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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

May 26, 2017

VIA ELECTRONIC TRANSMISSION

The Honorable James B. Comey, Jr.

Dear Mr. Comey:

Last week, the *New York Times* reported that you created memos regarding your interactions with President Trump, “a paper trail Mr. Comey created documenting what he perceived as the president’s improper efforts to influence a continuing investigation.”<sup>1</sup> The article stated, “Mr. Comey created similar memos—including some that are classified—about every phone call and meeting he had with the president.” More generally, the article stated, “Mr. Comey was known among his closest advisers to document conversations that he believed would later be called into question.” Presumably, this means that similar memoranda were drafted relating to other conversations.

On May 17, the Committee invited you to testify at a public hearing regarding the circumstances of your termination as Director of the FBI and your interactions with Trump and Obama administration officials regarding the FBI’s Russia investigation and Clinton email investigation.<sup>2</sup> Thus far, you have declined to appear voluntarily before this Committee. However, given our role in considering the nomination of the next FBI Director, the still unanswered questions from your last oversight hearing, and our role in oversight of the Justice Department and the FBI, your testimony will be essential to our Constitutional duties.

<sup>1</sup> Michael S. Schmidt, *Comey Memo Says Trump Asked Him to End Flynn Investigation*, THE NEW YORK TIMES (May 16, 2017).

<sup>2</sup> Letter from Hon. Charles E. Grassley & Hon. Dianne Feinstein, Senate Judiciary Committee, to Hon. James Comey (May 17, 2017).

In anticipation of your testimony before the Committee at a future date, please provide the following in writing by June 2, 2017:

1. Did you discuss with anyone outside of the Justice Department any interactions you had with President Trump or President Obama regarding either the investigations of Trump associates' alleged connections with Russia or the Clinton email investigation? If so, with whom did you discuss those interactions, when, and why?
2. Did you create any memos about interactions you had during either the Obama or the Trump administrations with the Deputy Attorney General, the Attorney General, or the President regarding either the investigations of Trump associates' alleged connections with Russia or the Clinton email investigation? If so, to whom did you provide copies and when?
3. Have you discussed any such memos or their contents with anyone outside the Justice Department? If so, with whom, when, and why?
4. Did you discuss any such memos or their contents with anyone within the Justice Department? If so, with whom, when, and why?
5. Did you share copies of any such memos with anyone outside the Justice Department? If so, with whom, when, and why?
6. Did you retain copies of any such memos after leaving the FBI or otherwise maintain access to them? If so, please explain why.
7. If you retained copies or can access them, please provide all such memos that you created, memorializing interactions you had with Presidents Trump or Obama, Attorneys General Sessions or Lynch, and Deputy Attorneys General Rosenstein, Boente, or Yates regarding either the investigations of Trump associates' alleged connections with Russia or the Clinton email investigation.


We anticipate that some of these documents may be classified, some may not, and others may contain both classified and unclassified information. Please deliver any documents containing classified information to the Office of Senate Security and provide all unclassified documents directly to the Committee. If you have any specific requests with regard to the Committee's handling of unclassified material, please raise those with us in advance.


Thank you for your prompt attention to this important matter. If you have any questions, please contact Patrick Davis of Chairman Grassley's staff at (202) 224-5225, Heather Sawyer of Ranking Member Feinstein's staff at (202) 224-7703, Lee Holmes of Chairman Graham's staff at (202) 224-5972, or Lara Quint of Ranking Member Whitehouse's staff at (202) 224-2921.

Sincerely,

  
Charles E. Grassley  
Chairman  
Committee on the Judiciary

  
Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

  
Lindsey O. Graham  
Chairman  
Subcommittee on Crime and Terrorism  
Committee on the Judiciary

  
Sheldon Whitehouse  
Ranking Member  
Subcommittee on Crime and Terrorism  
Committee on the Judiciary