

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Fifteenth Congress

March 10, 2017

The Honorable Bob Goodlatte
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte:

On March 8, 2017, you sent a letter to FBI Director Jim Comey, asking him for “a briefing regarding Russia’s alleged interference in the U.S. election, and additionally, on the very serious allegations that the President and/or his associates were or are under surveillance.”¹ This letter was signed by every Republican on the House Judiciary Committee.

We write today to ask about the status of the letter you promised as part of your response to Rep. Nadler’s resolution of inquiry, and to encourage you to call formal hearings with the relevant law enforcement officials, in a classified setting if necessary, concerning these matters.

On February 28, 2017, at the markup of H. Res. 111, the Nadler resolution of inquiry, you stated that you planned to send, “along with any willing members of this committee, a letter requesting that the Attorney General proceed with investigations into any criminal conduct involving these matters.”² Rep. Issa claimed that, although he could not support the resolution, “there is a letter that is in draft form that I have already looked at and made comments on that asks for information and cooperation by the Attorney General.”³

The Nadler resolution of inquiry was designed to obtain information from the Department of Justice related to President Trump’s business ties and his Administration’s connections to the Russian government. The Majority insisted that such a resolution was “premature,” and that the

¹ Letter from Chairman Robert Goodlatte, H. Comm. on the Judiciary, *et. al* to Director James B. Comey, Federal Bureau of Investigation, Mar. 8, 2017.

² *Markup of H.R. 372; H.R. 1215; and H. Res. 111 before the H. Comm. on the Judiciary*, Feb. 28, 2017 (statement of Chairman Robert Goodlatte).

³ *Id.* (statement of Rep. Darrell Issa).

“proper way to conduct oversight” was to join together and write the Attorney General to ask for his cooperation in our oversight efforts.⁴ We are concerned, however, that your letter to Director Comey—in addition to excluding Democratic Members—falls short of that proposal on a number of fronts. It is directed at a component of the Department of Justice, not to the Department itself.⁵ It asks for none of the information we had hoped to obtain through H. Res. 111.

On February 15, 2017, at the markup of our Committee’s annual oversight plan, you announced that you had “requested, for the benefit of the full committee, a briefing by the Department of Justice and the Federal Bureau of Investigation for the matter involving Mr. Flynn and the White House, both what took place and how that was leaked.”⁶ To date, this briefing has not been scheduled.

Your new letter to Director Comey requests a briefing on a broader list of subject matter—Russian interference in the election, leaks to the press about ongoing criminal and counterintelligence investigations, and President Trump’s claim that “President Obama was tapping my phones in October, just prior to Election!”⁷

The Russian government’s efforts to skew the election in favor of the President, the Administration’s contacts with Russian officials, Mr. Flynn’s dismissal from the White House, and President Trump’s realization—however poorly or inappropriately phrased—that his associates may have been swept up into a federal investigation are all part of the same story, and subject matter worthy of immediate investigation by our Committee. We are concerned that merely asking for another briefing fails to meaningfully further our oversight responsibilities—particularly if this briefing, like the last, is either unduly delayed or never held.

We respectfully note that the Committee has extraordinary powers to conduct meaningful oversight of the executive branch. If you, as Chairman, asked the Director of the FBI or the Attorney General of the United States to appear before our Committee and to testify about these matters in public, we believe they would appear. If you asked the Department of Justice to provide us with information related to Russian influence on the election or leaks of sensitive

⁴ *Id.* (statement of Chairman Goodlatte).

⁵ We understand the difficulty in sending letters of this nature to Attorney General Jeff Sessions, who recently recused himself from any matter related to the 2016 presidential campaign. We note, however, that any ongoing investigation in this area is overseen by acting Deputy Attorney General Dana Boente, a career federal prosecutor who is more than qualified to answer our questions. See Eric Tucker, *Veteran prosecutor in line to oversee Russia probe*, WASH. POST, March 4., 2017.

⁶ *Markup of Authorization and Oversight Plan; H.R. 985; H.R. 906*, before the H. Comm. on the Judiciary, Feb. 15, 2017 (statement of Chairman Goodlatte).

⁷ See President Donald J. Trump (@realDonaldTrump), Twitter (Mar. 4, 2017, 3:52 AM).

