthorn (R-NC) violated federal law by inciting a riot as part of a seditious conspiracy to use force to prevent Congress from carrying out its constitutional and statutory duties to count the votes of the Electoral College. CfA also requests that OCE investigate whether Representative Cawthorn violated both federal law and District of Columbia law by carrying a firearm throughout the Capitol Building, particularly the floor of the House of Representatives.

Factual Background

On January 6, 2021, the U.S. Senate and House of Representatives met in joint session in accordance with the Twelfth Amendment to the U.S. Constitution and the Electoral Count Act of 1887,¹ to count the votes of the Electoral College and certify the election of Joseph R. Biden and Kamala Harris as the next President and Vice President of the United States.

Earlier that day, President Donald J. Trump and his allies, including Representative Morris “Mo” Brooks (R-AL), held a rally (the so-called “Save America March”) to urge President Trump’s supporters to march to the U.S. Capitol and use force to prevent Congress from carrying out its duty to count the votes of the Electoral College. Following the speeches, including President Trump’s remarks urging those congregated to “fight,” attendees began marching up Pennsylvania Avenue to the U.S. Capitol, where they and others stormed barricades erected by the U.S. Capitol Police, broke windows and pushed through doors to enter the Capitol Building, and then used force to try and gain entry to the chambers of both the House of

¹ U.S. Const., Amend. XII; 3 U.S.C. § 15.

Representatives and the Senate, where representatives and senators were debating an objection to the electoral college votes submitted by the state of Arizona. Both chambers had to be evacuated - temporarily achieving the rioters' goal of preventing Congress from carrying out its constitutional and statutory duty to count the votes of the Electoral College.²

After the Members of Congress were evacuated, the rioters occupied both the Senate and House chambers, ransacking desks and offices in both bodies and destroying and stealing federal property. The U.S. Capitol Police received reinforcements from the District of Columbia Metropolitan Police, the Secret Service, and the National Guards of the District of Columbia, Maryland and Virginia and eventually, the rioters were ejected from the Capitol Building and the grounds of the U.S. Capitol. The House of Representatives and the Senate reconvened later that day and completed the counting of the Electoral College votes in the early morning hours of January 7, 2021.³

The riot incited by President Trump and others resulted in five deaths, including the murder of a U.S. Capitol Police officer.⁴

Representatives Paul Gosar and Andy Biggs

Far right activist Ali Alexander repeatedly has claimed that Representatives Paul Gosar, Andy Biggs, and Mo Brooks helped him plan the January 6 riot at the Capitol.

In the weeks following the 2020 presidential election and leading up to the January 6 attack on the Capitol, Representative Gosar made no secret of his friendly relationship with Alexander. Days after the November 6, 2020 elections, Representative Gosar called Alexander a "patriot" in response to a since-deleted tweet by Alexander ahead of #StopTheSteal rallies across the country.⁵

On November 30, 2020, a video posted on Representative Gosar's Parler account shows Alexander handing Representative Gosar the microphone at a "Stop The Steal" event.⁶ On December 17, 2020, Representative Gosar posted a video perpetuating a debunked conspiracy theory⁷ that hundreds of thousands of votes were stolen from President Trump and given to

² See generally Mob Attack, Incited By Trump, Delays Certification, *The New York Times*, January 6, 2021 (available at <https://www.nytimes.com/live/2021/01/06/us/electoral-vote>).

³ See generally Marc Fisher, Megan Flynn, Jessica Contrera and Carol D. Leonning, The Four-Hour Insurrection - How a Trump Mob Halted American Democracy, *Washington Post*, January 7, 2021 (available at <https://www.washingtonpost.com/graphics/2021/politics/trump-insurrection-capitol/>).

⁴ Capitol Police Officer Brian Sicknick Dies From Injuries in Pro-Trump Riot, *New York Times*, January 8, 2021 (available at <https://www.nytimes.com/2021/01/08/us/brian-sicknick-police-capitol-dies.html>).

