

**Congress of the United States**  
**Washington, DC 20515**

October 24, 2019

Brian McCormack  
Associate Director for Natural Resources, Energy & Science  
Office of Management and Budget  
725 17th Street, N.W.  
Washington, DC 20503

Dear Mr. McCormack:

Pursuant to the House of Representatives' impeachment inquiry, we write to request your appearance at a deposition on **November 4, 2019, at 9:30 a.m. at The Capitol, HVC-304.**

This deposition will be conducted jointly by the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Oversight and Reform. The deposition transcript shall be part of the impeachment inquiry and shared among the Committees. Your failure or refusal to appear at the deposition, including at the direction or behest of the President or the White House, shall constitute evidence of obstruction of the House's impeachment inquiry and may be used as an adverse inference against the President.

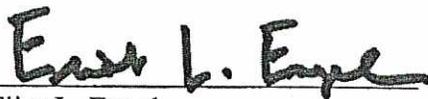
The Committees are investigating the extent to which President Trump jeopardized U.S. national security by pressing Ukraine to interfere with our 2020 election and by withholding a White House meeting with the President of Ukraine and military assistance provided by Congress to help Ukraine counter Russian aggression, as well as any efforts to cover up these matters.

Based upon public reporting and evidence gathered as part of the impeachment inquiry, we believe you may have information relevant to these matters.

If you have any questions, please contact staff for the Permanent Select Committee on Intelligence at (202) 225-7690.

Mr. Brian McCormack  
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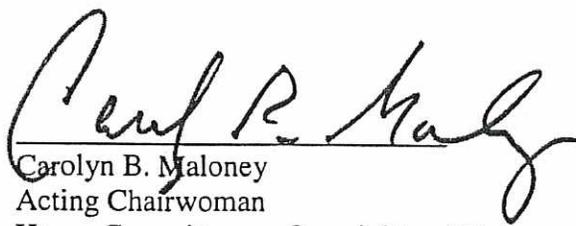
Sincerely,



Eliot L. Engel  
Chairman  
House Committee on Foreign Affairs



Adam B. Schiff  
Chairman  
House Permanent Select Committee  
on Intelligence



Carolyn B. Maloney  
Acting Chairwoman  
House Committee on Oversight and Reform

Enclosure

cc: The Honorable Michael McCaul, Ranking Member  
House Committee on Foreign Affairs

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Jim Jordan, Ranking Member  
House Committee on Oversight and Reform

**Congress of the United States**  
**Washington, DC 20515**

November 1, 2019

Mr. Brian McCormack  
Associate Director for Natural Resources, Energy & Science  
Office of Management and Budget  
725 17th Street, N.W.  
Washington, D.C. 20503

Dear Mr. McCormack:

Pursuant to the House of Representatives' impeachment inquiry, we are hereby transmitting a subpoena that compels you to appear at a deposition on **November 4, 2019, at 2:00 p.m. at The Capitol, HVC-304.**

This deposition will be conducted jointly by the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Oversight and Reform. The deposition transcript shall be part of the impeachment inquiry and shared among the Committees. Your failure or refusal to appear at the deposition, including at the direction or behest of the President or the White House, shall constitute evidence of obstruction of the House's impeachment inquiry and may be used as an adverse inference against the President.

On October 24, 2019, the Committees sent a letter to you requesting that you voluntarily appear for a deposition on November 4, 2019. We have not received a substantive response from you or your personal counsel. The Committees, therefore, have no choice but to issue a subpoena compelling your mandatory appearance.

If you have any questions, please contact staff for the Permanent Select Committee on Intelligence at (202) 225-7690.