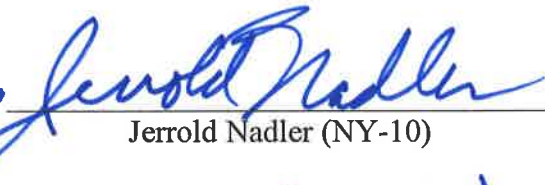
information, the Department would most likely provide that information to us. If they refused, we would almost certainly support your effort to compel the agency to comply. The Senate Judiciary Committee is currently contemplating just such an action in a bipartisan manner.⁸

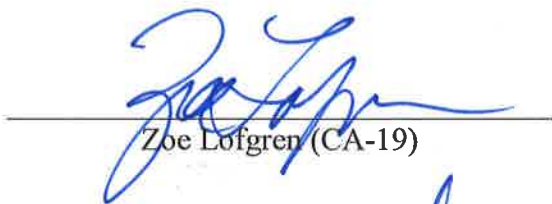
We also note that Director Comey has already met on repeated occasions with members of the House and Senate Intelligence Committees and the Leadership of both parties, including as recently as yesterday. We believe that it is critical that requests made by our Committee—the lead in the House for authorization and oversight of the Department of Justice—be considered at least on par with any other.

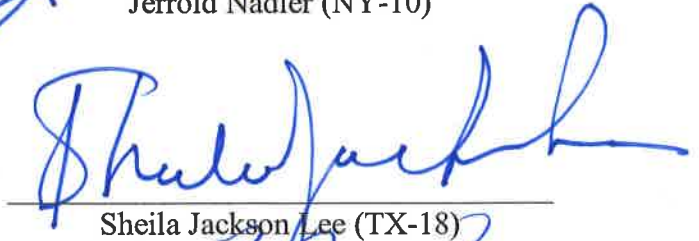
We are prepared and eager to work with you and others in the Majority so that the Committee may begin its oversight work in earnest.

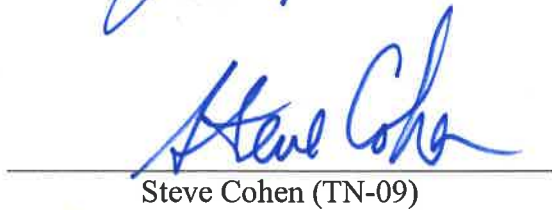
Sincerely,

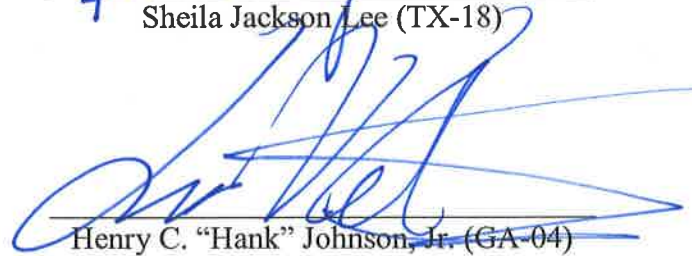

John Conyers, Jr. (MI-13)


Jerrold Nadler (NY-10)


Zoe Lofgren (CA-19)


Sheila Jackson Lee (TX-18)


Steve Cohen (TN-09)


Henry C. "Hank" Johnson, Jr. (GA-04)


Ted Deutch (FL-22)


Luis Gutierrez (IL-04)

⁸ Eliza Collins, *Sens. Graham and Whitehouse demand proof of Trump's claim that Obama wiretapped him*, USA TODAY, Mar. 8, 2017.



Karen Bass (CA-37)



Cedric Richmond (LA-02)



Hakeem Jeffries (NY-08)



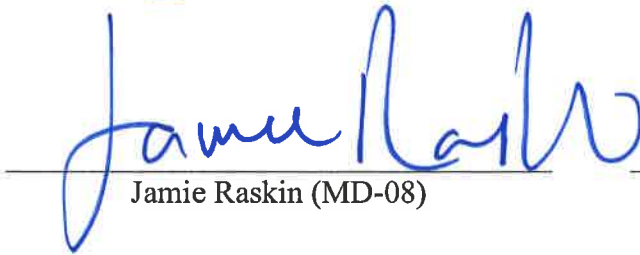
David N. Cicilline (RI-01)




Eric Swalwell (CA-15)



Ted Lieu (CA-33)



Jamie Raskin (MD-08)



Pramila Jayapal (WA-07)



Bradley Scott Schneider (IL-10)