

CASE TITLE: United States v. McClain, et al.
CASE NUMBER: 20 CR 812
ACTIVITY: Telephone Conversation between Michael McClain,
Michael Madigan, Justin Cox, Heather Wier-Vaught,
Craig Willert, Will Cousineau, Jessica Basham
DATE: December 9, 2018
TIME:
TARGET PHONE: [REDACTED]
SESSION NUMBER: [REDACTED]

SPEAKERS: McCLAIN = Michael McClain
 MADIGAN = Michael Madigan
 BASHAM = Jessica Basham
 UF = Unknown Female

* * * *

(CLIP 1 BEGIN)

1 MADIGAN: Hello?
2
3 BASHAM: Hi Speaker, good morning.
4
5 MADIGAN: Hi Jessica, sorry that I'm late. I just—
6
7 BASHAM: No, it's not a problem at all.
8
9 MADIGAN: —another appointment in here. Um, so, who's on the call
10 Jessica?
11
12 BASHAM: Yeah so, in addition to you and me, there's Justin Cox,
13 Heather Wier-Vaught, Craig Willert, Mike McClain, and
14 Will Cousineau.
15
16 MADIGAN: Okay. Good.

(CLIP 1 END)

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(CLIP 2 BEGIN)

19 MADIGAN: Now, everybody should know that, um, as an example, I,
20 I had a very difficult conversation with Sara
21 Feigenholtz. Uh, where she was pressing the case that
22 she should be appointed as the majority leader and a
23 point I made to her and a point I've made for others is
24 that, um, it's one thing for the Black Caucus and the
25 Hispanic Caucus to make recommendations that I just go
26 along with, uh, for appointments to leadership
27 positions, but in the case of the majority leader, I
28 view that as my appointment. And I have no compunction
29 about saying that to anybody that wants to listen to
30 me. Um, in the House, different from the Senate, in the
31 House the appointment of the majority leader should be
32 the appointment of the Speaker, because the majority
33 leader plays a key role in House operations. And, um,
34 when I appointed Barbara Currie as the majority leader,
35 I did not appoint her because she was a woman, I
36 appointed her because I thought that she would do the
37 best job as the majority leader and I was right. And,
38 and I'm more than willing to tell anybody that wants to
39 listen to that. So, you know, I understand we have a
40 lot of people walking around trying to find things to
41 complain about, but every once in a while the Speaker
42 gets to do what he wants to do, every once in a while.
43
44 McCLAIN: The, the (coughs) now you would (unintelligible) the,
45 the, the woman on the, that are gonna serve their sixth
46 term, which is um, uh, Gabel, Lily, um, and Mayfield.
47
48 MADIGAN: Yeah. So, so Mike I, I guess that, um, in terms of
49 leadership appointments you're just going right down the
50 seniority list?
51
52 McCLAIN: I am.
53
54 MADIGAN: Yeah, yeah. I, I, I may go deeper.
55
56 UF: Mhmm.
57
58 MADIGAN: I may wanna go deeper so, so let's be, let's be very
59 open here. Um, Kathy Willis, where is she on the
60 seniority list? I'm not picking her up. I found her—
61
62 BASHAM: Um, she is in the fourth term.
63
64 MADIGAN: Fourth term, I might appoint her to leadership.
65
66 UF: Mhmm.

67
68 MADIGAN: I, I guess the way I should say it, I, I won't bind
69 myself to the seniority on appointment to leadership.
70
71 UF: Mhmm.
72
73 MADIGAN: I've used that as a convenient excuse. So when I
74 appointed Feigenholtz to leadership why, she had real
75 good seniority. And once I decided to do it there's
76 nobody that could complain about it because of her
77 seniority but, but, um, I'll go deeper for certain
78 people.
79
80 (CLIP 2 END)

(CLIP 3 BEGIN)

81 MADIGAN: We're not generating a lot of conversation today, maybe
82 people are reluctant to-, so, here's my request, work
83 with these, there's, there's four documents that I have:
84 the leadership appointments, the seniority list, the
85 appointments to the service committees, and my notes.
86 And so, think it through in terms of how we can work
87 with all of these things to make as many people happy
88 as possible. So as an example, um, somebody doesn't,
89 uh, get a committee chair that they want, I'm in a
90 position to, "Well, listen, I'll appoint you to JCAR,"
91 because, so the goal is to make as many people happy as
92 possible.
93