Mr. Brian McCormack  
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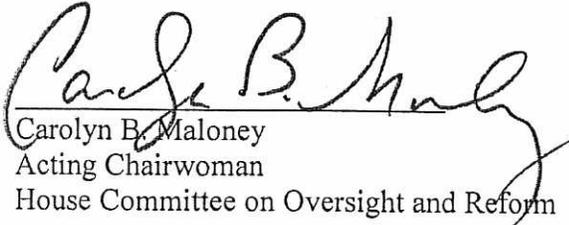
Sincerely,



Eliot L. Engel  
Eliot L. Engel  
Chairman  
House Committee on Foreign Affairs



Adam B. Schiff  
Adam B. Schiff  
Chairman  
House Permanent Select Committee  
on Intelligence



Carolyn B. Maloney  
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Acting Chairwoman  
House Committee on Oversight and Reform

Enclosure

cc: The Honorable Michael McCaul, Ranking Member  
House Committee on Foreign Affairs

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Jim Jordan, Ranking Member  
House Committee on Oversight and Reform

**SUBPOENA**

**BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE  
CONGRESS OF THE UNITED STATES OF AMERICA**

To BRIAN MCCORMACK

You are hereby commanded to be and appear before the  
Permanent Select Committee on Intelligence

of the House of Representatives of the United States at the place, date, and time specified below.

- to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

- to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: Permanent Select Committee on Intelligence, HVC-304, U.S. Capitol  
Date: NOVEMBER 4, 2019 Time: 2:00 PM

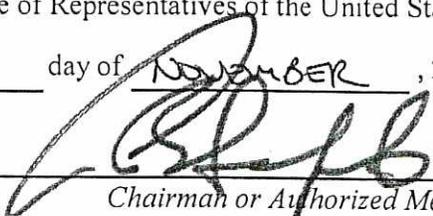
- to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

To The U.S. Marshals Service, or any authorized Member or congressional staff

\_\_\_\_\_ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at  
the city of Washington, D.C. this 1<sup>ST</sup> day of NOVEMBER, 2019.

  
\_\_\_\_\_  
Chairman or Authorized Member

Attest:  
Gloria J. Lett, Deputy Clerk  
Clerk



**PROOF OF SERVICE**

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Subpoena for BRIAN McCORMACK

Address OFFICE OF MANAGEMENT & BUDGET, 725 17<sup>TH</sup> ST. N.W.  
WASHINGTON, D.C. 20503

before the Permanent Select Committee on Intelligence

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*U.S. House of Representatives  
116th Congress*

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Served by (print name) Maher Bitar

Title General Counsel

Manner of service Electronic Mail

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Date 11/01/2019

Signature of Server 

Address Permanent Select Committee on Intelligence, HVC-304, U.S. Capitol

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

November 4, 2019

The Honorable Adam Schiff  
Chairman  
House Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Schiff:

This letter is in response to your October 25, 2019, subpoenas to Acting Director Russell Vought and Associate Director Michael Duffey and your November 1, 2019, subpoena to Associate Director Brian McCormack compelling their appearances for depositions. The Office of Management and Budget (OMB) reasserts its position that, as directed by the White House Counsel's October 8, 2019, letter, OMB will not participate in this partisan and unfair impeachment inquiry.<sup>1</sup> Thursday's resolution only formalized a process that lacks basic due process protections and the ability to protect executive privilege. For example, as set forth in your rules<sup>2</sup> and your Committee's communications with Mr. Vought, Mr. Duffey, and Mr. McCormack, the Committee is denying agency counsel from participating in these depositions. The Office of Legal Counsel has advised that the Committee cannot lawfully bar agency counsel from these depositions. Therefore, Mr. Vought, Mr. Duffey, and Mr. McCormack will not appear at their respective depositions without being permitted to bring agency counsel.

Sincerely,

Jason A. Yaworske  
Associate Director  
for Legislative Affairs

cc: The Honorable Devin Nunes

<sup>1</sup> Letter from Jason Yaworske, Assoc. Dir. for Leg. Affairs, Off. of Management and Budget to Hon. Adam B. Schiff, Chairman, H. Permanent Select Comm. on Intelligence (Oct. 15, 2019).

<sup>2</sup> Regulation for the Use of Deposition Authority, 116th Cong. H1216 (Jan. 25, 2019).