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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 Chief Counsel and Staff Director*

October 4, 2018

### **DELIVERED VIA EMAIL**

Ms. Debra S. Katz  
Ms. Lisa J. Banks  
Mr. Joseph E. Abboud  
Katz, Marshall & Banks, LLP  
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Mr. Michael R. Bromwich  
[mrbromwich@gmail.com](mailto:mrbromwich@gmail.com)

Dear Ms. Katz, Ms. Banks, Mr. Abboud, and Mr. Bromwich:

I'm writing in response to your response to my letter dated October 2. You said that Dr. Ford is willing to turn her documents over to the FBI, but my request of you was not for documents to be turned over to the FBI. I asked you to provide the documents to the Senate Judiciary Committee. Your response on behalf of your client is a non-sequitur. The Constitution charges the Senate with advising the President on his nomination. Senators have a constitutional obligation to investigate and evaluate independently the President's nominees. Our obligation is unrelated to anything the FBI does. That's why we don't just vote on nominees after the President loans us the FBI background investigation. We have to make our own assessment.

The U.S. Senate doesn't control the FBI. If you have an objection to how the FBI conducts its investigations, take it up with Director Wray. But don't raise that objection as a reason not to respond to this Committee's demand for relevant evidence. The FBI's investigative decisions aren't our concern. Even if the FBI never interviews Dr. Ford, or interviews her ten times, this Committee has a constitutional obligation to investigate Dr. Ford's allegations, and that's what we've been doing since we became aware of her allegations.

It's not even clear to me what purpose turning over these materials to the FBI would accomplish. The FBI would simply turn over that evidence to the Senate. That is precisely the outcome I seek with this request.

You have claimed repeatedly that the evidence I have requested supports Dr. Ford's allegations against Judge Kavanaugh. She even provided some of this evidence to national news

October 4, 2018

Indeed, if the evidence supported your client's allegations, you surely would produce it as quickly as you could.

But you have repeatedly refused to produce this evidence to the Senate. In doing so, you are preventing the Senate from considering the evidence most crucial to Dr. Ford's allegations. I don't know what other inference we should draw from your refusal but that the withheld evidence does not support Dr. Ford's allegations in quite the way you have claimed.

I urge you once again, now for the third time in writing, to turn over the therapy notes, polygraph materials, and communications with *The Washington Post* that Dr. Ford has relied upon as evidence. In addition to the evidence I requested in my October 2 letter, in light of recently uncovered information, please turn over records and descriptions of direct or indirect communications between Dr. Ford or her representatives and any of the following: (1) U.S. Senators or their staffs, particularly the offices of Senators Feinstein and Hirono, other than your communications with me and my staff in preparation for the September 27 hearing; (2) the alleged witnesses identified by Dr. Ford (Leland Keyser, Mark Judge, and Patrick "P.J." Smyth); and (3) Debbie Ramirez, Julie Swetnick, or their representatives.

Sincerely,



Chuck Grassley  
United States Senator  
Chairman, Committee on the Judiciary