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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
JENNIFER DUCK, *Democratic Staff Director*

October 27, 2017

Donald F. McGahn
White House Counsel
Eisenhower Executive Office Building
1650 Pennsylvania Ave., NW
Washington D.C. 20501

Dear Mr. McGahn:

On May 17, 2017, the Judiciary Committee requested documents related to the White House's interactions with FBI Director James Comey regarding the FBI's investigation of alleged ties between President Trump's associates and Russia, or the Clinton email investigation. On June 22, 2017 the Committee requested information regarding Jared Kushner's security clearance, and followed up on that request on July 20. To date, we have received no response to these requests.

Please produce the documents that the Committee has already requested, as well as the following additional documents¹ to the Committee no later than November 6, 2017:

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: communications, agreements; papers; memoranda; correspondence; reports; studies; reviews; analyses; graphs; diagrams; photographs; charts; tabulations; presentations; working papers; records; records of interviews; desk files; notes; letters; notices; confirmations; telegrams; faxes, telexes, receipts; appraisals; interoffice and intra office communications; electronic mail (e-mail); electronic messages; text messages; contracts; cables; recordings, notations or logs of any type of conversation, telephone call, meeting or other communication; bulletins; printed matter; computer printouts; teletype; invoices; transcripts; audio or video recordings; statistical or informational accumulations; data processing cards or worksheets; computer stored or generated documents; computer databases; computer disks and formats; machine readable electronic files; data or records maintained on a computer; instant messages; diaries; questionnaires and responses; data sheets; summaries; minutes; bills; accounts; estimates; projections; comparisons; messages; correspondence; and similar or related materials. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

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 face to face, in meeting, by telephone, mail, telex, facsimile, computer, discussions, releases, delivery, or otherwise.

1. In addition to the documents already requested that relate to the White House's interactions with FBI Director James Comey, all documents that relate to the firing of Director Comey, including all documents that relate to:
 - a. the draft letter President Trump allegedly prepared, but did not send, to former Director Comey;
 - b. the letter prepared by Attorney General Sessions about Director Comey;
 - c. the memo prepared by Deputy Attorney General Rosenstein about Director Comey; and
 - d. all press statements relating to the firing of Director Comey.
2. All documents related to President Trump's reported discussion about Director Comey's firing during a meeting in the Oval Office with Russian officials on May 10, 2017 where, according to the New York Times, the President said: "I just fired the head of the F.B.I. He was crazy, a real nut job. I faced great pressure because of Russia. That's taken off."²
3. All documents concerning the June 9, 2016 meeting between Donald J. Trump Jr., Paul Manafort, Jared Kushner and Russian lawyer Natalia Veselnitskaya and others.
4. All documents concerning statements issued by Donald J. Trump Jr. or the White House in about the June 9, 2016 meeting, including all drafts, and communications about statements issued on or about July 8 through July 10 and any and all drafts by the President, Communications Director Hope Hicks, or White House advisors.
5. The following documents regarding Michael T. Flynn:
 - a. all documents concerning the decision to appoint Lt. General Flynn as national security advisor;
 - b. all documents concerning Lt. General Flynn's termination or resignation as national security advisor;
 - c. all documents concerning Flynn's conversations with former Ambassador Sergey Kislyak;
 - d. all responses to press inquiries regarding Lt. General Flynn
 - e. all documents concerning the FBI interviews of Flynn in or about January 2017;
 - f. all documents regarding Former Acting Attorney General Yates' meeting with White House staff about Flynn; and
 - g. all communications between the White House and Justice Department regarding Flynn.
6. White House Press Secretary Sarah Huckabee Sanders said on September 12: "Since Director Comey's firing, we've learned new information about his conduct that only provided further justification for that firing, including giving false testimony, leaking privileged information to journalists." She later said it was something the Justice

² Matt Apuzzo et al., "Trump Told Russians That Firing 'Nut Job' Comey Eased Pressure From Investigation," New York Times (May 19, 2017).

