

United States Senate

WASHINGTON, DC 20510

February 14, 2017

The Honorable Jeff Sessions
United States Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

Dear Attorney General Sessions,

We are deeply concerned about credible allegations that the Trump campaign, transition team, and Administration have colluded with the Russian government, including most recently the events leading to the resignation of Lieutenant General Michael Flynn as National Security Advisor. General Flynn's conversations with Russian Ambassador Kislyak, and possibly other foreign envoys, may be violations of criminal law and ethical standards. Just as alarming as the legal or ethical wrongdoing is the strong likelihood that other members of President Trump's team were involved in similar conduct, and the apparent cover-up by General Flynn together with other officials in the Trump Administration.

An independent investigation is now necessary to determine what General Flynn did, who knew about it, and when. To maintain the confidence, credibility and impartiality of the Department of Justice, we urge you to immediately appoint an independent Special Counsel to investigate collusion with the Russian government by General Flynn and other Trump campaign, transition, and Administrative officials.

Recent reports provide evidence that General Flynn may have violated both the law, by communicating with the Russian Ambassador regarding our sanctions on Russia, and his legal obligation to obtain the approval of the Secretary of Defense before accepting travel expenses and speaking fees from the Russian government. Because of this misconduct and General Flynn's misrepresentations about it, when he subsequently went on to serve as the National Security Advisor to President Donald Trump, the Department of Justice (DOJ) reportedly notified the White House General Counsel Donald McGahn on January 26, 2017 that General Flynn was vulnerable to Russian blackmail.

The disclosure that General Flynn spoke repeatedly to Russian Ambassador Kislyak regarding the easing of U.S. sanctions on Russia, potentially undermining important U.S. foreign policy, reveals a stunning and potentially criminal dereliction of General Flynn's duty to our nation. The revelation of these secret calls by General Flynn arises amidst several serious unresolved questions about ties between this Administration and Russia. There are ongoing investigations into what role Trump campaign officials played in the espionage Vladimir Putin conducted to aid President Trump in the election. Like General Flynn, you were an early endorser of President Trump and an active participant in the political campaign. Given these troubling circumstances, a Special Counsel is necessary to ensure strict impartiality and prevent any further harm to our national security until these issues are resolved.

We are deeply troubled and completely unconvinced by the statements by the White House spokesperson regarding Flynn that, "Nothing he did is a violation of any sort." These repeated failures by the White House to come clean with the American public make an independent investigation necessary as soon as possible. During your confirmation hearing you affirmed to Senator Blumenthal that for "serious questions, when they arise, the Attorney General should recuse himself under appropriate circumstances." Exactly such circumstances now exist. Appointment of a Special Counsel is needed, because of the severity of the allegations of collusion with the Russian government and your own statements during your confirmation hearing defending the President against exactly such claims. You said regarding these concerns, "Some of them, virtually all of them have been proven to be exaggerated or untrue." Immediate answers are needed to the following questions among others:

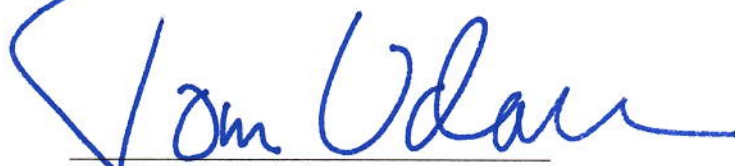
1. Why did General Flynn continue to receive and deliver the daily classified briefing to the President for seventeen days after the DOJ made the White House aware he was susceptible to Russian blackmail?
2. On what basis did White House Counsel McGahn make his determination that no laws were violated? Will that reasoning be made public in writing? If not, why not?
3. Was any of the information in the wiretap transcript made available to the President? If so, when?
4. During the time these phone calls were made, what was the nature of the interaction between President-Elect Trump and General Flynn? Was the President-Elect aware of General Flynn's attempt to conduct foreign policy on behalf of his incoming Administration? If so, was the discussion of easing sanctions conducted at then President-Elect Trump's request, or with his prior knowledge? If not, why was the President-Elect unaware of these conversations with one of America's most consequential foreign adversaries?
5. Who else in the Administration or the transition had prior knowledge of, or participated in, the phone calls that General Flynn conducted with foreign envoys?

At stake is the integrity and honesty of our most trusted public officials and the viability of our justice system. Absent swift action by a Special Counsel, evidence of this troubling conduct will be at high risk of concealment. An impartial, objective, comprehensive and thorough investigation must be done as soon as possible.


Sincerely,

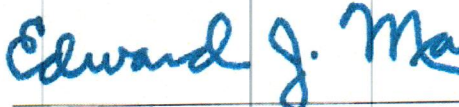


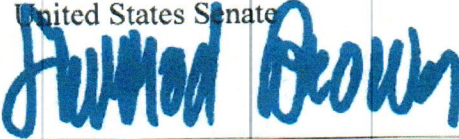
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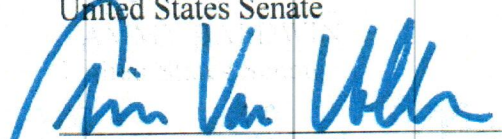


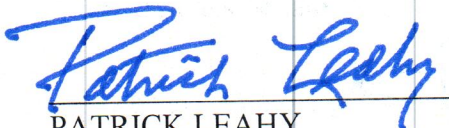
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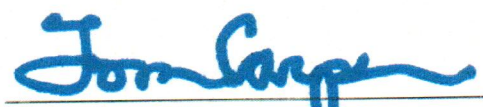

TAMMY BALDWIN
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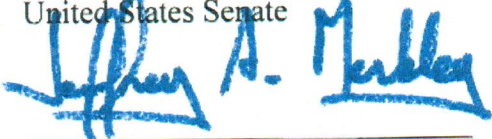

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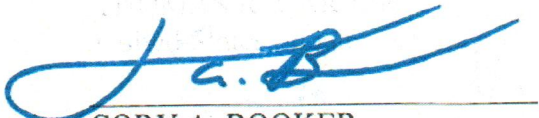

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