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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*

July 19, 2017

VIA ELECTRONIC TRANSMISSION

Mr. Glenn R. Simpson
Fusion GPS
Washington, D.C. 20535

Dear Mr. Simpson,

On March 24, 2017, the Chairman requested information from you regarding Fusion GPS' activities related to a dossier compiled by Mr. Christopher Steele.¹ This request sought information on Fusion's funding and client arrangements as well as factual information about Fusion's particular arrangement with Mr. Steele, his company Orbis Business Intelligence, and Fusion's communications with the media and government entities regarding the dossier.

In an April 7, 2017 response letter, you refused to produce that information, citing the First Amendment, attorney-client privilege, attorney work product privilege, and contractual rights.² As noted in the Committee's June 7, 2017 follow-up letter to you, neither your written response nor the oral response from your attorney sufficiently articulated any basis for asserting these rights and privileges, and you have not attempted to produce a privilege log that would permit the Committee to evaluate your claims.³ The Chairman determined that (1) you have not demonstrated that the attorney-client privilege, the attorney work product privilege, or any asserted confidentiality agreements apply to any of the information requested; and (2) contrary to the assertions in your June 23, 2017 follow-up response, a court has already found that the First Amendment does not shield either you *or Fusion GPS*.⁴

You have refused to produce any of the requested information or even a privilege log of withheld information on a voluntary basis. Thus, the Chairman indicated in his June 7, 2017 letter an intent to begin the Committee's consideration of compulsory process to require document production.

¹ Letter from Hon. Charles E. Grassley, Chairman, Senate Judiciary Committee, to Glenn R. Simpson, Fusion GPS (Mar. 24, 2017).

² Letter from Joshua A. Levy & Robert F. Muse, Cunningham Levy Muse LLP, to Hon. Charles E. Grassley, Chairman, Sen. Comm. on the Judiciary (Apr. 7, 2017).

³ Letter from Hon. Charles E. Grassley, Chairman, Sen. Comm. on the Judiciary to Glenn R. Simpson, Fusion GPS (June 7, 2017).

⁴ Letter from Joshua A. Levy & Robert F. Muse, Cunningham Levy Muse LLP, to Hon. Charles E. Grassley, Chairman, Senate Judiciary Committee (June 23, 2017); *VanderSloot v. Foundation for National Progress*, 2014 CA 003684 2 (D.C. Superior Ct. Oct. 27, 2014).

The Committee has also invited you to testify in a hearing on the enforcement of the Foreign Agents Registration Act (FARA). FARA requires the disclosure of lobbying and public relations efforts on behalf of foreign states. It has been reported that, in addition to orchestrating the creation of the Trump dossier, Fusion GPS is the subject of a FARA complaint for engaging in active lobbying and public relations campaigns on behalf of Russian government interests to undermine the Magnitsky Act, among other things, without registering under the statute.⁵

Since that invitation, however, the Committee has learned through news reports that other subjects of the same FARA complaint that named you also met with Donald Trump, Jr., Paul Manafort, and Jared Kushner in 2016—again to push the Russian government’s propaganda campaign. These other subjects of the FARA complaint, Natalia Veselnitskaya and Rinat Akhmetshin, are reportedly tied to your firm as part of the same unregistered lobbying and public relations effort against the Magnitsky Act.⁶

In light of these developments and in anticipation of your testimony, the Committee will need to seek relevant documents from you. As multiple investigations into Russia’s meddling in this country’s democratic process continue, it is crucial that this Committee evaluate the failures to enforce FARA and ensure that foreign government lobbying and propaganda activities in the United States are fully transparent. Accordingly, please preserve all documents related to these matters. Please also begin producing the below documents to the Committee no later than August 2, 2017. Please include a privilege log detailing the basis for any documents you intend to withhold. If you fail to produce the requested information and any appropriate privilege log, we will require production pursuant to a subpoena.

1. All contracts or agreements entered by Bean LLC, Bean LLC DBA Fusion GPS, Fusion GPS, Kernel LLC, or any other legal entity with which you are or have been associated (hereinafter “Fusion GPS”), to conduct research or other services relating to Donald J. Trump and his associates. To the extent any of these contracts or agreements does not include the following information, provide documents containing such information:
 - a. Documents related to start and end dates of the arrangement;

⁵ Isaac Arnsdorf, *FARA Complaint Alleges Pro-Russian Lobbying*, Politico (Dec. 8, 2016) (“Akhmetshin used to spy for the Soviets and ‘specializes in active measures campaigns’ ... Akhmetshin acknowledged having been a Soviet counterintelligence officer”); Chuck Ross, *Oppo Researcher Behind Trump Dossier Is Linked to Pro-Kremlin Lobbying Effort*, The Daily Caller (Jan. 13, 2017) (Akhmetshin “was affiliated with GRU, Russia’s main intelligence directorate”); Steve LeVine, *The Oil and the Glory: The Pursuit of Empire and Fortune on the Caspian Sea* 366 (2007) (describing how a former KGB officer turned businessman turned Kazakh politician “hired a lobbyist, an English-speaking former Soviet Army counter-intelligence officer named Rinat Akhmetshin [and] the skilled Akhmetshin burrowed in with Washington reporters, think tank experts, administration bureaucrats, and key political figures”); Plaintiff’s Complaint, *International Mineral Resources B.V. v. Rinat Akhmetshin, et al.*, No. 161682/2015, 2015 WL 7180277 (N.Y. Sup.) (“Akhmetshin is a former Soviet military counterintelligence officer who moved to Washington, D.C. to become a lobbyist.”).

