

BUSINESS MEETING

Monday, February 5, 2018

U.S. House of Representatives,
Permanent Select Committee on Intelligence,
Washington, D.C.

The committee met, pursuant to call, at 5:03 p.m., in Room HVC-304, the Capitol, the Honorable Devin Nunes [chairman of the committee] presiding.

Present: Representatives Nunes, Conaway, King, LoBiondo, Rooney, Ros-Lehtinen, Turner, Wenstrup, Stewart, Gowdy, Stefanik, Hurd, Schiff, Himes, Sewell, Carson, Speier, Quigley, Swalwell, Castro, and Heck.

THE CHAIRMAN: A quorum being present, the Permanent Select Committee on Intelligence will come to order. As a reminder, even though we are in a closed space, we are, and I hope remain, in open session. A transcript of these proceedings will be released in accordance with House rules. Pursuant to committee rule 6(c), and House rule XI, clause 2(h)(4), the chair may postpone further proceedings on which a recorded vote for the yeas and nays are ordered.

Without objection, the chair is authorized to declare a recess at any time. This meeting was scheduled to consider the public disclosure of classified executive session material pursuant to House Rule X, clause 11(g). The chair is in receipt of a letter dated February 4th from 2018 from Ranking Member Schiff requesting that the committee move pursuant to House Rule X, clause 11(g) to disclose publicly the information contained in the classified memo made available to the House by the committee on January 29, 2018. A copy of the letter has been provided to all members. And I ask unanimous consent that the letter be entered into the record. Without objection, so ordered.

[The letter follows:]

***** INSERT 1-1 *****

Devin Nunes, California, CHAIRMAN

K. Michael Conaway, Texas
Peter T. King, New York
Frank A. LoBiondo, New Jersey
Thomas J. Rooney, Florida
Ileana Ros-Lehtinen, Florida
Michael R. Turner, Ohio
Brad R. Wenstrup, Ohio
Chris Stewart, Utah
Rick Crawford, Arkansas
Trey Gowdy, South Carolina
Elise M. Stefanik, New York
Will Hurd, Texas

Adam B. Schiff, California,
RANKING MEMBER

James A. Himes, Connecticut
Terri A. Sewell, Alabama
André Carson, Indiana
Jackie Speier, California
Mike Quigley, Illinois
Eric Swalwell, California
Joaquin Castro, Texas
Denny Heck, Washington

Paul D. Ryan, SPEAKER OF THE HOUSE
Nancy Pelosi, DEMOCRATIC LEADER

U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

HVC-304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225-4121

DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

February 4, 2018

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
HVC-304, U.S. Capitol
Washington, D.C. 20515

Dear Chairman Nunes:

On January 30, 2018, the Committee Minority requested that the Committee schedule a business meeting for Monday, February 5, 2018 for the purpose of holding another vote to release to the public a Committee Minority-drafted classified memorandum.

I write today to request that, pursuant to House Rule X, clause 11(g), the Committee vote on February 5, 2018 to make publicly available the memorandum prepared by the Committee Minority, which Members of the House of Representatives have now had the opportunity to review since January 29, 2018.

I do so reluctantly, and only because the Committee Majority voted in favor of releasing to the public its classified document, which the President declassified on February 2 and the Majority has posted on the House and the Committee's websites.

In light of the public disclosure of the Majority's document, despite grave concerns by our intelligence and law enforcement institutions, the American people deserve a full airing of the facts. We expect that the Committee will not act to withhold from the public the Minority's memorandum and will vote in favor of its public release.

Sincerely,



Adam Schiff

Ranking Member, House Permanent Select Committee on Intelligence

THE CHAIRMAN: Under House Rule X, clause 11(g)(1), the committee may disclose publicly any information in its possession after a determination by the committee that the public interest would be served by such disclosure.

Pursuant to House Rule X, clause 11(g)1(a) the committee shall meet to vote on a matter within 5 days after the member of the committee requests such a vote. In accordance with the public announcement issued on February 3rd, 2018, and the meeting requirement under House rules, the chair will entertain the written request by Ranking Member Schiff.

I have numerous concerns with the public release of this information. First, not as many of our colleagues have had a chance to weigh in. Far fewer members have reviewed the minority's memo compared to the majority's memo. I would note that as of this afternoon, more Republicans than Democrats have reviewed the minority's memo.

Additionally, this memo contains a large volume of classified information, including some touching on sources and methods heightening the potential damage to national security. I also don't know whether the minority's memo received the same internal scrub interview by the FBI, including a personal review by the Director as the majority's memo did.

Nevertheless, in interest of fairness and transparency, and because I am confident that classification issues would be appropriately addressed by the executive branch's review process, I plan to vote in favor of making this memo publicly available in accordance with the same process used for the majority's memo.

Accordingly, the chair moves pursuant to House Rule X clause 11(g) to

make public the information contained in the classified executive session memo made available to the House by committee on January 29th, 2018.

Do any members wish to be heard on the motion?

Mr. Schiff?

MR. SCHIFF: Mr. Chairman, today's hearing was scheduled for the minority to move public release of the memoranda we drafted in response to the memo that was released by the majority a week ago. When we last met, my Democratic colleagues and I urged the committee not to seek public release of the Republican drafted memo, because we knew that it misrepresented the facts, have misled Members of House and would mislead the public. Publishing it, we argued, would be a lose/lose for the Nation, the truth would not be served, and a dangerous precedent would be set to use classified information for political purposes. In this, we were joined by the FBI and the Department of Justice, who were united in their opposition to the release of the memo. Republicans on this committee rejected our entreaties, including our alternative request for a briefing on the underlying materials and review of the memo by law enforcement equities, and instead, forwarded the Republican-drafted document to the White House, where President Trump promptly announced he would release it, sight unseen.

Accordingly, last Friday the entirety of the majority's document, the second version on which this committee never voted, was declassified by the President in its totality without any redactions.

Make no mistake, that document revealed a lot. It confirmed that the FBI and DOJ were able to show the FISA court on four different occasions that they had probable cause to believe Carter Page was acting as a foreign agent for Russia, and each time with new information as required by law. It disclosed

details about the FISA process, including that securing these warrants not only required approval of a judge, but the concurrence of multiple names senior officials, all of whom have dedicated their careers to public service. It confirmed Christopher Steele's long-standing relationship with the FBI, a disquieting public disclosure of FBI source information that could discourage future sources from coming forward.

It selectively disclosed the names and interactions of other government officials with FBI investigators, interactions in which those officials appropriately provided the Bureau with relevant counterintelligence information, and it cherry-picked and mischaracterized classified committee testimony.