94 McCLAIN: So Speaker, and this is McClain again, so in, in my
95 mind, one of the things you sh-, you should consider
96 and, and that your team should consider is, uh,
97 developing a couple-like Revenue's a controlled
98 committee, Executive's a controlled committee. Well, uh,
99 on some of these bills you're gonna get this Spring of
100 next year, uh, they're gonna come after some of, uh,
101 some of your groups that are very strong for you, and
102 so I think you oughta consider developing a couple
103 committees where the, I mean existing committees, where
104 the chairs are real strong and they can withstand, um,
105 attacks, I'm just gonna use this as an example by S-E-
106 I-U they wanna do a bill that, let's say, hurts
107 hospitals, that the chair of human services is strong
108 enough to put that in subcommittee and withstand the
109 pressure from S-E-I-U to, to do that. And so to me, um,
110 as you consider leadership I, I wou-, I would think that
111 if you move Gabel out of chairman of Human Services
112 then, uh, that allows you to appoint someone as
113 chairperson who's strong enough to withstand that kind
114 of attack and thereby, he or she, um, they don't go
115 overboard, but they can protect some of people that are
116 our allies, strong allies of the House Democratic Caucus
117 and that um, um, um without your fingerprints. In other
118 words, you don't have to kill a bill or, or an amendment
119 in Rules, the chairperson is strong enough to put it in
120 a, in a quote, unquote, working subcommittee. And, and,
121 uh, second thing is I've heard, um, concerns that Bob
122 Rita is a go-to person on consumer, um, protection and
123 that, uh, he constantly gets beat up and so the other
124 thing I'd like you to consider is, um, maybe making that
125 committee a, just a hair larger so that there's another
126 go-to person in the consumer affairs besides Rita, so
127 they can kind of trade off every once in a while. That
128 would, um, protect, um, entities from uh, I'll say

129 egregious bills or amendments without it always--
130
131 MADIGAN: Yeah--
132
133 McCLAIN: --falling on Rita's sh-, sh-, uh, shoulders. So it, those
134 are just two global things that I'd like you to think
135 about.
136
137 MADIGAN: And Mike, I think, you are ought to think about, I'm
138 pretty sure that in the case of consumer protection we
139 probably had difficulty finding people that wanted to
140 serve on the committee.
141
142 McCLAIN: Mhmm, mhmm.
143
144 MADIGAN: That happens quite frequently.
145
146 UF: Yeah.
147
148 MADIGAN: Someone would be told, "Okay you can be the committee
149 chair, now you have to go and find people to serve on
150 your committee."
151
152 McCLAIN: Mmhmm.
153
154 MADIGAN: Because we don't have any requests.
155
156 McCLAIN: Right.
157
158 (Simultaneous conversation.)
159
160 MADIGAN: So that's, it--
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162 McCLAIN: Well, I--
163
164 MADIGAN: -I don't disagree with what you're saying, but
165 understand what you're up against.
166
167 McCLAIN: Right so I, I would say, um, because this is December,
168 if you and your team were inclined to maybe add another
169 Democrat to that committee, well then without your
170 fingerprints I could call a couple people and say you
171 oughta make sure--
172
173 MADIGAN: Yeah.
174
175 McCLAIN: --you, you get two or three people to ask for that
176 committee.
177
178 MADIGAN: Yeah we, we could make that judgment right now, to expand

179 the committee. We just have to find the people to go
180 on.

181

182

(CLIP 3 END)

(CLIP 4 BEGIN)

183 McCLAIN: Speaker, uh, this is McClain again, so ho-, how do you-
184
185 MADIGAN: Yeah.
186
187 McCLAIN: -wanna proceed? Do you want people like me just to shoot,
188 I'm, I'm talking about leaders or, um, uh, chair people,
189 do you want me to shoot those ideas to Jessica or ho-,
190 how do you-
191
192 MADIGAN: Yep.
193
194 McCLAIN: Ho-, how do you want (unintelligible)-
195
196 MADIGAN: Yep, yep.
197
198 McCLAIN: Do-okay.
199
200 MADIGAN: Right.
201
202 UF: Yeah.
203
204 MADIGAN: Send every, send everything to Jessica. And if, look,
205 our, our function for the next several weeks is to think
206 on this stuff, exchange ideas as we've done today, and
207 the goal is to make as many people happy as possible
208 with (unintelligible).
209
210 McCLAIN: Okay.
211
212 (CLIP 4 END)