

THE WHITE HOUSE

WASHINGTON

July 14, 2014

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
United States House of Representatives
Washington, DC 20515

Dear Chairman Issa:

I write in response to your letter of July 11, 2014, and the subpoena you issued to David Simas, Assistant to the President and Director of the White House Office of Political Strategy and Outreach (OPSO). In your letter, you accepted my offer to have my staff provide a briefing on OPSO. You requested that the briefing take place before the hearing you have scheduled for Wednesday.

In response to your request, I have directed my staff to arrange to provide that briefing on Tuesday, July 15. I trust that the briefing will answer any remaining questions that you have about how OPSO is complying with the law governing political activity by federal employees, including the Hatch Act.

My willingness to provide you with a briefing on an expedited schedule is another example of the efforts my office has undertaken to provide you with substantial information about OPSO in a manner that appropriately reflects our respective interests. I remain committed to working with you in the same spirit going forward, and hope that you will do the same, should you determine that there are any legitimate oversight concerns that have not been addressed by Tuesday's briefing.

While I am hopeful that we can work together constructively to address your stated interests, your subpoena is not helpful to these efforts. As you know, it has been the view of Administrations from both political parties that summoning the President's most senior advisors to provide public testimony raises significant separation of powers concerns. The Committee's effort to compel Mr. Simas's testimony threatens longstanding interests of the Executive Branch in preserving the President's independence and autonomy and his ability to obtain candid advice and counsel to aid him in the discharge of his constitutional duties. Your decision to pursue this course of action is precipitate and surprising in light of our clear willingness to work with you to meet your informational needs and the fact that you have not pointed to any evidence that OPSO has violated the Hatch Act. Moreover, your subpoena, which directs Mr. Simas to appear at a public hearing three business days after it was issued, unnecessarily constrains our ability to work together by limiting the time we have to explore mutually-agreeable ways to provide you with the information you seek. Consequently, I ask that you lift the subpoena to Mr. Simas immediately so that we can continue to discuss how to address appropriately any remaining concerns you may have following Tuesday's briefing.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Neil Eggleston". The signature is written in a cursive, slightly slanted style.

W. Neil Eggleston

cc: The Honorable Elijah E. Cummings, Ranking Minority Member

The Honorable Carolyn Lerner, Special Counsel
U.S. Office of Special Counsel