⁶ Andrew Buncombe, *British Tycoon To Tell Senate Trump Jr Russia Lawyer Is Linked to Secretive Group Behind Steele Dossier*, Independent (July 13, 2017).

- b. The terms of the arrangement;
 - c. The total amount of payments to Fusion GPS pursuant to the arrangement; and
 - d. Copies of all related contracts or agreements.
2. All contracts or agreements entered by Fusion GPS, or any other documents related to the efforts of Fusion GPS, to conduct research regarding Prevezon Holdings, Hermitage Capital Management, William Browder, and Sergei Magnitsky, or relating to efforts to act as a lobbyist, public-relations counsel, or publicity agent in opposition to the Magnitsky Act or in favor of the interests of Prevezon Holdings. To the extent any of these contracts or agreements does not include the following information, provide documents containing such information:
 - a. Documents related to start and end dates of the arrangement;
 - b. The terms of the arrangement;
 - c. The total amount of payments to Fusion GPS pursuant to the arrangement; and
 - d. Copies of all related contracts.
3. All documents relating to Fusion GPS' arrangement with Christopher Steele or Orbis Business Intelligence to investigate Donald J. Trump and his associates, including all communications, memoranda, and other types of reports that Christopher Steele and/or Orbis Business Intelligence provided Fusion GPS, its officers, employees, or associates in the course of this engagement. To the extent these documents do not include the following information, provide documents containing such information:
 - a. The start and end dates of the arrangement;
 - b. The terms of the arrangement;
 - c. The total amount of payments from Fusion GPS or its clients to Christopher Steele and/or Orbis Business Intelligence; and
 - d. Copies of all related contracts.
4. All contracts or agreements entered by Fusion GPS with Rinat Akhmetshin or any other legal entity with which he is or has been associated. To the extent any of these contracts or agreements does not include the following information, provide documents containing such information:
 - a. The start and end dates of the arrangement;

- b. The terms of the arrangement;
 - c. The total amount of payments from Fusion GPS or its clients to Rinat Akhmetshin;
and
 - d. Copies of all related contracts or agreements.
5. All communications to, from, or copied to Fusion GPS, its officers, employees or associates related to: the acquisition or creation of information relating to Donald J. Trump and his associates; the creation and editing of the series of memos now commonly referred to as “the dossier”; the distribution of information regarding Donald J. Trump and his associates, whether in memo form, the dossier, or any other form; or discussions of the dossier, other memoranda, or other documents created by Mr. Steele or Orbis Intelligence. The documents produced shall include, but not be limited to the following:
- a. Documents related to providing the dossier, the information contained therein, or related information about Donald J. Trump or his associates to the FBI or otherwise contacting the FBI regarding the investigation of Donald J. Trump;
 - b. Documents related to communications with the FBI;
 - c. Documents and communications related to the FBI paying Christopher Steele or Orbis Business Intelligence to continue the investigation of Donald J. Trump or his associates;
 - d. Documents related to communications with the Department of Justice’s FARA Unit;
and
 - e. Documents related to providing to the British government or any other foreign government the dossier, information contained therein, or related information regarding Donald J. Trump or his associates.
6. All communications to, from, or copied to Fusion GPS, its officers, employees, or associates relating to Donald J. Trump, Christopher Steele, Sir Andrew Wood, David J. Kramer, Senator John McCain, the Halifax International Security Forum, Aleksey Gubarev, Webzilla B.V., XBT Holdings, S.A., Alfa Group, Dmitry Peskov, Vladimir Putin, the Ritz Carlton Moscow Hotel, Paul Manafort, Carter Page, Sergei Ivanov, Igor Divyekin, Sergei Millian, Dmitry Medvedev, Michael Flynn, Jill Stein, Michael Cohen, Konstantin Kosachev, Viktor Yanukovych, Corey Lewandowski, Sergei Kislyak, Yuri Ushakov, Anton Vaino, Mikhail Kalugin, Andrei Bondarev, Mikhail Fridman, Petr Aven, German Khan, Oleg Govorun, Aras Agalarov, Emin Agalarov, Sergey Lavrov, Igor Sechin, Rosneft, Sergei Kiriyenko, Oleg Solodukhin. This shall include any documents referring to any of the aforementioned using pseudonyms, nicknames, abbreviations, or codes.

7. All communications to, from, or copied to Fusion GPS, its officers, employees, or associates related to the Magnitsky Act, Prevezon Holdings, Russian adoption policies, Hermitage Capital Management, William Browder, Rinat Akhmetshin, Natalia Veselnitskaya, Irakly (Ike) Kaveladze, Ed Lieberman, Anatoli Samochornov, Rob Goldstone, Donald Trump, Jr., Denis Katsyv, Robert Arakelian, Christopher Cooper, Lanny Wiles, Mark Cymrot, Ron Dellums, and Howard Schweitzer. This shall include any documents referring to any of the aforementioned using alternate spellings, pseudonyms, nicknames, abbreviations, or codes.

If you have any questions, please contact Patrick Davis of Chairman Grassley's Committee staff at (202) 224-5225 or Heather Sawyer of Ranking Member Feinstein's staff at (202) 224-7703.

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