



FACT

FOUNDATION FOR
ACCOUNTABILITY
AND CIVIC TRUST

April 11, 2017

Representative Joaquin Castro
1221 Longworth House Office Building
Washington, DC 20515

Dear Representative Joaquin Castro,

On April 4, 2017, in a television appearance on CNN's "Situation Room," when commenting on the ongoing U.S. House Permanent Select Committee on Intelligence Russian Active Measures investigation,¹ you stated, "I wouldn't be surprised, after all of this is said and done, that some people end up in jail"² and "[m]y impression is that people will probably be charged, and I think that people will probably go to jail."³

In light of these comments and your position on the House Intelligence Committee and exposure to highly sensitive and classified information, it is appropriate that you immediately recuse yourself from this investigation. Last week, Representative Devin Nunes set an example for other Committee members by recusing himself in light of claims about a perceived lack of neutrality. The American public should expect the same level of professionalism and respect for the impartiality of the Congressional investigative process from you.

When the interviewer asked if you could elaborate on your statement, you replied, "I wish I could, but I can't at this time."⁴ It is unclear from this response whether your inability to elaborate was based on a lack of evidence or, alternatively, on information obtained through your position on the Committee. If the former, your comments constitute improper public speculation about matters related to the investigation. If the latter, they constitute equally inappropriate premature conclusions and may implicate the Rules of the House of Representatives and the Committee's Rules of Procedure. Either way, your comments reveal your partiality and undermine the investigative process.

Comments such as yours are deeply irresponsible coming from a sitting member of the House Intelligence Committee during an ongoing investigation. A fundamental principle of Congressional investigations is that they will be conducted in a fair and objective manner. Your attempt to elevate your own personal political profile, at the expense of conducting a fair and

¹ <https://www.usnews.com/news/politics/articles/2017-01-25/house-intelligence-committee-investigating-possible-connections-between-russia-trump-campaign>

² <http://www.cnn.com/2017/04/04/politics/joaquin-castro-cnntv-jail/>

³ <http://www.cnn.com/2017/04/04/politics/joaquin-castro-cnntv-jail/>

⁴ <http://www.cnn.com/2017/04/04/politics/joaquin-castro-cnntv-jail/>

impartial investigation, is the type of behavior that significantly erodes public trust in Congress and the investigative process. Your comments also prove you will not fairly consider the evidence presented to the Committee because you have already reached your own conclusions.

Just a few weeks ago, on March 21, 2017, you told the *Texas Standard*, in reference to the same investigation, “[w]e shouldn’t prejudge a conclusion or make this a witch hunt against the President or any particular person.”⁵ Unfortunately, you clearly have fallen short of meeting your own standard. Your continued involvement will jeopardize the Committee’s ability to fairly and credibly consider the evidence presented.

The Foundation for Accountability and Civic Trust (FACT) is a nonprofit organization dedicated to accountability and ethics in government. In order to achieve this mission we hang a lantern over public officials who put their own interests over the interests of the public good. The public deserves a fair, unbiased investigation based on documentary evidence and witness testimony. Your comment that “people will probably go to jail”⁶ clearly shows that you are unable to be a fair judge of the facts because you have already predetermined the outcome of the investigation. Representative Castro, you should follow Representative Nunes’s honorable decision and recuse yourself from this investigation.

Sincerely,



Matthew G. Whitaker
Executive Director, Foundation for Accountability & Civic Trust

⁵ <http://www.texasstandard.org/stories/joaquin-castro-dont-turn-trump-russia-investigation-into-a-witch-hunt/>

⁶ <http://www.cnn.com/2017/04/04/politics/joaquin-castro-cnntv-jail/>