



October 8, 2019

David Skaggs, Chairman
Allison Hayward, Vice-Chairman
Office of Congressional Ethics
U.S. House of Representatives
425 3rd Street, S.W.
Suite 1110
Washington, DC 20024

**Re: Request for Inquiry into Multiple Violations of House Ethics Rules
by Rep. Adam Schiff, Chairman, House Permanent Select Committee
on Intelligence**

Dear Chairman Skaggs and Co-Chairman Hayward:

On behalf of the millions of activists and supporters of Tea Party Patriots Action, I hereby request that the Office of Congressional Ethics (OCE) conduct an investigation into multiple violation(s) of House Rule XXIII by Rep. Adam Schiff, Chairman of the House Permanent Select Committee on Intelligence.

The request is being sent by Jenny Beth Martin, Honorary Chairman, Tea Party Patriots Action, a non-profit, citizens' grassroots organization dedicated to holding Washington officials accountable for their actions.

According to published reports, for over three years, Rep. Schiff has repeatedly made false statements to the public and the media in his capacity as Ranking Member and now Chairman of the House Permanent Select Committee on Intelligence. These instances of blatantly false and misleading statements – as well as Rep. Schiff's ongoing misuse of his power and authority on the House Permanent Select Committee on Intelligence to advance his partisan political interests, his fabrication of testimony, and his overt efforts to seek incriminating information from Ukrainian sources about the President of the United States – bring into question Rep. Schiff's suitability to continue to serve as Chairman of the House Permanent Select Committee on Intelligence, in particular when the critical subject that Rep. Schiff is making much of relates to the Ukraine.



The rules of the House of Representatives for the 116th Congress specifically provide as follows:

"Rule XXIII - Code Of Official Conduct

"There is hereby established by and for the House the following code of conduct, to be known as the 'Code of Official Conduct:'

"1. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall behave at all times in a manner that shall reflect creditably on the House.

"2. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof."

Rep. Schiff has violated the Official Code of Conduct of the House of Representatives in the following specific instances, establishing a pattern of misconduct that reflects poorly on the U.S. House of Representatives, and he has abused his power as Ranking Member and now as Chairman of the House Permanent Select Committee on Intelligence in his quest to obtain damaging information from foreign sources about the President of the United States.

I direct the OCE's attention to just three of the myriad examples of Rep. Schiff's abuse of power, misuse of House resources, and false statements to the public and the media, as well as abuse of the hearing procedures of the House Permanent Select Committee on Intelligence.

1. Rep. Schiff has lied publicly and to the media about his role and that of the staff of the House Permanent Select Committee on Intelligence staff with the "whistleblower," denying that he and the majority staff had met with the whistleblower. Those statements were false.

From the October 4, 2019 *Daily Wire*, appears the following summary account of the multiple lies and deliberate misleading of the public and the press by Rep. Adam Schiff with regard to his knowledge and that of the House Permanent Select Committee on Intelligence staff of the so-called whistleblower complaint, to-wit:

"OCTOBER 4TH, 2019

"Washington Post Fact Checker Gives Adam Schiff Four Pinnochios For Misleading About Contact With Trump Whistleblower

"By [Ashe Schow](#)



“Rep. Adam Schiff (D-CA) misled multiple times when asked about whether he knew about the whistleblower who alleged President Donald Trump had broken the law during a conversation with Ukraine President Volodymyr Zelensky. For that, The Washington Post’s fact checker Glenn Kessler awarded him ‘[Four Pinocchios](#)’ the highest rating, indicating an outright falsehood.

“Schiff had made multiple statements regarding the whistleblower prior to The New York Times and the Post’s reporting that showed the whistleblower ‘approached a House Intelligence Committee staff member for guidance before filing a complaint with the Intelligence Community inspector general,’ Kessler wrote. While the staff member said they only learned the ‘very bare contours’ of the allegation, those ‘contours’ included ‘potentially privileged communications by persons outside the Intelligence Community,’ which, according to Kessler, is code for the president.

“Based on this information, Kessler looked at three statements made by Schiff prior to the reporting.

