

Thorough & Strategic Preparation Serves as Linchpin in Successful Testimony before Congress

January 29, 2020

Where we started: Our client contacted us when the U.S. House of Representatives Oversight Committee launched an investigation into security clearance issuances by the Personnel Security Office within the Executive Office of the President of the United States. The committee issued subpoenas and/or interview requests to current and former employees of that office, including our client, to testify and provide documents as part of the probe.

Our strategy – plus more: As counsel for the Executive Office of the President, our team represented, before the House Oversight Committee, a former employee who had been the director of the White House Security Office. Various members of the House majority were threatening to have him arrested and possibly jailed because of his initial reluctance to testify, which they said constituted contempt of Congress.

On our client's behalf, we tight-roped an inter-branch dispute between Congress and the White House, reviewed the former director's documents, and counseled him about the request for his testimony. We coordinated our efforts with the White House Counsel and negotiated the terms under which he would appear and answer questions, ensuring that, among other things, we preserved executive privilege to protect the interests of national security. Drawing on our extensive experience in representing clients under investigation and dealing with government officials at all levels, we then strategically prepared our client to testify in what we knew would be a long and grueling round of closed-door recorded interviews before the Oversight Committee.

Upshot: After 10 hours of testimony, the committee members ended their inquiry of the former director. By the time we were done – and despite their previous threats of punitive action against our client – they publicly stated that it would be inappropriate to have him arrested or jailed and that he had sufficiently cooperated with the investigation. He walked out of the halls of the House of Representatives unscathed and autonomous – and grateful for our successful representation.