THE BROOKINGS INSTITUTION

THE ROLE OF CONGRESS IN PROTECTING LIBERAL DEMOCRACY

A CONVERSATION WITH REPRESENTATIVE ADAM SCHIFF OF THE HOUSE INTELLIGENCE COMMITTEE

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PARTICIPANTS:

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P R O C E E D I N G S

MR. WITTES: Hi, everybody. Welcome to Brookings Institution. My name is Benjamin Wittes. I'm a senior fellow here in Governance Studies, and editor of Lawfare; along with Susan Hennessey, who is also a fellow in Governance Studies, and Lawfare's managing editor.

I don't usually do protracted introductions of people, and I'm going to try to keep this as brief as I can, but there are some things that I actually want to say about Congressman Schiff, with whom I actually have a long relationship that he probably does not remember. (Laughter) But I actually think the relationship -- history of our interactions is actually highly significant to the subject that he's going to be speaking about.

And at the risk of embarrassing him, I want to lay it out a little bit. So, first of all, Congressman Schiff didn't use to be a media celebrity, and he didn't use to have 117,000 Twitter followers, and he didn't use to be the sort of person who, you know, gave a major address at the Brookings Institution that fills the room, and spills out into overflow space.

In the fall of 2001 when 9/11 happened, he was a backbench minority congressman, and a freshman at that. And that is a low-status position. And I was an editorial writer at The Washington Post at the time, and I have to be a little bit careful about how I talk about this, because we have a policy at The Washington Post that we don't disclose who wrote what editorials, ever. And I'm going to try to honor that today. But if you guys want to read between certain lines, I certainly won't correct you.

So, it was in November of 2001 that I got a call from Congressman Schiff about a really wonky bill he had just introduced entitled, The Deadly Biological Agents Control Act of 2001. And I had written some editorials about -- in the wake of 9/11, about the lack of federal controls over really dangerous pathogens.

And here was a member who had thought about what a structure of federal

regulation would look like. We had a long conversation about it, and that basic structure of designated select agents that you have to have a license to possess or distribute, that's not law.

A few months later -- by the way, its law, not as a direct result of the introduction of the bill, but that basic structure has been federal law, I think since 2002 or 2003. A few months later, we found ourselves confronted, as a society, by the problem of what happens when U.S. citizens are detained by U.S. forces, outside of the criminal justice system.

And I got another call from Congressman Schiff, who, you know, had been an assistant U.S. attorney, and who had done some real thinking about what the relationship between criminal process and military detention should look like.

And he had introduced a bill called the -- I'm sorry, wrong page -- called the Detention of Enemy Combatants Act, which was an effort to (a) authorize certain military detentions; but (b) create process for them, and create guidance that would be compliant with international law for the way these things were done. This was not the way civil libertarians were talking at the time. It certainly wasn't the way the Bush administration was talking at the time; that basic structure is also now law.

Earlier that year -- I've actually done this out of sequence -- I got, still, another call from Congressman Schiff about a bill he had introduced entitled, The Military Tribunals Act of 2002, which had a similar structure actually, it was an effort to authorize the -- it was an effort to authorize the military commissions, but provide guidance that would make them compliant with norms of fairness, international law, et cetera.

Similarly, this was not where civil libertarians were at the time, it was really not where the Bush administration was at the time; that basic structure, which Congress eventually caught up with in 2006 and then again 2009 in the Military Commissions Act, is also now law.

So, I think you may see where I'm going with this, which is that Congressman Schiff was somebody who was thinking very deeply very early about the role of the legislature,

and the role of legislators in fateful national security decisions that we are thinking about as a society.

And in 2004, and again, we don't disclose at The Post who writes what editorials, so you know. But The Washington Post ran an editorial in April 3, 2004, that begins, "We have complained before of Congress' passivity in balancing American liberty and security in the wake of the attacks of September 11, 2001, particularly as to such questions as how military detainees domestically and abroad ought to be handled.

"The law provides no easy answers. Many of the questions the nation faces are essentially legislative in character, yet instead of crafting new laws that both authorize appropriate detentions and put limits on the executive branch's powers, the national legislature has preferred to sit on its hands and foist political responsibility for these decisions onto the Bush administration and the courts."

Representative Adam Schiff has been an honorable exception. And it goes on from there to talk about some of this, particularly, in the detention space. So I want to say -- all that has been a long-winded way of saying, for which I apologize, that there is a real continuity between the role that he was playing quite early, really as early as 2001, and the role that he is playing now, which is to say that, to insist that: the legislature has a role, has an important role in thinking about investigating what strikes him. And I'll let him speak for himself on this of course, but also strikes a lot of people in this room, which is, I think why this room is full of people right now, as an ongoing threat to liberal democracy, both domestically and internationally.

And to think about what the role of a congressional investigation, what the role of legislative authority is in confronting those questions. I want to just say, he's actually, really consistent with who Representative Schiff has been since he was a freshman backbencher with no ability, on the surface anyway, to pass legislation.

And I want to say, finally, and I will turn it over to him, that this track record that I

just laid out, which is that the ideas with which we think about the legislative function with respect to important problems, actually does matter over the long run. It does shape the way the law looks, it shapes the way we have military commissions today, it shapes our regime for detention today.

And we haven't talked about the AUMF, but he's done a lot of work in that area too, and it even shapes these technical little questions like what the regulatory regime is for biological agents. I haven't talked at all about Russia, and I'm not going to, because that's what he is going to do.

I'm going to stop here, and just say it is a great pleasure to have Representative Schiff here. And by the way, in case I haven't mentioned, he is of course the ranking member of the House Permanent Select Committee on Intelligence, which is conducting the investigation that -- one of the investigations of Russian hacking, and other "active measures" in conjunction with the U.S. election. It's a pleasure to have you. (Applause)

REP. SCHIFF: Ben, thank you very much. That was a wonderful introduction. And if you ever come across that editor at The Washington Post, please thank Ben for me. And Susan, thank you as well for inviting me, and thank you to Brookings.

Ben was very kind in the choice selection he made of some of my legislative initiatives, and was kind enough to exclude some others that landed with a great big thud, and went nowhere. I think of one in particular where I was trying to deal with the challenge of: how do you handle enemy combatants when they are arrested? How do you handle the situation when you arrest someone overseas on terrorism charges?

Obviously there has been a tension between the parties on whether they should be treated as an enemy combatant, or as a criminal defendant; and do they go to the tribunals, do they go to the federal criminal courts? And the challenge in using the criminal justice system is, among other things, that not just the need to advise people of Miranda rights, but the need to

present them before a magistrate in a timely way.

That's generally when people clam up, it's not necessarily when they are advised of their rights, but when they are brought before a magistrate. And so I introduced a bill that I thought might hit the sweet spot of support between Democrats and Republicans, where we would express a sense of Congress that the "good faith" exception to the Miranda requirement, that gives you some more time before you advise them of Miranda rights, ought to be broadly construed in the terrorism context.

