

SUBPOENA

**BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE
CONGRESS OF THE UNITED STATES OF AMERICA**

The Honorable Emily W. Murphy, Administrator, U.S. General Services Administration

To _____

You are hereby commanded to be and appear before the
Committee on Transportation and Infrastructure

_____ of the House of Representatives of the United States at the place, date, and time specified below.

- to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: 2165 Rayburn House Office Building, Washington, DC 20515
Date: November 4, 2019 Time: 10:00am

- to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____
Date: _____ Time: _____

- to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____
Date: _____ Time: _____

To any authorized staff member or the U.S. Marshals Service _____

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at
the city of Washington, D.C. this 24th day of October, 2019.

Pat A. DeFazio
Chairman or Authorized Member

Attest:
Robert F. Reeves, Deputy Clerk
Clerk

PROOF OF SERVICE

Subpoena for The Honorable Emily W. Murphy, Administrator, U.S. General Services Administration

Address 1800 F St NW

Washington, DC 20405

before the Committee on Transportation and Infrastructure


*U.S. House of Representatives
116th Congress*

Served by (print name) Jill Harrelson

Title Deputy Counsel

Manner of service Electronic

Date 10/24/19

Signature of Server 

Address 2165 Rayburn House Office Building

Washington, DC 20515

SCHEDULE

The House Committee on Transportation and Infrastructure requires that you, Emily W. Murphy, Administrator, U.S. General Services Administration, are hereby required to produce, in accordance with the attached Definitions and Instructions, the following unredacted documents and communications in your possession, custody, or control:

1. Any and all communications, from June 16, 2015 to the present, referring or related to the Old Post Office building lease agreement (GS-LS-11-1307), sent or received between contracting officer Kevin Terry, and any other GSA employee, and any of the following:
 - i. Donald J. Trump,
 - ii. Ivanka Trump,
 - iii. Donald Trump Jr.,
 - iv. Eric Trump, or
 - v. David Orowitz.
 - b. Any and all communications sent or received between Timothy Horne and
 - i. the Donald J. Trump campaign for president, and
 - ii. the Donald J. Trump presidential transition.
 - c. Any and all memoranda and opinions from the GSA Office of General Counsel's Office referring or related to the Old Post Office lease agreement.
 - d. All "formal notices" pursuant to the Old Post Office lease agreement
 - i. from GSA to the tenant, or
 - ii. from the tenant to GSA.
 - e. All documents submitted by the tenant pursuant to the Old Post Office lease agreement, including but not limited to monthly reports, that describe revenues, expenses, and budgets.
 - f. All written guidance provided by the White House or any federal agency related to the Old Post Office lease agreement.
2. Documents sufficient to show how profits generated by the Trump International Hotel are calculated and the amounts that GSA is entitled to receive on an annual or monthly basis. Specifically, documents that demonstrate:
 - a. How often Trump International Hotel calculates the profits,
 - b. How often profit information is provided to GSA,
 - c. Eligible expenses that are itemized by Trump International Hotel,
 - d. Projected revenue information provided by Trump International Hotel, and
 - e. Any mechanisms GSA is entitled to use to validate profit calculations.
 3. All "profit statements" for the Trump International Hotel from January 1, 2016 to present.

4. Any guidance provided by the White House or any federal agency to GSA with regard to the Old Post Office lease agreement.
5. Documents sufficient to show whether any of the following White House employees have been recused from participating in decisions related to the Old Post Office lease.
 - a. Ivanka Trump, and
 - b. Jared Kushner.

DEFINITIONS

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including but not limited to, the following: memoranda, reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matters, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation nota a part of original text is considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The term "any" means both any and all. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term "including" shall be construed broadly to mean "including, but not limited to."
5. The term "concerning" means relating to, referring to, describing, evidencing, or constituting.

6. The term "Company" means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
7. The term "identify," when used in a question about individuals, means to provide the following information: (1) the individual's complete name and title; (b) the individual's business or personal address and phone number; and (c) any and all known aliases.
8. The term "related to" or "referring or relating to," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
9. The term "employee" means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
10. The term "individual" means all natural persons and all persons or entities acting on their behalf.
11. "Person" or "persons" means natural persons, firms, partnerships, associations, corporations, subsidiaries, division, departments, joint ventures, proprietorships, syndicates, or other legal business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units, thereof.
12. "Documents in possession" means (a) documents in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party. This includes but is not limited to documents that are or were held by your attorneys.
13. "Formal notice" means any communication required under the provisions of the lease.
14. "Profit" means any profit, revenue, and sales.

INSTRUCTIONS

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. No records, documents, data or information called for by this request shall be destroyed, modified, removed or otherwise made inaccessible to the Committee.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e. CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Please produce documents in PDF and native versions.
7. For PDFs, all PDF files must meet the following requirements:
 - a. All PDFs must be unitized i.e. each PDF must represent a discreet document; a single PDF cannot contain multiple documents.
 - b. All PDFs must contain embedded text to include all discernable words within the document, not selected text.
 - c. The PDF file will be named as the Bates range, with all document text contained within.
8. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and

explain the circumstances under which the document ceased to be in your possession, custody, or control.

11. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
12. All documents shall be Bates-stamped sequentially and produced sequentially.
13. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2165 Rayburn House Office Building and the Minority Staff in Room 2164 Rayburn House Office Building.
14. Upon completion of the production, submit a written certification signed by you, or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.