



United States Senate
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June 9, 2017

Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In my capacity as Ranking Member of the Judiciary Committee, I want to thank you for your ongoing commitment to working together in a bipartisan manner.

As a member of both the Judiciary and Intelligence Committees, I see firsthand the distinction between the legal and counterintelligence aspects presented by Director Comey's testimony this week. It is my strong recommendation that the Judiciary Committee investigate all issues that raise a question of obstruction of justice. These issues should be developed by our legal staff, presented to us, and be subject to full Committee hearings.

I am also concerned by the refusal of DNI Director Coats and NSA Director Admiral Rogers to answer questions posed by Senators. As I have mentioned to you directly, I am supportive of issuing subpoenas in those cases where we do not receive cooperation.

On May 8, 2017, we had a very productive hearing with former Acting Attorney General Yates and former DNI Director Clapper. Ms. Yates provided important details about the meetings that she had with the White House Counsel on January 26th. Ms. Yates testified that on that date, she informed White House Counsel Don McGahn that Lt. General Flynn had lied about his contacts with Ambassador Kislyak and was vulnerable to Russian blackmail. Ms. Yates testified that Mr. McGahn called her back the next morning and that she returned to the White House to again discuss the Justice Department's concerns about Lt. General Flynn.

That same day, January 27th, President Trump summoned FBI Director Comey to a private dinner at the White House. In sworn testimony before the Intelligence Committee yesterday, Director Comey said that at the dinner the President made “an effort to have me ask for my job and create some sort of patronage relationship.” Director Comey testified the President stated, “I need loyalty, I expect loyalty.” (Statement for the Record, James B. Comey, p 3, June 8, 2017)

A little more than two weeks later – and the day after Lt. General Flynn resigned – on February 14th, President Trump had a counterintelligence briefing in the Oval Office. According to Director Comey, as the President signaled the end of the meeting, he “[thanked] the group and [told] them all that he wanted to speak to [Director Comey] alone.” Once alone, Director Comey testified that the President began by saying, “I want to talk about Mike Flynn.”

President Trump went on to say “Flynn hadn’t done anything wrong in speaking with the Russians.” Then after talking about concerns regarding classified leaks, the President “returned to the topic of Mike Flynn, saying, ‘He’s a good guy and has been through a lot... I hope you can see your way clear to letting this go, to letting Flynn go.’” (Statement for the Record, James B. Comey, p 5, June 8, 2017) In answering a question from Senator Risch, Director Comey clarified that he understood the conversation as a directive, “this is a president of the United States with me alone... I took it as, this is what he wants me to do.”

Director Comey also testified that he spoke to a number of individuals about this conversation shortly after it happened. According to his oral testimony, this included the following individuals:

- Deputy Director of FBI, Andrew McCabe
- Chief of Staff to FBI Director, Jim Rybicki
- General Counsel FBI, James Baker
- Associate Deputy Director, David Bowditch
- National Security Branch (FBI), Carl Ghattas

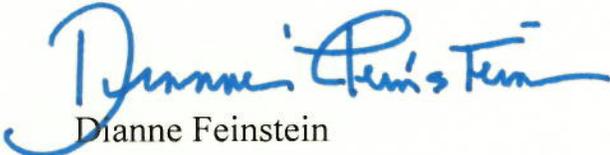
In addition, Director Comey testified that he talked with Attorney General Jeff Sessions and Deputy Attorney General Rod Rosenstein about not letting the President speak with him alone in the future.

You and I agree that these matters – termination of the FBI Director and any efforts to interfere with the independence of ongoing investigations – fall squarely in the jurisdiction of the Judiciary Committee. I strongly believe there is more that needs to be done, including:

- hearing from the witnesses identified by Mr. Comey during the June 8 hearing and any others with knowledge of these conversations;
- learning whether the Attorney General and the Deputy Attorney General knew of Director Comey’s concerns when they discussed his termination with the President;
- understanding whether the President asked DNI Director Coats or NSA Director Rogers to take any action with regard to the investigation; and
- obtaining additional information from the White House.

I look forward to continuing to work together to ensure that the Judiciary Committee conducts a thorough, fair, and timely investigation into this important matter.

Sincerely,



Dianne Feinstein

CC: Judiciary Committee Members

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