

Trump DOJ Seized Data From House Democrats In Leaks Probe



The Justice Department under former President Donald Trump seized data from the accounts of at least two members of the House Intelligence Committee in 2018 as part of an aggressive crackdown on leaks related to the Russia investigation and other national security matters, according to a committee official and two people familiar with the investigation.

Prosecutors from Trump's Justice Department subpoenaed Apple for the data, according to the people, who were granted anonymity to discuss the secret seizures first reported by The New York Times.

The records of at least twelve people connected to the intelligence panel were eventually shared, including Chairman Adam Schiff, who was then the top Democrat on the committee. California Rep. Eric Swalwell was the second member, according to spokeswoman Natalie Edelstein. The records of aides, former aides and family members were also seized, including one who was a minor, according to the committee official.

Apple informed the committee last month that their records had been shared, but did not give extensive detail. The committee is aware, though, that metadata from the accounts was turned over, the official said. The records do not contain any other content from the devices, like photos, messages or emails, one of the other people said. The third person said that Apple complied with the subpoena, providing the information to the Justice Department, and did not immediately notify the members of Congress or the committee about the disclosure.

While the Justice Department routinely conducts investigations of leaked information, including classified intelligence, opening such an investigation into members of Congress is extraordinarily rare.

The Trump administration's attempt to secretly gain access to data of individual members of Congress and others connected to the panel came as the president was fuming publicly and privately over investigations — in Congress and by then-special counsel Robert Mueller — into his campaign's ties to Russia. Trump called the probes a "witch hunt," regularly criticized Schiff and other Democrats on Twitter and repeatedly dismissed as "fake news" leaks he found personally harmful to his agenda. As the investigations swirled around him, he demanded loyalty from a Justice Department he often regarded as his personal law firm.

House Speaker Nancy Pelosi, D-Calif., said in a statement that "these actions appear to be yet another egregious assault on our democracy" waged by the former president.

"The news about the politicization of the Trump Administration Justice Department is harrowing," she said.

Schiff, now the panel's chair, confirmed in a statement Thursday evening that the Justice Department had informed the committee in May that the investigation was closed. Still, he said, "I believe more answers are needed, which is why I believe the Inspector General should investigate this and other cases that suggest the weaponization of law enforcement by a corrupt president."

The Justice Department told the intelligence panel then that the matter had not transferred to any other entity or investigative body, the committee official said, and the department confirmed that to the committee again on Thursday.

The panel has continued to seek additional information, but the Justice Department has not been forthcoming in a timely manner, including on questions such as whether the investigation was properly predicated and whether it only targeted Democrats, the committee official said.

It is unclear why Trump's Justice Department would have targeted a minor as part of the probe. Swalwell, confirming that he was told his records were seized, told CNN Thursday evening that he was aware a minor was involved and "I believe they were targeted punitively and not for any reason in law."

Another Democrat on the intelligence panel, Illinois Rep. Mike Quigley, said he did not find it even "remotely surprising" that Trump went after committee members' records during the Russia probe.

"From my first days as part of the Russia investigation, I expected that eventually, someone would attempt this — I just wasn't sure if it would be a hostile government or my own," Quigley said.

There's no indication that the Justice Department used the records to prosecute anyone. After some of the information was declassified and made public during the later years of the Trump administration, there was concern among some of the prosecutors that even if they could bring a leak case, trying it would be difficult and a conviction would be unlikely, one of the people said. Federal agents questioned at least one former committee staff member in 2020, the person said, and ultimately, prosecutors weren't able to substantiate a case.

The news follows revelations that the Justice Department had secretly seized phone records belonging to reporters at The New York Times, The Washington Post and CNN as part of criminal leak investigations. Following an outcry from press freedom organizations, the Justice Department announced last week that it would cease the practice of going after journalists' sourcing information.

By MARY CLARE JALONICK and MICHAEL BALSAMO. Associated Press writer Eric Tucker contributed to this report.

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