

1 ALDERSON COURT REPORTING

2 SHAYLAH LYNN BURRILL

3 HJU093000

4 MARKUP OF RESOLUTION AUTHORIZING ISSUANCE OF SUBPOENAS.

5 Wednesday, April 3, 2019

6 House of Representatives

7 Committee on the Judiciary

8 Washington, D.C.

9 The committee met, pursuant to call, at 9:01 a.m., in  
10 Room 2141, Rayburn Office Building, Honorable Jerrold Nadler  
11 [chairman of the committee] presiding.

12 Present: Representatives Nadler, Lofgren, Jackson Lee,  
13 Cohen, Johnson of Georgia, Deutch, Bass, Richmond, Jeffries,  
14 Cicilline, Swalwell, Lieu, Raskin, Jayapal, Demings, Correa,  
15 Scanlon, Garcia, Neguse, McBath, Stanton, Dean, Murcarsel-  
16 Powell, Escobar, Collins, Sensenbrenner, Chabot, Gohmert,  
17 Jordan, Buck, Ratcliffe, Roby, Gaetz, Johnson of Louisiana,  
18 Biggs, McClintock, Lesko, Reschenthaler, Cline, Armstrong,  
19 and Steube.

20 Staff present: Aaron Hiller, Deputy Chief Counsel; Arya

21 Hariharan, Oversight Counsel; David Greengrass, Senior  
22 Counsel; John Doty, Senior Advisor; Lisette Morton, Director  
23 of Policy, Planning, and Member Services; Madeline Strasser,  
24 Chief Clerk; Moh Sharma, Member Services and Outreach  
25 Advisor; Susan Jensen, Parliamentarian/Senior Counsel; Sophie  
26 Brill, Counsel, Constitution Subcommittee; Will Emmons,  
27 Professional Staff Member, Constitution Subcommittee; Brendan  
28 Belair, Minority Chief of Staff; Robert Parmiter, Minority  
29 Deputy Chief of Staff; Jon Ferro, Minority Parliamentarian;  
30 Andrea Woodard, Minority Professional Staff Member; Carlton  
31 Davis, Minority Oversight Counsel; Jake Greenberg, Minority  
32 Professional Staff Member; Ashley Callen, Minority  
33 Professional Staff Member; and Danny Johnson, Minority  
34 Professional Staff Member.  
35

36 Chairman Nadler. The Judiciary Committee will please  
37 come to order, a quorum being present. Without objection,  
38 the chair is authorized to declare a recess at any time.

39 Pursuant to Committee Rule 2 and House Rule XI, Clause  
40 2, the chair may postpone further proceedings today on the  
41 question of approving any measure or matter or adopting an  
42 amendment for which a recorded vote for the yeas and nays are  
43 ordered.

44 Pursuant to notice, I now call up the chair's resolution  
45 authorizing the issuance of certain subpoenas for documents  
46 and testimony for purposes of markup and move that the  
47 committee agree to the resolution.

48 The clerk will report the resolution.

49 Ms. Strasser. Resolution offered by Chairman Jerrold  
50 Nadler, "Resolved, that upon the adoption of this resolution,  
51 the chairman of the Committee on the Judiciary is authorized  
52 to issue subpoenas" --

53 Chairman Nadler. Without objection, the resolution is  
54 considered as read and open for amendment at any point.

55 [The resolution follows:]

56

57 Chairman Nadler. I will begin by recognizing myself for  
58 an opening statement.

59 In late 1973, the Nixon Administration had an idea.  
60 When special counsel, Archibald Cox, asked the White House to  
61 turn over recordings of conversations held in the Oval  
62 Office, President Nixon offered instead to provide the tapes  
63 to Senator John Stennis of Mississippi. Nixon proposed that  
64 Stennis, who was famously hard of hearing, would listen to  
65 the recordings himself, then provide summaries of the tapes  
66 to the special prosecutor. The Nixon Administration  
67 justified the proposal as a means to protect sensitive  
68 information that would not ordinarily be made part of the  
69 record. In hindsight, of course, we know that President  
70 Nixon had ulterior motives. In any event, Cox had a job to  
71 do. That job required him to evaluate the full record for  
72 himself, and he refused the President's offer. President  
73 Nixon ordered him fired the next day.

74 The dynamics of the Stennis compromise, as it became  
75 known, should sound familiar to us. The Trump Administration  
76 has an idea. They want to redact the Mueller report before  
77 they provide it to Congress. The Department of Justice says  
78 the proposal is a means to protect sensitive information that  
79 would not ordinarily be made part of the record, but we have  
80 reason to suspect this Administration's motives. The Mueller  
81 report probably isn't the "total exoneration" the President

82 claims it to be. And in any event, the committee has a job  
83 to do. The Constitution charges Congress with holding the  
84 President accountable for alleged official misconduct. That  
85 job requires us to evaluate the evidence for ourselves, not  
86 the Attorney General's summary, not a substantially redacted  
87 synopsis, but the full report and the underlying evidence.

88 The Attorney General proposes to redact four categories  
89 of information from the Mueller report: grand jury  
90 information, classified information, information related to  
91 ongoing prosecutions, and "information that may unduly  
92 infringe on the personal privacy and reputational interests  
93 of peripheral third parties." The Department is wrong to try  
94 to withhold that information from this committee. Congress  
95 is entitled to all of the evidence.

96 This isn't just my opinion. It is also a matter of law.  
97 For precedent on 3 of the 4 categories, we need look no  
98 further than the summer of 2016 when pursuant to  
99 congressional subpoena, the Department and the FBI began to  
100 transfer more than 880,000 documents related to the Clinton  
101 investigation to the House of Representatives. That  
102 production included classified information which we held in  
103 our secure facility and which we handled every day. It  
104 included information related to ongoing investigations, and  
105 it included information related to numerous third parties,  
106 many of whom this committee later interviewed as part of the

107 Republican investigation into the investigation.

108       The other category of information the Attorney General  
109 proposes to redact is grand jury information, normally  
110 protected under Rule 6(e) of the Federal Rules of Criminal  
111 Procedure. Many who seem eager to keep this information from  
112 Congress argue that the law does not allow grand jury  
113 information to be shared outside the Justice Department.  
114 That analysis is incomplete if not outright incorrect. It is  
115 true that Rule 6(e) ordinarily prohibits the Department from  
116 sharing grand jury information with the public. It is also  
117 true that with proper authorization and under court order the  
118 Department must share grand jury information with this  
119 committee.

120       That was the case in 1974 when Judge Sirica authorized  
121 the release of the Watergate road map to this committee at  
122 the request of special counsel, Leon Jaworski. It was the  
123 case in 1998 when a Federal court permitted Ken Starr to  
124 release grand jury information along with his report to  
125 Congress. It was the case in 2008 and 2009 when this  
126 committee went directly to the grand jury twice to get  
127 information relevant to our investigation of Judge Thomas  
128 Porteous.

129       On multiple occasions, I have asked Attorney General  
130 Barr to work with us, to go to the Court and obtain access to  
131 materials the Department deems covered by Rule 6(e). He has

132 so far refused. I will give him time to change his mind, but  
133 if we cannot reach an accommodation, then we will have no  
134 choice but to issue subpoenas for these materials. And if  
135 the Department still refuses, then it should be up to a  
136 judge, not the President and not his political appointee, to  
137 decide whether or not it is appropriate or the committee to  
138 review the complete record.

139       The resolution before us today authorizes subpoenas for  
140 two categories of information. First, the resolution  
141 authorizes subpoenas for documents and testimony related to  
142 the full and unredacted report of Special Counsel Mueller. I  
143 believe the committee must have access to this information in  
144 order to perform its constitutionally-mandated  
145 responsibility. The House of Representatives agreed with  
146 this proposition when last month it voted 420-0 in support of  
147 a resolution that demanded the release of the full report.

148       Second, the resolution authorizes subpoenas for  
149 documents and testimony of former White House employees.  
150 Each of these individuals has had more than a month to  
151 produce documents to this committee voluntarily. We believe  
152 that these individuals may have received documents from the  
153 White House in preparation for their interviews with the  
154 special counsel. We also believe that these individuals may  
155 have turned this information over to their private attorneys.  
156 Under applicable Federal law, President Trump waived his

157 claims to executive privilege once this information was  
158 transmitted to outside counsel. Because we may have to go to  
159 court to obtain the complete text of the special counsel's  
160 report, and because the President may attempt to invoke  
161 executive privilege to withhold that evidence from us, it is  
162 imperative that the committee take possession of these  
163 documents and others without delay.

164 Yesterday the President presented me with the high honor  
165 of not one, but three separate mentions on Twitter. He also  
166 talked about our relationship, which goes back several years,  
167 in a press conference yesterday afternoon. President Trump  
168 seems to think in 1998 I was opposed to public release of the  
169 Starr report and that he has caught me changing my mind on  
170 the subject. Let me set the record straight. In 1998, the  
171 debate was not about Congress receiving evidence. Congress  
172 had already received the full 445-page report and 17 boxes of  
173 additional documents, including grand jury material. We are  
174 owed that same opportunity today.

175 In 1998, the central debate was about the public release  
176 of some of the materials accompanying the Starr report,  
177 materials that Congress already had and that described  
178 private sexual acts in lurid detail. Congress has no  
179 business broadcasting accounts of the President's sex life.  
180 It was inappropriate in 1998. It would be inappropriate  
181 today. Our focus should be on the law. That is where our



182 focus will remain so long as I am chairman.

183 We are dealing now not with the President's private  
184 affairs, but with a sustained attack on the integrity of the  
185 republic by the President and his closest advisers. This  
186 committee requires the full report and the underlying  
187 materials because it is our job, not the Attorney General's,  
188 to determine whether or not President Trump has abused his  
189 office. And we require the report because one day, one way  
190 or another, the country will move on from President Trump.  
191 We must make it harder for future presidents to behave this  
192 way. We need a full accounting of the President's actions to  
193 do that work. Accordingly, I urge my colleagues to support  
194 the resolution.

195 I now recognize the ranking member of the Judiciary  
196 Committee, the gentleman from Georgia, Mr. Collins, for his  
197 opening statement.

198 Mr. Collins. Thank you, Mr. Chairman. Before we begin  
199 today, I want to point out something that I never thought  
200 would actually happen. Jeh Johnson and I actually agree  
201 about something. The former Secretary and I actually agree  
202 that there is a crisis on our southern border. And by doing  
203 so, we actually agree that we need to do something about it.  
204 Unfortunately, as we saw in the first quarter of this month,  
205 and we are starting the second quarter of this committee off  
206 in the same vein, and that is desperately searching for

207 something on the President. When we understand this, then we  
208 begin to look because instead of today, instead of dealing  
209 with issues that this committee is authorized and should be  
210 dealing with, we are moving on to subpoenas, and that for  
211 several reasons I cannot support.

