

**U.S. House of Representatives**  
**Committee on the Judiciary**

Washington, DC 20515-6216  
One Hundred Sixteenth Congress

November 12, 2019

The Honorable Jerrold Nadler  
Chairman  
House Judiciary Committee  
2138 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Nadler,

Pursuant to H. Res. 660, the Judiciary Committee ("Committee") will soon come into possession of materials pertaining to the ongoing impeachment inquiry conducted by the House Permanent Select Committee on Intelligence (HPSCI). We are concerned that, given the breakneck speed at which Democrats have chosen to conduct the impeachment inquiry, the Judiciary Committee may rush through its requirements and leave Members and the American people without the information needed to consider removal of a duly-elected President.

**I. Committee Involvement**

Unfortunately – and inexplicably – House leadership decided to allow HPSCI, the House Oversight and Reform Committee, and the House Foreign Affairs Committee to conduct impeachment proceedings. As you know, this is a stark departure from precedent. This departure has led to a bifurcated process wherein the Committee is expected to vote on articles of impeachment without first reviewing all the evidence – both public and underlying – and hearing from investigators and fact witnesses, as was done in both 1974 and 1998.

Members of the Judiciary Committee – which has historically considered matters of impeachment – must ensure that our committee undertakes a thorough and public review of the facts prior to deciding on articles of impeachment. Without this, Members and the American public cannot be expected to make a decision as important as overturning a national election.

**II. Expectations for Committee Proceedings Under H. Res. 660**

Unfortunately, H. Res. 660 authorized a flow of information favorable to those who wish to see the President removed. HPSCI Chairman Adam Schiff can pick and choose which information to pass onto the Judiciary Committee, can continue to conduct closed-door hearings without the participation of the President's counsel, and can hold public hearings, again, without the

participation of the President's counsel. We expect the proceedings conducted by this Committee to take a drastically different form to make up for the procedural shortfalls in HPSCI.

*A. The Committee Must Receive All Evidence and Materials from Investigating Committees*

First, we expect the Committee to receive *all* underlying evidence and materials pertaining to the impeachment inquiry gathered or demanded by other committees pursuant to any investigation of the President. To that end, we hope you will join us in requesting that Chairman Schiff ensure all documents, evidence, and testimony are expediently transmitted to this Committee. This step is necessary in preserving any ounce of credibility left in this process. Without it, America will be left to wonder what Chairman Schiff chose to keep to himself. To the extent your staff is already in receipt of evidence, this evidence should be shared with the minority pursuant to House Rule XI, Clause 2(e)(1)(A), generally.

*B. The Committee Must Conduct Public Hearings to Ensure All Information is Considered*

Second, we expect the Committee to conduct as many public hearings as necessary to consider the constitutional standards of impeachment and to hear testimony from fact witnesses, including those requested by the President. We hope you will look to the precedent set by impeachment proceedings for Presidents Nixon and Clinton in forming your approach to the Committee's public hearings. Specifically, we hope that you will follow in Chairmen Rodino and Hyde's examples by accommodating requests from the President and dedicating ample time to considering the underlying evidence prior to voting on articles of impeachment. As you know, Chairman Hyde held two days of hearings to call witnesses requested by the President, and at least two counsel represented the President during those proceedings.<sup>1</sup>

*C. The Committee Must Be in Communication with Investigating Committees*

Finally, we expect there to be an open line of communication amongst the involved committees so that Members' questions may be answered thoroughly and expeditiously. To that end, we are hopeful that Chairman Schiff will agree to testify before the Committee as to the contents of his report and the methodology of his investigation, just as Ken Starr did in 1998.

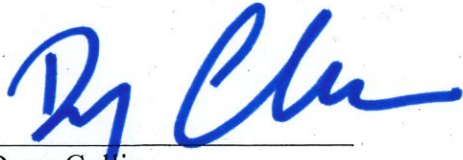
Thus far, Members and the American public have been deprived of information, and this Committee has been forced out of its historic role as the lead House committee on impeachment matters. Should you choose to deny the minority Members of this Committee and the President, at a minimum, what is articulated above, this process will continue to trample decades of precedent and endanger the future of this institution. We hope you will join us in making sure the Committee's consideration of impeachment is thorough and fair.

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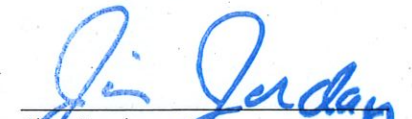
<sup>1</sup> See *Impeachment Inquiry of William Jefferson Clinton, President of the United States*, Hearing before the H. Comm. on the Judiciary, Serial No. 68, Dec. 8 & 9, 1998 available at <https://www.govinfo.gov/content/pkg/CHRG-105hhrg52320/pdf/CHRG-105hhrg52320.pdf>.



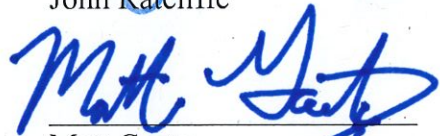
Sincerely,

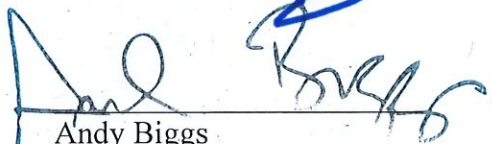
  
Doug Collins  
Ranking Member

  
Steve Chabot


  
Jim Jordan

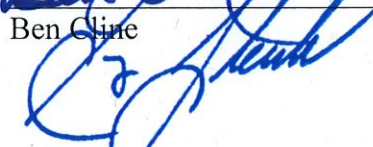
  
John Ratcliffe

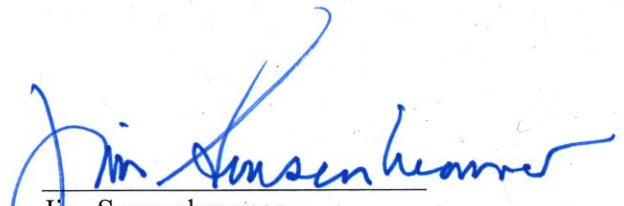
  
Matt Gaetz

  
Andy Biggs


  
Debbie Lesko

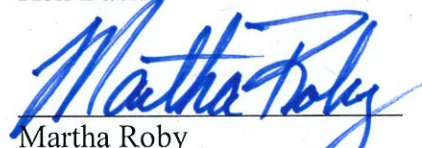
  
Ben Cline

  
W. Gregory Steube

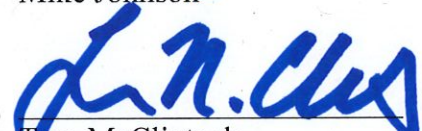
  
Jim Sensenbrenner

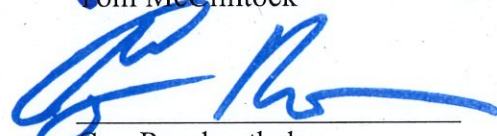
  
Louie Gohmert


  
Ken Buck

  
Martha Roby

  
Mike Johnson

  
Tom McClintock

  
Guy Reschenthaler

  
Kelly Armstrong