And vis-à-vis the presentment clause that the attorney general, upon affidavit, could seek an extension of the time before making presentation to a magistrate under XYZ circumstances; and I did hit that sweet spot, where neither Democrats nor Republicans were willing to support it.

I think I hit a similar sweet spot, Ben, in an effort to craft an AUMF that would not cross the GOP redline of restricting the president, geographically, but would also provide a recourse in Congress where you could have war powers-like expedited vote if a president introduced forces to either amend or repeal the authorization that was granted and that, similarly, attracted no support from either side.

So, thank you for being very selective in your choice of legislative accomplishments. But as someone who spends a lot of time thinking about national security and the intersection of policy and law, and the distribution of powers under the Constitution, I'm very grateful for Lawfare.

These issues inspire a lot of passion, and a lot of misinterpretation and mischaracterization, but Lawfare has provided a space for reason and responsible discussion by a range of voices, and I greatly thank you for it. How many publications can earn the distinction of being selectively misquoted and misrepresented and appear in a tweet by the president? Okay, actually quite a lot. But nonetheless, it's a badge of honor.

Well, Lawfare is a relative newcomer to our national debate, and the Brookings Institute [sic] has played a prominent role in the formulation of policy across a broad range of foreign and domestic issues for decades now. Along with the government itself, the American electorate and our free press, Brookings and its peers have come to constitute a crucial fourth leg of the American policy process.

The value of Brookings: quality, independence and impact, are essential to stimulate change and progress, and I hope you'll continue your important work especially at this unsettled moment in the life of our nation.

The past months have left us all reaching for an understanding of where we are, for a sense of what lies ahead, for a path forward to meet the challenges, and sometimes for the right words to describe the unprecedented. As I often like to say, I'm running out of adjectives and expletives.

In the two months since Inauguration Day, things that seemed once unthinkable now seem quite routine. An air of semi-permanent crisis has settled over the nation's capital, where there's a palpable disquiet that I've never seen in the decade-and-a-half that I've served in Congress. And I think that disquiet crosses party lines.

Consider the House Permanent Select Committee on Intelligence investigation into the Russian active measures campaign against the 2016 election. Yesterday morning, the HPSCI held the first of two open hearings this month, the next will be next Tuesday.

A hearing which the directors of the FBI and NSA stated unequivocally that a startling accusation of illegal wiretapping made by a sitting president against his predecessor was patently false; rebutted another statement the president issued during the hearing as also inaccurate, a rare opportunity to use the directors to fact-check the president in real time; and informed the country for the first time that the president's campaign personnel were under federal investigation for possible collusion with the Russians. And all this was before lunch.

I came to Congress, as Ben was saying, in 2001, and vividly recall the September 11th attacks and the weeks that followed. The tension was palpable back then as well. F-15s patrolled the skies over Washington, and the National Guard Troops were on the streets of major American cities. But there was also a unity of purpose, and a resolve that together, as Americans, we could confront the scourge of al-Qaeda and prevail.

There were prolonged and bitter disagreements in the months and years ahead about how to defeat terrorism, but we were united in identifying the threat and recognizing the need to act.

This time is different. Despite the unanimous conclusion of the 17 entities that make up the U.S. intelligence community that the Russian government sought to sow discord in our political process and undermine the Clinton campaign, there is a seeming hesitancy to dig too deeply into possible collusion between the Trump organization and the Russians and to ascribe too much to Moscow, lest it call into question the legitimacy of the outcome of the 2016 election.

As I have been saying for several weeks, I hope that our committee can transcend partisan division, and work together in the coming months to produce a report to which we can all attach our names. This is a difficult test for Congress in an era when the legislative process has too often failed to fulfill even its most routine duties. And whether we can meet that test is far too early to say.

But I certainly believe that it would be in the country's interest for us to do so. If at the end of the day both parties issue competing conclusions, we will have added very little to the nation's understanding of this attack on our democracy. It's no secret that I do not think that our investigation or the parallel one being undertaken by our Senate counterparts should be the last word on the matter.

Last December, Acting Former Director of the CIA Michael Morell, a man who has devoted his life to keeping the nation secure and who has served presidents of both parties

throughout his career, told the Cipher Brief that Russia's interference in the 2016 elections was the political equivalent of 9/11.

I agree with Mike, and I've been pushing for the creation for a 9/11-style commission that will have the time, the resources and the charter to undertake a truly comprehensive investigation of what has happened. The Russian attack on our democracy last year was an unprecedented act, and it was directed, obviously, at us, and unprecedented in its success.

In fact, the Russian government and the Soviets before them, have long been working to destabilize their European neighbors, perfecting the techniques that were deployed so effectively here last year.

While Russia has always devoted enormous intelligence resources towards countering what they refer to as the “main enemy,” it has much greater success in mounting political operations in Europe, especially in Eastern and Central Europe, where there are populations of ethnic Russians or economic ties to Moscow.

Many of the same macroeconomic and demographic forces that have buffeted our country in recent years are also present overseas, and often to a greater degree. Across Europe, high unemployment, fraying social welfare systems, and growing populations are propelling right wing and populist parties.

The most consequential manifestation of this populist tide was the Brexit vote in Britain last June. Much as with Hillary Clinton in our own presidential election four months later, the "Remain" campaign was expected to prevail. But instead was overwhelmed by a late surge of older, rural voters, a similar demographic to those who had later propelled Donald Trump to victory.

In France, Marine Le Pen, the National Front Candidate who shares Trump's hostility to immigrants, skepticism of NATO, and affinity for Putin, is expected to make it through

the first round of presidential voting, and into a two-candidate runoff on May 7th.

In Germany, where Angela Merkel faces reelection in September, the far-right alliance for Germany is expected to improve on its previous performance, and will probably meet the threshold required to gain seats in the German Parliament. The party founded just four years ago has been riding a surge of support in reaction to the Merkel government's 2015 decision to admit large numbers of Syrian refugees.

Hungary and Poland, two former Warsaw Pact states that are now both members of NATO and the European Union, are governed by right-wing parties that use the power of the State to undermine the judiciary, the press, and other pillars of civil society.

Hungary's Prime Minister, Viktor Orbán, famously boasted in a 2014 speech that, "The new state that we are building is an illiberal state, a non-liberal state."

In Slovakia, another former Soviet satellite, Prime Minister Robert Fico has presided over a steady erosion of the country's rankings in terms of governance and transparency as he has worked to restrict civil liberties and judicial independence.

The anti-democratic tide has even threatened countries renowned for their tolerance, progressivism, and commitment to the democratic path. In the Netherlands voters last week may have turned back far-right candidate Geert Wilders' bid to become prime minister, but his party increased its seats in parliament, where it is now the second largest party.