212 The first, the subpoena for the Mueller report and its  
213 underlying evidence commands the Attorney General to do  
214 really what the unthinkable is. Remember, this is something  
215 to remind folks. The Starr report and the Mueller  
216 investigation were not under the same authorization. We keep  
217 conflating that around here. They were not, and this is why  
218 we need to understand that. Basically what we are now saying  
219 is we are going to ask the Attorney General to break his  
220 regulation, to break the law.

221 The Attorney General's entire mandate is to enforce the  
222 law, and he is expressly forbidden from providing grand jury  
223 outside the Department in very limited and narrow exceptions.  
224 Congress is not one of the exceptions, and the chairman knows  
225 it, and I would disagree with his characterization. I  
226 respect my chairman, but I disagree with his characterization  
227 of the Starr report because they are under different  
228 regulations. They were put out and sent out, but when it  
229 came to grand material, it was material that by law must be  
230 secret. It is grand jury material. It represents statements  
231 which may or may not be true by various witnesses -- I wish

232 many would understand that -- salacious material, all kinds  
233 of material that would be unfair to release.

234 Those are not Doug Collins' words. Those are my  
235 chairman's words. This is a time in which this is not a new  
236 idea. Right now the only thing is, is there is a hope  
237 against hope that we are going to find something. It was  
238 just actually said. We need to start now so we can begin to  
239 down to the courtroom because we know we are not going to  
240 find anything. And even if we did, and I love the comment  
241 just a moment ago, that there may be -- and I love how we do  
242 this -- may be things in there that is not up to the Attorney  
243 General to decide right or wrong. It was not. It was  
244 Mueller's investigation that the Attorney General passed on.  
245 Here is what we found.

246 This is the problem we are seeing right now. But you  
247 know something? A different political landscape compels the  
248 chairman to adopt new standards of fairness, ignoring  
249 existing law and demanding material he once considered unfair  
250 to release to be released. As much as the chairman and I may  
251 want to view this material as the fundamental underpinning of  
252 our justice system, we cannot. In the face of laws and rules  
253 he finds inconvenient, the chairman demands our Nation's top  
254 law enforcement officer to break the rules and the  
255 regulations and the law. This is reckless, it is  
256 irresponsible, and it is disingenuous.

257           It is also confusing since the Attorney General is doing  
258 exactly what he said he would be doing, making as much of the  
259 report public as possible under Federal law and departmental  
260 policy, under regulations -- understand this for the media  
261 here -- under regulations written by Janet Reno and other  
262 Democrats don't require to do this, but in the name of  
263 transparency he is. He may even furnish the report as early  
264 as next week, yet the chairman plows ahead.

265           What is the rush? Spring break probably. We don't want  
266 to wait until May. We don't want to wait until the report  
267 comes out. The Attorney General has never said he is not  
268 going to provide exactly the regulations say he is to  
269 provide. Why are we doing this again? Because I guess we  
270 are going to out of town and we don't want anybody to forget  
271 we are doing something. We need a press release. We need to  
272 name people.

273           The interesting thing here is, second, the subpoenas in  
274 this wonderfully vague deal that we are voting on today aimed  
275 at five individuals are completely misguided. Quite simply,  
276 they are to the wrong people. Understand what I am getting  
277 ready to tell you. Two of the individuals are cooperating  
278 with an ill-advised investigation -- remember the 81 letters  
279 -- have provided over 3,000 pages of documents. The chairman  
280 is rewarding their cooperation by announcing their subpoenas  
281 before even notifying their lawyers.

282           The other three individuals responded to Chairman  
283 Nadler's initial inquiry and have indicated willingness to  
284 cooperate. Democrats never followed up with their lawyers  
285 either. In fact, my investigators have had more contact with  
286 some of the individuals on the 81 initial letters than the  
287 majority has. These three individuals could not have any  
288 documents responsive to the original request because those  
289 responsive documents all came during their time at the White  
290 House, making them presidential records. None of these three  
291 have custody of responsive documents. The chairman knows  
292 this as well because they have received letters on this.

293           Why would we ignore such obvious facts? Because  
294 Judiciary Democrats conduct oversight via press release.  
295 Their investigation into 81 Trump associates has yielded not  
296 the dividends they were looking for. After 1 month, the only  
297 revelation is something we knew already. They have  
298 embarrassed themselves by prejudging conclusions that the  
299 President obstructed justice. Now we have acknowledged the  
300 next stop in the grinding political axes in the government.

301           What is amazing here is the fact nearly 30 others who  
302 have received the Chairman's letter have not responded at all  
303 and despite everything going on. So the message is clear.  
304 Here is what is happening. If you cooperate with this  
305 committee, you will get a subpoena. If you ignore it,  
306 Democrats will return the favor. This seems like a

307 counterintuitive way to conduct oversight, but it does sound  
308 familiar. Remember the acting attorney general, Mr.  
309 Whitaker, who agreed to come, who agreed to sit here, and was  
310 yet rewarded with a subpoena. And, oh, by the way, before he  
311 ever got here, we caved. We just did away with the subpoena.

312 I am not sure the purpose of the subpoena with this  
313 majority. It seems to be we want to use it because it sounds  
314 good, but yet when it comes down we don't want to use it, and  
315 now we are back at it again because this is all preemptive.  
316 Five of the people who have been actually listed in the list  
317 of subpoenas today have been cooperating or have given advice  
318 to this committee, but have never really been followed up.  
319 And what they have said is we are helping, but you are now  
320 giving us a subpoena.

321 And as far as the Attorney General has gone, he said I  
322 am giving you the Mueller report. I am giving it to you as I  
323 should under regulations, but undoubtedly that is not enough.  
324 Undoubtedly that doesn't make enough press releases. So I  
325 guess what we do is put people's names on a press release.  
326 We tell them that we are going to subpoena them now, although  
327 they have actually already cooperated. You know, it reminds  
328 me of what I am having here, and I have made this comment  
329 many times.

330 I respect my chairman, but we just disagree on this, and  
331 that is the way that it will be, and that is the way we are

332 going to have it. But it reminds me of the old guys back in  
333 my hometown when they wanted to go fishing and nothing was  
334 biting. They would take a big fishing trip and go out.  
335 Nothing was biting, and one day this old guy just got tired  
336 of it. Instead of catching anything the way he should, he  
337 just reaches in his back pocket and pulls out a piece of  
338 dynamite and throws it in the pond. I can't find anything,  
339 so I am just going to blow up everything and maybe something  
340 will come to the top.

341 This committee is better than this. This committee can  
342 do this better. Why are we here today doing preemptive  
343 subpoenas? Because we are going to be out for a while. We  
344 are not going to be here for a while, and we need to keep the  
345 story rolling. The story rolling is there is some innuendo.  
346 There are some possibilities that may be in this report, but  
347 we can't wait to see it. Unfortunately what will happen, my  
348 friends is this: Christmas will come again. They opened the  
349 present that they bought early. Nothing was there. Now they  
350 are dying to open another present.

351 At the end of the day, this President and what the  
352 report of the Mueller investigation said was no collusion.  
353 No obstruction. And when we understand that, when we move  
354 forward with that, if we can't get what we want, we will try  
355 and try again. Maybe that is the new thing of this  
356 committee, the little train that kept looking for something

357 that says I will try and I will try and I will try.

358 But at the end of the day, the President is still  
359 president. The economy is still moving forward. The  
360 regulations that we put in place are there. And at this  
361 point in time, the Attorney General, although he is being  
362 smeared repeatedly, is doing exactly what the regulation  
363 says. And for that, congratulations, Mr. Attorney General,  
364 you get a subpoena. With that, I yield back.

365 Chairman Nadler. Thank you, Mr. Collins. Without  
366 objection, all other opening statements will be included in  
367 the record.

368 I now recognize myself for purposes of offering an  
369 amendment in the nature of a substitute. The clerk will  
370 report the amendment.

371 Ms. Strasser. Amendment in the nature of a substitute  
372 to a resolution offered by Mr. Nadler. Strike all after the  
373 resolving clause and insert the following.

374 Chairman Nadler. Without objection, the amendment in  
375 the nature of a substitute will be considered as read and  
376 shall be considered as --

377 Mr. Buck. Mr. Chairman, I object.

378 Chairman Nadler. -- as base text --

379 Mr. Buck. Mr. Chairman, I object. I would like to --

380 Chairman Nadler. -- as base text for purposes of  
381 amendment. I will --



382 Mr. Collins. Mr. Chairman, there is an objection to

383 the --

384 Chairman Nadler. I will finish the sentence, and then I

385 will recognize the objection.

386 Mr. Collins. Thanks. Well, go right ahead.

387 [Laughter.]

388 Chairman Nadler. Without objection, the amendment in

389 the nature of a substitute will be considered as read and

390 shall be considered as base text for purposes of amendment.

391 [The amendment of Chairman Nadler follows:]

392

393 Chairman Nadler. Will the gentleman explain his  
394 objection?

395 Mr. Buck. Yeah, I want it read. I object.

396 Chairman Nadler. You want the resolution read? Very  
397 well. The clerk will read the resolution.

398 Mr. Buck. Thank you.

399 Chairman Nadler. The clerk will read the amendment in  
400 the nature of a substitute.

401 Ms. Strasser. Amendment in the nature of a substitute  
402 to a resolution offered by Mr. Nadler. Strike all after the  
403 resolving clause and insert the following: "That upon the  
404 adoption of this resolution, the chairman of the Committee of  
405 the Judiciary is authorized to issue subpoenas for documents  
406 and testimony relating to the following: final report  
407 authored by the Office of the Special Counsel, Robert S.  
408 Mueller, III, pursuant to Order Number 3915-2017, and any  
409 accompanying exhibits, annexes, tables, appendices, other  
410 attachments, and all evidence referred to in the report; and  
411 underlying evidence collected, materials prepared, or  
412 documents used by the Office of the Special Counsel, Robert  
413 S. Mueller, III, in the investigation conducted pursuant to  
414 Order Number 3915, 2017.

415 In addition, the chairman at his discretion and as he  
416 determines necessary, is authorized to issue subpoenas for  
417 documents and testimony to the following individuals or to

418 agents who may have received documents from White House  
419 relevant to the investigation on Special Counsel Robert S.  
420 Mueller, III, conducted pursuant to Order Number 3915-2017,  
421 thereby effecting a waiver of potential applicable  
422 privileges: Donald F. McGahn, II; Steven Bannon; Hope Hicks;  
423 Reince Priebus;, Ann Donaldson.

424 This resolution is adopted pursuant to Rule 3 of the  
425 Committee on the Judiciary and Clause 2(m) of Rule XI of the  
426 U.S. House of Representatives."

