



NEW REPORT

**House Republicans Weaponize
Congress Against Our Justice System
To Defend Former President Trump
From His Criminal Indictments,
and Appease the MAGA Base,
At All Costs**

August 2023

**CONGRESSIONAL
INTEGRITY 
PROJECT **

Congress Against Our Justice System To Defend Former President Trump From His Criminal Indictments, and Appease the MAGA Base, At All Costs

Yesterday, Donald Trump became the first former president to be indicted three times, breaking his previous record of two indictments. Trump's alleged crimes are extensive and well-documented, and ultimately he will face juries to decide his innocence or guilt.

MAGA Republicans like James Comer and Jim Jordan have spent months attacking the law enforcement officials bringing charges against Donald Trump, threatening to haul them in front of Congress, holding politically motivated hearings targeting them for unrelated issues, and harassing them on right-wing media. It's not their job to protect Donald Trump – but instead of addressing issues that matter to the American people, they are attacking those working to bring Donald Trump to justice.

Indictment #3: Multiple Conspiracy Charges (Federal)

Since the moment Donald Trump announced he received a target letter for the Special Counsel's investigation into the January 6th insurrection, House Republican leaders have worked directly with Donald Trump to weaponize Congress in his defense. In a call directly after the announcement of the target letter with top GOP leaders, including Jim Jordan who helped organize the January 6th failed coup attempt, Trump discussed how Congress could be used to thwart the DOJ investigation into his crimes. In the hours after the grand jury indicted Donald Trump in connection with several crimes related to his attempt to overturn the 2020 election, Republicans rushed to his defense, calling the indictment a distraction from their investigation of Hunter Biden and attacking the Department of Justice.

Top House Republicans Rushed To Defend Trump And Attack The Department Of Justice In The Hours After The Indictment.

- **Speaker of the House Kevin McCarthy** [tweeted](#) that the indictment was a conspiracy to distract from the Oversight Committee's interview with one of Hunter Biden's former business associates and strong polling for Donald Trump. "Everyone in

America could see what was going to come next: DOJ's attempt to distract from the news and attack the frontrunner for the Republican nomination, President Trump," McCarthy said. "House Republicans will continue to uncover the truth about Biden Inc. and the two-tiered system of justice."

- **Oversight Committee Chair James Comer** [rushed](#) to Fox News in the hours after the indictment on August 1 to claim that Jack Smith was engaged in an effort to distract from his committee's investigation of Hunter Biden. "I think the American people see what's going on, whether or not this is a weaponized Department of Justice trying to divert attention away from Biden corruption or whether they're trying to take out their top political opponent in the upcoming election, the American people see through this," Comer said. Meanwhile, Oversight Committee member Marjorie Taylor Greene [detailed](#) her plans to defund Smith's office and impeach Attorney General Garland on social media on Tuesday night.
- **Judiciary Chair Jim Jordan** whose interactions with Trump during his attempt to overturn the 2020 election are [well documented](#) [posted](#) on social media within hours of the indictment that "President Trump did nothing wrong!" and that the indictment represented nothing but "the swamp" fighting back.
- **House GOP Conference Chair Elise Stefanik** [reportedly](#) spoke by phone with Trump to strategize ways to rally House Republicans around the former President in the wake of his January 6 indictment.

Top House Republicans Have Been In Close Contact With Trump As His January 6 Indictment Proceeds. In early July 2023, former President Trump [received a target letter](#) from the DOJ as part of special counsel Jack Smith's investigation into the January 6 insurrection at the U.S. Capitol. Shortly after Trump announced the target letter on social media, House GOP Conference Chair Elise Stefanik (R-NY) [spoke](#) with the former president. Jim Jordan even [asked](#) Smith for a memo and other documents "describing, listing, or delineating the authority and jurisdiction of the special counsel." According to CNN [reporting](#), Stefanik was once again in contact with Trump to strategize his defense on August 1 when the indictment was handed down and the Trump campaign distributed [talking points](#) to House Republicans to ensure that they stay on message in defense of the former president.

Top House Republicans Were Deeply Involved In Trump's Efforts to Overturn the 2020 Election. Top members of the MAGA subcommittee are election deniers and insurrection sympathizers. 9 out of the 12 Republican subcommittee members voted not to certify the 2020 election results and several were deeply involved in Trump's efforts to overturn the election:

