

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

March 14, 2024

The Honorable Fani T. Willis
District Attorney
Fulton County District Attorney's Office
141 Pryor Street SW
Atlanta, GA 30303

Dear Ms. Willis:

The Committee on the Judiciary is continuing its oversight of the Fulton County District Attorney's Office's (FCDAO) receipt and use of federal grant funds issued by the U.S. Department of Justice (DOJ). On February 2, 2024, after several attempts to obtain your voluntary compliance with our oversight, the Committee issued a subpoena to you.¹ The subpoena compelled the production of two specific categories of documents: (1) documents and communications referring or relating to the FCDAO's receipt and use of federal funds and (2) documents and communications referring or relating to any allegations of the misuse of federal funds by the FCDAO.²

On February 23, 2024, you responded to the Committee's subpoena with a letter in which you smeared a former employee of yours who spoke out about your misuse of federal grant funds.³ We will not dignify your attacks on this brave whistleblower, or your continued attempts to distract from your conduct through misdirection and personal insults. The allegations in the public realm about your misuse of federal grant funding are concerning, and the Committee has an obligation to examine them.

We appreciate that you have produced a narrow set of documents in response to the subpoena, but your compliance with the subpoena to date is deficient. Attached to your letter were various documents—a number of which were previously produced to the Committee—that contained, among other things, 15 award letters from the Department of Justice's Office of

¹ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Dist. Att'y Fani T. Willis, Fulton Cty. Dist. Att'y's Office (Feb. 2, 2024). The U.S. Marshals Service physically served you with the subpoena on February 9, 2024.

² *Id.*

³ Letter from Dist. Att'y Fani T. Willis, Fulton Cty. Dist. Att'y's Office, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Feb. 23, 2024) (hereinafter "FCDAO Letter").

Justice Programs (OJP) and Office of Violence Against (OVW),⁴ and approximately 27 screenshots of Expense Budget Summaries available to the FCDAO.⁵ However, you failed to produce any of the following categories of documents:

- All documents and communications referring or relating to any allegations of the misuse of federal funds by the FCDAO;
- All documents or communications between or among your office and the Justice Department, including its OJP and OVW components;
- All communications between FCDAO employees about the receipt or use of federal grants;
- All documents that fall within the scope of the subpoena, such as the FCDAO's Applications, Proposal Abstracts, Grant Agreements, Financial Management and System of Internal Controls Questionnaire, and Consolidated Budget Summary documents;
- All documents and communications relating to the FCDAO's Grant Performance Measurement and Progress Reporting Information.

Although additional materials are likely also responsive to the Committee's subpoena, as an accommodation, we will prioritize the production of the documents and communications identified above.

Your letter also requests that the Committee "engage" with the Justice Department to obtain responsive documents that the FCDAO should have in its possession.⁶ As a part of our oversight, the Committee has engaged with the Justice Department about its administration of federal grant programs.⁷ The Committee's separate requests to the Justice Department do not alleviate your legal obligation to comply with the subpoena.

In addition, in your letter, you noted a "preliminarily object[ion]" to the Committee's subpoena on the grounds that the subpoena is "overbroad and unduly burdensome under any ordinary meaning of those terms."⁸ To the contrary, the Committee has exercised its authority with restraint: the subpoena seeks only two categories of documents and the scope of its requests covers only a limited time period; namely, from January 1, 2020, to present. In addition, as

⁴ *Id.* at Fulton Cty. Dist. Att'y's Office Docs. 9-24.

⁵ *Id.* at Fulton Cty. Dist. Att'y's Office Docs. 26-118, 120-81, 183-206, 208-12. Notably, these page ranges also include duplicate screenshots of the Expense Budget Summaries.

⁶ *Id.* at 1.

⁷ *See* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Amy L. Solomon, Assistant Att'y Gen., Office of Justice Programs, U.S. Dep't of Justice (June 30, 2023); *see* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Ms. Allison Randall, Acting Dir., Office of Violence Against Women, U.S. Dep't of Justice (June 30, 2023); *see* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Mr. Hugh T. Clements, Jr., Dir., Cmty. Oriented Policing Services, U.S. Dep't of Justice (June 30, 2023); *see* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Amy L. Solomon, Assistant Att'y Gen., Office of Justice Programs, U.S. Dep't of Justice (Aug. 15, 2023); *see* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Rosie Hidalgo, Dir., Office of Violence Against Women, U.S. Dep't of Justice (Aug. 15, 2023); *see* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Mr. Hugh T. Clements, Dir., Cmty. Oriented Policing Services, U.S. Dep't of Justice (Aug. 15, 2023).

⁸ *Id.* at 2.

The Honorable Fani T. Willis

March 14, 2024

Page 3

discussed above, the Committee is prioritizing certain categories of documents as an accommodation.

While you have indicated that additional documents may be forthcoming in response to the Committee's subpoena, the Committee has yet to receive any additional responsive materials in the three weeks since your initial response. Accordingly, the Committee expects that you will produce all responsive documents to the subpoena in the categories prioritized by the Committee no later than 12:00 p.m. on March 28, 2024. If you fail to do so, the Committee will consider taking further action, such as the invocation of contempt of Congress proceedings.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive style with a large, stylized "J" and "D".

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member