⁵ Dr. Paul Gosar Twitter, November 6, 2020 (available at: <https://twitter.com/DrPaulGosar/status/1324910739543371777>)

⁶ Jason Paladino Twitter, Project on Government Oversight, January 8, 2021 (available at: https://twitter.com/jason_paladino/status/1347638673198747649)

⁷ Laurie Roberts, Rep. Gosar's 'New Evidence' That 700k Arizona Votes Were Stolen from Trump is Horsepucky, *Arizona Republic*, December 18, 2020 (available at <https://www.azcentral.com/story/opinion/op-ed/laurieroberts/2020/12/18/new-evidence-700-k-arizona-votes-were-stolen-trump-horsepucky/3957295001/>)

President-Elect Biden. In tweeting the video, Representative Gosar tagged Alexander's now-deactivated Twitter account.⁸

In the days leading up to the January 6 attack, various posts show Representative Gosar's direct involvement with the planning of the events. For example, in a now-deleted video on Alexander's YouTube page promoting the January 6 event, Representative Gosar and Alexander are pictured together as prominent speakers.⁹ On January 4, Representative Gosar tweeted a flyer advertisement for the January 6 rally including the text: "#FightforTrump...The Time is Now. Hold the line. January 6," And "Who is joining me?"¹⁰

On January 6, 2021 at approximately 11:05 am, Representative Gosar tweeted: "Biden should concede. I want his concession on my desk tomorrow morning. Don't make me come over there. #StopTheSteal2021 @ali." @ali is Alexander's now-deleted Twitter account.¹¹

A few hours later at approximately 2:16 pm, Representative Gosar encouraged rioters to "come back." He tweeted: "Ok. I said let's do an audit. Let's not get carried away here. I don't want anyone hurt. We are protesting the violation of our laws. We are builders not destroyers. BLM burns and loots. We build. If anyone on the ground reads this and is beyond the line come back" alongside a photograph of the rioters scaling a wall outside the Capitol in order to gain entry to the grounds.¹²

Representative Biggs also is apparently close to Alexander. At a December 19, 2020 "Stop the Steal" rally at the Arizona State Capitol Alexander played a video recorded by Representative Biggs for the event, showing Representative Biggs' close relationship between a self-professed main organizer of the attack on the U.S. Capitol.¹³ During the rally, Alexander told the crowd they would "plop our asses on the U.S. Capitol" on January 6 with or without a permit.¹⁴

⁸ Dr. Paul Gosar Twitter, December 17, 2020 (available at <https://twitter.com/DrPaulGosar/status/1339639664110673921>)

⁹ Jason Paladino Twitter, Project on Government Oversight, January 8, 2021 (available at https://twitter.com/jason_paladino/status/1347618587775823873)

¹⁰ Dr. Paul Gosar Twitter, January 4, 2021 (available at <https://twitter.com/DrPaulGosar/status/1346213922236469251>)

¹¹ Dr. Paul Gosar Twitter, January 6, 2021 (available at <https://twitter.com/DrPaulGosar/status/1346865455571599363>)

¹² Dr. Paul Gosar Twitter, January 6, 2021 (available at <https://twitter.com/DrPaulGosar/status/1346913509339181057>)

¹³ Ryan Grim and Aida Chavez, Freedom Caucus Chair Andy Biggs Helped Plan January 6 Event, Lead Organizer Says, *The Intercept*, January 11, 2021 (available at <https://theintercept.com/2021/01/11/capitol-plot-andy-biggs-paul-gosar/>).

