

‘Material Inconsistencies’: James Comey Is Going to Have a Rough Wednesday

Wednesday promises to be a long and difficult day for embattled FBI Director James Comey, if a recent letter from Senate Judiciary Chairman Chuck Grassley (R-Iowa) is any indication of how his next oversight hearing will go that day.

The senator wrote:

On March 6, 2017, I wrote to you requesting information about the FBI’s relationship with Mr. Christopher Steele, the author of the political opposition research dossier alleging collusion between associates of Mr. Trump and the Russian government. Although that letter asked for a response by March 20, the FBI has failed to provide one.

Ranking Member Feinstein and I had previously written to the FBI on February 15, 2017, asking for a briefing and documents relating to the resignation of Mr. Flynn and the leaks of classified information involving him. After a startling lack of responsiveness from the FBI, I was forced to delay Committee proceedings on the nomination for Deputy Attorney General in order to obtain DOJ’s cooperation. In response, on March 15, 2017, you did provide a briefing about the FBI’s Russia investigation to Ranking Member Feinstein and me. While a few of the questions from my March 6 letter were also addressed in that briefing, most were not. Nor was there any indication from the FBI before or during the briefing that the FBI considered it to be responsive to the March 6 letter.

Nonetheless, on April 19, 2017, the FBI sent Ranking Member Feinstein and me a four-sentence letter purporting to be in response to both the February 15 and March 6 letters. Two of

those sentences are merely the standard closing boilerplate language in all FBI letters. The letter did not answer any questions and instead incorrectly claimed that the briefing addressed the concerns raised in both the February 15 and March 6 letters. That is incorrect. The FBI has failed to provide documents requested in the March 6 letter or to answer the vast majority of its questions.

There appear to be material inconsistencies between the description of the FBI's relationship with Mr. Steele that you did provide in your briefing and information contained in Justice Department documents made available to the Committee only after the briefing. Whether those inconsistencies were honest mistakes or an attempt to downplay the actual extent of the FBI's relationship with Mr. Steele, it is essential that the FBI fully answer all of the questions from the March 6 letter and provide all the requested documents in order to resolve these and related issues.

Also, more information has since come to the Committee's attention about the company overseeing the creation of the dossier, Fusion GPS. Namely, Fusion GPS is the subject of a complaint to the Justice Department, which alleges that the company violated the Foreign Agents Registration Act by working on behalf of Russian principals to undermine U.S. sanctions against Russians. That unregistered work was reportedly conducted with a former Russian intelligence operative, Mr. Rinat Akhmetshin, and appears to have been occurring simultaneous to Fusion GPS's work overseeing the creation of the dossier. I wrote to the Justice Department about this issue on March 31, copying you, and I have attached that letter here for your reference. The Justice Department has yet to respond.

Grassley, who is one of the Senate's most senior members, has demonstrated during his tenure as Judiciary Chairman that he is not a man to be trifled with. And, he has no problem

dressing down a senior government official if he feels that individual isn't doing his or her job.

In addition to the documents he's already requested, the new letter—dated last Friday—requests the following new information:

- Documentation of all payments made to Steele, including for travel expenses, the date of any such payments, the amount of such payments and the authorization for such payments.
- Documentation the FBI may have relating to Steele's employer, Fusion GPS, and its alleged simultaneously work as an unregistered agent for Russian interests.
- Documentation the FBI may have amended following discovery of Fusion GPS's work as an unregistered agent for Russian interests.

Grassley also has a series of new questions he wants answered:

- When the FBI was in contact with Mr. Steele or otherwise relying on information in the dossier, was it aware that his employer, Fusion GPS, was allegedly simultaneously working as an unregistered agent for Russian interests?
- If so, when and how did FBI become aware of this information?
- Did it include this information about Fusion GPS's alleged work for Russian principals in any documents describing or relying on information from the dossier?
- If not, why not?
- If the FBI was previously unaware of Fusion GPS's alleged unregistered activity on behalf of Russian interests and connections with a former Russian intelligence operative, does the FBI plan to amend any applications, reports or other documents it has created that describe or rely on the information in the dossier to add this information?
- If not, why not?

Although Comey is scheduled to testify before the Judiciary Committee on Wednesday, Grassley has given him until May 12 to respond to the new requests for information. He has threatened to put a hold on Justice Department appointments until he gets the answers he seeks.

The tainted 35-page dossier created by Steele was an "opposition research project" for former Secretary of State Hillary Clinton's presidential campaign. This is a fact that will also likely get hammered quite a bit during Wednesday's hearing.

For his part, President Donald Trump has decided to weigh in on the issue, blasting the documents and Democrats for embracing the lies contained therein. In an interview with *The Washington Times*, the president said:

"I think it's a disgrace. The dossier has been totally discredited, No. 1. No. 2, Adam Schiff is totally partisan, as partisan as you can get. And No. 3, the Russia story is a fake story. It was made up so that they can justify the fact that Hillary Clinton lost an election that a Democrat should not lose because it's almost impossible for a Democrat to lose the Electoral College. And not only did she lose, but she lost by a lot because I got 306 and [she got] 232."

The president was also asked about the possibility that the FBI had offered to partner with Steele in its investigation of the alleged Russian interference in the election. He said:

"I think if that's true with the FBI, that would be very disgraceful. You understand that." {eo}