427 Chairman Nadler. I will recognize myself to explain the  
428 amendment.

429 This amendment makes only technical changes to the  
430 underlying resolution. I would like to use my time to  
431 elaborate on the point made in my opening statement, that  
432 there is ample precedent from other investigations involving  
433 allegations of wrongdoing by the President for the Judiciary  
434 Committee to receive not just the full report, but all of the  
435 underlying evidence, including grand jury material.

436 In the investigation of Bill Clinton, the independent  
437 counsel, Ken Starr, produced to Congress a 445-page report,  
438 several thousand pages of appendices, and 17 boxes of  
439 underlying evidence and other materials. These boxes  
440 included all of the grand jury information protected by Rule  
441 6(e) of the Federal Rules of Criminal Procedure.

442 The Starr report and the underlying evidence and

443 materials produced to this committee fill up volume after  
444 volume of the record in the Clinton impeachment proceedings.  
445 I am holding up only two of these many volumes that contain  
446 some of the evidence and materials underlying the Starr  
447 report that he produced to Congress. Here is Volume 4, Part  
448 2 and 3 that contain supplemental materials from the Starr  
449 report. All of these materials were delivered to the House  
450 immediately Ken Starr completed the report.

451 Looking at Volume 4, Part 3, it is filled with the grand  
452 jury testimony and other evidence from the Starr  
453 investigation that was produced to the House Judiciary  
454 Committee. For example, on page 3341, there is grand jury  
455 testimony of Stacy Desmond Porter. Here is a copy of it.  
456 There were boxes and boxes of such information produced by  
457 Ken Starr. Starr sought and obtained authorization from the  
458 court overseeing the grand jury to share the grand jury  
459 materials with Congress. A similar order permitting Congress  
460 to receive the grand jury materials in the Mueller  
461 investigation can and should be obtained here.

462 The materials produced to Congress by Starr also  
463 included the interview memoranda of the witnesses who agreed  
464 to be voluntarily interviewed by Starr's office during his  
465 investigation, all of which were produced to the House  
466 Judiciary Committee. For example, on page 3523, there is one  
467 of the many memorandum investigation interviews of witnesses

468 by Starr and his staff. This one is of Deborah Ann Schiff.  
469 Here is a copy of it. There were boxes of such information  
470 produced by Ken Starr. The same type of information has to  
471 be produced here, especially when there were approximately  
472 500 witnesses interviewed in the Mueller investigation as the  
473 Attorney General stated in his March 24th letter to the House  
474 and Senate Judiciary Committees.

475 In the Watergate investigation, the Justice Department  
476 did exactly the same thing after the grand jury considered  
477 evidence and issued a report describing potentially criminal  
478 acts by President Nixon. The Justice Department filed briefs  
479 fully supporting disclosure of the report to the House  
480 Judiciary Committee, and made the point that, "The need for  
481 the House to be able to make its profoundly important  
482 judgment on the basis of all available information is as  
483 compelling as any that could be conceived." And here are  
484 just two of the volumes from the Nixon impeachment  
485 proceedings that include some of the grand jury material,  
486 just some of the grand material that was produced to  
487 Congress, Volumes 7 and 8 from the hearings before the House  
488 Judiciary Committee.

489 Looking at Volume 7, it is filled with grand jury  
490 testimony and other evidence from the investigation that was  
491 produced to the House Judiciary Committee. For example, on  
492 page 688 of Volume 8, there is the grand jury testimony of

493 Rosemary Woods. Here is a copy of it. There were volumes  
494 and volumes of such information produced in the Watergate  
495 investigation to the House Judiciary Committee.

496       These examples of Congress receiving all of the relevant  
497 evidence in other analogous investigations helps show how  
498 unprecedented it would be for Attorney General Barr to  
499 withhold from Congress potentially significant portions of  
500 Special Counsel Mueller's report and the underlying evidence  
501 and materials. The same type of information can and should  
502 be produced here.

503       I ask unanimous consent to include these materials in  
504 the record.

505       [The information follows:]

506

507 Chairman Nadler. This subpoena authorization gives this  
508 committee the ability to compel production of the full report  
509 and related documents if the Attorney General departs from  
510 these and other precedents and refuses to produce to Congress  
511 the complete record of Special Counsel Mueller's  
512 investigation. I yield back the balance of my time.

513 I now recognize the ranking member of the Judiciary  
514 Committee, the gentleman from Georgia, Mr. Collins, for any  
515 comments he may have on the amendment in the nature of a  
516 substitute.

517 Mr. Collins. Thank you, Mr. Chairman. As far as the  
518 substitute, that is fine, but I am glad we are using props  
519 today because this is what happening here. The chairman  
520 wants you to look at one thing when the reality is another  
521 thing. He is wanting you to look at this bottle of water and  
522 say this is full, and then he is wanting you to look at this  
523 bottle of water and say it is full, too. It doesn't work.  
524 You can't say the Starr report, or even going back to  
525 impeachment which we will get to in a minute, and then come  
526 along and say Mueller is full, too. You see, it is the same.  
527 They are not the same.

528 And as long as we perpetrate this fraud of saying that  
529 they are the same, then we are going to continue this process  
530 of saying that we have got a problem here because the Starr  
531 report, which actually came out, let's actually speak to what

532 it said. Starr had a requirement under the Independent  
533 Counsel Act, 28 U.S.C. 595, to advise the House of  
534 Representatives of any substantial credible information which  
535 may constitute grounds for an impeachment.

536 Remember, it was the Janet Reno Justice Department after  
537 the Starr report that rewrote the regulations that we are  
538 under today. Starr, Mueller, two different things. And if  
539 we understand this, then we can understand the problem we  
540 have here. I feel for the chairman. He is trying to make an  
541 analogy that just won't work. He is doing as good a job as  
542 he possibly can. It just doesn't work.

543 The other interesting thing in here is he has used two  
544 precedents for getting this information, both of which are  
545 impeachment. If the chairman truly wanted to get at this  
546 information, then he can go to what I believe many in their  
547 heart desire is open the impeachment inquiry. Maybe that is  
548 what we are going to get to today. But if you use the  
549 precedent of impeachment, not the precedent of subpoenas,  
550 then there is a problem.

551 And we have got to understand this is nothing. If this  
552 was simply about the Mueller report today and we had waited  
553 until after we got the Mueller report and we said there is  
554 still stuff we don't like, then I could see this happening.  
555 I could see why would we would come together and ask for  
556 subpoenas. Any attorney, that is what you do. When you



557 don't get what you want, you ask for the subpoenas, not  
558 beforehand when the Attorney General has already said I am  
559 going to do this.

560 So the problem is, look, it is a tough problem. I feel  
561 for him. But as long as you are trying to compare the full  
562 and the empty and say they are both full, that is going to be  
563 a problem. The problem also I have with this is, is it just  
564 isn't about the Attorney General and the Mueller report,  
565 because he went ahead and added five other individuals. Why  
566 those five other individuals? Let's take a look at the  
567 names.

568 The five other individuals: Don McGahn, Steve Bannon,  
569 Hope Hicks, Reince Priebus, and Ann Donaldson, all of which  
570 either gave information or answered and responded to their  
571 initial letters. Why these five? They are close to the  
572 President. The closer you get to the President, the press  
573 writes about it. The press writes about associates of the  
574 President and they get a subpoena. Let's take this for what  
575 it is. We don't have our popcorn machine yet. We are  
576 getting it for our side because this is great political  
577 theater. But as long as they are trying to convince you that  
578 this one and this one are the same, then we are going to down  
579 the same sad road. With that, Mr. Chairman, I yield back.

580 Chairman Nadler. I thank the gentleman. I just want to  
581 comment on one thing. The argument is made that the prior

582 history is irrelevant because Mr. Jaworski and Mr. Starr  
583 operated under a different law than Mr. Mueller is operating.  
584 That fact is true. However, we have the same constitutional  
585 rights as the committee did in those days, and we have the  
586 same constitutional duty as the committee did in those days.  
587 And we have the right and the necessity to get all the  
588 information to fulfill our constitutional duty.

589 Are there any amendments to the amendment in the nature  
590 of a substitute?

591 [No response.]

592 Chairman Nadler. Hearing none --

593 Mr. Buck. Mr. Chairman, I have an amendment.

594 Chairman Nadler. The clerk will report the amendment.

595 Mr. Cicilline. Mr. Chairman, I reserve a point of  
596 order.

597 Chairman Nadler. The gentlelady --

598 Mr. Collins. The gentleman.

599 Chairman Nadler. The gentleman reserves a point of  
600 order.

601 Ms. Strasser. Amendment to the amendment in the nature  
602 of a substitute, offered by Representative Ken Buck, of  
603 Colorado. At the end of the resolution, insert the following  
604 paragraph: "This resolution shall not be construed as  
605 authorizing the chairman to issue a subpoena for the  
606 production of information where such production would violate

607 Rule 6(e) of the Federal Rules of Criminal Procedure."

608 [The information follows:]

609

610 Chairman Nadler. The gentleman is recognized to explain  
611 his amendment.

612 Mr. Buck. Thank you, Mr. Chairman. Mr. Chairman, in  
613 Greek mythology, Prometheus looked down from the heavens and  
614 saw man eating raw meat. Out of pity, he stole fire from the  
615 heavens, came to earth, and gave fire to man so man could  
616 cook his food. This gift had unintended consequences. Man  
617 used fire to forge metal into swords. With new weapons man  
618 went to war. This is a cautionary tale about unintended  
619 consequences, a lesson we should be mindful of today.

620 The current special counsel regulations were adopted in  
621 1999 after Congress allowed the old independent counsel law  
622 to expire. These Clinton-era regs authorized the appointment  
623 of Robert Mueller as special counsel and guided his  
624 investigation. They also limit what the AG can release. So  
625 they strike a balance between disclosure and protection of  
626 classified and grand jury information. This resolution,  
627 however, leads us down the wrong path. The resolution fails  
628 to ensure certain information remains protected. This will  
629 have unintended consequences.

630 First, this resolution risks politicizing future special  
631 counsel investigations. By protecting grand jury information  
632 from public release, the regs encourage the special counsel  
633 to produce a candid report for the AG. By compelling release  
634 of an unredacted report, however, the committee risks

635 chilling future investigations and jeopardizes the special  
636 counsel process. This will not serve justice. It will  
637 undermine it.

638       Second, the public release of the full report could  
639 compromise intelligence sources and methods. General Barr  
640 expressed concern about this issue in a March 29th letter to  
641 Chairman Nadler. As much as Democrats may hate the  
642 President, I would hope you love America more. If love  
643 trumps hate, we should afford the AG time to redact  
644 classified information before providing us with a report that  
645 could be shared with the public.

646       Third, this resolution fails to protect grand jury  
647 information from disclosure. This is information that by law  
648 needs to be protected as confidential. Under the regs, the  
649 AG is required to redact this information. General Barr  
650 wrote to the chairman on March 29th that, "We are preparing  
651 the report for release, making the redactions that are  
652 required. The special counsel is assisting us in this  
653 process. Specifically, we are well along in the process of  
654 identifying and redacting the following: materials subject  
655 to Federal Rule of Criminal Procedure 6(e) that by law cannot  
656 be made public."