“On September 16, Schiff told CNN’s Anderson Cooper that he doesn’t ‘know the identity of the whistleblower’ after being asked if he did. But when Cooper asked if the whistleblower or their legal representation had contacted Schiff, the California congressman deflected, saying: ‘I don’t want to get into any particulars. I want to make sure that there’s nothing that I do that jeopardizes the whistleblower in any way.’

“On September 17, Schiff told Sam Stein on MSNBC’s ‘Morning Joe’ panel that neither he nor his staff had ‘spoken directly with the whistleblower.’

“‘We would like to. But I am sure the whistleblower has concerns that he has not been advised, as the law requires, by the inspector general or the director of national Intelligence just how he is supposed to communicate with Congress, and so the risk to the whistleblower is retaliation,’ Schiff said.

“As Kessler noted, this ‘is flat-out false’ because we now know Schiff’s committee *did* speak directly to the whistleblower. A staffer for Schiff told Kessler that Schiff was referring to whether or not the committee had heard ‘testimony from the whistleblower, which they had not.’ Schiff later told The Daily Beast he should have been clearer in his answer.



“And on September 19, Schiff told reporters: ‘In the absence of the actions, and I want to thank the inspector general, in the absence of his actions in coming to our committee, we might not have even known there was a whistleblower complaint alleging an urgent concern.’

“Kessler said Schiff was misleading here again because even though he later claimed he didn’t know the whistleblower that came to his committee was the same one we all know now, he gave ‘no hint that the committee was aware a potentially significant (“privileged”) complaint might have been filed.’

“As Kessler concluded:

“Schiff on ‘Morning Joe’ clearly made a statement that was false. He now says he was answering the wrong question, but if that was the case, he should have quickly corrected the record. He compounded his falsehood by telling reporters a few days later that if not for the IG’s office, the committee would not have known about the complaint. That again suggested there had been no prior communication.

“The explanation that Schiff was not sure it was the same whistleblower especially strains credulity.”

<https://www.dailywire.com/news/washington-post-fact-checker-gives-adam-schiff-four-pinocchios-for-misleading-about-contact-with-trump-whistleblower>

See also:

<https://thehill.com/homenews/media/464374-washington-post-fact-checker-gives-schiff-four-pinocchios-for-whistleblower>

<https://www.washingtonexaminer.com/news/washington-post-fact-checker-gives-schiff-four-pinocchios-for-claim-that-his-panel-had-not-spoken-with-whistleblower>

<https://www.politifact.com/truth-o-meter/statements/2019/oct/04/adam-schiff/adam-schiffs-false-claim-we-have-not-spoken-direct/>

I hereby request that the Office of Congressional Ethics investigate the facts and the circumstances surrounding the actions of Rep. Schiff and the majority staff on the House Permanent Select Committee on Intelligence regarding their role in promoting



the filing of the whistleblower complaint at issue in the article and giving rise to the actions over the past several weeks to the current inquiry regarding President Trump's phone call with the Ukrainian president.

Did Rep. Schiff and his staff actively seek to fabricate a whistleblower complaint as a pretext for initiating an impeachment inquiry against President Trump? Why did Rep. Schiff conceal the role he and the Intelligence Committee majority staff played in the origins of this episode?

The Office of Congressional Ethics must undertake an inquiry into what Rep. Schiff knew, when he knew it, and what role did he and his staff play in the initiation of the whistleblower's "complaint."

2. Fabrication of Testimony to the House Permanent Select Committee on Intelligence.

On September 27, 2019, Rep. Adam Schiff, in chairing a nationally televised public hearing of the House Permanent Select Committee on Intelligence, deliberately and falsely made an opening statement purporting to be the transcript of the telephone conversation between the President of the United States and the newly elected Ukrainian President, Volodymyr Zelensky.

The actual record of the call was released by the White House on September 25, 2019, providing Rep. Schiff ample time to review the transcript and to include the actual transcript in the hearing record of the House Permanent Select Committee on Intelligence hearing two days later, on September 27, 2019.

LINK to White House record of July 25, 2019 Ukraine phone call:

<https://drive.google.com/file/d/1uyWKAGgHlqDEORgjOyo0uq7JOXzhxOQf/view>

However, rather than entering into the record the *actual* transcript of the call, Rep. Schiff chose to depart from all normal and customary protocols of the House, and proceeded to open the hearing of the Intelligence Committee with a fictional narrative of what he apparently *wished* the transcript of the call to have been.

