



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

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<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).