Europe's illiberal parties are not uniformed in their platforms, but they are generally nationalistic, hostile to immigrants, and skeptical of the European Union and greater integration. Some, like Bulgaria's Rumen Radev; and France's Le Pen; and François Fillon, the French center-right candidate now charged with embezzlement, openly embrace Vladimir Putin, and call for easing sanctions against Moscow.

Others, including Polish Prime Minister Beata Szydło, are committed to retaining membership in NATO and the EU. But all of them, whatever their ostensible position on Russia,

serve the Kremlin's interest by undermining the political order throughout Europe, and especially for the EU and NATO.

This is not the Cold War, and the relationship between European populists and Moscow bears little resemblance to the mostly slavish devotion of European communists in earlier times. Rather, Russia has sought to exploit existing fractures in European societies by means of a simple but successful recipe that encompasses the following elements: economic relationships, some above board, some otherwise; political influence, either direct or through cutouts, like supposedly independent media or NGOs; and covert influence such as the acquisition and dumping of emails, personal information, and other documents that could be damaging or embarrassing to one party of another, a phenomenon that I call the "weaponization of information".

A report issued by the Center for Strategic and International Studies last October on Russian influence in central and eastern Europe identified these tactics as elements of Russia's doctrine of new generation warfare, which is primarily a strategy of influence, not of brute force; and its primary goal of breaking the international coherence of the enemy system, and not about its integral annihilation.

The objective is simple: to arrest and reverse European integration, to push NATO back to Russia's borders -- from Russia's borders, and to the extent possible recreate Soviet-era influence in Moscow's near abroad. The Russians have been using these types of tactics for decades, going back to Soviet times, and analysts on both sides of the Atlantic expect their “active measures” campaigns to continue.

In the next few months, France and Germany will hold national elections, and authorities in both Paris and Berlin are bracing for a wave of hacking and dumping, as well as the dissemination of misinformation in the hopes of unseating Angela Merkel, and boosting the fortunes of Marine Le Pen.

Whether Putin succeeds will depend in no small measure on whether, and to what extent, the people of Europe recognize the Russian actions for what they are, and respond accordingly. Some early indications, including the Dutch elections I mentioned a few minutes ago, would seem to lend credence to the theory that European electorates, now that they have seen it happen it here, will be better able to repel the Kremlin's attempts to influence their own decision-making.

But alert voters do not guarantee that Putin will fail. As I mentioned earlier, Trump benefited from Russia's ”active measures” in spite of the fact that public speculation centered on Russian intelligence from the moment that the first DNC emails began to surface in the days before the Democratic National Convention last July.

Ensuring that the assault by Russia and others on democracy does not succeed must now take its place among the first rank of foreign policy issues, a docket that is already overwhelming and not likely to get any more manageable in the foreseeable future.

We, and here I'm referring to the "international community of democracies" have a duty to act in concert to protect the electrical process in France and Germany, and in other countries where Russia, or other anti-democratic regimes are working to subvert elections and distort internal dialogue.

As the birthplace of modern democracy and its great champion, the United States must lead this effort. But the sense among allies and others is that this is a role that our new president neither desires, nor considers a priority for the United States.

Several weeks ago, I accompanied Senator John McCain and a bipartisan delegation from both Houses of Congress, to the annual Munich Security Conference, which brings together several hundred senior policymakers and experts. The panels at this year's gathering focused on the challenge to the West, to NATO, and to democracy itself.

But there was really only one question on everybody's mind in Munich that

weekend: Where is America? On the stage and in the hallways, everybody wanted to know why the new president and his team have so suddenly, and with so little forethought, abandoned America's traditional place as the leader of the world's democracies.

That sentiment was only intensified in the weeks since, and when Chancellor Merkel visited the White House at the end of last week, much of the commentary on both sides of the Atlantic echoed Politico's headline, "The Leader of the Free World Meets Donald Trump."

While in Munich, I attended a small dinner organized by Irish rocker and global humanitarian, Bono. That's one of the advantages of traveling with John McCain. (Laughter) I had dinner with Bono and Bill Gates, you know, pretty sad company really. I actually have a bone to pick Bono. No single person should have that much talent, because it leaves a lot less for the rest of us.

He is not only a brilliant musician, and obviously a world-class philanthropist, but he speaks like a poet. And after he was done discussing efforts that he and others were making to end extreme poverty and preventable diseases, he affectingly reminded my colleagues and me, when he said something really precious about America. When he said: "I'm very proud to be Irish. I'm very proud of Ireland, but Ireland is just a country; America is also an idea."

As an American hearing Bono's words, and those of a parade of world leaders visiting the White House: Canada's Justin Trudeau, Irish Prime Minister Enda Kenny, and most recently, Chancellor Merkel, who have pointed out, and pointedly reminded the president of America's proud heritage, as both the land of opportunity and as a sanctuary for those in peril.

This has been both remarkable and humbling, and has impressed upon me the damage that his executive orders are doing to our international reputation, separate and apart from the damage to our national security. In 1990, former President Ronald Regan traveled to Westminster College in Fulton, Missouri, the site of Winston Churchill's famous Iron Curtain Speech, to keynote the dedication of a Cold War Memorial constructed from eight sections of the

Berlin Wall, which had come down only the year before.

Towards the end of his remarks, Reagan addressed the students directly. He said, "I received a letter just before I left office from a man. I don't know why he chose to write it, but I'm glad that he did." He wrote that you can go live in France, but you can't become a Frenchman, you can go live in Germany or Italy, but you can't become a German, an Italian.

He went through Turkey, Greece, Japan and other countries, but he said, "Anyone from any corner of the world can come to live in the United States and become an American." That essence of renewal and rebirth has always been at the heart of what America means to the world. It's why governments and hundreds of millions of ordinary people around the globe are so concerned.

And if we are to restore America's place as guardian of democracy, and the American president as the leader of the free world, we must begin with a repudiation of this ill-conceived and odious order, and the indiscriminate crackdown on undocumented immigrants. Proving once again that the unique genius of the founders, the courts have stepped into the breach to block implementation of both of the president's immigration orders.

But it does not alleviate Congress from its own responsibility as a coequal branch of government to look for better, fairer, more humane ways to secure our borders. And if Congress, as a whole, will not speak out, then my party must.

Returning the welcome mat to America's doorstep is one of the number of steps that Congress can take, to turn back the tide of illiberalism abroad, and reassert our traditional leadership of the international effort to enlarge the circle of freedom.

But there are others. First, the world's superpower deserves a first-rate diplomatic and development corps, properly resourced and with a capacity to direct and disperse effective foreign assistance that also advances our national security interests around the world.

The proposed cuts to the State Department and USAID would fundamentally

impair our ability to conduct a range of vital work around the world, and must be opposed and reversed. Congress, through the appropriations process, has the power to reject the gutting of our diplomacy, and I'm confident that we will.