The majority's publicly released memo, gratuitously named an FBI agent who signed off on opening the FBI's counterintelligence investigation for the purpose of implying without evidence that political bias infected the FBI's investigation and DOJ's FISA application.

And most importantly, the memo's last paragraph confirmed that the counterintelligence investigation into Russian attempts to interfere in the 2016 election and possible links with the Trump campaign actually began months before the FISA application was sought in late July, and because of the activities of Trump advisers George Papadopoulos, not those of Carter Page.

The question for our committee as we seek to reestablish our credibility and act responsibility in our role as overseers of the world's most vast intelligence community, is what public disclosure of this sensitive information has done for the American people, considering that the committee's customary confidential oversight channels were available.

The majority could have asked inspectors general to examine FISA

compliance, but it didn't. It would have been easy to take that path, given the IG's ongoing review of the FBI's handling of certain investigative matters. The committee could have requested that all HPSCI members be allowed to review the material underlying the FISA application and renewals in order to judge for themselves whether the memo appropriately characterized what was provided to the court.

Indeed, I made a motion to do so, which was voted down by this committee. For that matter, the majority could have completed its fact-finding mission before releasing a document publicly with minimal and selective information, but it didn't.

Any of these approaches or others would have permitted the majority to ascertain whether there is truth to its supposed concerns about FISA abuse, but without doing such tremendous damage to the committee's credibility as an oversight body, and to the public's confidence in law enforcement and intelligence agencies.

No, something else made the swift public disclosure of classified information using a procedure designed only for the most extraordinary cases and one never been utilized so imperative. That was the belief in the need to satisfy an audience hungry for validation, that audience was the President of the United States, who tweeted out that the memo totally vindicated him. So what was gained?

Many Republicans continue to insist that the memo conclusively proves the corruption of our institutions, and destroys the credibility of the Special Counsel's investigation. I hope my colleague, Mr. Gowdy, was right when he said yesterday that the memo would have no impact on that investigation. But I also hope that the members of this committee, and the House, and the public, fully understand

that that was precisely why this extraordinary and reckless step was taken. I believe they do, and I believe that if they are afforded the opportunity to hear the facts in context purposely left out of the majority's memo, that they will be all the more convinced of that truth.

As such, I have asked that the Democratic memorandum that was made available to the full House be referred to the White House in advance of public release pursuant to House Rule X, clause 11(g). This is the same procedure the committee followed last week with the majority's memo.

In order to rebut the errors, omissions, and distortions in the Republican-drafted memo, we have included certain details beyond the revelations made public by the release of the majority's document. As I will describe and outline in minority's motion, we insist, as a part of the process, the Department of Justice and the FBI, the real experts on these matters, conduct a review with due consideration of the information the President has now declassified. We will also be sharing copies of the memo with the chairman and vice chairman of the Senate Select Committee on Intelligence pursuant to committee rule 13.

I hope that the publication of the Democratic-drafted memo will ease any lingering controversy over the investigative imperative of the decision to monitor Mr. Page, but also the motivations of those involved. This committee has now expended 2-1/2 weeks on this issue, 2-1/2 weeks when we ought to have been focused on the four pillars of our committee's charge, that is: What did the Russians do in 2016 to undermine our democracy and how did they do it? To what degree, if any, was there collusion or coordination between the Russian Government and the Trump campaign? And what do we need to do to protect ourselves in the future?

A parade of Republicans, including the President and some members of this committee have repeatedly called on us to finish our work as expeditiously as possible, claiming that Democrats are trying to drag out the investigation. The side show, nonetheless, over the last 2 weeks, along with a host of other inexplicable actions over the past 9 months puts the light of that statement, the clear intent of these actions is to put the investigation on trial. And it has only delayed the investigative work that the committee needs to do.

On Friday night, we learned from the chairman that the FISA portion of the investigation is over and the majority will now move on to phase 2 of their investigation, which apparently means a refocusing of the smears and innuendo on the Department of State, and potentially other critical agencies. An effort to discredit the work of the State Department will be exposed swiftly as a farce just as the declassified memo was within minutes of its release. And the public blowback on committee members who go along with this ruse will be appropriately fierce.

It is not too late for the committee to step back from the brink and stop gambling with the very foundations and institutions of our democracy, because that is precisely what is at stake.

With that, I urge adoption of the motion and yield.

THE CHAIRMAN: The gentleman yields back. Mr. Turner is recognized for 5 minutes.

MR. TURNER: Thank you, Mr. Chairman. I support the release of the Democrat-prepared memorandum, and am eager for this to be entered into the public debate because of what this memo doesn't do that it promised that it would do. We have heard, for more than a week now, that this memo would provide

additional information as a result of misrepresentations of facts in the memo that has already been released about FISA abuses.

Now the majority's memo was not about Page. It was not about whether or not Page should or should not have been investigated; it was about FISA abuses. And although since this memo is still classified and we can't characterize what is in it, we can certainly acknowledge openly what is not in it.

What's not in this memo is anything that would contradict the information that the DNC and Hillary Clinton campaign paid for the Steele dossier. There is nothing in this that contradicts that the DNC and Hillary Clinton campaign paid for the Steele-provided information that got into the hands of the FBI. There is nothing in this memorandum that indicates that the court knew that the information provided to the court, by Steele, through the FBI, was DNC or Hillary Clinton paid for. There was also no evidence in this memorandum that anyone on this committee has any evidence, or has seen any evidence, that the court knew that the information that was provided before them was DNC paid for and Hillary Clinton's campaign paid for.

I think what is important is that also, more importantly, this memorandum that we are going to be voting to make public does not, in any way, say that it is okay for politically paid for material to be used as evidence in a FISA court. I believe, and I think the American public believes, and I certainly hope that when we get to the point where we can, on a bipartisan basis, address this, that we can come to the conclusion that we would all, Republicans and Democrats, believe that politically paid for materials should never be used as evidence in a FISA court.

I believe it was an abuse when it was done under the Obama administration. I believe it would be an abuse under the Trump administration.

And I hopefully believe that the importance of this memorandum and the majority memorandum being public is that we would have that debate.

The one thing that we also know is that after our memo was made public is that there were no national security risks, no means, no methods, no what was placed at risk, there was no national constitutional crisis or tragedy that occurred as a result of the memo coming forward.

