



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

July 26, 2019

The Honorable Lindsey Graham
Chairman, Committee on Judiciary
United States Senate
Washington D.C. 20510

Dear Chairman Graham:

This is to request that you reconsider your decision to bring S. 1494, the Secure and Protect Act of 2019, to a vote at our next Committee executive business meeting.

Judiciary Committee rules require the Committee to honor any Member's request to have a bill held over for one week or until the next meeting of the Committee, whichever comes later. (Senate Judiciary Committee Rule I (3)) In addition, the Judiciary Committee rules mandate that "Nine Members of the Committee, including at least two Members of the minority, shall constitute a quorum for purpose of transacting business." (Senate Judiciary Committee Rule III (1)) This means at least seven Senators from the majority and two Senators from the minority must be present to constitute a quorum to hold over a bill. As you know, there was insufficient attendance to meet this rule and, as such, the Committee was not able to transact any business and S. 1494 was not held over at yesterday's executive business meeting.

Notwithstanding these rules, you announced that at next week's executive business meeting, "we'll take this up Thursday, next week. We'll make a motion to change the rules, deem this bill held over, and we are going to vote."

Our Committee rules are intended to ensure meaningful participation by both the majority and the minority, regardless which party is in charge. We adopt Committee rules at the beginning of each Congress. In fact, since I have been Ranking Member, the Committee rules have consistently been adopted by unanimous consent with bipartisan support. Your announcement to disregard these rules, proceed with legislation in violation of our rules and practices, and change

the rules unilaterally in a partisan manner is deeply concerning. If the Majority party can simply ignore Committee rules when they become inconvenient and proceed in any manner it so chooses, then the Committee cannot function.

As I stated yesterday, S. 1494 raises significant concerns from those of us on this side of the aisle. It addresses matters of grave importance to our nation, including the safety of children seeking refuge in our country. It would be fundamentally misguided for our Committee to vote on this legislation without following the Senate's practice and moving forward in a deliberate manner. I am also very concerned that if you continue to proceed with this bill in violation of Committee rules, this will set an unfortunate precedent for the future.

This issue is too important, and the institution of the Senate and our Committee is too important, to move forward in this manner. I urge you to delay taking this matter up until after the August recess.

Sincerely,

A handwritten signature in blue ink that reads "Dianne Feinstein". The signature is written in a cursive style with a large initial "D".

Dianne Feinstein
United States Senator