



Honorable Nancy Pelosi, House Democratic Leader

M. Speaker: Raising a question of the privileges of the House pursuant to Rule IX.

Whereas the first duty of Members of Congress is to uphold their Constitutional duty to protect and defend the American people, and the House Majority and its leadership have abdicated that duty by permitting actions that give Russia a clearer view of our intelligence capabilities;

Whereas the integrity of the legislative process of the House has been seriously damaged by the Majority's failure to properly adhere to the procedures clause 11 (g) of Rule X, of the Rules of the House of Representatives in seeking to release highly classified information contained in a memo by the Permanent Select Committee on Intelligence Chair Devin Nunes to assist the President in attacking the Federal Bureau of Investigation and undermining ongoing investigations into Russia's meddling in America's elections;

Whereas, the Department of Justice on January 24, 2018 warned Chairman Nunes that releasing his memo without affording the FBI and the Department an opportunity to review and advise the Intelligence Committee of risks to our national security and ongoing investigations would be "extraordinarily reckless";

Whereas, on January 29, 2018 after Chairman Nunes refused to allow the FBI and the Department of Justice to advise the Intelligence Committee of risks to our national security and intelligence, the Committee voted on a party-line vote to release the Nunes memo pursuant to clause 11 (g) of Rule X;

Whereas, during the business meeting of January 29, 2018, the Intelligence Committee on a party-line vote refused to release a memo by the Ranking Member, thereby providing only a misleading perspective for Members and the public about the propriety of the FISA court's actions described in the Nunes Memo;

Whereas, on January 31, 2018, the FBI publicly indicated that the Nunes memo is based upon the distortion of highly classified information and contains "material omissions of fact that fundamentally impact the memo's accuracy";

Whereas, on January 31, 2018, Chairman Nunes transmitted a memo to the President that contained material changes from the version that the Intelligence Committee approved on January 29, 2018, and did so without a vote of the Intelligence Committee to authorize that particular memo's release, thereby failing to adhere to the procedures outlined in clause 11 (g) of Rule X and calling into question the integrity of the legislative and committee process;

Whereas the President's decision to declassify the Nunes Memo on February 2, 2018 and allow the release of this highly misleading memo was "an unprecedented action," according to the Department of Justice;

Whereas House Intelligence Committee Republicans refused to answer whether Republican Members or staff consulted or coordinated with the White House in the preparation of the Nunes memo;

Whereas Administration officials, members of the national security community and experts across the political spectrum have debunked and denounced the Nunes memo since its publication;

Whereas on February 5, 2018 during the Intelligence Committee's business meeting, a full week after voting to release only the Committee Republicans' memo and not to release a separate memo prepared by the Committee's Ranking Member, the Committee finally voted unanimously to release the memo by the Ranking Member;

Whereas, the record must be set straight by releasing for public view after appropriate classification review the memo prepared by the Ranking Member of the Intelligence Committee;

Whereas this House must defend our national security and intelligence before that of any political party or any President's personal interest: Now, therefore, be it

Resolved, That—

- (1) the House of Representatives disapproves of Chairman Nunes transmitting a memo to the President over the objection from the Federal Bureau of Investigation that it was misleading and inaccurate and that contained material changes from the version that the Permanent Select Committee on Intelligence approved on January 29, 2018, without a vote of the Intelligence Committee to authorize that particular memo's release, in violation of clause 11 (g) of Rule X.
- (2) it is imperative that the House vote to call upon the President to expeditiously seek review, by the Department of Justice and the Federal Bureau of Investigation, and process and release the memo by the Ranking Member of the Permanent Select Committee on Intelligence, and that the President declassify such memo without any redactions based on political considerations, for the sake of America's national security, the public interest, and the integrity of the legislative process and ongoing investigations.