¹⁴ Robert Anglen and Ronald J. Hansen, New Videos Emerge Tying Andy Biggs to 'Stop the Steal,' But He's Pointing to Antifa, *Arizona Republic*, January 13, 2021 (available at <https://www.azcentral.com/story/news/local/arizona-investigations/2021/01/13/biggs-points-finger-antifa-new-videos-show-his-ties-stop-steal/6645979002/>)

On December 21, 2020, in a livestream Alexander stated, “We’re working closely with Congressman Mo Brooks, we’re working closely with Congressman Andy Biggs, and closely with, obviously, Congressman Paul Gosar, my great friend.”¹⁵

Alexander repeated this claim in a December 28, 2020 livestream, telling supporters that Representatives Gosar, Biggs, and Brooks were part of the core group that conceptualized the January 6 riot:

*I was the person who came up with the January 6 idea with Congressman Gosar, Congressman Mo Brooks, and Congressman Andy Biggs. We four schemed up of putting maximum pressure on Congress while they were voting, so that who we couldn’t lobby we could change the hearts and the minds of Republicans who were in that body hearing our loud roar from outside.*¹⁶

Alexander reiterated this claim in a December 29th livestream:

*I’m the guy who came up with the idea of January 6 when I was talking with Congressman Gosar, Congressman Andy Biggs, and Congressman Mo Brooks. So we’re the four guys who came up with a January 6 event — #DoNotCertify — and it was to build momentum and pressure, and then on the day change hearts and minds of congresspeoples [sic] who weren’t yet decided, or saw everyone outside and said, ‘I can’t be on the other side of that mob,’*¹⁷

A Biggs spokesperson denied to CNN that the congressman knows or has worked with Alexander, stating: “Congressman Biggs is not aware of hearing of or meeting Mr. Alexander at any point -- let alone working with him to organize some part of a planned protest. He did not have any contact with protestors or rioters, nor did he ever encourage or foster the rally or protests.¹⁸ Similarly, in appearances on conservative talk radio, Biggs also has said allegations he helped organize the Capitol protest are "whoppers," stating, "I knew there was going to be ... a couple of rallies there that day, but I did not participate and didn't organize and did not attend."¹⁹

The video Representative Biggs made, apparently at Alexander’s request and played at the December 19th event indicate these denials are untrue.

¹⁵ *Id.*

¹⁶ Jason Paladino Twitter, Project on Government Oversight, January 8, 2021 (available at: https://twitter.com/jason_paladino/status/1347602470365765639).

¹⁷ Ryan Grim and Aida Chavez, [Freedom Caucus Chair Andy Biggs Helped Plan January 6 Event, Lead Organizer Says, *The Intercept*](https://theintercept.com/2021/01/11/capitol-plot-andy-biggs-paul-gosar/), January 11, 2021 (available at <https://theintercept.com/2021/01/11/capitol-plot-andy-biggs-paul-gosar/>).

¹⁸ By Casey Tolan, Curt Devine, Drew Griffin and Scott Bronstein, [GOP Lawmakers' Fiery Language Under More Scrutiny After Deadly Capitol Riot, *CNN*](https://www.cnn.com/2021/01/12/politics/gop-lawmakers-fiery-language-under-scrutiny-invs/index.html), January 13, 2021 (available at <https://www.cnn.com/2021/01/12/politics/gop-lawmakers-fiery-language-under-scrutiny-invs/index.html>).

¹⁹ Anglen and Hansen, *Arizona Republic*, Jan. 13, 2021.

Representative Madison Cawthorn

Representative Cawthorn demonstrated his support of the January 6, 2021 rally tweeting at 6:16 a.m.: “Heart of a Lion, soul of a Patriot. The Ellipse, Washington D.C. 8:30am today. It’s on. Be there.”²⁰

Later that day, Representative Cawthorn spoke at the so-called “Save America March” where he encouraged the crowd to reject the results of the 2020 presidential election.

This crowd has some fight in it, I am so thankful that each and every single one of you would come. I just rolled down from the Capitol building about two miles away down Pennsylvania Avenue. And I will tell you, the courage that I see in this crowd is not represented on that hill.

My friends, I will tell you right now, that there is a new Republican Party rising. The founders of our great country saw to it that the people who consent to be governed should have a voice in that government.

But my friends, the Democrats with all the fraud that they have done in this election, the Republicans hiding and not fighting, they are trying to silence your voice. Make no mistake about it, they do not want you to be heard, but my friends when I look into this crowd I can confidently say this crowd has the voice of lions.