Second, the promotion of human rights has always been at the heart of American foreign policy, yet the new secretary of state, Rex Tillerson, did not even bother to show up for this year's release of the Report on Human Rights, a sharp break with the practice of previous secretaries. I hope that new secretary will look for ways to highlight support for human rights going forward.

Here, too, Congress has the power to act, to impose sanctions such as those authorized under the Magnitsky Act by directing withholding spending, by using the bully pulpit of Congress to shine a spotlight, and particularly egregious cases, as I and others have been doing for the past decade, through the Congressional Caucus for Freedom of the Press.

And in this context I think about people all over the world who look to the United States. I think about those young protesters in Tahrir Square, before their revolution was hijacked by the Islamists. Many of them now are in prison, others are worried about going to prison, and I think they must look to the United States and wonder: Are we still here? Do they still have an advocate? Do they still have a voice? And if that voice doesn't come from the White House, it is incumbent on Congress to be that voice.

Third, we must respond to the manipulation of the media. The creation of actual fake news, states sponsorship of networks like RT in Russia and China's CCTV, and armies of Internet trolls who help to amplify and spread malign content, are effective tools to undermine democracy and pluralism, and keep the West off-balance and on the defensive.

Rather than slowly starving our international broadcasting program, which for seven decades have been bringing real news and hope to millions trapped by oppression, Congress should dramatically increase our ability to meet the challenge by expanding languages

and platforms, and ensuring that content is relevant to a contemporary audience. We also need to direct a system to strengthen independent media and states along Russia's frontiers, which are the target of relentless pro-Moscow propaganda.

Fourth, we must continue to work with our international partners to share intelligence on attempts to undermine democracy. According to press reports, it was a tip from British intelligence that may have first alerted our government that Russia was hacking into the DNC, and our best guarantee of success is collective action and constant vigilance.

Through the Annual Intelligence Authorization Act, and our ongoing oversight, this is an area in which the two Intelligence Committees in Congress can be extremely helpful, and I intend to push for additional sharing on Russian activities.

Finally, we must reaffirm our commitment to the alliances and international structures that we created in the decades after the Second World War. The U.N. may be maddeningly imperfect, our NATO partners may not always meet their funding commitments, and it may seem that we are on the short end of trade disputes, but the global system that some see as so constraining is by and large an American work product and one that locks in the structural advantages for the United States.

Congress should reject cuts to the U.N. and other international organizations, and forcefully restate our commitment to NATO and our other allies around the world. These are a few things that we can do outside of our borders to strengthen the general capacity of the West to defeat ”active measures” and other hybrid campaigns against our politics.

But this is a battle that must also be fought at home. The Russians and the Soviets before them, have long sought to interfere in our elections. The difference is that time they succeeded. Perhaps their tradecraft was better, and their ability to use WikiLeaks as a conduit to dump thousands of emails directly into millions of homes made the attack more effective.

Or, perhaps, we were more vulnerable than we realized to an attack of this sort. For several decades now, since the Watergate era, a range of American institutions, including the press, has fallen dramatically in the eyes of the American people, as has trust in government. The growth of highly partisan media, amplified by megaphones like Fox and Breitbart, have made our politics so tribalized and so focused on zero-sum victories that any expression of bipartisanship is subject to criticism.

When we are inclined to believe the worst about each other, is it surprising that an attack comprised of hacked and dumped material, that reinforces a preexisting opinion, was so effective? In the short run, Congress can work to institute early-warning systems that dictate procedures by which the intelligence community can forward timely notification to the president, the congressional leadership, and affective parties as soon as suspected "active measures" are detected.

We also need to look for ways to more actively engage the public, and warming them of the providence of what they are reading or watching. Much of this effort will have to come from private industry, and Facebook, Google, and others are engaged in efforts to combat the plethora of fake news that was disseminated on their sites.

Their work is decidedly in our national interest and we should be looking for ways to support it consistent with our commitment to free expression. We must also do more to harden our political infrastructure to mitigate the chances of intrusions, and possible manipulation of state voter rolls, or other data necessary for the conduct of our elections.

And clearly, no president can allow an attack of this sort to continue, without making public attribution and informing the public. I understand the dilemma President Obama found himself in, but his voice would have been critical in ensuring that the full dimensions of the Russian meddling penetrated into the electorate's consciousness.

Ultimately, however, the Russian effort succeeded in its goal of undermining

support for Hillary Clinton in a democratic process more generally because we allowed it to. I've said it twice before this morning, and I'll repeat it a third time now, media reports from the beginning pointed to Russian involvement. Everyone knew what was going on, and who was behind it while it was occurring.

When Donald Trump, on July 27, 2016, called on Russia to hack and release Hillary Clinton's emails, he was doing so in response to the nearly universal belief that Russia was behind the dumping of internal DNC communications.

Nevertheless, Trump, his campaign, and news outlets from coast to coast gleefully pounced on the emails from senior DNC staff and senior Clinton campaign aide John Podesta without much hesitation, given how and why it ended up in their hands.

Worse, still, was the receptivity of huge swaths of the American public to Moscow's ill-gotten gains. This must never be allowed to happen again. To do that, we must harden the population against these type of attacks, and simultaneously work to detoxify our politics. Neither will be easy. We need to prepare the American people to recognize and reject these type of attacks when they occur.

Finland, which shares a long border with Russia and has been a target of protracted “active measures” campaigns going back decades, relies on strong institutions and a well-educated populace as the first line of defense against its enormous neighbor.

In the United States, the state of our civics education is woeful, and it's an afterthought for many school districts in an era when parents and many future employers want a greater emphasis on science and math. That needs to change, and America’s school kids need to have a much more consistent and detailed exposure to civics all the way from K-12. Not only will it build a population that is less susceptible to manipulation, but it will have the added benefit of boosting our embarrassingly low voter participation rate.

Finally, no "active measures" campaign will succeed against the government

whose citizens believe that it is serving their interest, and discharging its duties honestly. Russia succeeds where there is mistrust and a lack of confidence in government and in other national institutions. That is the case in this country at the moment, and I'm reminded almost daily, that I'm a member of an institution with an approval rating in the low single digits, maybe the low double digits.

The American people see us as ineffective, corrupt, or both, and they desperately want us to work together to solve the nation's problems. When we repeatedly fail to pass appropriation bills, when nominees for senior government posts languish for years in the Senate, or when simple dead extension votes become an occasion for political hostage taking, we are doing Putin's work for him, and preparing the ground for his next attack.

We may be in an era when neither party can afford to give an inch, but at some point both Republicans and Democrats are going to have to relearn the art of compromise, and to redefine victory if the American experiment is to flourish, and if we are to beat back the challenge of nativism and foreign attacks on liberal democracies.

For nearly three decades now, the old ways of consensus and cooperation have been eclipsed by a 24/7 brawl in which truth is the first casualty and all of us lose. That has got to stop for all of our sakes. And the hunger for cooperation, any kind of cooperation, is there.