What did occur is that the public was informed that the DNC and Hillary Clinton campaign paid for the Steele dossier and that Steele provided information that made its way into the hands of the FBI, and was entered into the FISA court as evidence. This is wrong. It should not happen again. This memorandum that we are going to vote today to make public does not contradict that. There is no information in this whatsoever that is going to lessen the fact that the FISA abuses occurred, and that DNC and Hillary Clinton's campaign material paid for the Steele dossier that was presented to the court as evidence, and there is nothing in this that indicates that the court was made aware of that.

I yield back.

THE CHAIRMAN: The gentleman yields back. Anybody else wish to be heard?

Mr. Quigley.

MR. QUIGLEY: Mr. Chairman, I appreciate the points that are being made. I just think it would be more credible if when you were going forward with this, you would have coincided it with the 702 reauthorization process. We are going have a national debate on this. Just this morning on NPR, there was a national debate starting about all these very issues, which I supposed is always healthy, but if you really cared about it, do it at the time when the authorization

language is up, and you can do something more about those issues of grave concern, pointing out specific examples that you, I would say, cherry-picked from the process that we are under right now.

You also would have allowed a more thorough review, you would have allowed the Justice Department and the FBI to come before the full body of Congress to talk about this, the concerns they had about reviewing this information, about the concerns of grave errors that they believe took place in its accuracy, and again, putting out both memos at the same time. If this is a time for these discussions, then let's do it in a coherent, thoughtful, bipartisan way, instead of without notice last week ramming this through.

And again, respectfully, Mr. Chairman, whatever the answer is, it is still appropriate to answer if you or any staff member, or any other member of the committee had any communications with the White House as this memo was conceived, prepared and reviewed.

I yield.

THE CHAIRMAN: The gentleman yields back.

MR. QUIGLEY: I yield to answer the question, if I can.

THE CHAIRMAN: The chair is not posing questions at this time. The gentleman has 3 minutes left on the clock.

MR. QUIGLEY: Again, this is the time for us to ask questions. If it is -- this is the time to ask and answer. We can be wrong, but, again, it is the appropriate time. If we are playing this game at such a high stakes, and you want us to be perfectly candid, I suggest that we all need to be, Mr. Chairman.

I yield hopefully to get an answer, if not to someone else to try to get one.

THE CHAIRMAN: The gentleman has 2 minutes, 40 seconds left on his

time. Does the gentleman yield back?

MR. QUIGLEY: I yield back.

THE CHAIRMAN: The gentleman yields back.

MR. QUIGLEY: Understanding my futility of asking questions.

THE CHAIRMAN: Mr. Hurd is recognized.

MR. HURD: Thank you, Mr. Chairman. I plan on supporting the motion to release this information, even though I have some reservation, I voted against releasing this last week because I believe there were a number of points that actually revealed potential impact to ongoing operations, but I am going to vote to release this. I believe that the minority was going to come back with some edits and some review. Looking through this, I see that there is not.

I hope the ranking member is willing to work with me on four areas. One, there is a mention -- I am not going to say.

THE CHAIRMAN: I just want to remind all members that we are in an open session.

MR. HURD: There is a mention with a meeting with a source outside of the country. I believe that can be fixed by not revealing the location. There is a reference to an independent source of the FBI that can be revelatory. But I think, again, not changing the point that is trying to be made it would not be something that someone would be able to understand where that came. And there are two references to FBI's SIGINT capabilities, and I believe, again, without changing the points that you are trying to make, that can be revealed -- reviewed, or changed. And so I hope that the ranking member -- I know it matters -- I spent some time with you over the weekend, I know it matters to you making sure we are not revealing sources and methods that could impact Federal law enforcement

UNCLASSIFIED

equities. And I hope the gentleman from California is willing to --

MR. SCHIFF: Would the gentleman yield?

MR. HURD: Yes, I would yield.

MR. SCHIFF: I thank the gentleman. I wish the same concern had been displayed a week ago when we asked the FBI and the Department of Justice to --

MR. HURD: Reclaiming my time.

MR. SCHIFF: Well, you yielded for me to answer, will you allow me to answer?

MR. HURD: And I reclaim my time, because there was nothing in the Republican memo that hadn't already been out in the public domain. There was no revelation of that type of sourcing information, but I yield back to the gentleman from California.

MR. SCHIFF: Are you yielding to me or to the other gentleman?

MR. HURD: The gentleman from California, ranking member.

MR. SCHIFF: Thank you.

Well, as I started to say, I wish the gentleman had shown that concern a week ago when we asked that the Department of Justice and the FBI to be able to vet the majority document. We are taking the step that you would not take. We provided our document to the Department of Justice and FBI days ago for their review. Part of our motion now the majority has attempted to supersede our motion with a motion of its own. Part of our motion which we will offer as a secondary motion to what the chairman is requesting is to ensure that the Department of Justice and FBI are part of the vetting process, which does not appear to have been the case in the White House's review of the majority memorandum. So we are affirmatively asking the Department of Justice and the

UNCLASSIFIED

FBI in the 5-day period prior to the public release to vet this document and we would --

MR. HURD: Great. Reclaiming my time. I take that as an affirmative that on those four points that I have concerns with that the minority counsel is willing to work in trying to edit that language.

Mr. Chairman, I yield back.

THE CHAIRMAN: The gentleman yields back.

Mr. Himes is recognized for 5 minutes.

MR. HIMES: Thank you, Mr. Chairman. I just feel compelled to respond very briefly to Mr. Turner's observations, because there is an element of this debate that I feel has been neglected.

Mr. Turner is correct that nothing in this memo refutes the notion that we all know to be a statement of fact that the Steele dossier was, in fact, paid for initially by the Clinton campaign and subsequently, or, in part, by the DNC. That is not subject to debate.

The reason I feel compelled to speak is because that is also not, in any way, shape, or form, either intellectually or legally material. I suspect that the existence of a fully unbiased source or informant is extraordinarily rare, if not non-existent. As we all know, law enforcement and intelligence paying for information is hardly unconventional.

I would further note that no one has alleged or proven that specific things in the dossier are completely wrong. And, in fact, none of us know which elements of the dossier were used in the FISA application, with the possible exception of Mr. Schiff and Mr. Gowdy.

So the question is not the motive or the payment of the individual who

UNCLASSIFIED

created the dossier, it is just not. And in fact, before Mr. Turner proposes new law, if I understood the idea that any sort of information that was paid for by a political campaign would not be admissible as evidence, I would suggest that he review the extensive body of law governing how judges are to consider information that is biased. Again --

MR. TURNER: Will the gentleman yield?

MR. HIMES: I will yield when I am finished. I suspect the existence of any unbiased source, any unpaid source is more rare than not.

