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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
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May 31, 2018

**VIA ELECTRONIC TRANSMISSION**

Mr. Michael R. Bromwich

Senior Counsel

Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP

1801 K Street, NW

Washington, DC 20006

Dear Mr. Bromwich,

The Committee on the Judiciary is continuing to investigate the circumstances surrounding the firing of former FBI Director James Comey and former Deputy Director Andrew McCabe. As you are aware, the Inspector General found Mr. McCabe to have lied under oath on multiple occasions.<sup>1</sup> After Mr. McCabe was terminated, he said, “As Deputy Director, I was one of only a few people who had the authority to do that [speak with the press]. It was not a secret, it took place over several days, and others, including the Director, were aware of the interaction with the reporter.”<sup>2</sup> On March 30, 2018, you released a statement claiming that McCabe did not mislead Mr. Comey about his contacts with the media and that emails exist between Mr. McCabe and Mr. Comey that allegedly prove he advised Mr. Comey that “he was working with colleagues at the FBI to correct inaccuracies before the stories were published, and that they remained in contact through the weekend while the interactions with the reporter continued.”<sup>3</sup>

Committee staff have reviewed the Inspector General’s report and the FBI’s Office of Professional Responsibility report concerning Mr. McCabe. Neither report contains any such emails described by you. In addition, none of the document productions provided to the Committee by the Justice Department have included emails of the sort you have described.

<sup>1</sup> Justice Department Inspector General, *A Report of Investigation of Certain Allegations Relating to Former FBI Deputy Director Andrew McCabe*, (February 2018).

<sup>2</sup> <https://www.cnn.com/2018/03/16/politics/mccabe-fired-statement-fbi-deputy-director/index.html>

<sup>3</sup> Karoun Demirjian and Matt Zapotosky, *Congressman alleges McCabe lied to Comey, hinting at rift between FBI officials*, Washington Post (March 30, 2018).

Accordingly, in light of the Committee's planned hearing on the upcoming Inspector General report on actions undertaken by Justice Department and FBI officials in the run-up to the 2016 presidential election, which Mr. McCabe has been invited to attend, it is necessary for the Committee to review the referenced emails. In addition, it is important for the Committee to review the formal reply you submitted to the Justice Department during Mr. McCabe's termination proceedings, which would provide greater context with respect to the facts as Mr. McCabe believes them to be. I consider it very likely that Mr. McCabe's termination and issues related to it will arise during the course of the hearing. As such, please provide those materials no later than June 7, 2018. Should you have any questions about this request, please contact Josh Flynn-Brown of my Judiciary Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary