

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

COMMITTEE ON THE JUDICIARY,
UNITED STATES HOUSE OF
REPRESENTATIVES,
2138 Rayburn House Office Building
Washington, D.C. 20515,

Plaintiff,

v.

DONALD F. MCGAHN II,
51 Louisiana Avenue, N.W.
Washington, D.C. 20001,

Defendant.

Case No. 1:19-cv-2379

Exhibit T

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1 ALDERSON COURT REPORTING

2 SHAYLAH LYNN BURRILL

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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

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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.

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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:]

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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

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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

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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

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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

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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

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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

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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

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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.

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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.

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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

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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

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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

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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 --

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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:]

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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

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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

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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

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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

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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:]

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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

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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

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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

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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

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

608 [The information follows:]

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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

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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

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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:]

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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

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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

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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

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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

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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,

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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

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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

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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:]

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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.

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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.

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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.

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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.

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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.

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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

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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

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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

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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

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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

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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.

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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.

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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?

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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.

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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.

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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.

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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

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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.

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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.

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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.

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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?

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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?

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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.

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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.]