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Washington, DC 20515

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One Hundred Seventeenth Congress

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

January 4, 2022

Mr. Sean Hannity



Dear Mr. Hannity:

On June 30, 2021, the House adopted House Resolution 503, establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol (the “Select Committee”). The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating thereto. The Select Committee now has information in its possession, as outlined in part below, indicating that you had advance knowledge regarding President Trump’s and his legal team’s planning for January 6th. It also appears that you were expressing concerns and providing advice to the President and certain White House staff regarding that planning. You also had relevant communications while the riot was underway, and in the days thereafter. These communications make you a fact witness in our investigation.

The Select Committee has immense respect for the First Amendment to our Constitution, freedom of the press, and the rights of Americans to express their political opinions freely. For that reason, we do not intend to seek information from you regarding your broadcasts on radio or television, your public reporting or commentary, or your political views regarding any candidate for office. At the same time, we have a solemn responsibility to investigate fully the facts and circumstances of these events in order to inform our legislative recommendations. Our nation cannot let anything like January 6th ever happen again. Thus, we write today to seek your voluntary cooperation on a specific and narrow range of factual questions.

The Select Committee is in possession of dozens of text messages you sent to and received from former White House Chief of Staff, Mark Meadows and others related to the 2020 election and President Trump’s efforts to contest the outcome of the vote. At this time, we are specifically focused on a series of your communications with President Trump, White House staff and President Trump’s legal team between December 31, 2020, and January 20, 2021. For example, on December 31, 2020, you texted Mr. Meadows the following:

“We can’t lose the entire WH counsels office. I do NOT see January 6 happening the way he is being told. After the 6 th. [sic] He should announce will lead the nationwide effort to reform voting integrity.

Go to Fl and watch Joe mess up daily. Stay engaged. When he speaks people will listen.”¹

Among many other things, this text suggests that you had knowledge of concerns by President Trump’s White House Counsel’s Office regarding the legality of the former President’s plans for January 6th. These facts are directly relevant to our inquiry.

Similarly, on January 5th, the night before the violent riot, you sent and received a stream of texts. You wrote: “Im very worried about the next 48 hours.”² With the counting of the electoral votes scheduled for January 6th at 1 p.m., why were you concerned about the next 48 hours?

Also, on the evening of January 5th, you texted Mr. Meadows: “Pence pressure. WH counsel will leave.”³ What communications or information led you to conclude that White House Counsel would leave? What precisely did you know at that time?

It also appears from other text messages that you may have had a conversation directly with President Trump *on the evening of January 5th* (and perhaps at other times) regarding his planning for January 6th.⁴ Each of these non-privileged communications is directly relevant to our investigation.

Likewise, as you know from the Select Committee’s recent meetings, we are aware of and interested in your communications to Mr. Meadows and others during the violent attack on January 6th, as the rioters were attempting to occupy the Capitol building. For example, we have your text to Mr. Meadows advising that President Trump should “... Ask people to peacefully leave the [C]apit[o]l.”⁵ President Trump did not do so until 4:17 p.m. that day. Likewise, later on January 6th, you texted to Meadows press coverage relating to a potential effort by members of President Trump’s cabinet to remove him from office under the 25th Amendment.⁶ As you may recall, Secretaries DeVos and Chao both resigned following the President’s conduct on January 6th, as did members of the President’s White House staff. We would like to question you regarding any conversations you had with Mr. Meadows or others about any effort to remove the President under the 25th Amendment.

Additionally, you appear also to have detailed knowledge regarding President Trump’s state of mind in the days following the January 6th attack. For example, you appear to have had a discussion with President Trump on January 10th that may have raised a number of specific concerns about his possible actions in the days before the January 20th inaugural. You wrote to Mark Meadows and Congressman Jordan:

“Guys, we have a clear path to land the plane in 9 days. He can’t mention the election again. Ever. I did not have a good call with him

¹ Documents on file with the Select Committee.

² Documents on file with the Select Committee.

³ Documents on file with the Select Committee.

⁴ Documents on file with the Select Committee.

⁵ Documents on file with the Select Committee.

⁶ Documents on file with the Select Committee.

today. And worse, I'm not sure what is left to do or say, and I don't like not knowing if it's truly understood. Ideas?"⁷

None of these communications are subject to any kind of privilege, and all bear directly on the issues before our Committee. We cannot in good faith fail to question you on these and other specific issues relevant to our investigation, which includes an investigation into the facts and circumstances relating to the interference with the peaceful transfer of power.

Again, we stress that our goal is not to seek information regarding any of your broadcasts, or your political views or commentary. We have deep respect for the First Amendment to our Constitution. As we detailed above, you appear to have factual information directly relevant to the events of January 6th and the attack on the institutions of our democracy. We have a duty to understand all of the underlying facts, and make legislative recommendations.

Please identify for the Select Committee the name of your counsel. We will work closely with that person as soon as possible to schedule a time for a transcribed interview with the Select Committee, and would be pleased to discuss any specific concerns you and your counsel may have. We are also interested in other communications you may have had with the White House, the President, the Trump legal team or any other persons involved in the events of January 6th. We now ask you to preserve all records of such communications.

We have no doubt that you love our country and respect our Constitution. Now is the time to step forward and serve the interests of your country. We thank you in advance for your cooperation.

Sincerely,



Bennie G. Thompson
Chairman



Liz Cheney
Vice Chair

⁷ Documents on file with the Select Committee.