Below is the key portion of the falsified narrative that Rep. Schiff read into the record as though it was the actual transcript of President Trump's July 25, 2019 phone call with the Ukrainian President:

"And what is the President's response — well it reads like a classic organized crime shake down. In essence, what the President Trump communicates is this: We've been very good to your country. Very good. No other country has done as much as we have. But you know what, I don't see much reciprocity here. You know what I mean? I hear what you want. I have a



favor I want from you though. And I'm going to say this only seven times, so you better listen good. I want you to make up dirt on my political opponent, understand? Lots of dirt, on this and on that. I'm going to put you in touch with people, and not just any people. I'm going to put you in touch with the Attorney General of the United States — my Attorney General, Bill Barr — he's got the whole weight of American law enforcement behind him. And I'm going to put you in touch with Rudy, you're going to love him. Trust me. You know what I'm asking, so I'm only going to say this a few more times, in a few more ways. And don't call me again. I'll call you when you've done what I asked."

The full video recording of Chairman Schiff's blatantly false statement at an official hearing of the House Permanent Select Committee on Intelligence can be found at this link below.

Rep. Adam Schiff's full opening statement VIDEO (relevant portion begins at 4:14):
<https://www.youtube.com/watch?v=GN4CJ8MYLTY>

Even the regularly and reliably pro-Schiff network CNN found fault with Rep. Schiff's stunt, acknowledging that it was misleading to the public:

"Schiff's remarks did make it easy for viewers to get confused. He did not make clear which words he was taking directly from Trump's comments in the rough transcript, which words were his own analysis, and which words were meant to be the comedic 'parody' he later said he was intending.

"At some points, Schiff's words strayed quite far from what the rough transcript showed Trump saying."

CNN Fact Check: Breaking Down Adam Schiff's Account of Trump's Ukraine Call:
<https://www.cnn.com/2019/09/27/politics/fact-check-adam-schiff-trumps-ukraine-call/index.html>

The Acting Director of National Intelligence, Joseph Maguire, who testified following Rep. Schiff's falsified statement, was required to take an oath that day to tell the truth in *his* statements to and before the Committee.

Photograph of Acting DNI Maguire taking the oath, swearing to tell the truth to the House Permanent Select Committee on Intelligence on September 27, 2019.

<https://www.c-span.org/video/?464509-1/acting-director-national-intelligence-maguire-testifies-whistleblower-complaint>

The Chairman of the Committee should likewise be held to the same standards of truthfulness in his statements in official proceedings, rather than concocting a fictional account of a conversation that never happened.



The Chairman of the House Permanent Select Committee on Intelligence surely cannot be excused from his misconduct in deliberately misleading the American people and distorting the record of his committee.

I therefore request that OCE launch an investigation into the false narrative placed in the official record of the House Permanent Select Committee on Intelligence by Rep. Adam Schiff on September 27, 2019.

3. Rep. Schiff has previously used and abused his position on the House Permanent Select Committee on Intelligence to seek damaging and negative information about President Trump from Ukrainian sources, including the use of House Permanent Select Committee on Intelligence staff to seek such materials.

In February 2018, a London newspaper reported that two comedians had conducted a prank involving Rep. Schiff, telling him that they had nude photos of President Trump that they were able and willing to provide to him via the Ukrainian embassy.

What has yet to be fully investigated is that following the prank phone call, there were several emails from a senior Intelligence Committee majority staffer, Rheanne Wirkkala, who reached out to the individuals to discuss how to obtain the incriminating photos and materials about the President of the United States.

According to press reports in early 2018:

“The Daily Mail [reported](#) Tuesday that a member of Schiff’s staff continued correspondence with the pranksters via email, seeking the damaging material on Trump.

“The pranksters said they would transfer the material to Schiff through the Ukrainian embassy in Washington, D.C.”

<https://www.dailymail.co.uk/news/article-5355713/Adam-Schiff-spoofed-Russian-claim-nude-Trump-pic.html>

See also:

https://www.realclearpolitics.com/video/2018/02/06/russian_comedians_prank_call_rep_adam_schiff_promise_him_naked_photos_of_trump_from_fsb.html



Rep. Schiff later claimed that he was not “fooled” by the prank call. However, that does not explain the communications by his senior staffer, Rheanne Wirkkala, seeking information regarding the “materials” that had been referenced in the call.

