

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH
LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
MICHAEL S. LEE, UTAH
TED CRUZ, TEXAS
BEN SASSE, NEBRASKA
JEFF FLAKE, ARIZONA
MIKE CRAPO, IDAHO
THOM TILLIS, NORTH CAROLINA
JOHN KENNEDY, LOUISIANA

DIANNE FEINSTEIN, CALIFORNIA
PATRICK J. LEAHY, VERMONT
RICHARD J. DURBIN, ILLINOIS
SHELDON WHITEHOUSE, RHODE ISLAND
AMY KLOBUCHAR, MINNESOTA
AL FRANKEN, MINNESOTA
CHRISTOPHER A. COONS, DELAWARE
RICHARD BLUMENTHAL, CONNECTICUT
MAZIE HIRONO, HAWAII

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

Ms. Gail Scovell
Open Society Foundations
General Counsel
224 West 57th Street
New York, New York 10019

Dear Ms. Scovell,

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 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 Leonard Benardo, an official with the Open Society Foundations.”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

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*, THE 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*, THE WASHINGTON POST (May 24, 2017).

⁵ *Id.*

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 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, Mr. Benardo, or any other employee of the Open Society Foundations to ask about emails, memos, or reports such as those described in these media reports? If so, who was contacted, when, and what was discussed?
2. What communications, if any, did Mr. Benardo have with Rep. Wasserman Schultz, her staff, her associates, or any other current or former DNC officials related to any representations then-Attorney General Lynch may have made related to the Clinton email investigation? Please provide any records, including emails, notes, memoranda, and recordings, related to such communications.


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

⁶ *Id.*

⁷ *Id.*