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ONE HUNDRED FIFTEENTH CONGRESS

Congress of the United States

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COMMITTEE ON THE JUDICIARY

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July 20, 2018

The Hon. Robert W. Goodlatte, Chair
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Goodlatte:

We write to invoke our rights under House Rule XI, Clause 2(c)(2), and demand that you call an emergency meeting of the House Judiciary Committee to consider legislation designed to protect Special Counsel Robert Mueller from further interference by President Trump. This letter supersedes our letter of April 10, 2018.

On April 10, we requested that you call a special meeting of the Committee to consider two separate items of legislation designed to protect duly appointed special counsels from arbitrary terminations: H.R. 3654, the "Special Counsel Independence Protection Act," introduced by Representative Sheila Jackson Lee, and H.R. 4669, the "Special Counsel Integrity Act," introduced by Representative Steve Cohen. Since that time, we have merged the two proposals into a single bill. Together with Representatives Jackson Lee and Cohen, Ranking Member Jerrold Nadler introduced H.R. 5476, "the Special Counsel Independence and Integrity Act," on April 11. This legislation sets forth requirements and limitations with respect to the removal from office of a special counsel appointed by the Attorney General.

H.R. 5476 is bipartisan legislation with 121 cosponsors. H.R. 5476 is identical to H.R. 5505, a bill introduced by Representative Charles Dent that currently has ten cosponsors, six of whom are Republicans. The Senate counterpart to this legislation, S. 2644, introduced by Senators Lindsey Graham, Cory Booker, Christopher Coons, and Thom Tillis, was favorably reported by the Senate Judiciary Committee on April 26.

In light of the events of this past week—including the indictment of 12 Russian military intelligence officers alleged to have hacked into the Democratic National Committee, the arrest of an alleged Russian agent charged with building influence within the Republican Party, and President Donald Trump’s concerning press conference in Helsinki—it is imperative that Congress take action to protect the integrity of this Special Counsel’s investigation and any special counsel investigations that may follow.

The most direct threat to the Special Counsel comes from the President himself. Standing side-by-side with Russian President Vladimir Putin, President Trump stated that Special Counsel Robert Mueller’s investigation into Russian interference “is a disaster for our country” and that “[t]here was no collusion at all.” He appeared to agree with Putin’s assertion that Russia was not responsible for interfering in the 2016 presidential election. In so doing, he ignored the clear and unambiguous findings to the contrary of our Intelligence Community and claimed that the Federal Bureau of Investigation intentionally mishandled its investigation of Russian hacking of the DNC. President Trump also inexplicably described Mr. Putin’s suggestion that the Russian government be able to interrogate certain individuals who have criticized Putin—such as former Ambassador Michael Michale McGaul and businessman Bill Brauder—as an incredible offer.

Notwithstanding President Trump’s inconsistent efforts to “clarify” these statements, we come away from the events of the past week with the understanding that it is more critical than ever that Congress protect Special Counsel Mueller’s inquiry. We must act so that he is permitted to pursue his investigation free of political interference and the President’s overt efforts to disrupt his work. The investigation is no “witch hunt.” The Special Counsel has now earned 30 indictments and five guilty pleas from a group that includes four Trump campaign officials and 26 Russian nationals.

Earlier this week, Ranking Member Nadler attempted to move the Committee into executive session so that we could discuss these pressing matters in a classified setting. Unfortunately, Republicans defeated that motion on a straight party-line vote.

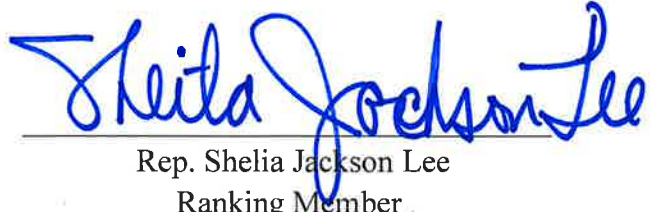
Consequently, and given the urgency of this situation, we are formally invoking our rights under House Rule XI, Clause 2(c)(2), and providing you with this written request for a special meeting of the Committee to consider H.R. 5476. As you know, under this rule, “[i]f the chair does not call the requested special meeting within three calendar days after the filing of the request (to be held within seven calendar days after the filing of the request) a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held.” Given the importance of this matter, if you fail to call a special meeting to consider H.R. 5476, it is our intent to ask our colleagues on both sides of the aisle to join us in scheduling this meeting.

We do not take these actions lightly, but believe that we are left with no other choice given the circumstances.

Sincerely,



Rep. Jerrold Nadler
Ranking Member
House Judiciary Committee



Rep. Shelia Jackson Lee
Ranking Member
Subcommittee on Crime



Rep. Steve Cohen
Ranking Member
Subcommittee on the Constitution

CC: Alley Adcock, Legislative Clerk, House Judiciary Committee
House Judiciary Committee Members