657       Rule 6(e) is information produced in front of the grand  
658 jury. As a former prosecutor, I hold the grand jury process  
659 and the protection against disclosure sacrosanct. I would

660 urge my colleagues do not undermine the grand jury process  
661 for the sake of politics. This sets a dangerous precedent  
662 that is dangerously short-sighted.

663 My amendment is simple. It modifies the resolution to  
664 limit the subpoena to exclude production of any information  
665 related to grand jury materials. This amendment is  
666 consistent with the special counsel regs that have been in  
667 place for 20 years over which time Democrats and Republicans  
668 in Congress during two Democratic administrations and two  
669 Republican administrations have respected.

670 This amendment is also completely consistent with H.  
671 Con. Res. 24, Chairman Nadler's resolution that the House  
672 passed by a vote of 420-0 on March 14th. If you voted for  
673 Chairman Nadler's resolution 3 weeks ago, you essentially  
674 voted for the special counsel regulations, and you also voted  
675 to protect grand jury information from disclosure, the  
676 principle found in my amendment. For the sake of  
677 consistency, you should report my amendment today. It will  
678 help ensure we avoid unintended consequences.

679 I ask unanimous consent that Attorney General Barr's  
680 letter of March 29th, 2019 to Chairman Nadler to be included  
681 in the record.

682 Chairman Nadler. Without objection.

683 [The information follows:]

684

685 Mr. Buck. I urge a yes vote on the amendment.

686 Chairman Nadler. Does the gentleman from Rhode Island  
687 insist on his point of order?

688 Mr. Cicilline. I do not, Mr. Chairman.

689 Chairman Nadler. The gentleman from Rhode Island does  
690 not insist on his point of order. I will now recognize  
691 myself in opposition to the amendment.

692 The amendment says that "This resolution shall not be  
693 construed as authorizing a subpoena for the production of  
694 Rule 6(e) information." This committee's request for grand  
695 jury materials, which is to say the 6(e) information, is  
696 fully consistent with past instances which I have outlined in  
697 my initial comments in which the Justice Department has  
698 provided this information to Congress. The Justice  
699 Department can provide these materials to Congress by seeking  
700 authorization from the District Court as it has in the past.

701 In response, for example, to Republican-led  
702 congressional requests, the Justice Department turned over  
703 unprecedented levels of materials in the 114th and 115th  
704 Congress, including classified materials, deliberative  
705 process documents, and information related to ongoing  
706 investigations. We need these materials to fulfill our  
707 constitutional obligations, period. Our chief constitutional  
708 obligation is to hold the President accountable, especially  
709 in an instance where the Department of Justice says it cannot

710 hold the President accountable because, as a matter of law,  
711 you cannot indict a president and in which the Attorney  
712 General tells us that a president cannot commit obstruction  
713 of justice.

714 Those judgments must be made by Congress, not by a  
715 political appointee, the Attorney General. We need this  
716 information to make those judgments, and the interests can be  
717 protected by this Congress deciding which of that information  
718 can be released publicly. But Congress is entitled to all of  
719 it, and, therefore, I ask opposition to this amendment.

720 Is there any other discussion on the amendment?

721 Mr. Sensenbrenner. Mr. Chairman?

722 Chairman Nadler. The gentleman from Wisconsin.

723 Mr. Sensenbrenner. Mr. Chairman, I move to strike the  
724 last word.

725 Chairman Nadler. The gentleman is recognized.

726 Mr. Sensenbrenner. Mr. Chairman, the chair and his  
727 supporters are putting the cart before the horse. And I just  
728 draw the attention of the committee to today's *Roll Call*,  
729 hardly a Republican mouthpiece. And what does it say?

730 "Mueller magic not in subpoenas. Democrats can send a  
731 message, but it is one without teeth." I will delegate  
732 myself to become a dentist for the next 4-and-a-half minutes.

733 The chairman of the committee, the distinguished  
734 gentleman from New York, you know, says there was grand jury



735 material that was submitted both in the Nixon and Clinton  
736 impeachments. That is correct, but that grand jury material  
737 was submitted only after the court in D.C. allowed it to be  
738 shared with Congress and made public. That has not happened  
739 in this case if there is any grand jury material in the  
740 Mueller report, and I think we all know that there is grand  
741 material in the Mueller report.

742 So the thing to do to put teeth into a subpoena is for  
743 Congress and this committee to go to court and to ask for an  
744 order allowing for the release of the grand jury material.  
745 Otherwise, you are going to see the Justice Department move  
746 to quash the subpoena that I am sure will be issued today,  
747 and it will be in courts for months and maybe years until the  
748 Supreme Court decides this issue because it is a dispute  
749 between the legislative and executive branches of government.

750 Chairman Nadler. Will the gentleman yield?

751 Mr. Sensenbrenner. Let me finish, please. And I will  
752 be happy to be a co-plaintiff in the motion before the  
753 district court as I am sure all of us would be because the  
754 resolution that was passed 3 weeks ago was passed  
755 unanimously. I voted for it. All of my Republican  
756 colleagues voted for it. And the way to get the material  
757 that is sought by this subpoena quickly, promptly, and  
758 without extended litigation is to go to court and get the  
759 same kind of order that Mr. Starr got when he sent his

760 material over as independent counsel and what Mr. Jaworski  
761 got when he sent his material over as special prosecutor in  
762 the Richard Nixon impeachment.

763 Now, secondly, I think we all want to get to the bottom  
764 of this, and it is only full disclosure, in my opinion, that  
765 will get to the bottom of this. The law requires that there  
766 be certain conditions precedent to get that full disclosure,  
767 one of which, as far as the grand jury material and Rule 6(e)  
768 of the Federal Rules of Criminal Procedure, is going to court  
769 and getting the order, if the court should so desire and be  
770 required to, to allow the Justice Department to release this  
771 material. Otherwise, the Justice Department puts itself in  
772 the same position as a grand jury witness who breaks the  
773 secrecy rule and releases his or her testimony before the  
774 grand jury, and that is a Federal crime.

775 So, you know, it seems to me that if we want to protect  
776 witnesses under the same rule that the Justice Department is  
777 being protected, we ought to do what we need to do first, and  
778 that is go to court and let the judge make the decision. And  
779 now I am happy to yield to the chairman.

780 Chairman Nadler. I thank the gentleman for yielding.  
781 We will, as appropriate, go to court. We think we need a  
782 subpoena first, but we will go to court. We have asked the  
783 Attorney General to go to court. He has thus far declined  
784 our request, but we will do whatever is necessary, be it

785 subpoena or courts, to get this material.

786 Mr. Sensenbrenner. You know, reclaiming my time, you  
787 know, the thing is, is Mr. Starr got the appropriate order  
788 without us being on his back. Jaworski got the appropriate  
789 order without the Judiciary Committee being on its back. And  
790 that material was used in both the Nixon and in the Clinton  
791 impeachments.

792 Mr. Cicilline. Will the gentleman yield for a question?

793 Mr. Sensenbrenner. No, I will not. And as I recall  
794 there were obstruction of justice articles of impeachment  
795 voted out by this committee, and, in the case of Clinton,  
796 approved by the House of Representatives, and that was an  
797 issue in both of those impeachments. So, you know, again,  
798 look at *Roll Call*, you know. Again, *Roll Call* is not printed  
799 by the Koch brothers, and it says "Democrats can send a  
800 message, but it's one without teeth." It is about time that  
801 when we want to send a message, we send one with teeth, and  
802 hopefully the rest of the news media will not be duped as  
803 *Roll Call* was not in getting it right. Thank you.

804 Chairman Nadler. The gentleman's time has expired. The  
805 gentlelady from Texas.

806 Ms. Jackson Lee. I thank the gentleman, and I thank my  
807 colleagues, both Republicans and Democrats, who sit on this  
808 committee to do justice and to adhere to the rule of law. As  
809 I read the resolution proposed by the chair and the majority,

810 it provides an authorization. It does not dictate an  
811 issuance of a subpoena. And I refer to my colleagues to  
812 really some of the underlying reasons why we need to move  
813 forward on a subpoena. For all we know, the Attorney General  
814 may respond and present us with the Mueller report in its  
815 totality today at the end of business.

816 But in his letter on March 24th, the Attorney General  
817 started out by saying that it was his intent to summarize the  
818 principle conclusions reached by the special counsel. And of  
819 course he tried to walk that back, but, in essence, he tried  
820 to give us 4 pages as a complete summary of the entire  
821 Mueller report. He goes on to say on the question of  
822 obstruction of justice that the DOJ did not make a  
823 traditional prosecutorial judgment. That may be accurate,  
824 but the standards that you adhere to by the second  
825 constitutional body, the executive in Article II, has larger  
826 parameters as to whether or not the Administration followed  
827 the rule of law and actually adhered to guidelines or actions  
828 appropriate for a president of the United States.

829 Further, the Attorney General attempted to swat away the  
830 idea of any Russian coordination. He did that by suggesting  
831 that the attorney, Mueller, did not find an underlying crime,  
832 and, therefore, refused to move forward on the obstruction,  
833 refused to move forward on the obstruction on the basis of  
834 not an indictment or a crime. And we also know that Attorney

835 General Barr has already made his point very clear about his  
836 position on the indictment of a President. We do not sit  
837 here in the role of a grand jury to indict the President, but  
838 we sit here as a body that to proceed with its constitutional  
839 duties to provide oversight and transparency.

840 Let me share with my colleagues what has happened in the  
841 past. Dan Burton, former chair of the Oversight Committee,  
842 issued a thousand unilateral subpoenas in the 1990s regarding  
843 the Clinton Administration. Lamar Smith of the Science  
844 Committee issued 25 subpoenas in his first year of  
845 chairmanship. Before 2015, this committee had not issued one  
846 subpoenas in 21 years. Chairman Issa issued 100-plus  
847 subpoenas, exceeding by over 20 percent the number of  
848 subpoenas from Dems and Republicans, lawmakers of any  
849 committee. And then Chairman Gowdy of the Benghazi  
850 Committee, who sent U.S. marshals to 70 witness' homes  
851 without asking one of them to come voluntarily. I, frankly,  
852 believe that we are being both fair and balanced in our  
853 efforts --

854 Mr. Sensenbrenner. Would the gentlewoman yield?

855 Ms. Jackson Lee. I would be happy to yield.

856 Mr. Sensenbrenner. Just for the record, I was chair of  
857 this committee for 6 years, and I didn't sign one subpoena at  
858 all. You know, I got what I needed out of the Administration  
859 without having to compel it. So there is a difference

860 between nice and being less than nice.