Department “should certainly look at.”³ This echoes the President’s own statements on Twitter, where he has said that Director Comey illegally leaked information to the press.⁴ In light of these allegations, please produce copies of all documents related to the possible investigation of former FBI Director James Comey, including all communications with the Department of Justice on this issue.

7. The New York Times reported that President Trump has discussed firing the Special Counsel, Robert Mueller,⁵ and that White House aides are reportedly investigating the Special Counsel’s staff in an attempt to discredit the investigation.⁶ The Committee requests that the White House produce all documents related to the White House discussion about the possible lodging of a complaint against the Special Counsel, options for limiting the Special Counsel investigation, possible dismissal of the Special Counsel, and efforts to investigate or discredit the Special Counsel or his staff.
8. President Trump reportedly also discussed the appointment of Special Counsel Mueller with Attorney General Jeff Sessions and has publicly expressed his belief that “Sessions should have never recused himself, and if he was going to recuse himself, he should have told me before he took the job, and I would have picked somebody else.”⁷ Please produce to the Committee all documents related to White House discussions with Attorney General Sessions regarding the appointment of Special Counsel Mueller or the Attorney General’s recusal and any public comments on either of these topics.
9. All documents concerning Paul Manafort.
10. All communications concerning the Trump campaign foreign policy team (composed of Carter Page, J.D. Gordon, Keith Kellogg, George Papadopoulos, Walid Phares, and Joseph E. Schmitz).
11. All communications concerning any attempts or actions that were taken by the Trump campaign to obtain, coordinate, or otherwise use information obtained from individuals associated with the Russian government’s attempts to influence the United States 2016

³ White House Press Briefing (Sept. 12, 2017). Ms. Sanders reiterated her claim on September 13, saying “Yeah, the memos that Comey leaked were created on an FBI computer while he was the director. ... Leaking FBI memos on a sensitive case, regardless of classification, violates federal laws including the Privacy Act, Standard FBI Employment Agreement, and nondisclosure agreement all personnel must sign. I think that’s pretty clean and clear that that would be a violation.” White House Press Briefing (Sept. 13, 2017).

⁴ @realdonaldtrump, “I believe the James Comey leaks will be far more prevalent than anyone ever thought possible. Totally illegal?” (June 11, 2017); @realdonaldtrump, “James Comey leaked CLASSIFIED INFORMATION to the media. That is so illegal!” (July 10, 2017); @realdonaldtrump, “So many people are asking why isn’t the A.G. or Special Council [sic] looking at the many Hillary Clinton or Comey crimes.” (July 22, 2017); @realdonaldtrump, “A new INTELLIGENCE LEAK from the Amazon Washington Post, this [sic] time against A.G. Jeff Sessions. These [sic] illegal leaks, like Comey’s must stop!” (July 22, 2017).

⁵ Michael S. Schmidt, “Trump Says He Has Not Considered Firing Mueller, Contradicting Himself,” New York Times (Aug. 10, 2017); *see also* Excerpts From The Times’s Interview With Trump, New York Times (July 19, 2017).

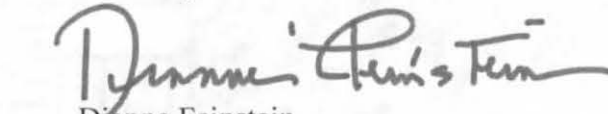
⁶ Michael S. Schmidt et al., “Trump Aides, Seeking Leverage, Investigate Mueller’s Investigators,” New York Times (July 20, 2017).

⁷ Excerpts From The Times’s Interview With Trump, New York Times (July 19, 2017).

presidential election, including responses to press inquiries and strategies for responding to inquiries concerning possible Russian interference in the presidential election.

The Committee appreciates your prompt attention to this important matter. If you have any questions, please contact Heather Sawyer on my staff at (202) 224-7703.

Sincerely,



Dianne Feinstein
United States Senator

CC: The Honorable Charles E. Grassley