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Rep. Schiff Availability After Vote to Release Nunes Memo, Block Public Release of Minority Memo

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Washington, DC – Today, Rep. Adam Schiff (D-CA), the Ranking Member of the House Permanent Select Committee on Intelligence, spoke with reporters after the Committee voted to make the “Nunes memo” available to the public. Schiff also detailed the other votes that the Committee took.

The full transcript is below:

SCHIFF: Good evening. I want to give a quick briefing on the events in the committee this evening. I think we have crossed a deeply regrettable line in this committee, where for the first time in the 10 years or so that I've been on the committee, there was a vote to politicize the declassification process of intelligence, and potentially compromise sources and methods.

I made a couple motions this afternoon, or this evening. First, we scheduled a hearing today, or the business meeting, so that the minority memoranda could be made available to the members of the House that have been misled by the majority's memoranda. We expected that vote to be noncontroversial, and it was. The House members will have access to the minority memoranda.

I made a secondary motion that prior to the public release of either memoranda, that the FBI and the Department of Justice have the opportunity to come and brief the entire house in a classified session, on both memoranda, on the underlying facts and the underlying materials so that the committee could make a responsible judgment as to whether the memoranda should be made public. That motion was voted down by the majority. The majority expressed a concern that something in the minority memoranda or otherwise could compromise sources and methods. And for exactly that reason we asked that both memoranda be vetted by the FBI and the Department of Justice, but that was voted down.

I spoke with the director of the FBI earlier this afternoon. He expressed his strong interest in being able to brief our committee prior to any release of these materials, about concerns that the bureau and the department have. I relayed that interest by the director of the FBI, an appointee of President Trump, to this committee, but that was unavailing; they were not willing to meet with the director of the FBI to hear the bureau's concerns or department's concerns. Instead, they voted against allowing their own members, as well as the members of the broader House of Representatives be briefed by the Department of Justice and the FBI on these memoranda.

Finally, I moved that if the majority were going to release their memoranda publicly, that they release the minority views as well, that they be released jointly. And the majority on a party-line basis voted against both memoranda being released to the public.

They then took up their own memoranda and voted it out to make public. We had a separate vote on the minority memoranda, and the majority voted against allowing the public to see the minority memoranda. The "released the memo crowd" apparently doesn't want to release the memo now. The most they would do is say that at some indeterminate point, a week or so from now, they would consider whether to release the minority memo.

We raised, of course, the transparently political objective behind this, which is to allow the majority to set a certain narrative for a week or so before they release a full statement of the facts from the minority.

But, nonetheless, this is where we are. We had votes today to politicize the intelligence process, to prohibit the FBI and the Department of Justice from expressing their concerns to our committee, and to the House, and to selectively

release to the public only the majority's distorted memo without the full facts. A very sad day, I think, in the history of this committee.

As I said to my committee colleagues during this hearing, sadly we can fully expect that the president of the United States will not put the national interest over his own personal interests. But, it is a sad day, indeed, when that is true of our own committee, because today this committee voted to put the president's personal interest, perhaps their own political interests, above the national interest, in denying themselves even ability to hear from the department and the FBI. And that is, I think, a deeply regrettable state of affairs.

But it does show how, in my view, when you have a deeply flawed person in the Oval Office, that flaw can infect the whole of government. And today, tragically, it infected our committee. And at this point, I'll yield to my colleagues.

QUIGLEY: I just -- we are not talking about the -- we are not talking about the investigation; we are talking about the distraction that they have created. And that's sad and unfortunate, because if you're a Democrat or Republican, you should care just as much about this. They attacked the Democratic process. They hacked into boards of election. And one can imagine a scenario which they were just as likely to attack a Republican candidate as a Democrat.

SCHIFF: I should also mention that it was disclosed to the minority today for the first time that the majority has evidently opened an investigation of the FBI, and an investigation of the Department of Justice.

Under our committee rules, of course, that has to be the product of consultation with minority, but we learned about that for the first time here today.

Now, it has been publicly reported from time to time that there was a subset of the majority working on some kind of a investigation or inquiry into the Department of Justice and the FBI, but apparently the chairman made it formal today: According to the majority, the FBI is under investigation, and so is the Department of Justice. This is a wholesale broadside against two of our respected institutions, and brings to mind something I brought to the committee's attention a week ago when we first took up the majority memo, and that is, we need to be concerned with not just what happens during this presidency, but the lasting damage that may be done to these institutions. And unfortunately, that damage just became all the more greater today.

QUESTION: Congressman, are you comfortable with how DOJ handled the situation that's under review (inaudible)? Are you confident of (inaudible)?

SCHIFF: Well, you know, I think the Department of Justice has done what they could, but the majority has been unwilling to share the nature of the concerns they have, their memoranda, to invite feedback from the department.

And I think the department was all too accurate in saying that this is extraordinarily reckless. Why on earth would you not want to give the FBI and the Department of Justice the opportunity to come in and say, you're right, you're wrong, or here is what really happened? But they denied the department and the bureau that opportunity, and I think that's a grave disservice to the hardworking men and women in both the FBI and the Department of Justice.

QUESTION: (Inaudible) the memo to one side, are you confident that there was no abuse of government surveillance systems by the Department of Justice and FBI during the 2016 campaign?

SCHIFF: I certainly haven't seen abuse of the investigative process by the FBI or the Department of Justice. What I have seen instead is a deliberate attempt from the very beginning of this investigation to distract attention from Russia probe.