861 Ms. Jackson Lee. Mr. Sensenbrenner, thank you. I am  
862 restoring my time. I am reclaiming my time. As you well  
863 know, you have not been mentioned. You have not been  
864 mentioned, nor has the Judiciary Committee been mentioned.  
865 But the point being made is that there has been a history of  
866 subpoenas offered in other areas in other committees.

867 And in this instance, I think the Judiciary Committee is  
868 being extremely fair. So thank you so very much for that  
869 clarification that Chairman Sensenbrenner did not, but in  
870 this instance, I believe that the committee is being fair.  
871 Mr. Nadler is being fair. This is a resolution to authorize  
872 the issuance of a subpoena, and I ask my colleagues to  
873 support this resolution. I yield back.

874 Chairman Nadler. Thank you. The gentleman from  
875 Arizona, Mr. Biggs, is recognized.

876 Mr. Biggs. Thank you, Mr. Chairman. I ask unanimous  
877 consent that an article published April 1st, 2019 in the  
878 *Atlantic* written by Ben Wittes and entitled, "Bill Barr Has  
879 Promised Transparency," be entered into the record.

880 Chairman Nadler. Without objection.

881 [The information follows:]

882

883           Mr. Biggs. Thank you. Wittes is the editor-in-chief of  
884 *Lawfare* and a senior fellow at the Brookings Institution.  
885 That is the same think tank where Norm Eisen, a member of the  
886 chairman's staff, is also a senior fellow, and Barry Berke,  
887 another member of the chairman's staff, has published  
888 extensively. And with that, I yield to the gentleman from  
889 Colorado, Mr. Buck.

890           Mr. Buck. I thank the gentleman from Arizona. Mr.  
891 Chairman, we are discussing basically what the standard is  
892 for the release of grand jury testimony in the context of an  
893 independent counsel or special counsel investigation. And  
894 thankfully you announced the standard on September 9th, 1998  
895 when you appeared on the *Charlie Rose Show*. That is the same  
896 day that independent counsel, Ken Starr, and I will repeat  
897 that, the same day that independent counsel, Ken Starr,  
898 delivered his report into the Clinton investigation to  
899 Congress.

900           Here is what you said when explaining why it would be  
901 unwise and unfair to release grand jury materials. "Now, Mr.  
902 Starr in his transmittal letter to the Speaker and the  
903 Minority Leader made it clear that much of this material is  
904 Federal Rule 6(e) material. That is material that by law,  
905 unless contravened by a vote of the House, must be kept  
906 secret. It is grand jury material. It represents statements  
907 which may or may not be true by various witnesses, salacious

908 material, all kinds of material that it would be unfair to  
909 release." Our chairman even went so far as to suggest in  
910 that interview that certain material "must not be released at  
911 all."

912 I do want to mention that under the independent counsel  
913 statute, Congress held a statutory role of oversight so it  
914 would have at least been proper for Congress to consider if  
915 grand jury materials should be released, but that law has  
916 expired. Under current law, the Attorney General is left  
917 with the responsibility of protecting grand jury materials, a  
918 different person responsible for deciding, a different  
919 responsibility all together. Despite changes in the law, the  
920 chairman's concerns from 1998 about the questionable value in  
921 releasing grand jury material and the need to protect those  
922 materials are still true today.

923 The chairman's position was also on display 3 weeks ago  
924 when the House unanimously approved his resolution, H. Con.  
925 Res. 24, calling for the release of the special counsel  
926 report while excluding from disclosure any information  
927 protected by law which would necessarily protect grand jury  
928 material. Nevertheless, in a *New York Times* op-ed this week,  
929 the chairman wrote, "The Department of Justice has an  
930 obligation to provide it," meaning the full Mueller report,  
931 "in its entirety without delay."

932 Mr. Chairman, you had it right over 20 years ago. You



933 supported the protection of grand jury information, and I  
934 agree with that. You had it right 3 weeks ago. Everyone on  
935 this committee voted for your resolution to protect against  
936 the release of 6(e) materials. Mr. Chairman, Attorney  
937 General Barr agrees with you. Last week he wrote to you to  
938 tell that he was working with the special counsel to redact  
939 grand jury materials.

940 Your historic standard, one you held for 7,492 days,  
941 from September 8th, 1998 at least until March 14th, 2019, is  
942 the same standard that can be found in my amendment. The  
943 standards says the grand jury materials should not be  
944 disclosed. That is the right standard, and I urge the  
945 committee to adopt the standard. And I yield back to the  
946 gentleman from Arizona.

947 Mr. Biggs. Reclaiming my time.

948 Mr. Cicilline. Mr. Chairman?

949 Chairman Nadler. The gentleman from Rhode Island.

950 Mr. Biggs. Excuse me. I still have time. I reclaimed  
951 my time.

952 Chairman Nadler. Oh, I am sorry.

953 Mr. Biggs. Thank you.

954 Chairman Nadler. Mr. Biggs, continue.

955 Mr. Biggs. Thank you, Mr. Chairman. I support the Ken  
956 Buck, Representative Buck's, amendment to the amendment in  
957 the nature of a substitute to the resolution. And one thing

958 I want to point out is that when I hear people intimate that  
959 the chairman merely has the authorization to issue a  
960 subpoena, I get this feeling that maybe this isn't a done  
961 deal. But it is a done deal because the chairman in his  
962 response to the gentleman from Wisconsin said very clearly  
963 that before going to court we are going to issue a subpoena.

964 So the normal process would naturally be to go to the  
965 court and ask for this information to be made available, but  
966 that is not what is going to happen here. You are going to  
967 see subpoenas issued, and they are going to be issued  
968 because, as the chairman said in his opening statement, the  
969 Attorney General may do this, and I am paraphrasing of  
970 course, and President Trump may do that. In other words, he  
971 would suggest that this would be conditional, but he is  
972 acting and this resolution is going to go forward regardless  
973 of what Mr. Barr provides, even if it is in compliance with  
974 Rule 6(e). My time has expired.

975 Chairman Nadler. The gentleman from Rhode Island.

976 Mr. Cicilline. Thank you, Mr. Chairman. I move to  
977 strike the last word.

978 Chairman Nadler. The gentleman is recognized.

979 Mr. Cicilline. Mr. Chairman, I just want to make two  
980 brief points. One is the gentleman from Wisconsin referenced  
981 the Starr report and the Jaworski report as precedent for not  
982 issuing a subpoena and, in fact, going to court. It should

983 be noted that in both of those cases the special and  
984 independent counsel went to court to seek authorization for  
985 the release of the grand jury testimony before it was  
986 delivered to Congress. They did that on their own. It  
987 didn't require Congress to litigate it.

988       So those individuals recognized that it was important  
989 when they delivered the report to also deliver the underlying  
990 documents, and they sought permission from the court to do  
991 it. That has not happened in this case. In fact, Mr. Barr  
992 has done just the opposite. He has attempted to keep this  
993 information from Congress. So the notion that we should just  
994 wait and sort of pray and hope that Mr. Barr will suddenly  
995 find his way to the courthouse to seek authorization, I  
996 think, is foolish. This subpoena will require him to take  
997 that action because as the gentleman from Wisconsin said, he  
998 could move to quash the subpoena. That is one course of  
999 action. He could also go to court and move for the  
1000 production of 6(e) materials so he can comply with the  
1001 subpoena, and that is what we are hoping he will do if, in  
1002 fact, they are interested in getting this information for  
1003 Congress.

1004       So I urge my colleagues to oppose this amendment, to set  
1005 the precedent so that, in fact, this committee can get the  
1006 full report and all the supporting materials so we can do our  
1007 oversight responsibility. And as the chairman said, our

1008 constitutional responsibilities have not changed even if some  
1009 regulation has. I urge a no vote on the amendment and yield  
1010 the balance of my time to the chairman.

1011 Chairman Nadler. I thank the gentleman.

1012 I just want to point out that I was right 21 years ago,  
1013 I am right now, and it is totally consistent, because we are  
1014 urging now that the underlying 6(e) material be produced to  
1015 the committee. In 1998, that material had been produced to  
1016 the Congress, and what we were discussing was its release to  
1017 the public. And before 6(e) material is released to the  
1018 public, it has to be reviewed if some of it should not be  
1019 released to the public for privacy and other reasons. But  
1020 that determination was made then by Congress, and it should  
1021 be made now by Congress.

1022 We are asking now that the material be given to Congress  
1023 so we can fulfill our constitutional responsibilities. In  
1024 1998, the material had been given prior to that debate to  
1025 Congress so Congress could fulfill its constitutional  
1026 responsibilities, and my comments on the floor then and the  
1027 debate then was not about whether the material should go to  
1028 Congress; it already had. It was about whether it should be  
1029 released to the public in its entirety, and I said then that  
1030 you cannot release 6(e) material entirely to the public  
1031 without reviewing it, and that is still true. But it was  
1032 then and should be now released to the Congress, to this

1033 committee, in its entirety.

1034 Mr. Sensenbrenner. Would the gentleman yield?

1035 Chairman Nadler. Yes, I will yield.

1036 Mr. Sensenbrenner. Would the gentleman report releasing  
1037 to the public the material that we redacted in the Clinton  
1038 impeachment?

1039 Mr. Cicilline. I will reclaim my time. I would like to  
1040 focus on the issue before this committee. I am reclaiming my  
1041 time, Mr. Chairman.

1042 But I again want to suggest that this is an important  
1043 responsibility to this committee to ensure that no one is  
1044 above the law, that we follow the facts where they lead us,  
1045 that this investigation was conducted on behalf of the  
1046 American people. When our democracy was attacked by a  
1047 foreign adversary, we fought hard to protect Mr. Mueller so  
1048 he could complete his work free from political interference,  
1049 and now we have a right, this committee has the right and the  
1050 responsibility to see the full contents of this report and  
1051 the supporting materials, and I urge a no on this amendment  
1052 and yield the balance of my time to the Chairman.

1053 Chairman Nadler. I thank the gentleman for yielding.

1054 Again, we have the right and the duty to protect certain  
1055 material from public disclosure. If we redacted it from the  
1056 public 20 years ago, I assume we had good reason to do that.  
1057 But the question before us now is not public release of

1058 information. It is release to Congress to do our  
1059 constitutional duties, and it is a very different situation.

1060 I yield back to the gentleman.

1061 Mr. Cicilline. I yield back, Mr. Chairman.

1062 Chairman Nadler. The gentleman from Texas, Mr.  
1063 Ratcliffe, is recognized.

1064 Mr. Ratcliffe. Thank you, Mr. Chairman.

1065 I move to strike the last word.

1066 Mr. Chairman, I have been listening to the arguments  
1067 this morning. I have been trying to decide what is worse.  
1068 Was it last week when within 24 hours of the Attorney General  
1069 issuing his summary of the Mueller findings I listened to the  
1070 Chairman of the House Intelligence Committee, Adam Schiff,  
1071 demand the immediate full release of the Mueller report  
1072 without consideration for classified information? The  
1073 Chairman of the Intelligence Committee telling all 17  
1074 intelligence agencies over which he had oversight essentially  
1075 I do not give a damn about classified information, I want the  
1076 full release of that report.