There is a new Republican Party on the rise that will represent this country that will go and fight in Washington DC. I’ll tell you, I see so many of my friends who are up in Congress with me who are about to go back to that Capitol Hill and at 12 o’clock today, we will be contesting the election. But my friends bear in mind there is a significant portion of our party that says we should just sit idly by and sit on our hands.

If I knew that a City Clerk in a city court with my maiden name Madison, can overturn a state legislator and alter the course of the election, well, hell, I might’ve ran for a different office. My friends, I encourage you, go back to your states after today, hold your representatives accountable, make sure that they stood up for election integrity, and make your voices heard. My friends, I want you to chant with me so loud that the cowards on Washington D.C. that I serve with can hear you. While I leave, let’s get a chant so Donald Trump knows who supports him: U-S-A U-S-A U-S-A. Thank you all. God bless.²¹

Notably, Representative Cawthorn’s January 6th remarks were not the first time he incited President Trump’s supporters to violence. On December 21, 2020, speaking to a

²⁰ Representative Madison Cawthorn Twitter, January 6, 2021 (available at <https://twitter.com/CawthornforNC/status/1346792753800376322>)

²¹ C-SPAN, Rally on Electoral College Vote Certification, January 6, 2021 (available at <https://www.c-span.org/video/?c4936323/user-clip-madison-cawthorn>)

cheering crowd at a conference sponsored by the right-wing organization Turning Point US, then-Representative-elect Cawthorn spread the unfounded claim that the election had been stolen from President Trump, and stated:

*So, everybody, I'm telling you, I'm encouraging you, please get on the phone, call your congressman. And feel free, you can lightly threaten them, and say, 'You know what? If you don't start supporting election integrity, I'm coming after you, Madison Cawthorn is coming after you. Everybody's is coming after you.'*²²

Representative Cawthorn continued:

*I don't see any sheep, I see a pack of lions. This right here is a pride and we are going to defend our nation with pride. This new generation of conservatives is going to redefine what it means to be a Republican. We are going to be the party that is known to FIGHT.*²³

Representative Cawthorn also disclosed that during the House vote certification he was “armed” on the House floor so “we would have been able to protect ourselves.”²⁴

Potential Violations

18 U.S.C. § 2101 (Riot)

Federal law makes it a crime for anyone to use any “any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television” to (1) incite a riot, (2) organize, promote, encourage, participate in, or carry on a riot, or (3) aid or abet any person in inciting or participating in or carrying on a riot.²⁵

By coordinating with Alexander throughout December, encouraging Americans to – falsely – believe that the election had been stolen, and exhorting people to travel to Washington to “put maximum pressure on Congress” to stop the counting of the Electoral College vote, it appears that Representative Biggs and Gosar may have violated 18 U.S.C. § 2101 by (1) inciting a riot, (2) encouraging others to participate in or carry on a riot, or (3) aiding or abetting others, including President Trump, in inciting a riot.

²² Joel Burgess, Cawthorn: ‘Lightly Threaten’ Members of Congress: Tell Them ‘Everybody is Coming After You, *Asheville Citizen Times*, January 12, 2021 (available at <https://www.citizen-times.com/story/news/2021/01/12/cawthorn-told-trump-supporters-lightly-threaten-members-congress/6638181002/>).

²³ Video of Rep. Cawthorn’s Remarks, December 21, 2020 (available at https://twitter.com/m_mendozaferrer/status/1348688085723201536).

²⁴ Cory Vaillancourt, Cawthorn: Mob that Breached Capitol ‘Disgusting and Pathetic’, *Smoky Mountain News*, January 7, 2021 (available at <https://www.smokymountainnews.com/news/item/30582-cawthorn-mob-that-breached-capitol-disgusting-and-pathetic?fbclid=IwAR0xAUI8jRY2aXQxZPtSTgCuuqfgTslrCy6SGDKIEHeCBNj7d8R7jLW0DA>)

²⁵ 18 U.S.C. § 2101(a).