I would, finally, to Mr. Turner and to others, who are concerned about whether the FBI, in fact, alerted the judges in the affidavit to the possible motivation of this particular source. I can't talk about it in open session, but I can direct you to the bottom of page 5 of our memorandum in a way that should both satisfy you that the judge was alerted, and also satisfy you that the FBI did what we have been hearing for so long in this committee as essential, which is masking the names of U.S. persons involved in these things. So I would just direct attention to the bottom of page 5 for those who are concerned that the judge was not informed.

MR. TURNER: Will the gentleman yield?

MR. HIMES: I will yield.

MR. TURNER: I do appreciate that, because I have seen you on national television indicating what you just reported, that there was, and I am characterizing what you have said, because I don't believe we are actually able to talk about this openly yet, that the court was aware of possible bias or political bias, I think is what you have said before of the information. But you'd acknowledge, right, that there is nothing in the Democrat memo, and there is no evidence that you are

UNCLASSIFIED

UNCLASSIFIED

aware of that the court, in any way, knew or was informed that the information that was presented to them from -- that was Steele-provided to the FBI was, in fact, paid for by the DNC and the Hillary Clinton campaign, that there is no evidence of that, you have none, and you certainly in this memo, there is no statement that contradicts that the court -- or would indicate that the court knew that, correct?

MR. HIMES: Reclaiming my time. I will answer the gentleman's specific question by saying, no, there is nothing in the Democratic memo, which states the fact that the public and everybody else knows, which is that the affidavit, or I shouldn't say that, because only two of the members of the committee have reviewed the affidavit, but there is nothing in the Democratic memo that says that, but again, I would encourage the gentleman --

MR. TURNER: The court did not --

MR. HIMES: Reclaiming my time.

MR. TURNER: That the court --

MR. HIMES: I would encourage the gentleman to read the underlying section at the bottom of page 5 --

MR. TURNER: Which I have done.

MR. HIMES: -- and the personal determination as to whether the judge was, as the majority memo accuses the FBI of doing, misled.

With that, I will yield the final minute of my time to the ranking member.

MR. TURNER: But you did agree that the court was not aware that it paid by the DNC or Hillary Clinton?

MR. SCHIFF: I thank the gentleman for yielding.

First of all, just to kind of briefly on the issue of the FISA court, we don't know what colloquy the FBI entered in with the FISA court judge and judges over

UNCLASSIFIED

UNCLASSIFIED

time. Whether the FISA court judge asked for more specifics on that or not. We might have been able to find out if we had invited those people before the committee, but that was not the interest of the committee; putting out a misleading memo was. But I do want to say this, and I don't think a secondary motion will be necessary because I expect you will support this, we are going to ask the FBI and the Department of Justice during the 5-day period to vet the information. We will ask them to report to our committee about any redactions they believe are necessary, and we also want to know whether the White House makes separate redactions so we can ascertain whether the White House is making redactions for a political purpose, separate and apart from what is being recommended by the Department of Justice and the FBI. I assume you will be joining us on that letter.

I yield back, Mr. Chairman.

THE CHAIRMAN: The gentleman's time has expired. Mr. King is recognized for 5 minutes.

MR. KING: Thank you, Mr. Chairman. I would just like to respond to Mr. Himes. And I am keeping an open mind the way this is going. But Mr. Himes said that no fact has been disproven that was in the dossier. But there was one specific fact that all the evidence we have so far indicates that it was untrue, and that is the fact that Mr. Trump's lawyer, Michael Cohen, met in Prague and the Czech Republic with a Russian espionage agent or somebody from Russian intelligence. And all the evidence we have seen is that Michael Cohen has never been in Prague, never in the Czech Republic, and indeed, was in California with his son at a campus in California at the time when he was supposed to be meeting with this Russian agent. This is now 16, 17 months after the dossier was submitted to the court. As far as I know, we have seen no evidence in that at all.

UNCLASSIFIED

UNCLASSIFIED

MR. SWALWELL: Will the gentleman yield?

MR. KING: Yeah, sure.

MR. SWALWELL: Thank you, Mr. King. I understand that you are recounting the record as it stands. But would you support subpoenaing Mr. Cohen's bank records, travel records, communication logs, so we are not just taking him at his word but we could actually verify that through a third party?

MR. KING: I would have no objection, but he was in here, and everyone knew in advance what his testimony was going to be, because he had been on national television once before saying he had never been to the Prague and the Czech Republic. That was really your opportunity to ask him then.

MR. SWALWELL: And George Papadopoulos also said he had never met with Russians until the third interview with the FBI.

MR. KING: And when Mr. Cohen was here, he was under oath, and you had your opportunity to ask him then. And I didn't see any evidence at all, submitted or suggested at all that anything he said about passport, about being in Prague, about being in the Czech Republic or being in California at the time was disproven. So again, you had your opportunity. He was here.

MR. SCHIFF: Would the gentleman yield?

MR. KING: Sure.

MR. SCHIFF: Yes. He did testify, and yes, we actually had the opportunity to ask him those questions. What we have not had the opportunity to do is determine whether he was telling us the truth, because we have made requests to get documents, the subpoenaed documents, and the majority has been unwilling to support those requests to subpoena documents. When that is the case, then we have no way of verifying or disproving information. Numerous

UNCLASSIFIED

UNCLASSIFIED

requests to subpoena documents by the majority have been refused. In the case of Don Jr., our subpoena requests; in the case of Deutsche Bank, our subpoena requests. Numerous times, we have asked for documents, we have requested to subpoena documents from Twitter when we know there were direct communication between Don Jr. and Twitter, and Roger Stone and Twitter.

These requests have gone nowhere with majority. So if you simply intend to rely on self-interested witnesses' testimony, that is not much of an investigation. I am glad you will join us in requesting Mr. Cohen's travel and credit card records that will help us ascertain whether he was in Prague, or he was in some other European capital that might corroborate or disprove what Mr. Steele had to say.

MR. TURNER: Will the gentleman yield?

MR. KING: Yeah, I yield to the gentleman.

MR. TURNER: So I understand the conflict that the minority must be going through. I mean, here the Democrats are putting forth a memorandum where they are defending the Steele document that was funded by the Democratic National Committee and the Hillary Clinton campaign, and they now want to use government to subpoena people to prove that the document that they funded is true, when perhaps, when he was just under their employ, they should have just had greater stringent requirements for what he did for the Democratic National Committee and the Hillary Clinton campaign.

But it is very similar to what I believe that we are here to say is wrong, and that is, using a politically funded document for the purposes of the FBI taking it in and providing it in evidence to a FISA court, when obviously, you believe that there is a whole bunch of other investigations needs to happen before any of the facts in it are determined to be accurate. But again, if you have problems with the

UNCLASSIFIED

UNCLASSIFIED

Democratic-funded Steele dossier being accurate, perhaps it should have been your contract that was renegotiated when he with an under the employment of Democratic National Committee and Hillary.