What we saw today is only the most recent chapter of a series of events that began the day after the first hearing of our investigation. On March 20th, James Comey came before the committee and testified for the first time that the FBI had opened a counter-intelligence investigation involving the trump campaign.

The very next day, our chairman went on what is known as the "midnight run," to obtain documents that he would, the following day go to present to the White House, claiming that they showed evidence of an unmasking conspiracy of the Obama administration.

We would very soon learn that in fact he'd obtained that information from the White House, and it was a charade. That charade was designed to do the White House's bidding. And I'm afraid today is just the continuation of that same priority of the chairman and that same phenomenon. This is an effort to circle the wagons around the White House and distract from the Russia probe.

QUESTION: (Inaudible). From what we understand, Christopher Wray did come up to Capitol Hill this weekend, and did review the memo. You've had conversations with Mr. Wray. Did that review satisfy the Justice Department's concern, number one? And number two, what was the rationale that the committee gave for not releasing their memo?

SCHIFF: No, the review did not satisfy, I think, either the bureau's or the department's concerns. And indeed the director of the FBI asked for the opportunity to come before the committee and express those concerns, but that

request was denied by the chairman today.

QUESTION: And what was the rationale for your memo? Why then not being released publicly as of now?

SCHIFF: Well, Mr. King made the request to release the majority memoranda. And in his statement advocating its release, said that we need full transparency. And so when I moved to have the minority memo released in the interest of full transparency, they evidently took the view that full transparency means only one side gets hurt and not the other. So they voted down the opportunity for the country to see the minority memoranda, and frankly, an accurate recitation of the underlying facts.

QUESTION: With the resignation of Andy McCabe, is their concern that (inaudible) the memo is going to show that, perhaps he may have been involved anyhow in perhaps the (inaudible) issues that the GOP (inaudible) right now?

SCHIFF: I would only say, Chris (ph), at this point, I can't comment yet on the contents of the majority or minority memoranda. That I think Mr. McCabe has been deeply and unfairly maligned. He has been a career public servant with the FBI. I think he has done an admirable job serving the country. And I think that this committee and others have done a tremendous disservice to Mr. McCabe.

QUESTION: (Inaudible) vote on the Nunes memo (inaudible) on party lines.

SCHIFF: All votes.

QUESTION: And also, is there a chance that the memo could be released before the five-day window, or do you all have to wait five days to see what Trump does?

SCHIFF: The vote to release the majority memo and the vote to deprive the minority of having its memo released was on a party-line basis. Both of those votes were party-line basis.

In terms of the timetable, this has never happened in my experience in the committee, so we're on uncharted waters. But if the president expresses the view short of five days, hey, I'm perfectly copacetic with anything being published that helps me.

I don't know that they have to wait five days. And the White House has made it abundantly clear that they want the memo published, even though they haven't read it. That should tell you all you need to know about the president's priorities. Even without reading it, even without hearing from the intelligence agencies or the FBI what damage it might do in terms of public release, it's clear they already want it released.

I think as one of my Tea Party colleagues said, all too candidly, he was sure the president was going to want to release the majority's spin memo, because it was good for him. And that is apparently the standard now for the release of classified information: If it's good for the president, then, fine, regardless of the impacts on the bureau, on the department or on the interest of justice.

QUESTION: (Inaudible) that could be subject to an interagency review and make sure that there will be a (inaudible)? (Inaudible) confident that that review will take place, or redact the memo as necessary.

SCHIFF: I have no confidence that review will take place of the majority memo. In fact, I think it's quite clear that the majority has no intention of having this vetted by the department or the bureau. And at least, you know, gleaned from what the White House has said over the weekend, it doesn't look like they have much of an intention to vet it either, that the conclusion is precooked.

We did make it clear that if and when the majority allows the minority memoranda to see the light of day, we are going to do the responsible thing, and we are going to seek to have the Department of Justice and the FBI redact anything from our memo that could compromise sources and methods.

QUESTION: Was there any consideration of releasing your (inaudible) underlying intelligence behind the memo?

SCHIFF: That was not the subject of the motion today.

The last thing I'll mention is that I also move that the transcript of the open proceeding be made available to the public tomorrow. The chair committed that that would happen as soon as possible, because I think you need to read the transcript to see my colleagues, on the one hand, argue for full transparency and then vote down a motion to make public the minority memoranda. And I think you need to see them express concern about possible compromise of sources and methods, and then vote down the opportunity to have the Department of Justice and FBI weigh in on those very issues.

Thank you. Thank you.

QUESTION: Is this the end of the Russia investigation, sir?

SCHIFF: No, no, we're determined, no matter what wild goose chase the majority would take the country on, we are staying focused on conducting the Russia investigation, and that will go forward.

We expect Mr. Bannon to come in on Wednesday, we're told by the majority. I did ask when Mr. Lewandowski would come back, because he refused to answer precisely the same questions. They don't have a date for Mr. Lewandowski. Apparently they're holding Mr. Bannon to one standard and other witnesses, like Mr. Lewandowski, to another. But, no, we press on. Thank you.

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CONTACT

Capitol Visitor Center HVC-304
US Capitol Building
Washington, DC 20515-6415

Majority Staff
Office: (202) 225-7690
Fax: (202) 226-5068

Minority Staff
(202) 225-4121
(202) 225-1991