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Schiff Statement on Outstanding Russia Investigation Subpoena Requests

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Washington, DC – Today, Rep. Adam Schiff (D-CA), the Ranking Member of the House Intelligence Committee, released the following statement:

"At the outset of the Russia probe, both parties committed to a thorough investigation that would follow the facts wherever they lead. As in any complex investigation, this requires compelling witnesses to testify who refuse to do so, and compelling the production of vital documents that can test the veracity of witness testimony and lead to new evidence. To date, there are dozens of important witnesses who have yet been invited, let alone compelled to come before the committee. And all too many of the witnesses who have appeared, have refused to answer direct questions of core investigative interest to the Committee, and have asserted unprecedented and risible claims of privilege. Moreover, whole categories of vital documents, including financial and communications records held by third party service providers, can only be obtained through legal process, but to date the Majority has ignored or refused to entertain such requests that pertain to the Committee's authorized Russia investigation.

"The integrity and independence of the Committee and Congress' investigative and enforcement powers are at stake. To be credible, the Russia investigation cannot simply take witnesses at their word, or accept baseless assertions of privilege where none apply. Instead, the Committee must verify assertions made by witnesses in testimony, compel testimony as well as the full production of responsive documents, and, where necessary, move to enforce subpoenas."

Below is just a partial list of subpoenas urged by the Minority, but which the Chairman has thus far refused to issue:

Donald Trump Jr. - The President's son, a key campaign advisor, declined to answer the Committee's questions regarding the preparation in 2017 of false and misleading public statements when the existence of the June 9, 2016 meeting at the Trump Tower was disclosed. He claimed that the attendance of lawyers during discussion between himself and his father would bring the entirety of father-son communication within the scope of the attorney-client privilege. The Committee must issue a subpoena to compel him to answer these questions.

Michael Cohen – Trump Organization attorney Michael Cohen has strenuously denied a claim contained in the Steele Dossier that he met with Russian officials in Prague or elsewhere. The Committee should verify his denials by compelling production of travel, phone, and transaction records and other documents.

Attorney General Jeff Sessions - Attorney General Sessions has refused to answer questions central the Committee's inquiry, including whether the President ever sought to enlist him in efforts that could amount to obstruction of justice or the abuse of power. To date, neither the White House nor Sessions himself have asserted any privilege to prevent the Attorney General from answering these questions, and consequently the Committee must compel him to do so through a subpoena.

Corey Lewandowski – Corey Lewandowski, Trump's first campaign manager, refused during his February 2018 interview to answer questions about his activities and communications after his departure from the Trump campaign in June 2016, to include his interactions as a private citizen with President-elect and President Trump, including a conversation he had with the President on the day before his testimony. He claimed during his initial interview that he was unprepared to do so and he has since refused to reappear before the Committee. A subpoena is necessary to compel Lewandowski's cooperation.

Steve Bannon – One of the Russia investigation's few, bipartisan subpoenas was issued to Steve Bannon, whom the White House had barred from answering relevant questions based on an expansive claim of executive privilege that extends into the transition period and continues after Bannon left the White House. The White House has since permitted Bannon to answer only two dozen scripted, yes-or-no questions, while prohibiting him from answering a wide range of other questions related

to the transition, his tenure at the White House, and even his communications since leaving the administration. The Committee should therefore initiate a contempt process to compel the White House to permit Bannon to testify to Congress fully and without constraints.

Hope Hicks – Unlike with Steve Bannon, the Majority refused to issue a subpoena to compel Hope Hicks’ testimony after the White House barred her, without formally invoking executive privilege, from answering questions related to various transition matters and the entirety of her ongoing tenure in the Trump Administration. This double standard is inexplicable. The Committee must issue a subpoena and, if necessary, move to initiate contempt proceedings to compel the White House to permit Hicks to testify to Congress fully and without constraints.

Deutsche Bank - Deutsche Bank has long been the lender of choice for the Trump Organization, financing major investments by Trump over the past twenty years when most other financial institutions would not. Given public statements from the Trump Organization about the centrality of Russian investment in their holdings, and allegations that Russia may exert financial influence over the President, the Committee must compel Deutsche Bank’s production of relevant records and testimony from key bank officials with insight into money transfers and other activity linked to Russia. Deutsche Bank has a history of laundering Russian money and it would negligent of the committee not to determine whether this is a lever the Russians hold over the President and his family.

Evidence of Comey-Trump Conversations - Days after firing FBI Director James Comey, President Trump tweeted that Comey “better hope there are no tapes” of their conversations. The Committee subsequently sent a letter to White House Counsel Don McGahn in June 2017 asking whether there were at any tape recordings, memoranda, or other documents within the possession of the White House which memorialized the President’s interactions with Comey. To date, the White House has not responded satisfactorily to this request, pointing the Committee to tweets by the President which do not address the Committee’s request and sidestepping whether the White House in fact possesses responsive memoranda or other material. Subsequent press reporting has revealed the existence of such documents, and a second bipartisan letter to the White House demanding a response or threatening the use of compulsory process has been ignored. The Committee must seek this information by subpoena.

Twitter - The Committee should issue a subpoena to Twitter to produce direct messages from and between the Twitter handles identified as relevant to the Russia investigation, including those of Guccifer 2.0, WikiLeaks, and Julian Assange. It has been publicly reported that a host of Trump campaign personnel were in touch with these individuals and Russian fronts, including Donald Jr., Roger Stone and Alexander Nix. Twitter has informed the Committee that it will not produce responsive communications absent compulsion.

Encrypted messaging applications - The Committee has learned from certain witnesses that, during periods relevant to the Committee’s investigation, they employed encrypted messaging applications to communicate. The makers of these applications should be compelled by subpoena to produce relevant communications---content as well as metadata---sent to or from these witnesses.

Phone and Other Communication Records - The Trump Organization and Donald Trump Jr. have produced records that redact phone metadata related to communications with specific phone numbers, including around the time of the Trump Tower meeting with the Russians. Moreover, several other witnesses have committed to provide specific communications, but have so far failed to do so. The Committee should issue relevant subpoenas to compel production and press the Trump Organization, in particular, to disclose to the Committee the phone numbers that have been redacted, so that the Committee can validate and cross-reference communications of interest, as well as follow up with the providers.

Minority Privacy Policy

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