MR. KING: If the gentleman would yield back. I would just say on that also, again, as Mr. Turner pointed out, this was 16, 17 months ago, the FBI had this dossier. They submitted to the court. You would have thought on such a key element as that, about Mr. Cohen, the President's lawyer, actually meeting with a Russian agent, they would have done some investigation on their own. And there is no evidence they did. There is nothing to substantiate it. And also, as I recall, Mr. Cohen was here under subpoena. So the point I am making is that to say that -- let's assume arguendo, you can't prove whether or not Mr. Cohen was there or not, even though all the evidence on the record says he was not there, why didn't the FBI check it out before they went to the FISA court? Wouldn't that be just basic investigatory tactics? They have the ability to do it, and again, that, to me, was the key --

MR. SCHIFF: If the gentleman will yield.

MR. KING: Sure.

MR. SCHIFF: I don't think Mr. Cohen's testimony -- the allegations about Mr. Cohen have anything to do with the FISA court application involving Carter Page. This seems to be a complete red herring here.

MR. KING: Well, that was in the dossier.

MR. SCHIFF: But the whole dossier was not included in the FISA application. That is one of the very misleading points the majority has been making, as if the entire dossier was in --

MR. KING: Reclaiming my time. Reclaiming my time. Reclaiming my

UNCLASSIFIED

UNCLASSIFIED

time. Reclaiming my time. Reclaiming my time. If the dossier was going to be submitted -- if the FBI could find a factor in the dossier which was misleading, even if it did not directly relate to Carter Page, it goes to the integrity of the dossier and relates to other matters in there on something so clearly factual.

I yield back.

THE CHAIRMAN: The gentleman yields back.

Any other members wish to be heard?

Mr. Swalwell.

MR. SWALWELL: Mr. Chairman, I believe that this exercise around the memo is really just an attack on process, not on evidence. The evidence so far has been pretty overwhelming as to what our adversary tried do in the last election and the willingness and eagerness to work with them.

But one concern I have, and Mr. Hurd brought it up, was that there were -- he called it ongoing operations. Well, he is right. There is an ongoing investigation. And I don't know in what investigation in our country you would want to continue to turn over to subjects and witnesses the evidence against them before their interview, but that is what we have been doing.

When you send over either a memoranda or a FISA application for review by President Trump or his White House counsel, you are sending over evidence to them for their review that they have not seen before. Because no suspect would be given the answers to the questions before their interview. So I am just worried that we are continuing to undermine the independence that must occur in an investigation.

However, now that it is out there, we are in this unfortunate position where we can either allow a one-sided memo that has been shown false without even our

UNCLASSIFIED

UNCLASSIFIED

counter memo or to clear the picture. And I believe releasing this is the only antidote to the poison --

MR. TURNER: Would the gentleman yield?

MR. SWALWELL: If I have time at the end. This is the only antidote to the poison the majority has inflicted upon a serious investigation.

As to the claim by Mr. Turner that no sources were exposed or national security endangered, the memo did reveal sources: It revealed Mr. Steele; it revealed information about Mr. Papadopoulos. And just because that was reported in the public by The New York Times or The Washington Post, it has never been the practice that the Department of Justice would acknowledge their sources. I also believe McCabe's testimony was seriously mischaracterized. That is not what he said. What you said he said is not true. You have the transcript. You didn't quote from the transcript because it simply was not true.

I also am concerned that there is just continued allegations that there is no collusion, there is no collusion. But what I see is there is no attendance. There is no interest on my colleagues to show up and listen to what we have seen. I don't know what you would call it when a candidate asks for help from a foreign adversary -- asks for help from a foreign adversary. That foreign adversary goes out and gives that candidate help and then offers a number of meetings to senior foreign policy advisers, to the candidate's son. The candidate's data firm is reaching out asking for the same emails. You have the candidate's lawyer working with an individual connected to Russia who is saying: We can engineer this, if we can get Donald Trump and Vladimir Putin together over a business deal, we can engineer our boy being elected President. You have Roger Stone, an adviser and friend of the candidate, intimating that further releases are coming.

UNCLASSIFIED

UNCLASSIFIED

And then you have the post-election followup that Michael Flynn, who has pled guilty, had with the Russian Ambassador. I don't know what you would call that, but I would call it something worth at least looking into and at least showing up for when we have these witnesses come in and at least be willing to issue subpoenas so that it is not just take them at their word, because none of these people have shown that they are worthy of being taken at their word. They have lied about their prior contacts with Russia.

George Papadopoulos I think is the canary in the coal mine. He was interviewed January 27, 2017, by FBI. He lied about his contacts over in London with the professor. He was interviewed again in February, and he lied. Only when the FBI showed the willingness to subpoena his Skype and Facebook logs did he come around 6 months later.

MR. TURNER: Will the gentleman yield?

MR. SWALWELL: That is the doggedness -- if I have time. That is the doggedness you have to show in an investigation, not just taking them at their word.

And so, finally, I would just ask the chairman -- and I know he is not entertaining questions -- but he has announced that there are future phases of this investigation. Will he tell the committee, his colleagues, what those phases are? And then, with that, I would yield first to Mr. Schiff.

MR. SCHIFF: I thank the gentleman for yielding. I would also like that question answered from the chairman. I just want to point out very briefly with respect to Mr. King's point, the section of the dossier pertaining to Mr. Cohen was not presented to the FISA court. So I don't know you attack the FISA court on the basis of material that wasn't even presented to the FISA court. But this is I think

UNCLASSIFIED

UNCLASSIFIED

part of the problem when you haven't had access, which I completely understand and empathize with, to the FISA applications. I made a motion 2 weeks ago to give you access to that, and you and the other Republican members voted that down. Now, if you had had access to that, you would see that there is no reference to Mr. Cohen in that, but I would also yield to the chairman. I would be very interested to know what other phases of the investigation we have not been informed about.

THE CHAIRMAN: The time of the gentleman has expired.

MR. KING: Can I ask -- oh, I'm sorry.

THE CHAIRMAN: Mr. Wenstrup is recognized for 5 minutes.

Mr. Wenstrup, I would like to yield to you first.

DR. WENSTRUP: Thank you, Mr. Chairman.

You know, during one of the breaks --

THE CHAIRMAN: Mr. Wenstrup, Mr. King asked --

DR. WENSTRUP: Yes, I yield to Mr. King.

