

On December 13, 2021, during a hearing of the January 6 committee, Representative Adam Schiff presented text messages to the committee that appear to have been doctored and/or altered, thereby creating the impression in a visual presentation that he was quoting original text messages rather than fabrications. Specifically, Representative Schiff claimed to have proof that a member of Congress texted former White House chief of staff Mark Meadows to instruct former Vice President Mike Pence to overturn the 2020 presidential election results.

However, Representative Schiff appears to have misrepresented the substance of the text message and its source, and to even have doctored original text messages. For example, one message, which Representative Schiff attributed to a Republican lawmaker, was doctored to read: “On January 6, 2021, Vice President Mike Pence, as President of the Senate, should call out all electoral votes that he believes are unconstitutional as no electoral votes at all.”

Representative Schiff cited the message as an argument for compelling Mr. Meadows to testify, and holding him in contempt. But the original message came from former Department of Defense Inspector General Joseph Schmitz, who had drafted and summarized legal arguments that Representative Jim Jordan forwarded to Mr. Meadows. And Representative Schiff left out the full exchange, which read:

On January 6, 2021, Vice President Mike Pence, as President of the Senate, should call out all the electoral votes that he believes are unconstitutional as no electoral votes at all — *in accordance with guidance from founding father Alexander Hamilton and judicial precedence. ‘No legislative act,’ wrote Alexander Hamilton in Federalist No. 78, ‘contrary to the Constitution, can be valid.’ The court in *Hubbard v. Lowe* reinforced this truth: ‘That an unconstitutional statute is not a law at all is a proposition no longer open to discussion.’ 226 F. 135, 137 (SDNY 1915), appeal dismissed, 242 U.S. 654 (1916). Following this rationale, an unconstitutionally appointed elector, like an unconstitutionally enacted statute, is no elector at all.*

Representative Schiff omitted the portions in between the asterisks, which referred to a legal basis for rejecting electors. As reported by Sean Davis of the Federalist, in his statement and on-screen graphic, Representative Schiff erased the final two paragraphs and the final clause of the first paragraph of the text message before inserting punctuation that was never there, all without disclosing what he was doing. The graphic displayed by Representative Schiff, which was doctored to look like an exact screenshot, was similarly doctored, as it contained content that was never in the original message and eliminated content that was.

It should be noted that Representative Schiff has repeatedly faked evidence in investigations. In 2019, at the opening hearing of the House Intelligence Committee investigation into President Donald J. Trump, he faked a conversation between President Trump and Ukrainian President Volodymyr Zelenskyy. When caught, Representative Schiff tried to claim that he was merely acting out a “parody,” rather than creating a false public impression. Later, in arguments before the Senate in President Trump’s impeachment trial, Representative Schiff faked a Trump quote to President Zelenskyy, again.

18 U.S. Code § 1519, “Destruction, alteration, or falsification of records in Federal investigations and bankruptcy”, provides, in pertinent part, that “Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States...or in relation to or contemplation of any

such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.” It appears Representative Schiff has fabricated and/or falsified evidence on multiple occasions. As a concerned and aggrieved citizen of the United States, I respectfully request that Representative Schiff be investigated and prosecuted to the fullest extent of the law.