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February 23, 2018

The Honorable Charles E. Grassley, Chairman
U.S. Senate Committee on the Judiciary
Washington, DC 20510

The Honorable Dianne Feinstein, Ranking Member
U.S. Senate Committee on the Judiciary
Washington, DC 20510

The Honorable Lindsey O. Graham, Chairman
Subcommittee on Crime and Terrorism
U.S. Senate Committee on the Judiciary
Washington, DC 20510

The Honorable Sheldon Whitehouse, Ranking Member
Subcommittee on Crime and Terrorism
U.S. Senate Committee on the Judiciary
Washington, DC 20510

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Dear Chairmen Grassley and Graham, and Ranking Members Feinstein and Whitehouse:

I write on behalf of my client, Ambassador Susan E. Rice, in response to a February 8, 2018 letter from Chairmen Grassley and Graham. The letter poses a series of questions regarding a memorandum to file Ambassador Rice drafted on January 20, 2017 concerning a discussion on January 5, 2017. According to public reporting, Chairman Grassley received this document from the National Archives and Record Administration more than eight months ago.¹

The memorandum to file drafted by Ambassador Rice memorialized an important national security discussion between President Obama and the FBI Director and the Deputy Attorney General. President Obama and his national security team were justifiably concerned about potential risks to the Nation's security from sharing highly classified information about Russia with certain members of the Trump transition team, particularly Lt. Gen. Michael Flynn.

In light of concerning communications between members of the Trump team and Russian officials, before and after the election, President Obama, on behalf of his national security team, appropriately sought the FBI and the Department of Justice's guidance on this subject. In the conversation Ambassador Rice documented, there was no discussion of Christopher Steele or the Steele dossier, contrary to the suggestion in your letter.

¹ Sonam Sheth, *New Documents show Senate Republicans had Susan Rice's email before they raised questions about it*, BUSINESS INSIDER, Feb. 15, 2018, <http://www.businessinsider.com/graham-grassley-had-susan-rice-email-months-before-letter-2018-2>.

Given the importance and sensitivity of the subject matter, and upon the advice of the White House Counsel's Office, Ambassador Rice created a permanent record of the discussion. Ambassador Rice memorialized the discussion on January 20, because that was the first opportunity she had to do so, given the particularly intense responsibilities of the National Security Advisor during the remaining days of the Administration and transition.

Ambassador Rice memorialized the discussion in an email sent to herself during the morning of January 20, 2017. The time stamp reflected on the email is not accurate, as Ambassador Rice departed the White House shortly before noon on January 20.

While serving as National Security Advisor, Ambassador Rice was not briefed on the existence of any FBI investigation into allegations of collusion between Mr. Trump's associates and Russia, and she later learned of the fact of this investigation from Director Comey's subsequent public testimony. Ambassador Rice was not informed of any FISA applications sought by the FBI in its investigation, and she only learned of them from press reports after leaving office.

Ambassador Rice believes that it is critical that Congress fully and faithfully investigate Russian efforts to disrupt the 2016 Presidential election, including the actions taken by the Government to respond to those efforts. To that end, she has testified voluntarily in connection with the inquiries being conducted by the Senate Select Committee on Intelligence (SSCI) and the House Permanent Select Committee on Intelligence (HPSCI) on that topic.

I trust this satisfies your need for information on this topic.

Sincerely,



Kathryn H. Ruemmler
of LATHAM & WATKINS LLP