MR. KING: Yes, just for 5 seconds. I would just say whether or not it was submitted to the FISA court, the fact is that, to me, that would put such a cloud over the integrity of the dossier itself that it should have been brought to the attention of the court and the FBI should have investigated it. Because that, to me, casts a doubt of legitimacy over the entire -- of illegitimacy over the entire dossier.

With that, I yield back to Mr. Wenstrup.

DR. WENSTRUP: Thank you.

During one of the breaks in one of the interviews, Mr. Himes looked at me and smiled and said: Aren't you glad you didn't go to law school?

UNCLASSIFIED

UNCLASSIFIED

And I can tell you right now I am darn glad I didn't go to law school.

And there is no jury here today so this is quite an exercise that we are carrying on with. But I will say a couple of things as an observer who is not a lawyer, who is a citizen of the United States of America, and I look at the court system where you are going to seek a warrant, and that is one of the few times when the accused does not have a presence there. They do not have a chance to stick up for themselves or to make any type of rebuttal. And what I want to say to that is that is why it is extremely important that the person and the people presenting the case are revealing every known fact that they have to make their case and leave nothing out. That should be a professional obligation that they have on behalf of the rights of U.S. citizens. And that I think is one of the biggest things that is missing in this process.

The other thing I heard is somebody -- a candidate seeking help from a foreign adversary. Well, if Russians took part in this dossier and paid for by the Clinton campaign, I would say, yes, a candidate sought help from a foreign adversary.

And, with that, I yield my time to Mr. Turner.

MR. TURNER: Thank you.

I just want to point out, because it was just misspoken that the majority memo had -- the facts had been disproven. And as we know, because everyone has acknowledged, both minority and majority, in this proceeding today that -- including the ranking member -- that there is nothing contained within the Democrat memo that contradicts the information in the majority memo that the DNC and Hillary Clinton campaign paid for the Steele dossier and that they paid for Steele-provided information that was used by the FBI and found its way into the

UNCLASSIFIED

UNCLASSIFIED

FISA court and was used as evidence.

Similarly, there is nothing in this Democrat memo, nor in anything that anyone has said today, that anyone has any evidence that the court knew that the Steele-provided information as evidenced in the FISA court by the FBI and DOJ was funded by the Democratic National Committee and the Hillary Clinton campaign. Nothing contradicts that. That is the purpose of the majority memo. That is why it has the heading of "FISA Abuses." I believe that is dangerous for democracy. I believe that politically paid-for material should never be used as evidence in a FISA court. It is not just biased; it is inherently intended to damage.

And I want to congratulate Dr. Wenstrup and his comments of apparently it is okay to hire a foreign national to go talk to Russians to get dirt for your campaign. And I don't know how that distinction ever came about.

I yield back.

MR. SCHIFF: Will Dr. Wenstrup yield?

DR. WENSTRUP: Yes.

MR. SCHIFF: I will be very quick. I just want to say, given the service you have provided our troops in Iraq, given the service you have provided to Members of Congress who have been injured, as well as members of the public, during your service, I am very glad you went to medical school as well, and I am very glad that you are a member of this committee.

With that, I yield back.

DR. WENSTRUP: I yield.

MR. ROONEY: I just want to address something that Eric said. And I know that everything that we do on here is now going out to the public, and we are all making speeches. I would just ask one favor from my

UNCLASSIFIED

UNCLASSIFIED

friends on the minority side: When you used the term twice about us showing up, I know that you have shown up for the last year for these interviews. And the reason I know that is because I was in there too. And the reason why we decided to designate members specifically just for these interviews and you didn't is a decision that we made. And I respect the fact that you made the decision to have more than two members at -- or three members at all of the interviews as well. That is just a decision that we made for logistical purposes. We might be wrong. You might be right. But I would just ask you: I know that a lot of what we are doing here is just talking points for whatever purpose, and that is fine, but let's not go down the road of -- whatever work product that we are going to put out here from our investigation is going to be what it is going to be. But please don't say that we haven't shown up because I have spent a year in that room with you and your colleagues interviewing these people, and whatever we come up with is fine. We can differentiate on how we interpret those meetings, but, please, let's not go there to we haven't shown up.

I yield back.

THE CHAIRMAN: The gentleman's time has expired.

Mr. Castro is recognized for 5 minutes.

MR. CASTRO: Thank you, Chairman.

I would like to echo the concerns that this has very much been a take-their-word-for-it investigation that has hardly scratched the surface of getting to the truth. At just about every interview that I have had a chance to ask a question, I have asked these witnesses how many phone numbers they have had, how many emails they used, whether they used private messaging, things that would allow us to further investigate and determine what they are telling us is true.

UNCLASSIFIED

UNCLASSIFIED

And as far as I know, as Mr. Schiff mentioned, we have barely scratched the surface. We have not followed up and subpoenaed any of those records. So how are we supposed to know that these folks are telling us the truth? I don't think that we have gotten to the bottom of hardly any of this stuff. And I can only hope that the Senate investigation is being much more thorough and that Robert Mueller's investigation is being more thorough.

I am also concerned, as the American people are concerned, about whether anyone in the majority on this committee or any majority staff has been coordinating this effort on releasing the Republican memo or possibly the FISA application with the White House. People want to know whether folks are just trying to protect the President or whether they are doing a legitimate investigation, and it is very bothersome that either the chairman or anyone on this committee will not answer the simple question --

MR. TURNER: Will the gentleman yield?

MR. CASTRO: No. Listen, you have interrupted everybody. I am not yielding.

MR. TURNER: You just asked a question, right? You said, "Did anybody on the other side," and that is why I wanted to --

MR. CASTRO: I would like to reclaim my time.

Nobody can answer the simple question whether there has been any coordination with the White House. The chairman would be the appropriate person to answer that question. Mr. Turner is nowhere near the chairmanship.

MR. TURNER: Excuse me, I think I still can comment. You are directing --

MR. CASTRO: I would like the chairman to answer that question.

UNCLASSIFIED

MR. TURNER: Will the gentleman yield so I can at least respond to the premise of your question, because you did just besmirch all of us?

MR. CASTRO: Listen, I don't want to hear from you. You have interrupted everybody. I would like to hear from the chairman.

THE CHAIRMAN: The gentleman has 2 minutes and 40 seconds left on his time.

MR. CASTRO: Chairman, is there a reason you won't tell this committee or give this committee an answer? You don't think we deserve an answer to that question?

THE CHAIRMAN: The chairman is not going to entertain political theater on behalf of this committee. The gentleman has 2 minutes and 23 seconds.

