



May 15, 2023

Matthew Graves  
U.S. Attorney for the District of Columbia  
601 D Street NW  
Washington, DC 20004

Dear U.S. Attorney Graves:

Facts First USA is a bipartisan organization focused on ensuring that our national discourse is grounded in facts and honest debate.

The House Republican Conference is on notice that a key member of their slim majority has likely engaged in criminal activity and may well soon be a convicted felon. Not only has the Republican leadership failed to oust known fabulist George Santos, it appears that they are now mimicking his behavior. We write to you regarding that conduct.

Representative James Comer recently revealed that the “informant” he is relying on for his unsubstantiated allegations against President Biden cannot be located. In truth, there is a strong possibility that the “informant” that Representative Comer has been speaking about does not exist. This would explain why Representative Comer never produces the evidence he says demonstrates criminal conduct on the part of the Biden family.

Relying on his modus operandi of insinuating unsupported by fact, Representative Comer has hinted that the “informant” going missing may signal something nefarious by the Biden Administration. In the same breath, though, he acknowledges that nine of the ten informants that he and the Oversight Committee have been relying on are “currently in court, they’re currently in jail, or they’re currently missing.”

This Santos-esque explanation can easily be unraveled through a proper investigation by your office. Such a review is warranted because it appears a crime has been committed – just not the one Representative Comer would have us believe.

Under 18 U.S.C. § 1001, it constitutes a federal crime to knowingly and willfully make “any materially false, fictitious, or fraudulent statement or representation” with respect to “any

investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress.” Thus, if there is a whistleblower who concocted a story about an informant, doing so violated Section 1001. Alternatively, it is Representative Comer who violated the law by lying to the American people about the existence of an informant. To be clear, if it is Representative Comer who has manufactured this false information, the Constitution’s Speech and Debate Clause provides him no shelter because Representative Comer has repeated his lies across the rightwing media. See [\*United States v. Brewster\*](#), 408 U.S. 502 (1972).

We therefore call on your office to investigate this matter and to determine the source of the misinformation. Representative Comer has, presumably, also called on your office to investigate the “informant’s” disappearance, so you could combine those investigations to save resources.

If your office decides to investigate, Facts First USA is prepared to provide your office with a compilation of Representative Comer’s false and misleading statements regarding his Committee’s work to show a troubling pattern of potentially criminal behavior.

Thank you for your service.

Sincerely,

/s/ Maria Cardona  
Maria Cardona  
Co-Chair

/s/ David Jolly  
David Jolly  
Co-Chair