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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*

June 22, 2017

VIA ELECTRONIC TRANSMISSION

Mr. Leonard Benardo
Open Society Foundations
224 West 57th Street
New York, New York 10019

Dear Mr. Benardo,

On April 22, 2017, *The New York Times* reported that during the investigation of Russian hacking against political organizations in the United States, the FBI “received a batch of hacked documents” from U.S. intelligence agencies that had access to stolen materials stored on Russian networks.¹ One of the documents provided to the FBI reportedly appeared to have implications on the then-ongoing Clinton email investigation. Specifically, the FBI is reported to have obtained an email or memo “written by a Democratic operative who expressed confidence that Ms. Lynch would keep the Clinton investigation from going too far.”² According to anonymous government officials cited in the report, the discovery of the document “complicated” how FBI and the Justice Department would interact in the investigation, because “[i]f Ms. Lynch announced that the case was closed, and Russia leaked the document, Mr. Comey believed it would raise doubts about the independence of the investigation.”³

On May 24, 2017, *The Washington Post* reported that in early March of 2016 the FBI had received “what was described as a Russian intelligence document” that “cited a supposed email describing how then-Attorney General Loretta E. Lynch had privately assured someone in the Clinton campaign that the email investigation would not push too deeply into the matter.”⁴ More specifically, the Russian intelligence document “reportedly referred to an email supposedly written by the then-chair of the Democratic National Committee, Rep. Debbie Wasserman Schultz, and sent to you.”⁵ According to the article: “[i]n the supposed email, Wasserman Schultz claimed Lynch had been in private communication with a senior Clinton campaign staffer named Amanda Renteria during the campaign. The document indicated Lynch had told Renteria that she would not let the FBI investigation into Clinton go too far”⁶ Although the article

¹ Matt Apuzzo, Michael S. Schmidt, Adam Goldman, and Eric Lichtblau, *Comey Tried to Shield the F.B.I. From Politics. Then He Shaped an Election*, NEW YORK TIMES (Apr. 22, 2017).

² *Id.*

³ *Id.*

⁴ Karoun Demirjian and Devlin Barrett, *How a Dubious Russian Document Influenced the FBI's Handling of the Clinton Probe*, WASHINGTON POST (May 24, 2017).

⁵ *Id.*

⁶ *Id.*

claimed that the FBI “concluded” by August of 2016 that the document was unreliable, the article noted “Wasserman Schultz, Benardo and Renteria said they have never been interviewed by the FBI about the matter” and that “the FBI did not interview anyone mentioned in the Russian document about its claims.”⁷

In order for the Committee to assess the situation, please respond to the following questions and provide the relevant documents by July 6, 2017:


1. Did anyone from the FBI ever contact you to ask about emails, memos, reports, or phone calls such as those described in these media reports, or about any communications you may have had with Rep. Wasserman Schultz related to then-Attorney General Lynch’s role in the Justice Department’s Clinton email investigation? If so, when were you contacted and what did you discuss? Please provide all related records.
2. Do you have the document or email in question? Did you provide it to the FBI? If so, when? In addition, if you maintain the document in your possession, please provide it to the Committee.
3. Have you ever had communications with Rep. Wasserman Schultz, her staff, or her associates, about then-Attorney General Lunch’s role in the Clinton email investigation? If so, please describe the communications and provide all records of them.


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

⁷ *Id.*