

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Fifteenth Congress

March 20, 2018

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn Building
Washington, D.C. 20515

Dear Chairman Goodlatte:

I write to you regarding two issues within our Committee's jurisdiction, and your decision to involve the Committee in one but not the other. First, late last Friday, Attorney General Jeff Sessions fired former FBI Deputy Director Andrew McCabe—after more than 20 years of public service, fewer than 26 hours before he reached eligibility for retirement with full benefits.¹ Second, in reports that could have far-reaching implications in both the United States and the United Kingdom, a whistleblower has alleged that Cambridge Analytica—a data analytics firm closely aligned with the Trump campaign—harvested the personal data of as many as 50 million individuals without their consent or knowledge.²

Between the two, it is clear which one serves the President's agenda, and which one threatens the integrity of our elections and the privacy of millions of Americans.

As you know, President Trump has used Mr. McCabe as a political foil in his effort to undermine the leadership of the FBI and the Department of Justice. I was not surprised when President Trump took to Twitter to gloat: "Andrew McCabe FIRED . . . He knew all about the lies and corruption going on at the highest levels of the FBI!"³

¹ Matt Zapposky, *Andrew McCabe, Trump's foil at the FBI, is fired hours before he could retire*, WASH. POST, Mar. 16, 2018,

² Carole Cadwalladr and Emma Graham-Harrison, *Revealed: 50 million Facebook profiles harvested for Cambridge Analytica in major data breach*, GUARDIAN, Mar. 17, 2018; Matthew Rosenberg, et al., *How Trump Consultants Exploited the Facebook Data of Millions*, N.Y. TIMES, Mar. 17, 2018.

³ @realDonaldTrump (President Donald Trump), Twitter, Mar. 17, 2018, 12:08 AM.

I was surprised, however, that you joined President Trump in “applaud[ing]” the Attorney General’s decision and declaring that “Mr. McCabe’s actions have tarnished the reputation of the FBI.”⁴ On what facts do you base that judgement?

As you are well aware, the Inspector General’s review of the Department’s handling of the Clinton investigation is still ongoing. He has not produced a report for us to read. Nor have you and I read the findings of the FBI’s Office of Professional Responsibility with respect to Mr. McCabe’s alleged behavior. Basic fairness—let alone our role in leading the committee of jurisdiction for oversight of these matters—would seem to require us to suspend judgment on Mr. McCabe until we know the facts. Even then, I’m not sure I would “applaud” the end of a career of a lifelong agent like Mr. McCabe, even if the decision to terminate him was justified.

The President’s attacks on the Special Counsel only compound the problem. In a rant following Mr. McCabe’s dismissal, he tweeted: “The Mueller probe should never have been started in that that there was no collusion and there was no crime.”⁵ The Special Counsel has, of course, secured guilty pleas from various Trump associates and a multi-count indictment against Paul Manafort—so “no crime” is probably not accurate. Whether there was “no collusion” remains to be seen. More importantly, this outburst is just the latest in a line of attacks designed to undermine an ongoing criminal investigation. Our Committee has an obligation to protect the Department of Justice from this kind of political influence. Instead, your applause validates the President’s worst instincts.

Now compare this case to that of Cambridge Analytica.

According to Christopher Wylie, a whistleblower who helped found the firm in 2014, Cambridge acquired information on millions of Facebook users through a partner who claimed to be harvesting this information for academic research.⁶ Facebook had not authorized this partner to collect 50 million user profiles or to share that data with Cambridge.⁷ The data amassed through this project includes personal addresses and voter ID numbers.⁸ Cambridge then shared the misappropriated data with key members of the Trump campaign. Despite public claims and official testimony to the contrary, Cambridge appears to maintain access to this data,

⁴ Press Release, *Goodlatte Statement on Firing of Former Deputy FBI Director McCabe*, Rep. Bob Goodlatte, Mar. 17, 2018.

⁵ @realDonaldTrump (President Donald Trump), Twitter, Mar. 17, 2018, 8:12 PM.

⁶ Rosenberg, et al., *How Trump Consultants Exploited the Facebook Data of Millions*.

⁷ “Only about 270,000 users — those who participated in the survey—had consented to having their data harvested [for academic research].” *Id.*

⁸ Jonathan Albright, *Cambridge Analytica: the Geotargeting and Emotional Data Mining Scripts*, MEDIUM, Oct. 13, 2017.

reportedly stored in unencrypted files.⁹ When the news broke, Facebook immediately suspended Cambridge Analytica and its outside research partners from its platform.¹⁰

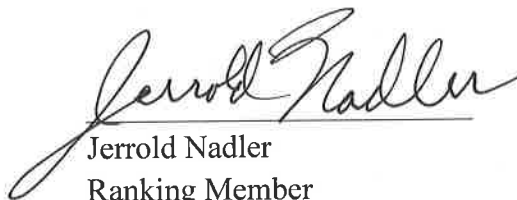
The misuse of this information is concerning enough—but Cambridge also appears to have business connections to the Russian government.¹¹ Last year, former Ranking Member John Conyers and Ranking Member Elijah Cummings wrote to Alexander Nix, the CEO of Cambridge Analytica, and Brad Parscale, digital media director for the President’s 2016 campaign (and now his 2020 campaign manager), to ask for information related to “Russian interference with the 2016 presidential election” and “the careful targeting of certain voters through social media.”¹² Mr. Nix and Mr. Parscale refused to respond. I believe they might react differently if you were to join our request. We have more than enough reason to work together to investigate a report that involves the security and privacy of millions of Americans—and possibly a criminal conspiracy to defraud the United States.

But on this matter you have issued no comment. A correction of the Committee’s priorities is in order.

As such, I write to request a hearing on the alleged theft of U.S. person user information, the use of that information in the 2016 presidential campaign, and the continued security risk that information poses in the hands of Cambridge Analytica and its associates. Each of these issues falls squarely within the Committee’s jurisdiction. At the very least, I ask that we invite Mr. Wylie to appear before the Committee for a transcribed interview.

I ask that you respond to my request no later than March 27, 2018. Thank you for your prompt attention to this serious matter.

Sincerely,



Jerrold Nadler
Ranking Member
Committee on the Judiciary

⁹ Rosenberg, et al., *How Trump Consultants Exploited the Facebook Data of Millions*.

¹⁰ Paul Grewal, VP & Deputy General Counsel, *Suspending Cambridge Analytica and SCL Group from Facebook*, Mar. 16, 2018.

¹¹ Danny Hakim and Matthew Rosenberg, *Data Firm Tied to Trump Campaign Talked Business with Russians*, N.Y. TIMES, Mar. 17, 2018

¹² Letter from Ranking Member John Conyers, Jr., H. Comm. on the Judiciary, and Ranking Member Elijah E. Cummings, H. Comm. on Oversight & Gov’t. Reform, to Alexander Nix et al., Oct. 26 2017.