1077 Or was it this week, when I am sitting here today  
1078 listening to the Chairman of the Judiciary Committee say I do  
1079 not care what the law says, I do not care what the Special  
1080 Counsel regulations say, I do not care that the Attorney  
1081 General has complied with both, that the Attorney General has  
1082 done everything the law requires, everything the Special

1083 Counsel regulations require, and is promising to do more, but  
1084 that is not good enough, and now he is going to be subpoenaed  
1085 for that.

1086 In that theater of the absurd, I am still trying to  
1087 decide which of those is worse. The Attorney General did not  
1088 comply with the Democrats' arbitrary April 2nd demand  
1089 deadline because he cannot comply, because the law precludes  
1090 him from complying, because the Attorney General was not  
1091 going to commit crimes to comply with that deadline.

1092 Mr. Chairman, today I heard you say over and over again  
1093 Congress requires, Congress requires, there are  
1094 constitutional rights, or there is a necessity for this  
1095 information. What I did not hear was what law the Special  
1096 Counsel -- where in the Special Counsel regulation does it  
1097 say that the Attorney General must turn over an un-redacted  
1098 full Special Counsel report? The Special Counsel regulation  
1099 does not say that. No law says that.

1100 The Attorney General has promised to provide as much  
1101 transparency as he possibly can, but I am afraid that is  
1102 never going to be good enough for some in here, and that is  
1103 because we are here having this argument because some, not  
1104 all, of my Democratic colleagues promised the American people  
1105 evidence that never existed. Some, not all, Democrats  
1106 shouted fire in the theater of the American public, feeding a  
1107 false Trump-Russia collusion narrative that never existed and

1108 that, in fact, some Democrats created with a fake, phony  
1109 dossier.

1110 Now Special Counsel Mueller, who some Democrats demanded  
1111 be protected so that he could do his job, did his job, and  
1112 the minute that he finished doing that job and said no  
1113 collusion, that the Trump-Russia collusion narrative does not  
1114 exist, is not real, protect Bob Mueller suddenly has become  
1115 to hell with Bob Mueller.

1116 I have always believed that Bob Mueller could write the  
1117 definitive narrative on how Russia tried to meddle in our  
1118 election. I have never called what Bob Mueller was doing in  
1119 that regard a witch hunt. But Bob Mueller has provided his  
1120 findings to the Attorney General, who has accurately  
1121 summarized those.

1122 And with respect to Trump-Russia collusion, Bob Mueller  
1123 has said there are no witches. So these investigations  
1124 should end. We should move on. We should not be issuing  
1125 subpoenas today.

1126 But if we are going to issue subpoenas today, let's not  
1127 issue a subpoena for the Mueller report. Let's issue one for  
1128 Bob Mueller.

1129 Mr. Cohen. Would the gentleman yield?

1130 Mr. Raskin. Would the gentleman yield?

1131 Mr. Ratcliffe. Let me finish this thought.

1132 Let Bob Mueller come and let's ask Bob Mueller whether



1133 or not he thinks that the report that he created should be  
1134 disclosed without considerations of redactions of classified  
1135 national security information or without redactions for grand  
1136 jury information or other information relating to ongoing  
1137 investigations. I may have questioned Bob Mueller's actions  
1138 in certain regards, but I have never questioned his  
1139 integrity, and I would be happy to hear his answer under oath  
1140 before this committee with respect to that issue.

1141 So I urge all my colleagues to follow the law and to  
1142 therefore support the Buck amendment.

1143 And I yield to the gentleman from Georgia.

1144 Chairman Nadler. The gentleman's time has expired.

1145 Mr. Ratcliffe. I yield back.

1146 Chairman Nadler. The gentleman from Tennessee.

1147 Mr. Cohen. Thank you, Mr. Chairman.

1148 I was just going to say that Mr. Ratcliffe, who I  
1149 respect greatly, said that Mr. Barr accurately described the  
1150 Mueller report. We do not know that. That is why we want to  
1151 see it, so we can know if he accurately did. He talked about  
1152 he went through fire. He might be suggesting I am one of  
1153 those fire throwers. I want to find out if I was wrong, and  
1154 I want the public to see it too.

1155 I yield back the balance of my time.

1156 Chairman Nadler. The gentleman from Texas, Mr. Gohmert.

1157 Mr. Gohmert. Thank you, Mr. Chair.

1158 I have to say, I witnessed one of the proof positive of  
1159 the brilliant mental acumen of our Chairman as he explained  
1160 adroitly how he was right 21 years ago and is right today,  
1161 just a work of beauty and argument.

1162 As Chairman said, 21 years ago, we should always  
1163 remember this as a prosecutor's report by its nature. It is  
1164 one-sided. I also said it was salacious material, all kinds  
1165 of material that it would be unfair to release.

1166 I would point out the gentleman did not know exactly  
1167 what all the material was at that time, and we do not know at  
1168 this time either. In February 1999, a New York Times  
1169 article, our current Chairman called the Starr report and  
1170 impeachment efforts a "partisan coup d'état."

1171 What has gone on in this country did absolutely,  
1172 unequivocally, no doubt about it involve collusion of people  
1173 at the highest level with a foreign entity to try to bring  
1174 down a candidate and then bring down a sitting president.  
1175 That was collusion between top FBI officials, Justice  
1176 officials, a former MI6 intelligence officer who has been  
1177 discredited by those same Justice officials, FBI officials,  
1178 but they colluded with him to try to bring down a candidate  
1179 and now a sitting president.

1180 Enough is enough. At some point, we have to say what  
1181 will be written in the annals of history of this country as  
1182 an outrageous attempt at a real coup d'état was unsuccessful.

1183 The truth came out about who really colluded with foreign  
1184 agents.

1185       And by the way, they did involve the Democrats' campaign  
1186 and a foreign agent who was colluding with some of Putin's  
1187 agents, in all likelihood, as he was not even in Russia but  
1188 was talking by phone to Russian agents in his efforts to help  
1189 the Clinton campaign and top Justice officials bring down a  
1190 sitting president. And for us to continue this outrageous  
1191 assault on the office of president, even after the truth has  
1192 come out that there was no conspiracy by the Trump campaign  
1193 or President Trump or anybody in his family with Russia, and  
1194 to continue to push, we are still going to make a big deal  
1195 out of this, we cannot stand the fact that the facts show it  
1196 was the Democrats that colluded with foreign agents to try to  
1197 change the outcome of the election.

1198       Enough is enough, for heaven's sake. Let's please move  
1199 on. There was a time when I loved and appreciated the  
1200 current Chairman's desire to protect privacy rights. I saw  
1201 that dramatically eroded during the Obama Administration, but  
1202 I am still hoping and praying that our now-Chairman's once  
1203 great desire to protect privacy rights and to try to hold  
1204 back the bounds of what Orwell described as happening now --  
1205 obviously, the only thing you got wrong was the year, because  
1206 we have seen what the Obama Administration did with those  
1207 Orwellian abilities to spy on American citizens.

1208           It is time to go back and clean up the mess that has  
1209    been made over years of abuse. And this subpoena, the  
1210    subpoenas is not what we need to be voting for, and I support  
1211    my friend's amendment.

1212           I yield back.

1213           Chairman Nadler. The gentleman yields back.

1214           The gentleman from Georgia is recognized.

1215           Mr. Johnson of Georgia. I move to strike the last word.

1216           Chairman Nadler. The gentleman is recognized.

1217           Mr. Johnson of Georgia. I yield to the gentle lady from  
1218    Texas.

1219           Ms. Jackson Lee. Thank you very much.

1220           I wanted to read into the record the information  
1221    regarding the Chairman of the Benghazi committee sent U.S.  
1222    Marshalls to witness without asking that witness to come in  
1223    voluntarily.

1224           And I yield back, Mr. Chairman.

1225           Chairman Nadler. Does the gentleman from Georgia yield  
1226    back?

1227           Mr. Johnson of Georgia. I yield back.

1228           Chairman Nadler. The gentle lady from Arizona, Ms.  
1229    Lesko.

1230           Mrs. Lesko. Thank you, Mr. Chairman.

1231           I want to move to strike the last word.

1232           Chairman Nadler. The gentle lady is recognized.

1233 Mrs. Lesko. Thank you.

1234 Mr. Chairman, I support Representative Buck's amendment.

1235 What basically we are doing here is, in my opinion, the  
1236 Democrats are asking Attorney General Barr to violate the  
1237 law. It is not only against the law, but it would even be  
1238 criminal to disclose grand jury material without a court  
1239 order.

1240 It is obvious to me that this is just a continuation of  
1241 an attempt to undermine the President of the United States.  
1242 For the last two years, members on this committee have said  
1243 that there has been collusion with the Trump Administration  
1244 and President Trump with Russia to undermine the 2016  
1245 election, and as revealed in the summary, this is absolutely  
1246 not true.

1247 So I really wish that we could work on big issues  
1248 instead of continuing this circus on undermining the  
1249 President of the United States. I serve on three committees,  
1250 and on every single committee it is obvious from the very  
1251 first organizational meeting that there is a coordinated  
1252 attempt by the Democrats to undermine the President of the  
1253 United States, and this is all about the 2020 presidential  
1254 election.

1255 The public really wants us to work on big issues  
1256 together, and I ask my Democratic colleagues to do that and  
1257 quit this circus.

1258 I will yield time to the gentleman, Mr. Jordan, from  
1259 Ohio.

1260 Mr. Jordan. I thank the gentle lady for yielding, and I  
1261 too wish to support the Buck amendment.

1262 I would just ask the fundamental question: Why are we  
1263 here? It seems to me we are here because the Mueller report  
1264 was not what the Democrats thought it was going to be. In  
1265 fact -- in fact -- it was just the opposite.

1266 What did the Attorney General tell us that the principal  
1267 findings of Mr. Mueller's report were? No new indictments,  
1268 no sealed indictments, no collusion, no obstruction.

1269 Mr. Cicilline. Would the gentleman yield?

1270 Mr. Jordan. I only got a little bit of time because --

1271 Mr. Cicilline. I only have a short question. You made  
1272 reference to the Mueller report. Have you seen it? Because  
1273 we have not.

1274 Mr. Jordan. I have seen the principal findings from the  
1275 Attorney General.

1276 Mr. Raskin. Would the gentleman yield for a quick  
1277 question? I promise it is short.

1278 You reported that the report states that there is no  
1279 obstruction. What is your basis for saying that?

1280 Mr. Jordan. The sentence where he said they did not  
1281 find obstruction. I understand the sentence you are  
1282 referring to where he talks about no exoneration either, but

1283 then there are three paragraphs after where he points out  
1284 that there was not the elements of obstruction.