Attached to this letter are the screen shots of the emails from / to Ms. Wirkkala, seeking to follow up on obtaining the damaging materials about President Trump. See Attachments, Email correspondence with Rheanne Wirkkala, April 3-4, 2017.

The purpose and mission of the House Permanent Select Committee on Intelligence is to protect the interests of the United States of America from foreign adversaries – not to enlist foreign adversaries to attack the President of the United States.


I hereby request that the OCE conduct a preliminary inquiry into the actions taken by Rep. Schiff and his staff during the spring of 2017 to try to obtain damaging and inflammatory information and photographs about President Trump.

In conclusion, Rep. Schiff has, through multiple actions and false statements, abused his power as both Ranking Member and now as Chairman of the House Permanent Select Committee on Intelligence. He has violated the Official Code of Conduct of the House of Representatives through a pattern of deception and misdeeds, demonstrating that he is unfit to continue to serve as Chairman of the House Permanent Select Committee on Intelligence.

I respectfully request that the Office of Congressional Ethics immediately launch an inquiry into Rep. Schiff's misconduct.

Please contact me at Jenny.Beth@TeaPartyPatriots.org should you have additional questions.

Sincerely,



Jenny Beth Martin
Honorary Chairman
Tea Party Patriots Action





Відповісти



RE: Re[2]: Re[2]: Re[2]: Re[2]: Discussion with US House Permanent Select Committee on Intelligence

Wirkkala, Rheanne

4 квітня 2017, 19:27:17



I understand Mr. Schiff had a productive call with Mr. Parubiy, and that Mr. Parubiy would like to make some materials available to Mr. Schiff through your Embassy. Please let me know how best to arrange pick-up of those materials from your Embassy here in Washington, D.C.

Thanks,
Rheanne

From: [REDACTED]

Sent: Monday, April 03, 2017 11:13 PM

To: Wirkkala, Rheanne [REDACTED]@mail.house.gov>

Subject: Re[2]: Re[2]: Re[2]: Re[2]: Discussion with US House Permanent Select Committee on Intelligence

Dear Rheanne,

Thank you. This time is good for him.

[REDACTED] and I will transfer Congressman Schiff to the Mr. Parubiy.

[REDACTED]

--- Оригінальне повідомлення ---

Від кого: "Wirkkala, Rheanne"

Дата: 4 квітня 2017, 03:55:43

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> Thanks!
> Rheanne
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Відповісти



Переслати



Відповісти



RE: Re[2]: Re[2]: Re[2]: Re[2]: Re[2]: Discussion with US House Permanent Select Committee on Intelligence

Wirkkala, Rheanne

4 квітня 2017, 20:42:45



Thanks, Sergey. All that sounds great. Please let me know when the materials are ready to be picked up from the Embassy here in Washington, and in the meantime I will wait for the unclassified documents you can provide.

Thanks!
Rheanne

From: [REDACTED]

Sent: Tuesday, April 04, 2017 1:41 PM

To: Wirkkala, Rheanne <[REDACTED]@mail.house.gov>

Subject: Re[2]: Re[2]: Re[2]: Re[2]: Re[2]: Discussion with US House Permanent Select Committee on Intelligence

Dear Rheanne,

Thank you! Today we will contact with our embassy in Washington DC and our representative will visit it in the end of this week to give them all our materials. Than our ambassador Chaliy personally will give that to the congressman. Also mr Schiff told he will provide information from our conversation to office of FBI in Kiev (embassy of the US in Ukraine) through you and they will call us. Today we will send you unclassified documents for the congressman. Please forward him that.

With best regards,
Sergey

--- Оригінальне повідомлення ---
Від кого: "Wirkkala, Rheanne"
Дата: 4 квітня 2017, 19:27:17

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> Sergey,
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> I understand Mr. Schiff had a productive call with Mr. Parubiy, and that Mr. Parubiy would like to make some materials available to Mr. Schiff through your Embassy. Please let me know how best to arrange pick-up of those materials from your Embassy here in Washington, D.C.

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Відповісти



Переслати