

**Opening Statement of Senator Feinstein  
“Russian Interference in the  
2016 United States Election”  
Subcommittee on Crime and Terrorism  
May 8, 2017**

Good morning, I want to thank Chairman Graham and Ranking Member Whitehouse for holding this very important hearing. I appreciate the opportunity to make a statement prior to hearing from the witnesses.

Today’s hearing is an important opportunity to examine the unprecedented interference by Russia in our election.

Earlier this year – on January 6, 2017 – the entire intelligence community issued a joint assessment that the Russian government – with direction from the very top, Vladimir Putin – actively interfered with our presidential election. (Joint Intelligence Community Assessment on Russian Interference, January 6, 2017)

We can debate the extent of the effect on the final results of the election, but there should be no dispute about who was behind the hacking and why they did it. Russia worked to help President Trump and hurt Hillary Clinton – plain and simple. I believe that decision to defeat or diminish Secretary Clinton had to be made by President Putin.

During the Subcommittee’s first hearing on Russian interference, we heard that the tactics used by Russia during the election are part of a well-developed playbook that Russia has used to influence elections and policies in Western-style democracies. (Heather Conley, Center for Strategic and International Studies, author of *The Kremlin Playbook*; witness testimony, March 15, 2017 subcommittee hearing on Russian interference).

That playbook includes three key tactics – cyber espionage, propaganda, and the exploitation of personal or business relationships. All three were used during the 2016 election.

**First**, Russia used covert and unlawful cyberattacks to hack into the computer systems of the Republican and Democratic National Committees as well as top Clinton advisors, although we know that only the material from Democratic accounts, including John Podesta was released. (Joint Intelligence Community Assessment on Russian Interference, January 6, 2017)

**Second**, Russia combined its covert and illegal hacking with an overt, State-run propaganda campaign. This included efforts by the state-run media outlet RT (formerly “Russia Today”). (Joint Intelligence Community Assessment on Russian Interference, January 6, 2017)

As described in the intelligence community’s January 6 assessment, RT has – in the past – “actively collaborated with WikiLeaks” and “routinely gives [WikiLeaks founder Julian] Assange sympathetic coverage and provides him a platform to denounce the United States” (Joint Intelligence Community Assessment on Russian Interference, January 6, 2017).

I am looking forward to hearing from Director Clapper today about how RT and others might have collaborated with WikiLeaks to impact our election.

**Third**, Russia *may* also have exploited personal relationships to its advantage. Testifying at our last hearing on this issue, Heather Conley, author of *The Kremlin Playbook*, explained that a key Russian strategy for exerting influence in other countries is the development of relationships with rising political and business leaders who – whether they know it or not – may be exploited by **Russia** (Heather Conley, March 15, 2017 Subcommittee hearing on Russian interference).

To be clear, this goes beyond the question of intentional collusion in Russian cyberattacks or other efforts to influence the campaign. There are additional questions about Lt. General Flynn's actions.

For example, on December 29, 2016, in response to the Russian interference with the presidential election, President Obama ordered the ejection of 35 suspected Russian intelligence operatives and imposed sanctions on two Russian intelligence services in retaliation for Russian cyberattacks during the 2016 election (“National security adviser Flynn discussed sanctions with Russian ambassador, despite denials, officials say,” Washington Post, Feb. 9, 2017).

At that time, Russia did not respond to the sanctions – which surprised many, including me, since Russia usually would have responded with some distinct push back against the United States. (“U.S. Sanctions Russia Over Election Hacking; Moscow Threatens to Retaliate,” Wall Street Journal Dec. 29, 2016). In fact, Russia had threatened to expel 35 U.S. diplomats and close two U.S. owned properties in Moscow – a warehouse and a dacha. (Russia Plans Retaliation and Serious Discomfort over U.S. hacking sanctions, Washington Post, 12/30/2016)

Yet, Russia remained silent. The *Washington Post* reported that Putin’s restraint was a “rare, and calculated,

break from the diplomatic tradition,” and that Putin said he would wait and see how relations might develop differently under the Trump administration (“Putin says he won’t deport U.S. diplomats as he looks to cultivate relations with Trump,” Washington Post, Dec. 30, 2016).

As Senator Whitehouse has just said, we now know that Lt. General Flynn was in contact with Russian Ambassador Sergey Kislyak regarding sanctions against Russia – on that very same day President Obama issued the sanctions – December 29. (“National Security Adviser Flynn Discussed Sanctions with Russian Ambassador, Despite Denials, Officials Say,” Washington Post, Feb. 9, 2017).

We also now know that Lt. General Flynn was not forthcoming about those contacts.

On January 15, 2017 Vice President Pence told CBS news that he had asked General Flynn about whether he had discussed sanctions with Ambassador Kislyak – and was told no.

However, on February 9, 2017, *the Washington Post* reported that either Flynn had misled the Vice President or that Pence had misspoken (“National security adviser Flynn discussed sanctions with Russian ambassador, despite denials, officials say,” Washington Post, Feb. 9, 2017)

Lt. General Flynn resigned his post on February 13, four days after the Post broke this story. (“Flynn is out: Can it get any worse?” Washington Post, Feb. 14, 2017)

There are still a lot of unanswered questions about General Flynn, including:

- Who knew what and when? For example, the press is now reporting that in addition to the warning from Sally Yates, concerns were raised by former-President Obama directly to then-President-elect Trump – *95 days before Flynn resigned*. (Obama Warned Trump Against Hiring Mike Flynn, Say Officials, *NBC News*, 5/8/17)

- What role did Flynn play in communications with the Russians? Both after the first warning by President Obama and then after the warning by Sally Yates?

AND

- What role did Flynn play in high level national security decisions? Again, both during the 95 days and the 18 days when the White House was on notice? (Trump talks to Putin, other World Leaders, about Security Threats, *Reuters*, 1/28/17)

I look forward to hearing more today from former Acting Attorney General Yates who has stated she warned the White House on January 26 – nearly three weeks before Flynn resigned – that he had not been truthful and might be vulnerable to Russian blackmail (“Justice Department warned White House that Flynn could be vulnerable to Russian blackmail, officials say,” *Washington Post*, Feb. 13, 2017).

Finally, I also believe here are other troubling questions regarding Russia’s relationships and

connections with Trump advisers and associates. And there are questions about whether anyone was the target of Russian intelligence either to be exploited or cultivated.

And Trump's senior advisor Jared Kushner left blank the section of the security clearance form that asks about foreign contacts, which his attorney described as a "premature draft" that had been "mistakenly submitted" without proper review. ("Kushner hasn't yet detailed foreign contacts for security clearance," *CNN*, April 6, 2017).

Whether these were honest mistakes is not clear.

But the secrecy surrounding contacts between Trump campaign and administration officials and Russia raises legitimate questions and heighten concerns that Russia might exploit these connections to its advantage.

I think all Americans, regardless of party affiliation, will agree that we should follow the facts and get to the truth, no matter where that leads us. We need to understand

the full range of the relationships between campaign and administration officials and Russia. This includes the extent of financial and business entanglements, information that can be found in tax returns and other business and financial documents, including the President's.

Before we hear from the witnesses, let me close by once again thanking Chairman Graham and Ranking Member Whitehouse for convening this hearing. We have a long ways to go in this investigation, but this hearing is an important step in that process. Thank you, Mr. Chairman.