When two of my colleagues from Texas, Democrat Beto O'Rourke and Republican Will Hurd, drove together from Texas to Washington to escape last week's snowstorm that made the news all the way around the world.

Liberty and democracy are not our birthright to be taken for granted, and the United States of America is not exempt from the siren song of authoritarianism, nor are we invulnerable to the imaginations of others. Our democracy has been paid for with blood, and it must be nurtured and treated with reference. In some respects, our commitment to popular sovereignty is a point of vulnerability, but it's also our greatest strength.

If Putin and other undemocratic leaders around the world were not so fearful of the appeal of liberty, they would not seek to weaken it. Now that we know the enemy within our midst, it is up to us to rise to the challenge. Thank you. (Applause)

MS. HENNESSEY: Thank you, Congressman Schiff, for that very powerful and, in parts, quite moving defense of liberal democracy. It strikes me in your comments that we have a couple of, sort of, orders on the agenda; some immediate business to take care of, and then some, sort of, longer-term problems that we need to address.

In the immediate, your committee's investigation into Russian hacking, potential collusion, sort of, the wide-ranging investigation that Director Comey confirmed the existence of yesterday. That seems to be sort of the first order of business. And so if the public, which is already so fractured, so confused about what to believe, is going to understand what is going on, how do you view the role of your committee in focusing on the hacking, the collusion, the leaks, the potential, you know, conduct that is of associates but maybe not directly, sort of, related?

How do you view sort of the educational portion of that investigation, and really, sort of, Congress' duty to communicate with our constituents?

REP. SCHIFF: That's a great question, and as I indicated in my opening comments, one of the keys here is to try to inoculate the public against this kind of action again, and in order to do that effectively we have to understand just what the Russians did. Obviously, they were involved in the hacking documents, the dumping of documents, but there's a lot we still don't know. We don't know, for example, whether this was an operation that began in a way that we've have seen before, where they are simply gathering foreign intelligence. This wasn't the first time a foreign nation has been interested in people who may become president of the United States. We have to expect those kinds of foreign intelligence gathering operations.

But at a certain point, they decided to weaponize the data that they had stolen. Now, was the object at the outset, and what does that tell us about the Russians' willingness to

shed any risk aversion to the winds? Or, was there something that took place during that period, in July and August that caused them to move from one type of operation to another?

So there are still a lot of questions to be answered on very basic issues, let alone the issue of whether there was coordination with the Trump campaign. One of the things I had hoped, and I'm very pleased that we were able to do this, this week, and we have another open hearing next week, is conduct as much of this can in the public.

I think inside the beltway, you know, we have to tendency to think the whole world is constantly watching, and their day revolves around what happens here, and of course most people are just trying to make a living and get by and provide for their families. Yesterday may have been the first time the country really, kind of, tuned in to: What is this all about?

You know, we are hearing this noise from the White House, and we are hearing this noise from Congress, and its conflicting noise. The president says this is just an effort to re-litigate the election. What's really going on here? What's really at stake? And the most important question I always try to answer for people, whether it's the Affordable Care Act, or it's the Russian hack is: Why should they care?

And I have to say I think, as Democrats, my party needs to accept responsibility for the fact that, as I mentioned, the public largely knew that the Russians were behind the hacking and dumping of documents, and we failed to persuade them why they should care. And so I think that’s a continuing responsibility of demonstrating to the public: this is something they need to care about, because this is a direct threat to our democratic way of life, and not just ours, but others around the world.

And, you know, those people I mentioned in Tahrir Square, they are all over the world. This is a tragedy not only for us, but it's a tragedy for everyone, whether they plan to come to the United States or not, whether they are affected by travel ban or not. They are all affected if they view the United States in a different light, and they think that the leader of community of

democracies has decided that human rights, representative government, is just not that important anymore. So, I think that public component is very, very important.

MR. WITTES: So, you ended your remarks -- you outlined a rather extraordinarily ambitious legislative agenda, both domestically and abroad. You ended your remarks with a recognition that this has got to be something that crosses party lines, that, you know, people don't have confidence in a completely divided Congress or political system.

But yesterday at this hearing, I was really struck by the fact that there were two entirely different hearings going on. There was the one that you guys were conducting, which was all about these issues. And then there was one that the majority was conducting which was about a set of leaks, some of them quite serious, and seemed relatively unconcerned about any of the issues regarding the substance of the leaks.

Now, of course this mirrors, in reverse, the campaign when Democrats were upset about WikiLeaks publishing the Russian stolen material, and the Trump people were only interested in talking about the contents of the material. But I'm interested in how you even think about a broad, ambitious, liberal democracy protection agenda in an environment in which we can't even decide what this hearing is about

REP. SCHIFF: You know, what's striking me about your question is that the agenda I outlined would be considered so far-reaching and provocative; it would normally have been just policy for the United States in prior administrations. You know, supporting a strong diplomatic corps, or supporting NATO and Europe. It's such a head-spinning time that that's considered as aggressive as it is, but you're right, and obviously we are up against a lot when there are proposals to cut the State Department by a third.

And when our NATO allies, the only message that they really hear, and it doesn't matter frankly what the vice president says, or what Nikki Haley says, it only matters to them what the president says, because they are not sure that any of these other people really matter. And

the only thing they hear from the president is: Pay up.

And, you know, I'll tell you, being in Munich and talking with our allies there, these are allies that have their people -- and many of them are small countries where everyone knows everyone -- had their people fight and die next to American soldiers and marines and other service members in Afghanistan and Iraq, and they are basically told they are a bunch of deadbeats. You can imagine how that goes over. You can imagine how the whole, sort of, in-your-face America First agenda goes over.

You know, every nation I think understands that they put their own interests first, we are not the only ones who do that, but if you are trying to get the cooperation of others, it's probably not to start out with that. You don't want to go into negotiation even with your best friend saying, "OK Just so long as we understand from the beginning, I come first." Not particularly effective strategy.

But anyway, getting back to the hearing; you know, I mentioned this during the opening statement I made, because I thought it was particularly foreseeable, that you would see very different questions asked by members of the parties. And that's okay. I would be surprised if it were otherwise.

What was truly remarkable to me about the hearing yesterday -- and maybe I'm just a glass-half-full kind of guy -- what was truly remarkable to me about the hearing is: It didn't look like most other congressional hearings on a topic of such tremendous political significance. There wasn't any attack by one member against the other members. There wasn't any, you know, yelling or screaming, there wasn't any of the usual hyperbole, it was actually quite a civil hearing that befits the seriousness of what we are talking about. I consider that to be progress.

Now, you know, I will be the first to admit that if you were going to bet against our committee, if you were going to bet against the entire Congress, you would most likely win your bet, you know, 10 out of 10 times, betting against any institution these days particularly in

Congress.