1285 In fact, the report -- excuse me -- the letter from the  
1286 Attorney General referencing the Special Counsel report said  
1287 no new indictments, no sealed indictments, no collusion, and  
1288 as I just pointed out, did not find obstruction.

1289 On the question of collusion, it was very clear. He  
1290 said there were multiple opportunities for Trump associates,  
1291 people associated with the Trump campaign to collude, and  
1292 they did not. So multiple times where the forbidden fruit  
1293 was placed in front of them and they did not bite.

1294 I would also point out this. There has been reference  
1295 from the Democrats relative to Watergate and the Clinton  
1296 Special Counsel. Watergate, there was a break-in. With  
1297 Clinton, there was perjury. With the chief charge of this  
1298 Special Counsel's investigation, there was no collusion.

1299 But here we are today. Well, actually three weeks ago,  
1300 the Chairman of the committee launched 81 letters to 60-some  
1301 different individuals, and now today we are going to subpoena  
1302 documents that the AG said he will give us in a matter of  
1303 days.

1304 But maybe the most important point, I think, is the one  
1305 that my colleague from Texas made, Mr. Ratcliffe. The idea  
1306 that the Chairman of the Intelligence Committee said he wants  
1307 everything made public, including classified information, and

1308 the idea that the Chair of the Judiciary Committee, the House  
1309 Judiciary Committee said last week, or this week, that he  
1310 wants everything made public, including grand jury material,  
1311 that is maybe the scariest thing of all.

1312 So the Attorney General has said he is going to turn  
1313 this over in a matter of days. Let's wait. Let's get the  
1314 information, and then let's look at it then.

1315 With that, I would yield back the remaining 20 seconds  
1316 to the gentle lady from Arizona.

1317 Mrs. Lesko. I yield back my time.

1318 Chairman Nadler. The gentleman from Florida, Mr. Gaetz.

1319 Mr. Gaetz. Move to strike the last word.

1320 Chairman Nadler. The gentleman is recognized.

1321 Mr. Gaetz. Thank you. I support the Buck amendment.

1322 When the human body sees life expire within it, one of  
1323 the final sounds that it can make in dramatic and loud  
1324 fashion is a death rattle, and I would suggest to the  
1325 American people that what they are witnessing is the death  
1326 rattle of the Democrats' Russia collusion lie.

1327 For 22 months my colleagues on the other side, many of  
1328 them said there was actual evidence of collusion. And so  
1329 now, clearly seeing that that is not true, we observe our  
1330 colleagues moving through the stages of grief.

1331 First we saw shock and surprise. My colleagues would  
1332 huddle together after the findings of the Mueller report



1333 release wondering what to do next, what play to run after  
1334 losing all credibility with the American people.

1335       And after shock, we now are in the stage of denial,  
1336 where the principal findings of the Mueller report, they just  
1337 cannot be true, they cannot be accepted, they must be false,  
1338 there must be more information we can discover.

1339       I know we are beginning the baseball season, so perhaps  
1340 a baseball analogy would be appropriate. This would be like  
1341 saying, well, we have lost the game, but we have to tweeze  
1342 through the box score to see if we won the third inning.  
1343 That is what is essentially happening with the desire of  
1344 Democrats in the production of these subpoenas and voting on  
1345 them today.

1346       It also represents a stark departure from the standards  
1347 and statements that my own Democratic colleagues have laid  
1348 out just last Congress and this Congress. I am quoting now  
1349 from the Speaker of the House, Ms. Pelosi. In February of  
1350 2018 she said, "President Trump has surrendered his  
1351 constitutional responsibility as Commander in Chief by  
1352 releasing highly classified and distorted intelligence. By  
1353 not protecting intelligence sources and methods, he just sent  
1354 his friend Putin a bouquet."

1355       Well, there was no bouquet, no untoward relationship  
1356 with Vladimir Putin, but there was a statement from the  
1357 Speaker of the House acknowledging that if you do not review

1358 sources and methods, you are derelict in your duty to the  
1359 country. Well, now that they are going through their stages  
1360 of grief, perhaps we are approaching bargaining, because now  
1361 they are trying to bargain away their own standards.

1362 But it is not just the Speaker of the House. Let's look  
1363 to statements from the Chairman of the Judiciary Committee,  
1364 the gentleman from New York, Mr. Nadler. He said on June  
1365 28th of 2018, "Republicans are requesting documents they know  
1366 they cannot have." He continued, speaking of the  
1367 Republicans, "Right is rightly denied. They will do their  
1368 best to undermine the credibility of the Department of  
1369 Justice."

1370 Well, Mr. Chairman, you are now asking for documents you  
1371 know you cannot have, and you are doing so in order to erode  
1372 confidence in the Attorney General who leads the Department  
1373 of Justice because he has concluded that there was not  
1374 collusion and that your principal Russian narrative was not  
1375 truthful, was not credible. We were right, you were wrong,  
1376 and the American people know it.

1377 And so as we proceed now on this unfocused, 81-pronged  
1378 investigation of the Judiciary Committee has launched, as we  
1379 continue to have these mindless votes on unnecessary  
1380 subpoenas, I sincerely hope that the American people will  
1381 remember what things the Democrats were saying just months  
1382 ago, that there was collusion, that there was actual evidence

1383 of collusion, and that sources and methods could never be  
1384 disclosed as a consequence of our fidelity to our oath and to  
1385 the people of this country.

1386 Let's have some consistency, and let's at least have  
1387 some acknowledgment that you all were not telling the truth  
1388 to the American people for an extended period of time. We  
1389 were, and you should not be trusted.

1390 I yield back.

1391 Chairman Nadler. The question occurs on the amendment.

1392 All those in favor of the Buck amendment will signify by  
1393 saying aye.

1394 Those opposed, no.

1395 In the opinion of the Chair, the noes have it.

1396 The noes have it. The amendment is not agreed to.

1397 Mr. Collins. Mr. Chairman, I ask for a recorded vote.

1398 Chairman Nadler. A roll call vote has been requested.

1399 As your name is called, all those in favor will signify  
1400 by saying aye; opposed, no.

1401 The Clerk will call the roll.

1402 Ms. Strasser. Mr. Nadler?

1403 Chairman Nadler. No.

1404 Ms. Strasser. Mr. Nadler votes no.

1405 Ms. Lofgren?

1406 Ms. Lofgren. No.

1407 Ms. Strasser. Ms. Lofgren votes no.

1408 Ms. Jackson Lee?  
1409 Ms. Jackson Lee. No.  
1410 Ms. Strasser. Ms. Jackson Lee votes no.  
1411 Mr. Cohen?  
1412 Mr. Cohen. No.  
1413 Ms. Strasser. Mr. Cohen votes no.  
1414 Mr. Johnson of Georgia?  
1415 Mr. Johnson of Georgia. No.  
1416 Ms. Strasser. Mr. Johnson of Georgia votes no.  
1417 Mr. Deutch?  
1418 Mr. Deutch. No.  
1419 Ms. Strasser. Mr. Deutch votes no.  
1420 Ms. Bass?  
1421 Mr. Richmond?  
1422 Mr. Richmond. No.  
1423 Ms. Strasser. Mr. Richmond votes no.  
1424 Mr. Jeffries?  
1425 Mr. Jeffries. No.  
1426 Ms. Strasser. Mr. Jeffries votes no.  
1427 Mr. Cicilline?  
1428 Mr. Cicilline. No.  
1429 Ms. Strasser. Mr. Cicilline votes no.  
1430 Mr. Swalwell?  
1431 Mr. Swalwell. No.  
1432 Ms. Strasser. Mr. Swalwell votes no.

1433 Mr. Lieu?  
1434 Mr. Lieu. No.  
1435 Ms. Strasser. Mr. Lieu votes no.  
1436 Mr. Raskin?  
1437 Mr. Raskin. No.  
1438 Ms. Strasser. Mr. Raskin votes no.  
1439 Ms. Jayapal?  
1440 Ms. Jayapal. No.  
1441 Ms. Strasser. Ms. Jayapal votes no.  
1442 Mrs. Demings?  
1443 Mrs. Demings. No.  
1444 Ms. Strasser. Mrs. Demings votes no.  
1445 Mr. Correa?  
1446 Mr. Correa. No.  
1447 Ms. Strasser. Mr. Correa votes no.  
1448 Ms. Scanlon?  
1449 Ms. Scanlon. No.  
1450 Ms. Strasser. Ms. Scanlon votes no.  
1451 Ms. Garcia?  
1452 Ms. Garcia. No.  
1453 Ms. Strasser. Ms. Garcia votes no.  
1454 Mr. Neguse?  
1455 Mr. Neguse. No.  
1456 Ms. Strasser. Mr. Neguse votes no.  
1457 Mrs. McBath?

1458 Mrs. McBath. No.

1459 Ms. Strasser. Mrs. McBath votes no.

1460 Mr. Stanton?

1461 Mr. Stanton. No.

1462 Ms. Strasser. Mr. Stanton votes no.

1463 Ms. Dean?

1464 Ms. Dean. No.

1465 Ms. Strasser. Ms. Dean votes no.

1466 Ms. Mucarsel-Powell?

1467 Ms. Mucarsel-Powell. No.

1468 Ms. Strasser. Ms. Mucarsel-Powell votes no.

1469 Ms. Escobar?

1470 Ms. Escobar. No.

1471 Ms. Strasser. Ms. Escobar votes no.

1472 Mr. Collins?

1473 Mr. Collins. Yes.

1474 Ms. Strasser. Mr. Collins votes yes.

1475 Mr. Sensenbrenner?

1476 Mr. Sensenbrenner. Aye.

1477 Ms. Strasser. Mr. Sensenbrenner votes aye.

1478 Mr. Chabot?

1479 Mr. Chabot. Aye.

1480 Ms. Strasser. Mr. Chabot votes aye.

1481 Mr. Gohmert?

1482 Mr. Gohmert. Aye.

1483 Ms. Strasser. Mr. Gohmert votes aye.  
1484 Mr. Jordan?  
1485 Mr. Jordan. Yes.  
1486 Ms. Strasser. Mr. Jordan votes yes.  
1487 Mr. Buck?  
1488 Mr. Buck. Aye.  
1489 Ms. Strasser. Mr. Buck votes aye.  
1490 Mr. Ratcliffe?  
1491 Mr. Ratcliffe. Yes.  
1492 Ms. Strasser. Mr. Ratcliffe votes yes.  
1493 Mrs. Roby?  
1494 Mr. Gaetz?  
1495 Mr. Gaetz. Aye.  
1496 Ms. Strasser. Mr. Gaetz votes aye.  
1497 Mr. Johnson of Louisiana?  
1498 Mr. Johnson of Louisiana. Aye.  
1499 Ms. Strasser. Mr. Johnson of Louisiana votes aye.  
1500 Mr. Biggs?  
1501 Mr. Biggs. Aye.  
1502 Ms. Strasser. Mr. Biggs votes aye.  
1503 Mr. McClintock?  
1504 Mr. McClintock. Aye.  
1505 Ms. Strasser. Mr. McClintock votes aye.  
1506 Mrs. Lesko?  
1507 Mrs. Lesko. Aye.

