

August 29, 2018

Senator Lindsey Graham
290 Russell Senate Office Building
Washington, DC 20510

Dear Senator Graham,

Democracy 21 is deeply concerned that you are apparently abandoning the pledge you made to the American people when you [stated](#) in March 2018 “I pledge to the American people, as a Republican, to make sure that Mr. Mueller can continue to do his job without any interference.”

You repeated your commitment to protect the Mueller investigation when you introduced legislation to protect the investigation.

Bipartisan legislation to accomplish this goal, which you sponsored along with Senators Thom Tillis (R-NC), Christopher Coons (D-DE) and Cory Booker (D-NJ), was [reported](#) to the Senate by the Senate Judiciary Committee in April 2018 by a vote of 14 to 7. Senator McConnell, however, has refused to schedule the legislation for a vote.

You [said](#) when this legislation was reported by the Senate Judiciary Committee, “It’s not about Mr. Mueller, it’s not about Trump, it’s about the rule of law. It’s about a system for today, tomorrow, and forever, that makes sure that nobody — even the President — is above scrutiny.”

You further [said](#) just a month ago that you were “100 percent” behind Sessions and that there would be “holy hell to pay” if President Trump fired Sessions. You [stated](#), “Any effort to go after Mueller could be the beginning of the end of the Trump presidency, unless Mueller did something wrong.”

Now, in a complete reversal of your past position and of your pledge to the American people, you have sent a clear message to President Trump that it is acceptable to fire Attorney General Sessions and that you will support the President if he does this.

So much for you being “100 percent” behind Sessions.

You recently [stated](#), “The president’s entitled to an attorney general he has faith in, somebody that’s qualified for the job, and I think there will come a time, sooner rather than later, where it will be time to have a new face and a fresh voice at the Department of Justice.” You also [claimed](#) that “Nobody is going to take Jeff’s place that doesn’t commit to the Senate, and the country as a whole, that Mueller will be allowed to finish his job without political interference.”

Everyone knows, however, that President Trump is publicly obsessed with firing Mueller and ending the Russia investigation. Everyone also knows that President Trump will promptly move to kill the Mueller investigation as soon as supervision of the investigation is removed from Deputy Attorney General Rod Rosenstein and turned over to a new “loyalist” Attorney General appointed by President Trump.

You have given license to President Trump to do just what you said he should not do: fire Sessions and kill the Mueller investigation. You claim that no one will replace Sessions who doesn't give a commitment to the Senate to allow Mueller to complete the investigation "without political interference." But your claim rings hollow.

As you well know, even if such a commitment is made to the Senate, it would not be enforceable. There would be nothing to prevent the President from ordering his new Attorney General to fire Mueller and end the investigation. And we know that the President believes he can do anything he wants, at any time, without restraint.

Given President Trump's disdain and disregard for the rule of law, for the norms of law enforcement and for any limits on his Executive powers, there is every reason to believe that if President Trump fires the Attorney General, the President will act quickly to kill the Mueller investigation.

Absent ironclad legislation in place to protect the Mueller investigation, your support for President Trump to fire Attorney General Sessions, in essence, is also your support for the killing of the Mueller investigation.

Senator Graham, what happened to your pledge to the American people "to make sure that Mr. Mueller can continue to do his job without any interference?"

What happened to your support for "the rule of law?"

What happened to your commitment to the fundamental American principle that "nobody — even the President — is above scrutiny?"

Democracy 21 calls on you to change your position and publicly announce you will not support any action on appointing a new Attorney General or a new supervisor of the Mueller investigation until ironclad legislation is enacted so that, in your words, "Mr. Mueller can continue to do his job without any interference."

Sincerely,

A handwritten signature in cursive script, appearing to read "Fred Wertheimer", followed by a horizontal line extending to the right.

Fred Wertheimer
President, Democracy 21