Similarly, Representative Cawthorn may have incited a riot or encouraged others to participate in a riot in his comments on December 21, 2020 spurring listeners to “come after” congressmen who didn’t support his version of election integrity and exhorting them to “fight,” when he tweeted the morning of January 6th, entreating people to gather at the Capitol, and when he spoke at the rally, inflaming the crowd by stating:

This crowd has some fight in it. I am so thankful that each and every single one of you would come. . . .And I will tell you, the courage that I see in this crowd is not represented on that hill.

But my friends bear in mind there is a significant portion of our party that says we should just sit idly by and sit on our hands. They have no backbone. Do we love Donald Trump? But my friends, we’re not doing this just for Donald Trump, we are doing this for the Constitution, our Constitution was violated.

18 U.S.C. § 2383 (Rebellion or Insurrection)

Federal law makes it a crime to incite, assist, or engage in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid and comfort thereto, and prohibits those who have done so from holding office.

By working with Ali Alexander to promote the Stop the Steal gathering, repeatedly claiming that the presidential election had been “stolen” from President Trump, and by claiming the House Representatives could and should refuse to certify the legitimate election results, Representatives Biggs and Gosar appear to have assisted in the insurrection against the authority of the United States.

Similarly, Representative Cawthorn appears to have incited or encouraged the rebellion when he spoke at the rally, alleging that many members of Congress were cowards and that those gathered were the true patriots who had the courage to take action.

18 U.S.C. § 2384 (Seditious Conspiracy)

Federal law makes it a crime for two or more persons to conspire to use “force to prevent, hinder, or delay the execution of any law of the United States,” or to conspire to use “force to seize, take, or possess any property of the United States contrary to the authority thereof”²⁶

By working with Ali Alexander to promote the Stop the Steal gathering, repeatedly claiming that the presidential election had been “stolen” from President Trump, and by claiming the House Representatives could and should refuse to certify the legitimate election results, Representatives Biggs and Gosar appear to have conspired with those who stormed the Capitol to delay the House and Senate from carrying out their duty to execute the law to count the Electoral

²⁶ 18 U.S.C. § 2384.

College votes pursuant to the Twelfth Amendment to the U.S. Constitution and the Electoral Count Act of 1887.²⁷

Through his remarks on December 21, 2020, and January 6, 2021 where he encouraged people to believe the election had been stolen from President Trump and that with action, the election results could be changed resulting in President Trump remaining in office, Representative Cawthorn may have conspired to use force to “prevent, hinder or delay” the House of Representatives and Senate from carrying out their duty to execute the law to count the Electoral College votes pursuant to the Twelfth Amendment to the U.S. Constitution and the Electoral Count Act of 1887.

40 U.S.C. § 5104

Except as authorized by regulations prescribed by the Capitol Police Board, federal law prohibits anyone from carrying a firearm in any Capitol Building.²⁸ In 1967, the Capitol Police Board issued a memo, still applicable today, providing that the federal law does not prohibit members of Congress from maintaining a firearm “within the confines of” their own offices, or transporting within the Capitol Grounds firearms “unloaded and securely wrapped.”²⁹

On January 6, 2021, Rep. Cawthorn – by his own admission – was “armed.” If, as it appears, Representative carried a loaded firearm throughout the Capitol Building, including on the floor of the House of Representatives, and perhaps in other locations in the District of Columbia, he violated 40 U.S.C. § 5104.

District of Columbia Law

While members of Congress may benefit from a limited exception from the 1967 federal law, another federal law makes clear that the regulation does not preempt the District of Columbia’s firearms laws.³⁰ The District of Columbia has a number of firearms laws relevant to the actions of Representative Rep. Cawthorn and perhaps others:³¹

²⁷ U.S. Const., Amend. XII; 3 U.S.C. § 15.

²⁸ 40 U.S. C. § 5104(e)(1)(A)(i).