MR. CASTRO: Will you answer that question in closed setting?

MR. TURNER: If the gentleman would yield, I would be glad to engage in a conversation with you on that topic, please. There is 2 minutes left; we probably could have a conversation.

THE CHAIRMAN: Well, it is almost 6 o'clock; they have got to be outside for the news cameras, top of the news at 6.

The gentleman has 1 minute and 57 seconds left.

MR. CASTRO: I yield to Mr. Quigley.

THE CHAIRMAN: The gentleman yields to Mr. Quigley.

[5:48 p.m.]

MR. QUIGLEY: There have been several times when, during the course of this investigation, key witnesses refused to answer, and I would turn to the chairman, Mr. Conaway. And he was very gracious, as he has been through this entire investigation. And he said: Mike, they are not here under subpoena; I can't compel them.

So Mr. Bannon comes and he doesn't answer questions, and apparently, he is a man without a country because nobody seems to like him. And, damn, we got a subpoena out right away because he has got to answer these questions. All of a sudden, we are really efficient when we want to be. That is not how to do an investigation.

There were other witnesses here that refused to answer pertinent questions. And we had no alternative, Mr. Chairman. There was no alternative because they weren't under any sort of subpoena.

So all I am saying is if you are talking about doing this right -- and this isn't political theatre. This is, frankly, the opposite, because the public hasn't seen this. They haven't peeled the roof off this place to watch this. It was very telling, when they finally got to read a transcript from this place and see how things operate here, that there was moral outrage, as there should have been.

So, look, I am not painting everyone with the same brush.

Mr. Rooney, you are absolutely right. I know many of you worked very hard on this. It is a long process. We all have other things to do, and I respect that. But what I said last week was what I believe tonight, that I respect you, but I don't respect how you are handling this process.

THE CHAIRMAN: The gentleman's time has expired.

UNCLASSIFIED

Any other member wish to be heard on the underlying motion?

Ms. Sewell.

MS. SEWELL: Thank you, Mr. Chairman.

I just really have two points to make: First, I just really wanted to just state for the record that the dossier was not the only evidence or materials that were provided to the FISA court to make a determination as to whether or not there was probable cause. I think that that bears saying and repeating, that it wasn't the only materials.

And, in fact, there have been subsequent FISA reviews, you know, to continue the investigation that is premised on them obviously uncovering stuff if you are asking for subsequent and being granted subsequent requests. That is the first thing.

Secondly, I just want to say that it was said to the FISA court that it was politically motivated. How it was described to them wasn't necessarily the point. But I just think that we are so lost in the he-said/she-said and the politicalization of classified information that I just want everybody to remember that what we say has consequences. What we do has consequences. And to underestimate the great damage that we have done, not only to the FBI and Intelligence, but to this committee, the integrity of this committee, of which every one of us, every one of us come to work every day on behalf of our constituents and on behalf of the American people and I truly believe want to do what is right.

The reality is that this has devolved into such a political process that we are forgetting that the fact is that the Russians interfered in our election. And we have a job to do. We need to figure out how they did it and make sure that they don't do it again. And that has nothing to do with being a Republican or a

UNCLASSIFIED

Democrat.

So I think that we should all just remember that, you know, we should not underestimate the great damage that we are doing to our own integrity as a committee and to the integrity of institutions like the FBI and the DOJ. And I just think that we should be adults in the room and just stay focused on what it is our mission is supposed to be, and it is not -- and it is not to point fingers at each other.

I yield the rest of my time to the ranking member.

MR. SCHIFF: I thank the gentlewoman for yielding and want to ensure, and I would pose this parliamentary inquiry of the chair: As this is a motion that we send the minority views to the White House for submission to the public, we would ask that our letter accompany those materials and the transmittal as well as that the materials are forwarded to the White House this evening, as was the case when we took up the majority memo.

THE CHAIRMAN: The gentleman stated a parliamentary inquiry. I thought I heard earlier that you said that you have already shared the memo with the Department of Justice and FBI.

MR. SCHIFF: We have. The request is that our letter transmitting the materials to the White House accompany the materials because we want to make sure that the FBI and the DOJ are consulted. That is part of our letter request.

Our letter request also asks that the White House and DOJ and FBI separately itemize any redactions so that we can make sure they are not being done for political purposes by the White House.

So we would ask that our letter accompany our minority views and that that be transmitted to the White House tonight.

UNCLASSIFIED

THE CHAIRMAN: I think the gentleman is welcome to send -- I think under our rules, under the 11(g) process, I believe it has to go to the White House. The gentleman has already shared it with DOJ and FBI. If the gentleman would like to send another letter to DOJ and FBI, I don't see where that would be a problem.

MR. SCHIFF: Mr. Chairman, it is not a letter to DOJ and FBI; it is a letter to the White House that would accompany the materials that we are sending.

THE CHAIRMAN: And asking them to share it with DOJ and FBI?

MR. SCHIFF: Asking that they consult with DOJ and FBI in the interagency process, something that, as far as we understand, they did not do with the majority memo, but we would like to request. So we ask our memo accompany -- our letter accompany our memo to the White House and that it be transmitted tonight.

VOICE: Would the gentleman yield?

THE CHAIRMAN: The gentleman stated a parliamentary inquiry. I don't think there is a problem with that, but we would have to see what you really want to put in writing before we agree to it. But you would have my word that we would work with you to try to meet that, to meet your need to put that in the letter as long as it does follow the House rules under the 11(g) process.

MR. SCHIFF: Thank you, Mr. Chairman.

THE CHAIRMAN: Does any other member wish to be heard on the underlying motion?

MR. CARSON: Mr. Chairman.

THE CHAIRMAN: Mr. Carson is recognized.

MR. CARSON: Thank you.

I think it is safe to say, Mr. Chairman, that all of us on this committee serve

UNCLASSIFIED

with a deep degree of respect, commitment, and a concern about our national security.

I am curious, sir, that your suggestion that the committee may consider several other memos seems to indicate to me, sir, that this is a new tool for the committee. And if this is the case, I am curious to know: Do you see this as a tool to be wielded by yourself, like a subpoena, or something that will be available to the full membership? Will we be putting in place concrete processes to bring forward memos for the declassification of information?

And, secondly, in terms of committee jurisdiction, if there are professionals within the Intel Community that are disloyal to President Trump, hold an affinity for President Obama, or happen to have been Clinton supporters, do you think it is the responsibility of this committee, sir, to weed them out so --

THE CHAIRMAN: If the gentleman would yield, because I like the gentleman.

MR. CARSON: I like you too, sir.

