

White House, Pentagon, Giuliani reject House subpoenas

The White House, the Pentagon, and President Trump's personal attorney Rudy Giuliani on Tuesday all refused to comply with House Democrats' impeachment inquiry subpoenas, escalating the fight between the administration and Democratic lawmakers.

Democrats set a Tuesday deadline for Defense Secretary Mark Esper, Giuliani and the White House Office of Management and Budget (OMB) to turn over documents related to Ukraine.

Three House committees also requested Vice President Pence hand over documents by Tuesday, though no subpoena had been issued.

The refusals from top administration officials were unsurprising after the White House counsel's office sent a letter to top Democrats last week making clear that the administration would refuse to cooperate with the impeachment inquiry.

Matthew Morgan, counsel to the vice president, wrote in a letter to the three committee chairmen that Pence would not comply with their request, citing the lack of a vote establishing formal procedures for the impeachment inquiry and questioning the fairness of the process.

A letter from Giuliani's lawyer to the House Intelligence Committee dismissed the subpoena, saying it is "overbroad, unduly burdensome, and seeks documents beyond the scope of legitimate inquiry."

The Pentagon said in a letter to the three committee leaders that it has taken steps to identify and preserve potentially relevant documents, but that the subpoena "raises a number of legal and practical concerns" and the department would not comply "at this time."

A senior administration official said that OMB and acting Director Russ Vought "are not participating in the sham impeachment process."

House Democrats could move to hold those defying the subpoenas in contempt, though it is unlikely the Justice Department would prosecute them.

Democrats are leading an impeachment inquiry into whether Trump abused his office when he urged Ukraine to look into Democratic presidential candidate and former Vice President Joe Biden during a July 25 phone call with the Ukrainian president.

As part of the investigation, the Oversight and Reform, Intelligence and Foreign Affairs committees are seeking documents and communications among administration officials related to the call, as well as documents pertaining to the administration's handling of military aid for Ukraine.

White House counsel Pat Cipollone wrote in a letter to Speaker Nancy Pelosi (D-Calif.) last week that the administration would refuse to cooperate with requests for documents and communications, decrying the impeachment inquiry as an "invalid" effort to "overturn the results of the 2016 election."

Cipollone argued in his letter that the House had yet to hold a vote on the impeachment inquiry and therefore the White House did not have to comply with their requests.

It's unclear whether such a vote would change the White House's stance. Trump has said he would cooperate if the established rules for the investigation were "fair."

Democrats have also issued subpoenas to Energy Secretary Rick Perry and indicted Giuliani associates Lev Parnas and Igor Fruman as part of their investigation.

In recent days, a host of current and former administration officials have testified privately to the House committees leading the impeachment inquiry, alleging that Giuliani and others were conducting a shadow influence campaign in Ukraine that undermined official channels.

Source:

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