



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

June 15, 2017

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

Dear Mr. Chairman:

Thank you for your prompt response to my June 9th letter and for our meeting to discuss how we might proceed with a bipartisan review of Russian interference in the 2016 election and the firing of FBI Director James Comey. I am pleased we are in agreement that we need to quickly set up hearings and work together on a Judiciary Committee investigation.

As discussed, our staffs are working together to develop a detailed plan that we can implement. However, I also would like to recommend some steps our Committee should take as soon as possible.

First, it would be beneficial to have Attorney General Sessions before the Committee before the August recess. As we discussed, Attorney General Holder came before the Committee in June the year he was confirmed. In addition, there have been a number of issues over the past few months that warrant the Committee's attention. For example, the Trump Administration issued a new memo on charging policies for all criminal cases, released final guidance on "sanctuary" cities, withdrew Title IX guidance for schools, and rescinded the directive to reduce federal reliance on private prisons. The Committee needs to have an opportunity to question the Attorney General about the Department's policies and priorities. There also remain unanswered questions about the Attorney General's prior testimony before the Committee and his role in firing Director Comey.

Second, we unanimously believe that Director Comey should testify before our Committee regarding serious concerns that have been raised about political interference with FBI investigations and possible obstruction of justice. These issues are squarely within the Committee's jurisdiction. I am disappointed that Mr. Comey declined our initial request and hope he will reconsider. If not, the Committee should take steps to compel his attendance. Be assured my Democratic colleagues are supportive of issuing a subpoena should it become necessary.

Third, you and I have requested Director Comey's memos and other documents necessary to our inquiry. We both also believe it is critical for the Committee to speak with the individuals identified by Mr. Comey as those within the Department he spoke with about his conversations with the President. As discussed, those individuals include:

- 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

I also believe we should hear from Dana Boente, who served as acting Attorney General and remains with the Department of Justice.

It may be sufficient to have staff interviews for some of these individuals, while others we should come before the full Committee. I hope we can immediately move forward with each of these.

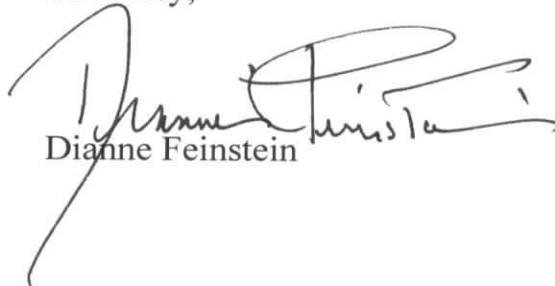
Finally, I believe our Committee needs to address the refusal of multiple government witnesses to answer questions posed by Senators in the Intelligence and Appropriations Committees. These witnesses did not assert a privilege or specify a concrete legal basis upon which they relied upon for their non-answers. For example, when asked to explain the basis for his refusal, the Attorney General said that "I'm not claiming executive privilege because that's the president's power and I have no power there." (Oral Testimony, Jeff Sessions, June 13, 2017). The refusal to answer questions from Congress is a serious matter – and one that this Committee is uniquely situated to resolve.

The Judiciary Committee should exercise its oversight authority and promptly arrange for the appearance of Acting FBI Director McCabe, Deputy

should also have DNI Director Coats and NSA Director Rogers before the Judiciary Committee to follow up on whether the President asked either to influence the FBI's ongoing investigations into Russian interference with the U.S. presidential election.

As we discussed, I am pleased we are working together to address these serious issues and look forward to our continued cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline that extends to the right.

Dianne Feinstein

CC: Judiciary Committee Members