

The New York Times

Schiff Got Early Account of Accusations as Whistle-Blower's Concerns Grew

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Oct. 2, 2019

WASHINGTON — The Democratic head of the House Intelligence Committee, Representative Adam B. Schiff of California, learned about the outlines of a C.I.A. officer's concerns that President Trump had abused his power days before the officer filed a whistle-blower complaint, according to a spokesman and current and former American officials.

The early account by the future whistle-blower shows how determined he was to make known his allegations that Mr. Trump asked Ukraine's government to interfere on his behalf in the 2020 election. It also explains how Mr. Schiff knew to press for the complaint when the Trump administration initially blocked lawmakers from seeing it.

The C.I.A. officer approached a House Intelligence Committee aide with his concerns about Mr. Trump only after he had had a colleague first convey them to the C.I.A.'s top lawyer. Concerned about how that initial avenue for airing his allegations through the C.I.A. was unfolding, the officer then approached the House aide. In both cases, the original accusation was vague.

The House staff member, following the committee's procedures, suggested the officer find a lawyer to advise him and meet with an inspector general, with whom he could file a whistle-blower complaint. The aide shared some of what the officer conveyed to Mr. Schiff. The aide did not share the whistle-blower's identity with Mr. Schiff, an official said.

“Like other whistle-blowers have done before and since under Republican and Democratic-controlled committees, the whistle-blower contacted the committee for guidance on how to report possible wrongdoing within the jurisdiction of the intelligence community,” said Patrick Boland, a spokesman for Mr. Schiff.

In his whistle-blower complaint, the officer said Mr. Trump pressured the Ukrainian government to investigate a host of issues that could benefit him politically, including one connected to a son of former Vice President Joseph R. Biden Jr.

A reconstituted transcript released by the White House of a call between Mr. Trump and President Volodymyr Zelensky of Ukraine backed up the whistle-blower's account, which was itself based on information from a half-dozen American officials and deemed credible by the inspector general for the intelligence community, Michael Atkinson.

Mr. Trump, who has focused his ire on Mr. Schiff amid the burgeoning Ukraine scandal, wasted no time in trying to use the revelation about the whistle-blower's attempt to alert Congress to try to denigrate his complaint. In a news conference in the East Room of the White House after this article was published, Mr. Trump called it a scandal that Mr. Schiff knew the outlines of the whistle-blower's accusations before he filed his complaint.

"Big stuff. That's a big story," Mr. Trump said, waving a copy of the article in the air. "He knew long before and helped write it, too. It's a scam," the president added, accusing Mr. Schiff of helping the whistle-blower write his complaint. There is no evidence that Mr. Schiff did, and his spokesman said he saw no part of the complaint before it was filed.

The whistle-blower's decision to offer what amounted to an early warning to the intelligence committee's Democrats is also sure to thrust Mr. Schiff even more forcefully into the center of the controversy as a target of Mr. Trump's.

Earlier Wednesday, Mr. Trump said Mr. Schiff should be forced to resign for reading a parody of the Ukraine call at a hearing, an act Mr. Trump has called treasonous and criminal.

"We don't call him shifty Schiff for nothing," Mr. Trump said. "He's a shifty, dishonest guy."

Mr. Schiff's aides followed procedures involving whistle-blower's accusations, Mr. Boland said. They referred him to an inspector general and advised him to seek legal counsel.

Mr. Schiff never saw any part of the complaint or knew precisely what the whistle-blower would deliver, Mr. Boland said.

“At no point did the committee review or receive the complaint in advance,” he said. He said the committee received the complaint the night before releasing it publicly last week and noted that that came three weeks after the administration was legally mandated to turn it over to Congress. The director of national intelligence, Joseph Maguire, acting on the advice of his top lawyer and the Justice Department, had blocked Mr. Atkinson from turning over the complaint sooner.

In response to questions, spokeswoman for Senators Richard M. Burr of North Carolina, the Republican chairman of the Senate Intelligence Committee, and Mark Warner of Virginia, its Democratic vice chairman, said it was standard procedure to refer whistle-blowers to the relevant inspectors general.

The future whistle-blower went to Mr. Schiff's committee after he grew concerned about the first investigation he had touched off.

The C.I.A. officer first had a colleague take his concerns — in vague form — to the C.I.A.'s general counsel, Courtney Simmons Elwood, who began a preliminary inquiry by contacting a deputy White House counsel, alerting the White House that complaints were coming from the C.I.A.

As C.I.A. and White House lawyers began following up on the complaint, the C.I.A. officer became nervous, according to a person familiar with the matter. He learned that John Eisenberg, a deputy White House counsel and the legal adviser to the national security adviser, was among those scrutinizing his initial allegation.

Contacts in the National Security Council had also told the C.I.A. officer that the White House lawyers had authorized records of Mr. Trump's call with Mr. Zelensky to be put in a highly classified computer system, meaning that the lawyers who were now helping the C.I.A. investigate the officer's allegations were the same ones implicated in them. The officer has alleged that White House aides' decision to store the call records more restrictively was itself an abuse of the system.

The C.I.A. officer decided the complaint he had brought to Ms. Elwood was at risk of being swept aside, prompting him to go to the lawmakers who conduct oversight of the intelligence agencies.

He followed the advice of Mr. Schiff's aide and filed his complaint to Mr. Atkinson. And though Mr. Maguire blocked him from forwarding it to Congress, he did allow Mr. Atkinson to notify lawmakers of its existence.

The complaint was filed in consultation with a lawyer, officials said. “The intelligence community whistle-blower followed the advice of legal counsel from the beginning,” said Andrew Bakaj, the lead counsel for the whistle-blower. “The laws and processes have been followed.”

Filing a complaint with Mr. Atkinson gave the whistle-blower added protections against reprisals and also allowed him to legally report on classified information. While House Intelligence Committee members are allowed to receive classified whistle-blower complaints, they are not allowed to make such complaints public, according to a former official. A complaint forwarded to the committee by the inspector general gives it more latitude over what it can publicize.

By the time the whistle-blower filed his complaint, Mr. Schiff and his staff knew at least vaguely what it contained.

Mr. Schiff, after a private letter and phone call to Mr. Maguire, publicly released a letter seeking the complaint and suggested it could involve Mr. Trump or others in his administration. Mr. Schiff followed up by subpoenaing documents from Mr. Maguire and requesting him to testify before the intelligence panel.

Officials in Mr. Maguire's office, who did not know the details of the complaint, were puzzled why Mr. Schiff went public right away, eschewing the usual closed-door negotiations.

But letters from the inspector general and Mr. Maguire had made clear to the House Intelligence Committee that the Justice Department and the White House were blocking Mr. Maguire's office from forwarding the complaint.

Congressional officials insisted that Mr. Schiff and his aides followed the rules. Whistle-blowers regularly approach the committee, given its role in conducting oversight of the intelligence agencies, Mr. Boland said.

“The committee expects that they will be fully protected, despite the president's threats,” Mr. Boland said, referring to the whistle-blower without identifying his gender. “Only through their courage did these facts about the president's abuse of power come to light.”