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United States Senate

COMMITTEE ON THE JUDICIARY

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May 29, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Christopher A. Coons
United States Senator

Dear Senator Coons:

I received your letter dated May 24, 2018, regarding your concerns about perceived inconsistencies between Mr. Trump, Jr.'s interview with the Committee, the transcript of which I released on May 16, 2018, and a subsequent *New York Times* article published on May 19, 2018.¹ Your letter also referenced 18 U.S.C. § 1001; the referral Senator Graham and I made regarding Mr. Steele; and your request that Mr. Trump, Jr. testify at a public Committee hearing.

To clarify, the Steele referral was based on contradictory information provided in two sworn statements to courts. In contrast, your concern is based on perceived inconsistencies between a Committee interview and a news article. Unfortunately, as we have seen all too frequently, reporting related to the Russia investigation and the Trump campaign has often been inaccurate.²

Rather than the Steele referral, a more apt comparison would be when Glenn Simpson told the Committee in his interview that the FBI had told Steele it had a source inside the Trump campaign, and then after the Ranking Member unilaterally released that transcript, subsequent news reports seemed to contradict this statement, claiming that Mr. Steele was actually just referencing Mr. Papadopoulos' statement to Alexander Downer. Given that the discrepancy was between testimony to the Committee and unsworn news reports, I simply wrote to Mr. Simpson's attorney, referencing the potential discrepancy with the news reports, and asking if his client stood by his testimony.³ He replied that his client did stand by his testimony.⁴ You asked for my views about the issue raised in your letter. I would suggest Mr. Trump, Jr.'s attorneys be asked about these press accounts.

¹ Your letter also referenced a *Reuters* article, but that article appears to just be a summary of the *New York Times* article.

² See, e.g., Amber Athey, *The Definitive List of Media Screw-Ups on the Trump-Russia Story*, THE DAILY CALLER (May 3, 2018); Shane Savitsky, *The Media's Russia Probe Meltdown: 3 Screw-Ups in One Week*, AXIOS (Dec. 8, 2017).

³ Letter from Chairman Grassley to Fusion GPS (Jan. 11, 2018).

⁴ Letter from Fusion GPS to Chairman Grassley (Jan. 18, 2018).

Notably, even if the reporting is entirely accurate, it is not clear that anything in that article contradicts Mr. Trump, Jr.'s testimony, let alone materially so. Your letter cited to five questions from the transcript, but the last three do not appear to be implicated by the content of the *New York Times* article. Even regarding the other two, while it is possible there could be contradictions, there are potentially innocuous explanations as well.

Of course, where we do have actual evidence of misleading testimony in Committee interviews, we should treat it seriously. For example, when the Committee staff interviewed Glenn Simpson in August of 2017, Majority staff asked him: "So you didn't do any work on the Trump matter after the election date, that was the end of your work?" Mr. Simpson answered: "I had no client after the election."⁵ As we now know, that was extremely misleading, if not an outright lie.

Contrary to Mr. Simpson's denial in the staff interview, according to the FBI and others, Fusion actually did continue Trump dossier work for a new client after the election. As part of the public release of the House Intelligence Committee's majority report on its Russia investigation, the executive branch declassified some previously classified information from an FBI document.⁶ That information detailed a March 2017 meeting between Daniel Jones and the FBI. Mr. Jones stated that he was leading a research and investigatory advisory organization called the Penn Quarter Group, which "had secured the services Steele, his associate [redacted], and Fusion GPS to continue exposing Russian interference in the 2016 Presidential election."⁷ Mr. Jones further told the FBI that the Penn Quarter Group "was being funded by 7 to 10 wealthy donors located primarily in New York and California, who provided approximately \$50 million."⁸ The report noted that Mr. Jones stated he planned to push the information he obtained from Fusion and Steele to policymakers on Capitol Hill,⁹ the press, and the FBI.¹⁰ As with statements to the Committee, statements to the FBI, like Mr. Jones', are subject to 18 U.S.C. § 1001. So, despite the fact Mr. Simpson said he had no client after the election, he in fact did, and that client revealed himself to the FBI.

As with the circumstances surrounding the Steele referral, we once again have two seemingly contradictory statements in contexts where material lies are criminal. I would welcome your views on what actions you are willing to take with regard to Mr. Simpson's testimony.

Sincerely,



Charles E. Grassley

⁵ Simpson Transcript 290:5-9.

⁶ H. PERMANENT SELECT COMM. ON INTELLIGENCE, REPORT ON RUSSIAN ACTIVE MEASURES 113 (Mar. 22, 2018).

⁷ *Id.*

⁸ *Id.*

⁹ I do not know if, during the course of our investigation, Mr. Jones has fed Fusion's information to the Minority as part of his ongoing campaign.

¹⁰ *Supra* note 6.