²⁹ Police Board Regulations Pertaining to Firearms Explosives Incendiary Devices and Other Dangerous Weapons (1967) (available at https://www.uscp.gov/sites/uscapitolpolice.house.gov/files/wysiwyg_uploaded/Traffic%20Regulations%20for%20the%20U.S.%20Capitol%20Grounds%20-%20August%202016.pdf).

³⁰ 40 U.S.C. § 5109(c). For a full discussion of gun laws applicable to members of Congress in the Capitol building and grounds, *see* Robert Leider, [Members of Congress Have Little Right to Bear Arms on Capitol Hill](#), Duke Firearms Center Blog, January 15, 2021 (available at <https://firearmslaw.duke.edu/2021/01/members-of-congress-have-little-right-to-bear-arms-on-capitol-hill/>).

³¹ Representatives Lauren Boebert (R-CO) has pledged to carry a loaded pistol in the District of Columbia. Meagan Flynn, [In Ad, Lawmaker Claims to Carry Her Glock Around D.C. and on Hill](#), *Washington Post*, January 4, 2021 (available at https://www.washingtonpost.com/local/legal-issues/boebert-capitol-guns/2021/01/04/a59f70f8-4e9d-11eb-83e3-322644d82356_story.html). Representative Boebert pushed her way past metal detectors outside of the House chamber. Caitlyn Kim, [Boebert Clashes with Capitol Police After Setting Off Metal Detectors](#), *Colorado Public Radio*, January 12, 2021 (available at <https://www.cpr.org/2021/01/12/boebert-clashes-with-capitol-police-after-setting-off-metal-detectors/>). Following the incident, Representative Boebert posted a tweet insisting she is

D.C. Code § 7–2502.01(a) prohibits possession of unregistered firearms.

D.C. Code § 7-2504(a) prohibits carrying a pistol without a license issued pursuant to District of Columbia law.

D.C. Code § 7–2509.07(a)(10) prohibits the possession of a licensed firearm in the Capitol Building and grounds.

D.C. Code § 22-4504.02(c)(2) requires any firearm transported outside of a vehicle to be unloaded, in a locked container, and separate from any ammunition.

By carrying a firearm –whether loaded or unloaded – through the Capitol Building and perhaps in other locations in the District of Columbia, Representative Cawthorn appears to have violated numerous provisions of the District of Columbia criminal code related to firearms.

U.S. Constitution

Section three of the 14th Amendment to the U.S. Constitution provides, in part:

No Person shall be a Senator or Representative or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State who, having previously taken an oath. . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.

This prohibition, enacted in the wake of the Civil War, was crafted to keep both federal and state governments free of those who had torn the country apart. Here, if the OCE finds that Representatives Biggs, Gosar and Cawthorn encouraged an angry mob to prevent Congress from certifying the election results with the aim of subverting the democratic process to install President Trump in office for a second term, Representatives Biggs, Gosar and Cawthorn may have engaged in insurrection or rebellion and, absent a two-thirds vote of the House, are disqualified from remaining in the House of Representatives.

Conduct Not Reflecting Creditably on the House

Rule XXIII of the House Ethics Manual requires all members of the House to conduct themselves at all times in a manner that reflects creditably on the House.³² This ethics standard is considered to be the most comprehensive provision of the code.³³ When this section was first adopted, the Select Committee on Standards of Official Conduct of the 90th Congress noted that

permitted to carry her firearm in D.C. and within the Capitol Complex.
https://twitter.com/RepBoebert/status/1349171194046668805?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1349171194046668805%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.cpr.org%2F2021%2F01%2F12%2Fboebert-clashes-with-capitol-police-after-setting-off-metal-detectors%2F

³² Rule 23, clause 1.

³³ House Comm. on Standards of Official Conduct, *House Ethics Manual*, p. 12.

it was included within the Code to deal with flagrant violations of the law that reflect on Congress as a whole, and that might otherwise go unpunished.³⁴ This rule has been relied on by the Ethics Committee in numerous prior cases in which the Committee found unethical conduct including: the failure to report campaign contributions,³⁵ making false statements to the Committee,³⁶ criminal convictions for bribery,³⁷ accepting illegal gratuities,³⁸ and accepting gifts from persons with interest in legislation in violation of the gift rule.³⁹

By attempting to undermine the results of a free and fair democratic election and install President Trump in a second term, Representatives Biggs, Gosar, and Cawthorn have brought discredit to the House of Representatives.

