

February 2, 2018

The Honorable Paul Ryan
Speaker of the House of Representatives
H-232, The Capitol
Washington, DC 20515

Dear Speaker Ryan:

As organizations concerned with the integrity of Congressional oversight we write to urge you to remove members of the House Permanent Select Committee on Intelligence (HPSCI) who voted to release a classified memo to the public without reviewing the documents the memo is based upon and without receiving a briefing on the documents. That decision constitutes such a severe lack of judgement that the members' continued service on HPSCI jeopardizes the Committee's ability to competently conduct its work. These Members have starkly demonstrated an inability to fulfill their constitutional oversight obligations on the Committee or to maintain public trust in their findings and recommendations.

Those members are Representatives Devin Nunes (CA), Mike Conaway (TX), Peter King (NY), Frank LoBiondo (NJ), Rick Crawford (AR), Tom Rooney (FL), Will Hurd (TX), Ileana Ros-Lehtinen (FL), Elise Stefanik (NY), Chris Stewart (UT), and Brad Wenstrup (OH).¹

We do not question HPSCI's authority to release classified information to the public, but we do believe the Committee must act responsibly. The transcript of the January 29, 2018, HPSCI meeting reveals an abdication of that responsibility.²

According to this transcript, the aforementioned Members intentionally insulated themselves from the facts necessary to make informed decisions and remained willfully ignorant of the underlying documents that would provide necessary context to assess the accuracy of the memo and propriety of public release.

Specifically, according to the transcript:

- Only two members of the Committee had read the underlying materials, Representative Trey Gowdy (SC) and Ranking Member Adam Schiff (CA).
- At the time the Committee voted to release the memo to the full House, Ranking Member Schiff moved to allow all Committee members to review the underlying documents. A majority of the members voted down the motion.

¹ Representative Michael Turner (OH) was not in this meeting and therefore did not participate in the vote that prompted this letter.

² Transcript of House Permanent Select Committee on Intelligence, "Business Meeting," January 29, 2018. <https://www.scribd.com/document/370457752/House-Permanent-Select-Committee-on-Intelligence-Memo-Meeting-Transcript#> (Downloaded February 2, 2018)

- The Members listed at the outset of this letter voted against a motion by Ranking Member Schiff to allow the Department of Justice and Federal Bureau of Investigation to provide a briefing on the underlying documents.

A majority of HPSCI members elected to keep themselves and their colleagues in the dark before making a momentous decision: to share loosely vetted allegations and classified information with the public. The very purpose of the Committee—to provide meaningful oversight of the Republic’s most sensitive security operations—requires that its membership be well informed, as the subjects of their inquiries are most often not available for public scrutiny. We support greater transparency around HPSCI’s work, but this was a perversion of that process.

We acknowledge, even as we disapprove of, the Committee’s usual practice to only allow the Chairman and Ranking Member to have access to all the underlying documents. However, these are uncommon times. The Justice Department, FBI, and one of the two people on the Committee who has seen the underlying documents all maintain that they are at variance with the Majority memo’s conclusions. Additional research and vetting not only is prudent but also is necessary before HPSCI moves forward with public release.

HPSCI’s ability to conduct trustworthy oversight of critical matters requires some level of public trust in work that often occurs behind closed doors.³ Yet HPSCI cannot be trusted while the Committee is composed of Members who took these steps. Accordingly, we respectfully call on you to effect the resignations of the aforementioned Members from the Committee.

If you have any questions or need additional information, please contact Elizabeth Hempowicz (202-347-1122 or ehempowicz@pogo.org) or Daniel Schuman (240-237-3930 or daniel@demandprogress.org).

Sincerely,

Demand Progress

Project On Government Oversight

³ It is because of increasing dysfunction and declining trust in HPSCI that we endorsed reforming HPSCI to strengthen Congressional oversight of the Intelligence Community. See this September 13, 2016, letter from 33 organizations calling for major reforms to strengthen Congressional oversight of the Intelligence Community, available at https://s3.amazonaws.com/demandprogress/letters/Strengthening_Congressional_Oversight_of_the_IC_Letter_Sept_2016.pdf