And so I don't know whether we'll be able to get to the finish line, which is: complete an investigation, agree on what we have found, and issue a single report. But I do feel it would be a tremendous public service if we can.

And I remember at the beginning of the Benghazi Select Committee, which I was dragooned into serving on -- of course many of us suspected that the whole goal of the committee was a political object, not really a fact-finding inquiry. I had already served on a Benghazi Investigative Committee that was conducted by the House Permanent Select Committee on Intelligence.

We reached a bipartisan conclusion. We issued a single report. We debunked all of these myths and mysteries about Benghazi. So, I've been through it, and I had seen the way it should be done. And here you have this new vehicle, the ninth investigation, set up for the purpose of taking down Hillary Clinton's numbers. And I said at the outset of that committee, "The only way this ninth investigation is going to add any value to the other eight and find out anything particularly new, is if, at the end of the day we arrive at a common conclusion. Otherwise, we would have wasted a lot of time, and a lot of money, and accomplished nothing. The people who want to believe the worst of Hillary Clinton will read the majority report, and people who want to believe the worst about the GOP majority will read the Democratic report." And that's exactly, of course, what happened.

I think we have to make every effort to make sure that doesn't happen here. But I'll tell you, I would rest a lot easier if I knew there was an independent commission there as a backup. And one other thing, which is a lot less sexy to talk about, is one of the issues I raised with Director Comey yesterday when I pointed out the very small number of people sitting on the dais and sitting behind me, who are the entire investigative capability of our committee.

It's a very finite group of people who have a pretty big day job in overseeing

these agencies to begin with, and so having a commission like the 9/11 Commission that is resourced well enough, and removed from the political considerations, would also be a real natural service.

MS. HENNESSEY: So, it strikes me that you and Senator Warner are in, sort of, an unusual position with respect to validating the integrity of these investigations, both by virtue of your roles of the minority leaders of the intelligence committees, and also sort of by strength of personal reputation and reputation with colleagues.

So, I think what people are looking to you both to say, you know: Are these real investigations? Should we be pushing harder for the formation of commissions? Are there select committees? Is this really being taken seriously?

Both you and Senator Warner have expressed some, sort of, cautious optimism. Do you have a, sort of, line or a way that you are thinking about, that if you see the following factors, you are going to come to your colleagues, or come to the American people and say, ”Look, we tried, it didn’t work, there's no real investigation, and now there really is the need for something else.” How do you think about failure in terms of the investigation space?

REP. SCHIFF: Well, I mean there are, I think, some very natural inflexion points in the investigation, and one of them I suspected we would hit very early in the investigation, and we did, and that is we had Director Comey come in and testify in closed sessions. And there were a number of questions that our members asked that were within the scope of what the chairman and I had agreed to investigate, and the director declined to answer the questions.

And you know, I made the point afterwards in public that I didn’t think this was sustainable, that we had a bipartisan commitment to get to the bottom of this, and we needed the FBI's cooperation, and I hope that the director would go back to the Justice Department and come back to Congress with a different perspective and willingness to work with us. And he did, and he did.

So, you know, had that persisted, I would have said that already we are not in a position to really do this the way that we must. Now, I can't tell you this issue is permanently resoled. Now that the director has disclosed there's an ongoing investigation, there will be a continuing challenge about how much the Bureau is willing to inform Congress about the progress of its investigation.

In an ideal world where you have parallel investigations going on, you have some level of coordination so that we are not stepping on the FBI shoes and they are not stepping on ours. Whether that will take place is hard to tell, and I'm sure we will endeavor, to some degree, to make sure we are not interfering in the progress that each other are making.

I am, you know, very pleased that they are doing the investigation because they have far more resources than we do to vote to it, and they really need to do a rigorous job. But another inflexion point, you know, may come for our committee when it becomes time to compel people to come before the committee if they are unwilling to do so as volunteers, or it's necessary to subpoena documents. Obviously, in the minority, we don't have the power of subpoena, and if we get to the point where we need to use that power of compulsion, and we don't get the agreement to do it, then the only recourse we have, the only lever we have is to inform the public of it, and to see if the public pressure helps us in making sure that the investigation is real and not artificially walled off from any avenue that's within the scope of our investigation.

MR. WITTES: So, we are going to go to questions from the audience momentarily, so please when we do, please wait for the microphone to come around. Say who you are, and we don't do anonymous or fake news here. And please do everybody the favor of formulating your questions and as a question, not as a speech.

And while we are getting ready to do that, let me just ask one more question on the legislative side. You know, you identify a series of areas, and you rightly correct me, that there is nothing about this set of six things that you described that wouldn't, two years ago, have

been considered just U.S. government policy.

I'm just interested in what kind of receptivity there is on the majority side to an agenda of, you know, what you might call immigration normalcy, increasing rather than decreasing development and diplomatic assistance, promotion of human rights, responding to manipulation of media aboard, intelligence sharing, and reaffirming alliances.

Is that a set of things that, other than you think it's important, and I happen to agree with you, you look around and say: “There is a realistic bipartisan coalition to put together on this.” Or is this something that realistically you are looking out and saying, “This is what the Democratic Party is going to have to represent in opposition for the next few years.”

REP. SCHIFF: You know, on many of those issues I think there already is a strong bipartisan coalition. I think you are going to see a powerful and ultimately effective pushback, for example, on the dramatic cuts that the administration would propose for the State Department. I think you will see military leaders step up. I think you will see GOP and Democratic members step up. I think the generals probably make the case most forcefully when they say, “If you want to cut the diplomacy and development then just -- you are going to have buy me more bullets.”

And that’s an argument that I think really resonates with people on both sides of the aisle. I do think, probably, of the issues you mentioned, the most worrying is the issue of human rights because, you know, we can, and do,in Congress, obviously prioritize this in the meetings that we have with the foreign leaders, with our counterparts in other parliaments as well as heads of state. But it's one thing when we do it; it's another when the president does it. And it's noticed when president doesn’t make this an item on the agenda.

And I'll give you an illustration of the problem. I remember, it must have been more than a decade ago, being in Egypt and having a meeting with Mubarak. And at the time there was an American, a dual national, Said Ibrahim, who was in custody, he was a secular

opponent of Mubarak's -- years later, Ayman Nour, another secular opponent, would be in prison under much the same circumstances -- and his wife had appealed to us to raise, during our trip, the imprisonment of her husband.

And you know, we began the meeting talking about the challenges in the Middle East, and the Middle East peace process, such as it was at the time, which wasn't much, and still isn't. And at some point we raised the issue of Said Ibrahim, and the whole tenor of the conversation changed. Mubarak became very defensive, very hostile, and it was quite clear that the Egyptian perspective was: We are happy to take your military assistance, leave the check by the door, but when it comes to discussing anything going on domestically within Egypt, that's none of your business. And don't let the door hit you in the backside on the way out.

