

Cummings Questions New Issa Subpoenas

Ranking Member concerned that Chairman's subpoenas are "confused, rushed, and unnecessary"

(Washington, DC) – Congressman Elijah E. Cummings (MD-07), Ranking Member of the House Committee on Oversight and Government Reform, today wrote to Chairman Darrell Issa, expressing concern with three unilateral subpoenas issued abruptly over the past eight days without adequate consultation with Committee Members.

Last Wednesday, Issa issued a subpoena for Countrywide mortgage documents relating to Members of Congress. A day after issuing this subpoena, however, Issa backtracked and said he was "not targeting any members."

This week, Issa issued two more unilateral subpoenas, requiring employees at the Department of Homeland Security to testify at depositions on March 7 and 8 about the Department's FOIA policies and practices.

"Based on your public statements and the underlying facts, all three subpoenas appear unnecessary at this time and could have been avoided if you had adequately consulted with me and other Members of the Committee," said Cummings.

On January 25, Issa pledged to Committee Members that he would consult with them prior to issuing subpoenas. Cummings raised concern that Issa was not living up to this pledge.

"Despite this promise, your record is now 0 for 3, and this has resulted in confused, rushed, and unnecessary subpoenas," said Cummings.

Issa had been considering a subpoena for documents he requested from DHS in two letters in January and February, but he abandoned that plan Friday afternoon after meeting with Cummings and speaking directly with DHS Secretary Napolitano.

Instead, Issa reversed course and directed DHS to suspend document production late Friday night. By Tuesday, he had e-mailed subpoenas to the Department to compel the testimony of their employees.

“I was dismayed to learn that you had signed both of these deposition subpoenas on Thursday, February 17—the day before our meeting and before your call with Secretary Napolitano,” said Cummings. “Your actions create the impression that your decision had already been made.”

Cummings urged Issa to work with him “to ensure that the Committee exercises its subpoena authority responsibly.”

As he stated: “The coercive power of this Committee should be used only when the purpose of the subpoena is clear and reasonable efforts to obtain the information have been exhausted. Subpoenas should not be issued in a rushed and confused manner that leaves Members of the Committee wondering whether they serve legitimate interests.”

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[CLICK HERE](#) to read the letter to Chairman Issa from Ranking Member Cummings