

Congress of the United States
Washington, DC 20515

November 1, 2019

The Honorable James Richard “Rick” Perry
Secretary
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Secretary Perry:

Pursuant to the House of Representatives’ impeachment inquiry, we write to request your voluntary appearance at a deposition on **November 6, 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.

The Committees are investigating the extent to which President Donald J. 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.

By letter dated October 10, 2019, the Committees transmitted a subpoena that compelled you to produce documents relevant to the House’s impeachment inquiry.¹ The letter stated:

Recently, public reports have raised questions about any role you may have played in conveying or reinforcing the President’s stark message to the Ukrainian President. These reports have also raised significant questions about your efforts to press Ukrainian officials to change the management structure at a Ukrainian state-owned energy company to benefit individuals involved with

¹ See Letter from Chairman Adam B. Schiff, Permanent Select Committee on Intelligence; Chairman Eliot L. Engel, Committee on Foreign Affairs; and Chairman Elijah E. Cummings, Committee on Oversight and Reform, to Secretary Rick Perry, Department of Energy (Oct. 10, 2019) (online at <https://tinyurl.com/yx9peazp>).

Rudy Giuliani's push to get Ukrainian officials to interfere in our 2020 election.²

The letter set forth publicly reported details of your involvement in the President's scheme to pressure Ukraine to pursue investigations that would benefit the President's personal political interests, rather than the national interest.³ On October 18, the Department of Energy sent a letter to the Committees stating that the Department would not comply with the duly authorized congressional subpoena “at this time.”⁴ To date, the Department has not produced a single document to the Committees.

Since the Committees transmitted the subpoena on October 10, the impeachment inquiry has yielded additional evidence of your role in the President's corrupt scheme, including your dealings with the President's personal lawyer, Rudolph Giuliani, and communications with Ukrainian government officials. On October 16, you told *Wall Street Journal* in an interview that—although Mr. Giuliani has no official U.S. government position—you “contacted Mr. Giuliani in an effort to ease a path to a meeting between Mr. Trump and his new Ukrainian counterpart” after the President told you around the time of a May 23, 2019 Oval Office meeting to “[v]isit with Rudy.”⁵ During a subsequent telephone call, Mr. Giuliani told you that “the [P]resident is really concerned that there are people in Ukraine that tried to beat him during this presidential election” and that “they're corrupt.”⁶ You further stated that President Trump “doesn't trust” the Ukrainians because, according to Mr. Giuliani, the President “blamed Ukraine for the dossier about Mr. Trump's alleged ties to Russia that was created by a former British intelligence officer,” “Ukraine had Mrs. Clinton's email server,” and Ukraine “‘dreamed up’ evidence that helped send former Trump campaign chairman Paul Manafort to jail.”⁷

On October 17, you announced your resignation and indicated that you intended to leave the Department of Energy “later this year.”⁸

Based upon evidence gathered in the impeachment inquiry and the above-referenced public reporting, we believe that you possess information relevant to the Committees'

² *Id.* at 1.

³ *Id.* at 5-8.

⁴ See Letter from Assistant Secretary Melissa F. Burnison, Office of Congressional and Intergovernmental Affairs, Department of Energy, to Chairman Adam B. Schiff, Permanent Select Committee on Intelligence; Chairman Eliot L. Engel, Committee on Foreign Affairs; and Acting Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform (Oct. 18, 2019).

⁵ *Rick Perry Called Rudy Giuliani at Trump's Direction on Ukraine Concerns*, Wall Street Journal (Oct. 16, 2019) (online at www.wsj.com/articles/rick-perry-called-rudy-giuliani-at-trumps-direction-on-ukraine-concerns-11571273635).

⁶ *Id.*

⁷ *Id.*

⁸ *Rick Perry to Step Down as Energy Secretary*, Wall Street Journal (Oct. 17, 2019) (online at www.wsj.com/articles/rick-perry-to-step-down-as-energy-secretary-11571345723).

investigation. Accordingly, we hereby request that you appear for a deposition on November 6, 2019. Because the House deposition regulations do not permit agency counsel to participate in depositions, please have your personal counsel contact us to arrange for your appearance.

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

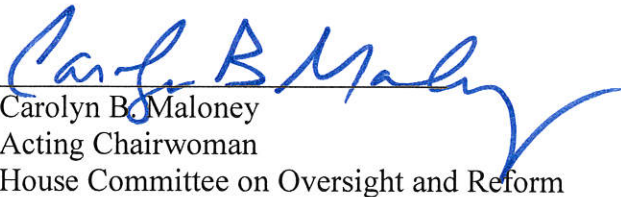
Sincerely,



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