And we got that very clear message because that was the message we had sent to him, essentially -- that as long as he maintain the peace with Israel, or did other things that we wanted, we weren't going to inconvenience him with a discussion about human rights. And I'm deeply concerned that this is going to be the takeaway for leaders around the world. Authoritarian leaders, whether they are in Ankara or Cairo, or Hungary or Poland, or anywhere else, these aren't even going to be matters of discussion.

And that part of the agenda, we have less power to affect. We have some congressional tools, like Magnitsky, but still very difficult, but I do think that you will see, increasingly over time, a willingness of the GOP to find their voice and stand up for matters that they have always championed. Right now in the House in particular, I think what is staying in the Republican hands is, first, they want something from this president.

If they are from a surface mining district, they want to repeal Obama-era regulations on surface mining. If they are from a grazing district, they want to get rid of the grazing regulations. If they have a tax provision they want, they'll want to wait 'til the tax cuts are done before they find their voice. And also, I think, they are more concerned in the House,

perhaps, than in the Senate, of alienating the Trump base voters back home.

But at a certain point, they know the conflict is coming, and not with Democrats, but with the president. And that's the time, I think, that you'll see a real development of support, bipartisan support, for many of these what otherwise would be quite regular U.S. policies.

MR. WITTES: Ma'am?

MS. PARLOW: Thank you, sir, for your remarkable comments. And I have a question, and apologies to Nemtsov. We've had a policy of --

MR. WITTES: Please say who you are.

MS. PARLOW: Oh. My name is Anita Parlow, and I just finished up a Fulbright, for the seven months I was in the Arctic context. And so there was Russian humiliation, there was NATO enlargement, there was the Black Sea, there was the overthrow of Saddam Hussein, of Mubarak, and in Libya. And here we are today. And in the context of the Russia issue, maybe, is it possible that we need to kind of look at things in a different way?

Maybe there's a reason, with all due respect, for why the same old doesn't operate and function effectively anymore, and perhaps that's why the election, both in Brexit and the U.S., occurred in the way it did. And also looking at our own ills in terms of the Democratic National Committee eliminated their director, and somebody who worked for the committee no longer, who is with CNN, which had to do -- not with Russia but had to dO with domestic dynamics. So, I wonder in your thinking as you go through -- and I absolutely think the committees need to get to the bottom of all of it, that there -- as a policy matter; one of the issues I was looking was who is marginalized by globalization --

MR. WITTES: OK. You are putting a lot on the table here --

MS. PARLOW: So, I just wonder if it's possible -- forgive me -- if it's possible to, or logical, to think in terms of a different dynamic that is more embracing, potentially, long-term down the road, rather than recreating a dynamic that we know so well. Forgive me, and thank

you.

REP. SCHIFF: Thank you for the question. Let me touch on a couple facets of it. One other event that I would add to the list that you mentioned in terms of NATO encirclement and the other affairs that the Russians had, and maybe the most significant item to put on the list, were the mass demonstrations in 2011.

Because you know, while the Russians certainly deployed those other world events and changes in U.S. policies that you mentioned, what Putin cares most about is the preservation of his own regime. And what is the most threatening to him has been the Color Revolutions around the world, and when there were mass demonstrations over the flawed elections in Moscow, in Russia, and the secretary of state talked about flaws in those elections.

That, I think, was the real tipping point for Putin. I think the reason why he is -- part of the reason why he's intervening in Syria, and was so upset about Libya, is the whole idea that popular revolt can topple leaders who have autocratic power. That's really the only threat that he faces. And the reason why the sanctions are such a worry to the Russians is the dominoes of a declining economy, popular revolt, mass demonstration, and a threat to his regime.

So, I think even in the absence of those other policies, this would have been a problem. So, what do you do about that? I don't think we can not speak out, and not be a vocal and assertive proponent of democracy and free elections, and continue to attack corruption around the world.

Interestingly one of the points I was making yesterday is: Carter Page's speech in Moscow was an attack on the hypocrisy of the United States for supporting democratization and fighting corruption. I happen to think that that's -- that those stances of rule of law and democratization are core principles. And I think that it's certainly fair to say: "Can we have a different relationship with Russia?" and "Is there anything that can be done?"

And I think, you know, Michael McFaul has spoken probably most eloquently on

this, and what he has expressed, and I completely agree is: “Sure, we should have a different relationship with Russia, and sure that would be nice; but on whose terms, and what does that require of us, and what are the Russians giving?”

Because it seems like the kind of relationship that the President wants with Russia is: we stop talking about Ukraine and making it a problem, that the Russians remade the map of Europe by dint of military force. We let them do what they want in Syria, and bomb civilians, they are not really fighting ISIS, but, you know, whatever. And in exchange, Putin will say nice things about me. (Laughter)

That’s not much of a deal for the United States. So, you know, if the cost of a better relationship with Russia is ratifying their illegal annexation of Crimea, I'm not for it. If the cost is to look the other way while they bomb civilians, I'm not for it.

You know, if they are serious about change, and I don't think they are, then there is room for growth in the relationship. And even if there isn't, there may be areas that we can and should compartmentalize. You know, even in the worst of the Cold War, we had some interaction between our scientists and theirs. Even now, there are nuclear issues that we ought to talk about. And even now, there may be some areas that we can jointly focus on, on the terror threat, although there's such distrust, that makes that prospect very limited.

The last point I would make on the idea that: well, aren’t we kind of responsible, because the Democratic Party headquarters was changing personnel, or maybe it didn’t have good computer security. You know, in my view -- and there certainly may be plenty to criticize about cyber defenses at the DNC -- it's a bit like blaming the victim. The Russians are among the most capable cyber actors in the world.

And I'll tell you, practically no matter what the DNC did, if the Russians wanted to get in, they were getting in. And what's more, if the Russians wanted to get in and utilize material from the RNC, they would have done so.

So, you know, that's not an excuse for not having the best state-of-the-art defenses from a cyber point of view. But I think realistically, cyber is an arena where it's probably the most asymmetric field of all, where the cost of going on offence is very low.

The deniability is always present, because you can never fully show your hand about how you can prove the case without disclosing the other side, your sources of information. And your defenses are only as good as your weakest link, and sometimes the weakest links are your own personnel.

And I'll tell you, no matter how good you are, you can design a spear phishing attack where you are going to click on the link. And so we need to be, I think, circumspect about how much we can really accomplish through cyber security; and this underscores, I think, the importance of inoculating ourselves to when these documents and others in the future are published.

One final point I would make is, one of the arguments we made unsuccessfully during the campaign in discussions I had with editorial boards, or editors rather, is: I'm not saying that you should never publish stolen material. There may be stolen material that is of such a high public value, that it can't help but be published. But I do think the context always ought to be present

And too often, when there were articles written about the stolen emails, it was: We learned today in an email from John Podesta to so-and-so that such-and-such, and this and that, and this person disagreed with them, or said this negative thing about someone else. And then at the very bottom of the article it would say: The Clinton campaign had no comment except to say that -- except to assert that the Russians had stolen the documents.