- **The GOP House Judiciary Committee Is Packed with Trump’s Most Fervent Confidants — Starting with Chair Jim Jordan.** Judiciary Committee Chair Jim Jordan is one of the most [far-right MAGA loyalists](#) in the House. The Ohio-based Representative was a [key figure](#) in the criminal conspiracy to overturn the results of the 2020 election and [worked closely](#) with the Trump administration to [shield them from accountability](#). Time and time again, Jordan voted to protect Trump and his family from Congressional oversight. He is a conspiratorial, fringe Republican following Trump’s playbook in an effort to distract from the real issues Americans are facing across the country.
- **MAGA Republicans Dominate the House Judiciary Committee.** The House GOP has already placed a slate of overwhelmingly pro-Trump, MAGA Republicans on the House Judiciary committee, with Jim Jordan leading the pack. Members of the Freedom Caucus hold [more power than ever](#) on Jordan’s Judiciary Committee. As a leading member of the Freedom Caucus, Chair Jordan has [recruited](#) some of the most extreme and controversial Republican lawmakers on Capitol Hill, many of whom openly pursue unproven [conspiracy theories](#). All but three of the 26 Republicans assigned to the House Judiciary committee are [vocal election deniers](#), and 74% of incumbents on the committee [voted against](#) certifying the 2020 election results. Rep. Matt Gaetz (R-FL) and Rep. Andy Biggs (R-AZ) both asked for a [presidential pardon](#) after January 6.
- **Key House Oversight Committee Members Failed to Condemn The January 6 Attacks & MAGA Republicans Dominate the House Oversight Committee.** The House GOP has already placed a slate of overwhelmingly pro-Trump, MAGA Republicans on the House Oversight committee, with James Comer leading the pack. Members of the far-right Freedom Caucus hold 38% of the GOP seats on the Oversight Committee, despite [representing](#) less than 25% of House Republicans. All but four of the 26 Republicans assigned to the House Oversight committee are [vocal election deniers](#), and 80% of incumbent Republicans on the committee (16) [voted against](#) certifying the 2020 election results. At least five of the members could be described as [key figures](#) in the January 6 plot including Rep. Scott Perry (R-PA), who is under investigation by the FBI for his deep involvement. Extremists like Marjorie Taylor Greene (R-GA), Lauren Boebert (R-CO), and Paul Gosar (R-AZ)—who have [shared](#) QAnon conspiracy theories and [spoken](#) at white nationalist conferences—are now part of the committee. Andy Biggs, Scott Perry, and Marjorie Taylor Greene all asked for a [presidential pardon](#) after January 6th.
- Rep. **Elise Stefanik** [led](#) the Republican pushback on the January 6 committee hearings, which she called an unfair attempt to “target patriotic Trump supporters across the country” and a “partisan witch hunt.”

Indictment #2: Espionage Act & Obstruction Charges (Federal)

Republicans threatened to defund the Department of Justice as a retaliation against the investigation into Donald Trump taking classified documents to his Florida home, and many have introduced legislation along those same lines. They also scheduled a press conference to spread January 6 conspiracy theories during Trump’s arrest hearing as a distraction.

Republicans Claim They Are Working To “Investigate The Investigators” By Probing The Special Counsel Overseeing Trump’s Case. Shortly after Trump’s indictment, Jordan sent a letter to Attorney General Merrick Garland [demanding](#) sensitive information about the prosecution, including a sensitive memo detailing special counsel Jack Smith’s appointment months ago. Days later, Rep. Matt Gaetz (R-FL) sent another letter to Garland demanding the public release of a [full list](#) of the special counsel’s staff, including “phone lists, or similar records.”

Far-Right House Republicans Hosted A Press Conference About January 6 During Trump’s Arrest Hearing, Decrying The DOJ. At the exact same time as Trump’s scheduled [federal arraignment](#) and arrest on [40 felony counts](#), a group of far-right House Republicans including Matt Gaetz (R-FL), Paul Gosar (R-AZ), Marjorie Taylor Greene (R-GA), Ralph Norman (R-VA) hosted a press conference described as a “[field hearing](#)” at the Capitol attacking the DOJ for prosecuting January 6 defendants.

- **Numerous MAGA Republicans Who Led The Press Conference Were Election Deniers Who Played A Key Role In Efforts To Undermine The 2020 Election.** Many House Republicans have been calling the indictment a form of “[election interference](#)” — even though the [very same Republicans](#) leading this press conference were key in efforts to undermine the 2020 election: “the December 21 meeting was part of an effort to “disseminate his false claims and to encourage members of the public to fight the outcome on January 6.” [...] Six of the attendees of the December 21, 2020, meeting — Biggs, Brooks, Gaetz, Gohmert, Greene, and Perry — sought pardons [from Trump in the final days of his administration].”
- **The MAGA “Hearing” Featured Jeff Clark, Who Schemed With Trump To Overturn The 2020 Election.** The MAGA press conference featured Jeff Clark, an extreme [election-denying witness](#) who [schemed](#) with Trump to encourage state legislatures to overturn the 2020 election results. Last year, federal law enforcement authorities [searched Clark’s home](#) and seized his electronic devices as part of a [criminal investigation](#) into possible violations of laws related to false statements, conspiracy and obstruction of justice.

