

Senators Knezek, Conyers, Hopgood, Hertel, Warren, Bieda and Ananich offered the following resolution:

Senate Resolution No. 26.

A resolution to urge the Congress of the United States to reinstate provisions of the Independent Counsel Act and request the Deputy United States Attorney General appoint a special counselor to investigate Russia's interference in the 2016 presidential election.

Whereas, In the aftermath of the Watergate scandal, Congress and the President enacted the Independent Counsel Act. This act allowed the U.S. Attorney General to recommend to a three-judge panel that an independent counselor be appointed to investigate and prosecute charges of misconduct and corruption involving high-profile executive branch officials; and

Whereas, The Independent Counsel Act allowed Congress to request the Attorney General recommend an independent counselor be appointed to investigate and prosecute criminal wrongdoing in the executive branch. This request could be made by the Judiciary Committee of either congressional chamber or a majority of a single party in a Judiciary Committee. If the congressional request was denied, the act required the Attorney General file a report with Congress explaining why the petition for a court-appointed independent counselor was unsuccessful; and

Whereas, The act was allowed to sunset in 1999, and a significantly diluted version was permanently enacted. The new provisions provide the Attorney General sole power to appoint a special counselor. If he recuses himself, the power resides in the Deputy Attorney General. The new act also removed the ability for Congress to formally request the Attorney General appoint a special counselor to investigate executive misconduct and corruption; and

Whereas, The U.S. intelligence community has stated the Russian government deliberately undermined the 2016 presidential contest, and federal law enforcement is investigating whether any members of the President's campaign had improper contact with Russian officials or colluded in their illegal activities; and

Whereas, Trump administration officials have lied to Congress and the public about their relationships with Russian officials. Attorney General Jeff Sessions deliberately misled the Senate in his confirmation testimony by not disclosing two encounters with the Russian ambassador to the United States during the 2016 presidential campaign. He recused himself from any Department of Justice investigation into Russian election interference as a result. The Attorney General joins General Michael Flynn, the President's first National Security Advisor, as having been caught lying to the American public about their interaction with Russian officials; and

Whereas, President Trump and several members of his administration are thought to have vested business interests in foreign nations, including Russia, creating clear conflicts of interest; and

Whereas, An independent counselor must be appointed. The President and his appointees cannot be both subjects in the Russia investigation and lead the agencies conducting the investigation and prosecutions; and

Whereas, It does not appear President Trump will appoint an independent counselor to investigate his own administration. Independent counselors were created to investigate, and if necessary, prosecute these types of executive misconduct and corruption. Every day that claims of Russian interference in our elections are left unresolved, the public's confidence in the presidency and our institutions diminish. Only through congressional intervention can full confidence in American democracy and our elections be restored; now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to reinstate provisions of the Independent Counsel Act and request the Deputy United States Attorney General appoint a special counselor to investigate Russia's interference in the 2016 presidential election; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.