



March 11, 2019

VIA HAND DELIVERY

Chairman David Skaggs
Office of Congressional Ethics
U.S. House of Representatives
425 Third Street, SW, Suite 1110
Washington, DC 20024

Re: Complaint Against Rep. Adam Schiff Concerning Contacts with Congressional Witnesses

Dear Chairman Skaggs,

Judicial Watch is a non-profit, non-partisan educational foundation, which promotes transparency, accountability and integrity in government and fidelity to the rule of law. We regularly monitor congressional ethics issues as part of our anti-corruption mission.

This letter serves as our official complaint to the Office of Congressional Ethics (OCE) concerning the activities of Rep. Adam Schiff. Rep. Schiff appears to have violated House Code of Official Conduct, Rule 23, clauses 1 and 2, by inappropriately communicating with witnesses. Clauses 1 and 2 provide:

1. *A Member, Delegate, Resident Commissioner, officer, or employee of the House shall behave at all times in a manner that shall reflect creditably on the House.*
2. *A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.*

Rep. Adam Schiff attended the Aspen Security Forum conference in July 2018, which was also attended by Glenn Simpson, the founder of the firm Fusion GPS. Press reports have detailed evidence of a meeting and discussion between Rep. Schiff and Glenn Simpson at the July 2018 Aspen Security Forum. As noted in *The Hill* newspaper:

*"At the time of the encounter, Simpson was an important witness in the House Intelligence Committee probe who had given sworn testimony about alleged, but still unproven, collusion between Russia and the Trump campaign."*¹

¹ Solomon, John, "Adam Schiff, Glenn Simpson and their Forrest Gump-like encounter in Aspen," *The Hill*, February 7, 2019. <https://thehill.com/hilltv/rising/429041-adam-schiff-glenn-simpson-and-their-forrest-gump-like-encounter-in-aspen>

Fusion GPS is the political opposition research firm involved in procuring “unverified” information claiming the Trump presidential campaign had “colluded” with Russia, among other things. That Fusion GPS-supplied information was the basis upon which the Federal Bureau of Investigation (FBI) obtained Foreign Intelligence Surveillance Act (FISA) surveillance warrants against Trump campaign volunteer Carter Page.

Mr. Simpson’s leadership of Fusion GPS and his centrality to events resulted in his having to testify before congressional committees or their staffs. Specifically, Mr. Simpson testified before the House Intelligence Committee, of which Rep. Schiff was the ranking Democratic member, on October 16, 2018 – approximately three (3) months after the Aspen Security Forum.

We note that following revelations in 2017 that Rep. Devin Nunes had informed President Trump that U.S. intelligence agencies had been engaging in “incidental collection” of his campaign’s communications, Rep. Schiff demanded that Rep. Nunes, then Chairman of the House Intelligence Committee, recuse himself from any investigations involving alleged Trump collusion with Russia. Indeed, Rep. Schiff wrote the following on twitter:

“This is not a recommendation I make lightly... But in much the same way that the attorney general [Jeff Sessions] was forced to recuse himself from the Russia investigation after failing to inform the Senate of his meetings with Russian officials, I believe the public cannot have the necessary confidence that matters involving the president’s campaign or transition team can be objectively investigated or overseen by the chairman.”²

Then-Minority Leader Nancy Pelosi concurred with Rep. Schiff’s call for Mr. Nunes to recuse himself.

The July 2018 contacts between Rep. Schiff and Mr. Simpson create, at a minimum, the appearance of impropriety. As a result of Rep. Schiff’s previously undisclosed, private discussions with Mr. Simpson, the public’s confidence in Mr. Schiff’s ability to objectively and impartially carry out his duties as Committee Chair of the House Permanent Select Committee on Intelligence have been gravely damaged.

Further, Rep. Schiff’s contacts with Mr. Michael Cohen should also be scrutinized in the same light as the Simpson contacts. Journalists have reported:

President Trump’s former personal attorney Michael Cohen told House investigators this week that staff for Intelligence Committee Chairman Adam Schiff, D-Calif., traveled to New York at least

² Graham, David A., “How Long Can Devin Nunes Hang On?” *The Atlantic*, March 28, 2017.
<https://www.theatlantic.com/politics/archive/2017/03/nunes-recusal-ellis/521016/>

four times to meet with him for over 10 hours immediately before last month's high-profile public testimony, according to two sources familiar with the matter -- as Republicans question whether the meetings amounted to coaching a witness.

The sources said the sessions covered a slew of topics addressed during the public hearing before the oversight committee -- including the National Enquirer's "Catch and Kill" policy, American Media CEO David Pecker and the alleged undervaluing of President Trump's assets.³

Again, Rep. Schiff's conduct creates the appearance of unethical collusion and synchronization of efforts that calls into question whether Cohen's testimony was a legitimate congressional hearing or well-rehearsed political theatre.

During Mr. Cohen's congressional testimony, he was questioned by Rep. Mike Turner concerning the number, nature and subject of his [Cohen's] contacts with the House Permanent Select Committee on Intelligence. Rep Jim Jordan pressed Cohen on the subject in subsequent questioning. Cohen hesitantly acknowledged that he had spoken with Schiff "about topics that were going to be raised at the upcoming hearing."⁴

A pattern of conduct on the part of Rep. Schiff in these matters would exponentially increase the gravity of the prejudice and harm to the public's confidence in the institution of the House of Representatives.

Rep. Schiff's conduct and contacts with witnesses must be treated with the same gravity that Reps. Schiff and Pelosi accorded Rep. Nunes's actions. Rep. Nunes recused himself for a time from certain oversight responsibilities with respect to the Russia-Trump investigations.

In the least, Rep. Schiff and his staff communications with Glenn Simpson and Michael Cohen, undermine the "credibility of the House" and its committee proceedings, especially given Mr. Cohen's subsequent alleged false testimony.⁵

We call upon the OCE to investigate Rep. Schiff and his previously undisclosed, inappropriate contact with key witnesses in congressional investigation over which that Member holds significant sway.

³ Herridge, Catherine and Gregg Re, "Cohen met with Schiff staff for over 10 hours before House Oversight Committee hearing, sources say," *Fox News*, March 8, 2019. <https://www.foxnews.com/politics/cohen-met-with-schiff-for-more-than-10-hours-before-house-oversight-committee-hearing.amp>

⁴ *Ibid.*

⁵ Chalfant, Morgan, "Jordan, Meadows ask DOJ to investigate Michael Cohen for perjury," *The Hill*, February 28, 2019. <https://thehill.com/homenews/house/432042-jordan-meadows-ask-doj-to-investigate-michael-cohen-for-perjury>

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Thank you for your attention.

Acknowledgment: I acknowledge that Section 1001 of Title 18 of the United States Code applies to the information provided above.


DIRECTIONS
for: Tom Fitton
President