THE CHAIRMAN: I believe that you are -- the 11(g) process is one that is in House rules. It can be used at any time by any Member. However, I do not believe at this time that we will be using it again. At least, I have no plans to use it again. But you have the ability under the House rules, as a duly elected Member from your district, to use it, as does any other Member. So I can't promise you that, but I have no plans to use the process at this time.

MR. CARSON: Thank you. I yield back. I yield the balance of my time to Jackie Speier.

THE CHAIRMAN: Ms. Speier.

MS. SPEIER: Mr. Chairman, I don't know if you like me or not, but maybe

you will answer this question. You know, I think for all of us, we are still riding blind because we have not seen the underlying FISA application. And for us to be serious investigators into whether or not there was inadequacy in what was provided to the court, I think it would be in all of our interests to have the opportunity to review the FISA application.

So my question to you is, would you entertain a motion subsequently that would allow us to see the FISA application?

THE CHAIRMAN: So, if the gentlelady would yield, Ms. Speier, I believe that there is an agreement in place, albeit a gentlemen's agreement, which have not always been followed by our friends over at DOJ and FBI, that all the members of this committee can go to the reading room and they have access to all the underlying documents, except for the 1023s.

That is the way that I believe that it is now, but we would have to get some type of clarification from DOJ and FBI. I have no issue with you going and reading the underlying documents if you would like, but at the end of the day, it is not my decision because it is not in writing with DOJ or FBI. So we are kind of at the will of what they would be willing to let us and who they would let look at it.

MS. SPEIER: But, Mr. Chairman, if I could reclaim my time or Mr. Carson's time, the DOJ has sent us a letter that contradicts that. Now, in an effort to --

THE CHAIRMAN: Okay. I am not aware of the letter.

MS. SPEIER: In an effort to, you know, give members the ability to be knowledgeable on any of these memos, it would seem to me that if we propose a memo that would request that of DOJ, that we would at least get the ability to get an answer from them.

THE CHAIRMAN: I would be willing to try to get the answer from them.

MS. SPEIER: Do we need to then --

THE CHAIRMAN: I don't think we need a motion. I mean, I am willing to sign a letter or whatever it takes or call over there.

MS. SPEIER: All right. I yield back to Mr. Carson.

THE CHAIRMAN: The gentlelady yields back.

MR. CONAWAY: Mr. Chairman, I move the previous question.

THE CHAIRMAN: The gentleman moves the previous question. The question is on order in the previous question.

All those in favor, say aye.

All those say no, no. In the opinion of the chair, the ayes have it.

Without objection, the previous question is ordered.

The question is on the motion to disclose publicly the material contained in the classified executive session committee memo made available to the House by committee on January 29, 2018, pursuant to House rule X, clause 11(g).

The clerk will call the roll.

THE CLERK: Chairman Nunes?

THE CHAIRMAN: Aye.

THE CLERK: Chairman Nunes, aye.

Mr. Conaway?

MR. CONAWAY: Aye.

THE CLERK: Mr. Conaway, aye.

Mr. King?

MR. KING: Aye.

THE CLERK: Mr. King, aye.

Mr. LoBiondo?

MR. LOBIONDO: Aye.

THE CLERK: Mr. LoBiondo, aye.

Mr. Rooney?

MR. ROONEY: Aye.

THE CLERK: Mr. Rooney, aye.

Ms. Ros-Lehtinen?

MS. ROS-LEHTINEN: Aye.

THE CLERK: Ms. Ros-Lehtinen, aye.

Mr. Turner?

MR. TURNER: Aye.

THE CLERK: Mr. Turner, aye.

Dr. Wenstrup?

DR. WENSTRUP: Aye.

THE CLERK: Dr. Wenstrup, aye.

Mr. Stewart?

MR. STEWART: Aye.

THE CLERK: Mr. Stewart, aye.

Mr. Crawford?

[No response.]

THE CLERK: Mr. Gowdy?

MR. GOWDY: Aye.

THE CLERK: Mr. Gowdy, aye.

Ms. Stefanik? Aye.

THE CLERK: Ms. Stefanik, aye.

Mr. Hurd?

MR. HURD: Aye.

THE CLERK: Mr. Hurd, aye.

Ranking Member Schiff?

MR. SCHIFF: Aye.

THE CLERK: Ranking Member Schiff, aye.

Mr. Himes?

[No response.]

THE CLERK: Mr. Himes?

Mr. Himes: Aye.

THE CLERK: Mr. Himes, aye.

Ms. Sewell?

MS. SEWELL: Aye.

THE CLERK: Ms. Sewell, aye.

Mr. Carson?

MR. CARSON: Aye.

THE CLERK: Mr. Carson, aye.

Ms. Speier?

MS. SPEIER: Aye.

THE CLERK: Ms. Speier, aye.

Mr. Quigley?

MR. QUIGLEY: Aye.

THE CLERK: Mr. Quigley, aye.

Mr. Swalwell?

MR. SWALWELL: Aye.

THE CLERK: Mr. Swalwell, aye.

Mr. Castro?

MR. CASTRO: Aye.

THE CLERK: Mr. Castro, aye.

Mr. Heck?

MR. HECK: Aye.

THE CLERK: Mr. Heck, aye.

Mr. Chairman, there are 21 ayes and zero noes.

THE CHAIRMAN: The ayes have it. The motion is adopted, and the committee shall transmit notification to the President of the committee's intent to publicly disclose material contained in the classified executive session memo, in accordance with House rule X, clause 11(g)(2)(A) and 11(g)(2)(B).

Any other member wish to be heard on any other committee business?

Mr. Schiff.

MR. SCHIFF: Two others, just so that we know when the clock is set.

Will the report be transmitted this evening, just as the majority's memo was transmitted same night?

THE CHAIRMAN: Yes. The staff is prepared to take it to the White House.

MR. SCHIFF: And similarly with the procedure last week, will the transcript of our hearing today be made expeditiously public as well?

THE CHAIRMAN: Yes, as it always is.

MR. SCHIFF: Thank you, Mr. Chairman.

THE CHAIRMAN: Would the gentleman like to question the stenographer again?

MR. SCHIFF: I have every confidence in the stenographer. She is not the one I am worried about in this room.

I yield back.

THE CHAIRMAN: And I also will just state for the record, even though it has been publicly stated, but there were several questions about it, but Mr. Gowdy and the two investigators continually kept our side briefed on the development of the memo and also myself. And there was no involvement in drafting the memo with the White House.

There being no further business before the committee, the committee stands adjourned.

[Whereupon, at 6:01 p.m., the committee was adjourned.]