In my view, each of those articles should have started out: In documents likely stolen by the Russians and published with the purpose of influencing our election, here is what we learned. So that people understood the context, and knew why they were being given this

information, why the Russians wanted them to have it. I think that would have been much more useful information for people.

MR. WITTES: All right. So we've only got a few minutes left, and so what I'm going to do is I'm going to arbitrarily choose three of you, with no disrespect to the others. Put your questions quickly, and then we'll have Congressman Schiff wrap up. And the lucky-chosen few are, one, two, and three, moving back this way. In the front row, please.

MS. BRIEGER: Thank you. My name is Annette Brieger, I'm with the German television, ZDF. And in your opening remarks you've put President Trump very close to what you call illegitimate or -- I'm sorry -- illiberal leaders or governments, like the AfD in Germany, or Marine Le Pen in France. I'm wondering: Where does that leave the Republican Party, understanding that he's the president of all Americans, not just the Republicans? But the Republicans obviously being a majority now, have a very special, kind of, power at the moment. So, the role of the Republican Party, please?

MR. WITTES: OK. That's one. Sir, wait for the microphone, please, and say who you are.

MR. SHARPSTON: Yes. Michael Sharpston; I've been a lifelong economist. You've mentioned the lack of respect for Congress. I'd like to do my mea culpa for economists. Do you think that the emphasis that economists have been putting on national income as a whole has been a major distortion, and that they haven't focused enough on who wins and who loses within the national economy? The Trade Adjustment Assistance Act in this country has been a monumental failure for the whole time I've been here. Would you like to comment on what I've said?

MR. WITTES: OK. Sounds good; distribution within economic growth. Sir, you'll close us out.

MR. CLARK: Yes. Charlie Clark with Government Executive. Given that the

Republicans in the hearing yesterday were focusing so much on the leaks to the news media, can you talk about how serious that is and what might be done about it?

REP.SCHIFF: Sure. Thank you for the questions. In terms of the GOP, I think at this point it's too early to tell what the GOP is right now. Is the GOP being remade in Donald Trump's image? If it is, it's not the same Republican Party that we've known. Or, is this a temporary expediency of the Republicans who are willing to use this president to get what they want before they have to part company?

I suspect it's the latter. I don't think this is a permanent realignment of the Republican Party. But who knows? I made two declarative statements last year that proved to horribly wrong. So, I've lost my prognostication qualifications. I said, "There was no way that Donald Trump was going to become the Republican nominee for two reasons: One, the Republicans aren't that suicidal, and two, the Democrats aren't that lucky." And as it turned they were that suicidal, and we were not that lucky.

So, I don't know what this ultimately means for the GOP, but I have to -- I guess my gut instinct is that the historical, more mainstream GOP ultimately reasserts itself; that the tear-it-down, kind of, Steve Bannon, nativist takeover the GOP; it will be a temporary phenomenon that will self-destruct. But again, I'm 0-for-two. So, at this point I wouldn't take that as the gospel.

In terms of the issue you raised about impacts on the national economy and trade: I don't know that I can critique how that's been covered in The Economist, but I will tell what my own thinking was on TPP. And I obviously had a number of conversations with the White House about this as it was being debated.

From a security point of view, I was heavily predisposed toward TPP. I think in terms of establishing international rules, signaling to our allies in Asia that we were serious and not ceding ground to China, that certainly TPP -- there were a lot more arguments for it than

against it.

But I did decide that at the very beginning that I was going to be deciding this on an economic basis -- on the basis of whether it aggravated or mitigated the growing and yawning gap between rich and poor, because that to me, seems like a very significant threat to the health of the country. It's bad economics, it's inequitable, and it leads, I think, to a lot of social disruption that would be very dangerous for the country.

Ultimately, I concluded -- and I think it may be along the lines of your question -- that while the trade agreement may increase overall GDP, it increased the GDP mostly of people whose own personal GDP was doing quite well. And the fact that, on net, it increased GDP, wasn't enough to overcome the fact that I had to conclude that it would aggravate, not mitigate the disparity in income.

And I do think, and I made this point without any success at all, that if the administration wanted to be strategic about it, they ought to couple this with a major infrastructure bill that had something for working people so that it didn't seem just about helping large, multinational corporations.

I think the political calculus was: No, we can muscle this through. We have a Democratic president; we have Republicans who all are going to be for it. And this was, you know, obviously, a great miscalculation, and not unlike an unrelated miscalculation that made Donald Trump president.

And then the last question was on leaks. I was afraid I was going to pull a Rick Perry and not remember the last question. And on that subject, I have to give the Republicans credit for chutzpah. Democrats would never have the gall to name someone as a secretary of a department that they couldn't remember, and if they had, would want to have it dismantled.

But in any event, on the issue of leaks: every administration faces this problem. And I think there are, you know, the way I look at the issue, there are several different categories

of leaks. You have the leaks that are the most damaging to the country, and I put in that category leaks like the Snowden leaks. If this CIA thing is legit, I would put that in that category. And I'm trying to parcel out what the president meant when he said the other day on Fox that the CIA was hacked, and they got a lot of stuff, but it was during Obama.

Was that a declassification of something? Because if it was that's the first we were hearing about it. But in any event, leaks of surveillance tools, of sources like that, of methods like that are enormously damaging.

And then you have leaks that expose malfeasance or illegality. Now, I put that kind of leak, I put the Flynn leak in that category. And what was most disturbing to me, frankly, about that was: here you had a situation where the president is informed that his national security advisor – OK, not the postmaster general, who I'm sure is very important – but the national security advisor of the United States of America has lied to the vice president, and probably others, being charitable, probably others, lied to the vice president about -- well, about a conversation with the Russians over sanctions imposed over hacking in the election to help the president.

What disturbs me is the president is informed about this, and he does nothing. And two weeks go by, and the press gets this leak and it's published, and president is forced to act. And who is president mad at? Not the guy that lied, he's mad at the press for exposing it. That's a problem for me. That, to me, is a bigger problem than the leak itself, but the leak is a problem too.

I mean, any leak of classified information has to be taken seriously and should be taken seriously. But again, I would not want to lose what I would consider the forest for the trees. And that is, I think aside from the inherent importance of leaks as an issue that every president has to deal with, you don't want to lose sight of the broader issue that's involved here, which is: our democracy was hijacked by a foreign adversary.

And I think it's an effort that's sleight of hand by the administration to say: "The only real issue here is leaks, and everything else you don't need to pay attention to."

MR. WITTES: We are going to have to leave it there. Please join me in thanking the congressman. (Applause) We hope you'll come back.

REP. SCHIFF: Thank you.

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