



**GENERAL ASSEMBLY**

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

SPECIAL INVESTIGATIVE COMMITTEE OF THE ONE HUNDRED AND FIRST GENERAL ASSEMBLY

September 16, 2020

**VIA EMAIL**

John R. Lausch  
United States Attorney  
Northern District of Illinois  
219 South Dearborn, 5<sup>th</sup> Floor  
Chicago, IL 60604

*Re: Illinois House of Representatives Special Investigating Committee*

Dear Mr. Lausch:

As we discussed over the phone, the Illinois House of Representatives has convened a Special Investigating Committee (the "SIC") pursuant to House Rule 91. At its first meeting, the SIC unanimously concluded that its first course of action would be to communicate with your office. SIC members have made clear their need to obtain as much information as possible but doing so without impeding your ongoing investigation(s).

This letter memorializes our phone call with your Office on September 14, 2020, during which we sought guidance from you as to whether an investigation by this Committee into Speaker Michael J. Madigan's actions based on the contents of the Deferred Prosecution Agreement ("DPA") entered into by Commonwealth Edison Company ("ComEd") and your Office would impede any of your ongoing investigations or prosecutions.

The charge is that Speaker Madigan engaged in conduct unbecoming to a legislator or which constitutes breach of public trust, as detailed in the DPA, including engaging in a bribery scheme, an extortion scheme, conspiracy to violate federal and state laws, among other misconduct and misuse of office.<sup>1</sup> The charge against Speaker Madigan relates solely to conduct detailed in the Deferred Prosecution Agreement, thus the Committee needs to review the facts and circumstances included in the Agreement.

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<sup>1</sup> See Committee Exhibit #4

The following summarize our understanding of the key takeaways for the SIC from the call with your Office on Monday, September 14, 2020:

- Your office has no objection to requesting certain identified witnesses<sup>2</sup> voluntarily testify or produce documents. However, it was stipulated there would be an objection to any witness disclosing material information or documents related to the federal investigation or grand jury deliberations. Thus, your office would object to the Committee requesting testimony or documents provided to your office in connection with your investigation.
- Your office would object to requests for documents, information, or testimony from your office, as well as other federal agencies, regarding the facts and circumstances underlying the DPA. This includes confirmation of the names of individuals or entities who are identified only by descriptive titles in the DPA and its attachments.
- Your office requested that the Committee consult with your office prior to seeking testimony or documents from any individuals, other than those that have been identified.

The SIC is seeking a formal response from your office clarifying our discussion. We are cognizant of the sensitivity of ongoing criminal investigations and do not want to adversely affect them. Please let us know if any of the information we might seek or actions we may take would constitute interference with your investigation.

Thank you for your attention to this matter. We look forward to hearing from you. You may send any response by email to our counsel, Margaret Livingston, and you may direct any questions to her as well.

Sincerely,



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Rep. Emanuel Chris Welch, Chair  
Special Investigating Committee II  
Illinois House of Representatives  
101<sup>st</sup> General Assembly

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<sup>2</sup> Those individuals identified in Committee Exhibits #5 and #6.