



June 28, 2017

The Honorable Paul Ryan  
Speaker of the House  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Speaker,

Three weeks ago, Common Cause urged you in a [letter](#) to enforce Chairman Nunes' recusal from the House Permanent Select Committee on Intelligence's Russia investigation. Our letter was prompted by the Chairman's decision to, among other things, unilaterally issue subpoenas related to the investigation. Chairman Nunes' actions violated his public commitment to step aside during the ongoing ethics investigation into his own conduct.

Unfortunately, Chairman Nunes has since doubled down and further undermined public confidence in the investigation. On Monday, he told CNN: "I can do whatever I want. I'm the Chairman of the Committee."<sup>1</sup> He continued that he can "go right back after this conversation [with CNN] and take the investigation over."

It should be obvious that if the Chairman does "whatever [he] want[s]," he would violate the terms of his recusal and the Committee's own rules. For example, Rule 10 of the Committee's Rules of Procedure provides that subpoenas require either consultation with the Ranking Minority Member or a vote of the full committee. According to public reports, Chairman Nunes neither consulted Ranking Member Schiff nor obtained a vote of the full committee when he issued subpoenas recently to the F.B.I., C.I.A. and N.S.A.<sup>2</sup>

On behalf of Common Cause's 850,000 members and supporters, we renew our request that you enforce Chairman Nunes' recusal. He should be relieved of all duties while his ethics investigation is ongoing. The American people cannot trust his judgment concerning this matter—especially now that he has pledged to "do whatever [he] want[s]" to "take the investigation over."

Your action is necessary because Chairman Nunes now claims he never recused in the first place. That is baseless. When the Chairman issued a statement stepping aside in April, he said that Rep. Conaway, with assistance from Rep. Gowdy and Rooney, would "take charge of the Committee's Russia investigation while the House Ethics Committee

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<sup>1</sup> Tom LoBianco, "Devin Nunes: 'I Can "Take the Investigation Over" After Stepping Aside,'" CNN, June 26, 2017, <http://cnn.it/2sfmwHs>.

<sup>2</sup> Emmarie Huetteman, "Devin Nunes is Criticized for Keeping Subpoena Power in Russia Inquiry," N.Y. TIMES, June 1, 2017.

looks into” the Chairman’s conduct.<sup>3</sup> Whether allowing another Member to “take charge” means that the Chairman has recused is a distinction without a difference in this context.

This is all the more reason for Republicans and Democrats on Capitol Hill to put country over party and establish an independent commission to analyze what 17 intelligence agencies agree was an effort by a foreign nation to attack our country’s election. An independent commission will lift the cloud of partisan self-interest and make recommendations to better secure our elections in the future. It would boost confidence in the resilience of our democracy—a goal that everyone, regardless of party, should support.

In sum, we again urge you to take the steps necessary to relieve Chairman Nunes of all duties concerning the Russia investigation.

Sincerely,



Karen Hobert Flynn  
President  
Common Cause

CC:

The Honorable Nancy Pelosi  
The Honorable Devin Nunes  
The Honorable Adam Schiff

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<sup>3</sup> Press Release, “Nunes Statement on Russia Investigation,” Apr. 6, 2017, <https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=775>.