1508 Ms. Strasser. Mrs. Lesko votes aye.

1509 Mr. Reschenthaler?

1510 Mr. Reschenthaler. Aye.

1511 Ms. Strasser. Mr. Reschenthaler votes aye.

1512 Mr. Cline?

1513 Mr. Cline. Aye.

1514 Ms. Strasser. Mr. Cline votes aye.

1515 Mr. Armstrong?

1516 Mr. Armstrong. Yes.

1517 Ms. Strasser. Mr. Armstrong votes yes.

1518 Mr. Steube?

1519 Mr. Steube. Yes.

1520 Ms. Strasser. Mr. Steube votes yes.

1521 Chairman Nadler. The Clerk will report.

1522 One more? The Clerk will suspend.

1523 Ms. Strasser. Ms. Bass votes no.

1524 Chairman Nadler. Has everyone else voted?

1525 The Clerk will report.

1526 Ms. Strasser. Ms. Jackson Lee is recorded as no.

1527 Mr. Chairman, the vote is 16 ayes and 24 noes.

1528 Chairman Nadler. A majority having voted against the

1529 amendment, the amendment is not agreed to.

1530 Are there any other amendments? Is there another

1531 amendment?

1532 The gentleman is recognized.



1533 Mr. McClintock. I move to strike the last word.

1534 Chairman Nadler. The gentleman is recognized.

1535 Mr. McClintock. Thank you. Mr. Chairman, I called for  
1536 the --

1537 Chairman Nadler. Wait a minute. The Clerk will report  
1538 the amendment.

1539 Voice. There is no amendment.

1540 Chairman Nadler. I am sorry.

1541 Go ahead.

1542 Mr. McClintock. Mr. Chairman, I called for the  
1543 appointment of a Special Counsel to look into charges of  
1544 collusion before Mr. Mueller was appointed because I believed  
1545 the President was completely innocent of these outlandish  
1546 charges and that a full and independent investigation would  
1547 show that.

1548 Now it has, and I too want to see as much of the report  
1549 made public as quickly as humanly possible to put the lie to  
1550 these politicians who have been telling us for more than two  
1551 years that they held in their hands irrefutable evidence of  
1552 coordination between the Russian government and the Trump  
1553 campaign. I want to know all aspects of this lie and who was  
1554 responsible for using it to tear this country apart and to  
1555 interfere with the legitimate election of the President.

1556 What I do not want to do is illegally release material  
1557 in that report that is related to ongoing investigations into

1558 political corruption at the highest levels of the FBI and the  
1559 Justice Department.

1560       It is clear that high-ranking officials entrusted with  
1561 the law enforcement powers of our country abused this trust  
1562 to influence the 2016 presidential election and ultimately to  
1563 undermine its outcome. It is inconceivable that the Mueller  
1564 investigation did not look into the fake Steele dossier that  
1565 was the source of these outlandish charges and that was  
1566 knowingly invoked by these officials in their attempt to  
1567 delegitimize the constitutional right of the American people  
1568 to elect their president.

1569       The premature release of such information while the  
1570 Inspector General is conducting investigations into this  
1571 matter, and while future prosecutions of these officials is  
1572 possible, would itself be a deliberate and calculated attempt  
1573 to obstruct justice by this committee, and I am opposed to  
1574 the motion.

1575       Chairman Nadler. The question occurs on the amendment  
1576 in the nature of a substitute.

1577       All those in favor, respond by saying aye.

1578       Opposed, no?

1579       In the opinion of the Chair, the ayes have it, and the  
1580 amendment in the nature of a substitute is agreed to.

1581       A reporting quorum being present, the question is on the  
1582 motion to agree to the resolution as amended.

1583 Those in favor, respond by saying aye.

1584 Those opposed?

1585 The ayes have it. The resolution --

1586 Mr. Collins. Roll call.

1587 Chairman Nadler. A recorded vote has been requested,

1588 and the Clerk will call the roll.

1589 Ms. Strasser. Mr. Nadler?

1590 Chairman Nadler. Aye.

1591 Ms. Strasser. Mr. Nadler votes aye.

1592 Ms. Lofgren?

1593 Ms. Lofgren. Aye.

1594 Ms. Strasser. Ms. Lofgren votes aye.

1595 Ms. Jackson Lee?

1596 Mr. Cohen?

1597 Mr. Cohen. Aye.

1598 Ms. Strasser. Mr. Cohen votes aye.

1599 Mr. Johnson of Georgia?

1600 Mr. Johnson of Georgia. Aye.

1601 Ms. Strasser. Mr. Johnson of Georgia votes aye.

1602 Mr. Deutch?

1603 Mr. Deutch. Aye.

1604 Ms. Strasser. Mr. Deutch votes aye.

1605 Ms. Bass?

1606 Mr. Richmond?

1607 Mr. Richmond. Aye.

1608 Ms. Strasser. Mr. Richmond votes aye.  
1609 Mr. Jeffries?  
1610 Mr. Jeffries. Aye.  
1611 Ms. Strasser. Mr. Jeffries votes aye.  
1612 Mr. Cicilline?  
1613 Mr. Cicilline. Aye.  
1614 Ms. Strasser. Mr. Cicilline votes aye.  
1615 Mr. Swalwell?  
1616 Mr. Swalwell. Aye.  
1617 Ms. Strasser. Mr. Swalwell votes aye.  
1618 Mr. Lieu?  
1619 Mr. Lieu. Aye.  
1620 Ms. Strasser. Mr. Lieu votes aye.  
1621 Mr. Raskin?  
1622 Mr. Raskin. Aye.  
1623 Ms. Strasser. Mr. Raskin votes aye.  
1624 Ms. Jayapal?  
1625 Ms. Jayapal. Aye.  
1626 Ms. Strasser. Ms. Jayapal votes aye.  
1627 Mrs. Demings?  
1628 Mrs. Demings. Aye.  
1629 Ms. Strasser. Mrs. Demings votes aye.  
1630 Mr. Correa?  
1631 Mr. Correa. Aye.  
1632 Ms. Strasser. Mr. Correa votes aye.

1633 Ms. Scanlon?

1634 Ms. Scanlon. Aye.

1635 Ms. Strasser. Ms. Scanlon votes aye.

1636 Ms. Garcia?

1637 Ms. Garcia. Aye.

1638 Ms. Strasser. Ms. Garcia votes aye.

1639 Mr. Neguse?

1640 Mr. Neguse. Aye.

1641 Ms. Strasser. Mr. Neguse votes aye.

1642 Mrs. McBath?

1643 Mrs. McBath. Aye.

1644 Ms. Strasser. Mrs. McBath votes aye.

1645 Mr. Stanton?

1646 Mr. Stanton. Aye.

1647 Ms. Strasser. Mr. Stanton votes aye.

1648 Ms. Dean?

1649 Ms. Dean. Aye.

1650 Ms. Strasser. Ms. Dean votes aye.

1651 Ms. Mucarsel-Powell?

1652 Ms. Mucarsel-Powell. Aye.

1653 Ms. Strasser. Ms. Mucarsel-Powell votes aye.

1654 Ms. Escobar?

1655 Ms. Escobar. Aye.

1656 Ms. Strasser. Ms. Escobar votes aye.

1657 Mr. Collins?

1658 Ms. Bass?

1659 Ms. Bass. Aye.

1660 Ms. Strasser. Ms. Bass votes aye.

1661 Mr. Collins. No.

1662 Ms. Strasser. Mr. Collins votes no.

1663 Mr. Sensenbrenner?

1664 Mr. Sensenbrenner. No.

1665 Ms. Strasser. Mr. Sensenbrenner votes no.

1666 Mr. Chabot?

1667 Mr. Chabot. No.

1668 Ms. Strasser. Mr. Chabot votes no.

1669 Mr. Gohmert?

1670 Mr. Gohmert. No.

1671 Ms. Strasser. Mr. Gohmert votes no.

1672 Mr. Jordan?

1673 Mr. Jordan. No.

1674 Ms. Strasser. Mr. Jordan votes no.

1675 Mr. Buck?

1676 Mr. Buck. No.

1677 Ms. Strasser. Mr. Buck votes no.

1678 Mr. Ratcliffe?

1679 Mrs. Roby?

1680 Mrs. Roby. No.

1681 Ms. Strasser. Mrs. Roby votes no.

1682 Mr. Gaetz?

1683 Mr. Gaetz. No.

1684 Ms. Strasser. Mr. Gaetz votes no.

1685 Mr. Johnson of Louisiana?

1686 Mr. Johnson of Louisiana. No.

1687 Ms. Strasser. Mr. Johnson of Louisiana votes no.

1688 Mr. Biggs?

1689 Mr. Biggs. No.

1690 Ms. Strasser. Mr. Biggs votes no.

1691 Mr. McClintock?

1692 Mr. McClintock. No.

1693 Ms. Strasser. Mr. McClintock votes no.

1694 Mrs. Lesko?

1695 Mrs. Lesko. No.

1696 Ms. Strasser. Mrs. Lesko votes no.

1697 Mr. Reschenthaler?

1698 Mr. Reschenthaler. No.

1699 Ms. Strasser. Mr. Reschenthaler votes no.

1700 Mr. Cline?

1701 Mr. Cline. No.

1702 Ms. Strasser. Mr. Cline votes no.

1703 Mr. Armstrong?

1704 Mr. Armstrong. No.

1705 Ms. Strasser. Mr. Armstrong votes no.

1706 Mr. Steube?

1707 Mr. Steube. No.

1708 Ms. Strasser. Mr. Steube votes no.

1709 Chairman Nadler. Has every member voted who wishes to  
1710 vote?

1711 Ms. Jackson Lee. Mr. Chairman, how am I recorded?

1712 Ms. Strasser. Ms. Jackson Lee, you are not recorded.

1713 Ms. Jackson Lee. Aye.

1714 Ms. Strasser. Ms. Jackson Lee votes aye.

1715 Chairman Nadler. The gentleman from Texas?

1716 Ms. Strasser. Mr. Ratcliffe votes no.

1717 Chairman Nadler. Does any other member wish to vote who  
1718 has not voted?

1719 The Clerk will report.

1720 Ms. Strasser. Mr. Chairman, the vote is 24 ayes, 17  
1721 noes.

1722 Chairman Nadler. The ayes have it. The resolution is  
1723 amended as agreed to.

1724 This concludes our business for today. Thanks to all of  
1725 our members for attending.

1726 The mark-up is adjourned.

1727 [Whereupon, at 10:25 a.m., the hearing was adjourned.]