Conclusion

The potential violations here – incitement to riot and seditious conspiracy – are among the most serious crimes in the U.S. Criminal Code. Seditious conspiracy is literally a crime against democracy itself. In addition, the facts here are especially egregious. The riot at the Capitol resulted in the loss of five lives, including the death of a U.S. Capitol Police officer, the terrorization of countless members of Congress, congressional staff, journalists and members of the Capitol Police who feared for their lives as the mob patrolled the Capitol, as well as the destruction of federal property, including numerous historical artifacts, The American people's faith in the ability of its government institutions to function has been shaken by some the very individuals elected to run the government.

If you determine that there is substantial reason to believe that Representative Gosar, Biggs, or Cawthorn violated 18 U.S.C. § 2101, 18 U.S.C. § 2383, 18 U.S.C. § 2384, the House Rule XXII, or the U.S. Constitution, or that Representative Cawthorn violated 40 U.S.C. § 5104,

³⁴ House Comm. on Standards of Official Conduct, *Report Under the Authority of H. Res. 418*, H. Rep. No. 1176, 90th Cong., 2d Sess. 17 (1968).

³⁵ House Comm. on Standards of Official Conduct, *In the Matter of Representative John J. McFall*, H. Rep. No. 95-1742, 95th Cong., 2d Sess. 2-3 (1978) (Count 1); *In the Matter of Representative Edward R. Roybal*, H. Rep. No. 95-1743, 95th Cong., 2d Sess. 2-3 (1978).

³⁶ House Comm. on Standards of Official Conduct, *In the Matter of Representative Charles H. Wilson (of California)*, H. Rep. No. 95-1741, 95th Cong., 2d Sess. 4-5 (1978); H. Rep. No. 95-1743(Counts 3-4).

³⁷ House Comm. on Standards of Official Conduct, *In the Matter of Representative Michael J. Myers*, H. Rep. No. 96-1387, 96th Cong., 2d Sess. 2, 5 (1980); see 126 Cong. Rec. 28953-78 (Oct. 2, 1980) (debate and vote of expulsion); *In the Matter of Representative John W. Jenrette, Jr.*, H. Rep. No. 96-1537, 96th Cong., 2d Sess. 4 (1980) (Member resigned); *In the Matter of Representative Raymond F. Lederer*, H. Rep. No. 97-110, 97th Cong., 1st Sess. 4, 16-17 (1981) (Member resigned after Committee recommended expulsion). In another case, the Committee issued a Statement of Alleged Violation concerning bribery and perjury, but took no further action when the Member resigned (*In the Matter of Representative Daniel J. Flood*, H. Rep. No. 96-856, 96th Cong., 2d Sess. 4-16, 125-126 (1980)).

³⁸ House Comm. on Standards of Official Conduct, *In the Matter of Representative Mario Biaggi*, H. Rep. No. 100-506, 100th Cong., 2d Sess. 7, 9 (1988) (Member resigned while expulsion resolution was pending).

³⁹ House Comm. on Standards of Official Conduct, *In the Matter of Representative Charles H. Wilson (of California)*, H. Rep. No. 96-930, 96th Cong. 2d Sess. 4-5 (1980); see 126 Cong. Rec. 13801-20 (June 10, 1980) (debate and vote of censure).

Omar Ashmawy
January 22, 2020
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or the provisions of District of Columbia criminal code, you should recommend to the House Ethics Committee that they be expelled from the House of Representatives.

Sincerely,

A handwritten signature in black ink, reading "Michelle Koppersmith". The signature is written in a cursive style and is enclosed in a thin black rectangular border.

Michelle Koppersmith
Executive Director

CC:
U.S. Department of Justice, Public Integrity Section
U.S. Attorney's Office, District of Columbia