June 2023: Ahead of the Indictment, Jim Jordan Directed Staff To Work On Restricting Funds For The DOJ and FBI. According to the Wall Street Journal, Jordan “directed his staff to work with the Appropriations Committee on riders to restrict funds for the Justice Department and the FBI, efforts that were under way even before the indictment, according to a person familiar with the matter.” [Wall Street Journal, [6/14/23](#)]

Top Republicans Have Sought to Defund The Department of Justice In Retaliation For Trump’s Second Indictment:

- **Speaker Kevin McCarthy Expressed Support For Eliminating Funding For A New FBI Headquarters In Retaliation For Trump’s Indictment.** After Trump’s indictment, McCarthy [signaled support](#) for using the appropriations process to [eliminate funding](#) for the FBI’s new headquarters: “I don’t think that’s the best use of money. I don’t think one centrally located huge FBI should be the best place.” McCarthy also [tweeted](#), “The FBI shouldn’t be asking for a new \$4 billion palace in the DC Metro area when they aren’t even focused on their core missions, like cracking down on financial crime and human trafficking.”
- **Marjorie Taylor Greene (R-GA) Introduced Legislation To Defund DOJ Special Counsel Jack Smith In Retaliation For Trump’s Indictment:** “This morning, I’m writing an appropriations rider to DEFUND Special Counsel Jack Smith’s office and entire investigation. I will not vote for ANY appropriations bill to fund the weaponization of government. I hope every one of my Republican colleagues will join me.” [Twitter, [6/12/23](#)]
- **Anna Paulina Luna (R-FL) Proposed Eliminating The Position Of FBI Director In Retaliation for Trump’s Indictment.** “But what we can do as Congress is we can officially defund the [FBI] Director’s position and that’s something that we’re also looking at doing via the Holman rule...that means we’ve effectively eliminated his salary and thus his position.” [Fox News, 6/14/23, [VIDEO](#)]
- **Tim Burchett (R-TN) Proposed Defunding the Department of Justice In Retaliation for Trump’s Indictment.** “We need to bring them down before the committee and if not they need to- at some point we need to talk about cutting their funding...this group is out of control, they’re rogue.” [Newsmax, 6/12/23, [VIDEO](#)]
- **Andy Biggs (R-AZ) Tweeted “Defund And Dismantle The DOJ” After Trump’s Indictment.** “We ought to defund and dismantle the DOJ. I stand with President Trump. [Twitter, [6/8/23](#)]

- **Matt Gaetz (R-FL) Introduces Bill To Block Federal Funding For A DOJ Special Prosecutor.** “Rep. Gaetz’s [sic] announces introduction of bill [sic] to block federal funds authorized or appropriated by federal law or any funds in any trust fund of the federal government from being used for Special Counsel Jack Smith’s office and investigation. Gaetz is is [sic] alleging that Smith is interfering in an election. He also complains Smith’s office has failed to answer correspondence to produce certain documents.” [Twitter, [7/19/23](#)]

Indictment #1: Felony Tax Charges (New York)

MAGA Republicans wasted no time in calling for investigations into the Manhattan district attorney after Trump’s first indictment in March, setting a precedent for what was to come for the rest of the year. They shamelessly cried foul while pushing their own, actually baseless investigations into President Joe Biden as retaliation.

House Republicans Intervened In Trump’s First Indictment In Manhattan Just A Few Months Ago. MAGA Republicans are only continuing a pattern of defending Trump at all costs against legitimate investigations. In late March 2023, former President Trump was indicted on felony tax charges by the Manhattan district attorney. Shortly after, Jim Jordan [sent](#) two letters [demanding](#) information about the charges and later held a [partisan stunt field hearing](#) attacking the prosecutor. Meanwhile, other Republicans pushed for a full investigation of the Manhattan district attorney’s office while Rep. Andy Biggs (R-AZ) [introduced legislation](#) prohibiting state and local law enforcement agencies from using certain federal funds or property seized through asset forfeiture to investigate Presidential or Vice Presidential candidates.

After His Manhattan Indictment, Trump “Frequently Chat[ted]” with Top House Republicans Like Jim Jordan (R-OH) and Elise Stefanik (R-NY). “Trump, now facing criminal charges in New York, frequently chats by phone with supporters such as House Judiciary chair Jim Jordan (R-Ohio) and GOP Conference chair Elise Stefanik (R-N.Y.) to discuss Republicans’ probes into Biden and Manhattan DA Alvin Bragg. Jordan and Stefanik — also members of the Judiciary’s panel that targets what it calls the ‘weaponization’ of law enforcement against conservatives — are particularly key players in Trump’s orbit. They wield significant influence on panels that have tried—so far unsuccessfully—to get documents and testimony from Bragg’s probe into alleged hush money payments Trump made to porn star Stormy Daniels. The big picture: Trump has been able to maintain a grip on much of the GOP base even as he’s faced criminal investigations in New York and Georgia, and by the Justice Department. 9 of the 25 Republicans on the House Judiciary Committee support him. 11 of the 26 Republicans on House Oversight do as well.” [Axios, [4/1/23](#)]



Andy Biggs (R-AZ) Introduced Legislation To Defund Manhattan District Attorney’s Office, Recoup Federal Funds. Less than a week before the Judiciary field hearing in Manhattan, Rep. Biggs introduced legislation prohibiting state and local law enforcement agencies from using certain federal funds or property seized through asset forfeiture to investigate Presidential or Vice-Presidential candidates. [The Arizona Republic, [4/13/23](#)]