

THEODORE E. DEUTCH

21ST DISTRICT, FLORIDA  
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# Congress of the United States

## House of Representatives

Washington, DC 20515

January 12, 2017

WASHINGTON OFFICE:  
2447 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3001

DISTRICT OFFICES:  
7900 GLADES RD, SUITE 250  
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12300 FOREST HILL BLVD.  
WELLINGTON, FL 33414

James Comey  
Director, Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535-0001

Dear Director Comey:

At the House Judiciary Committee's annual Federal Bureau of Investigation oversight hearing on September 28, 2016, I asked that you comment on FBI policy regarding investigations into violations of the Logan Act, which prohibits American citizens from interfering with U.S. foreign policy. At the time, you claimed that it would be inappropriate to answer questions about the circumstances that would trigger a Logan investigation. You testified that offering a response would come too close to confirming or denying whether an investigation was ongoing; that it "seems too close to real life."

At the same hearing you made several statements defending your recommendation that no charges be filed against Secretary Hillary Clinton at the conclusion of the bureau's investigation into her private e-mail server.

Subsequently, on October 28, 2016, you wrote a publicly distributed letter to Republican Committee leadership to provide an update regarding new information related to the Clinton investigation. You stated that the FBI would "take appropriate investigative steps" to review additional emails for classified information and pertinence to the bureau's inquiry.

Your decision to share this information contradicted your previously stated reluctance to making public comments in a way that might suggest the status of an investigation. In the case of Secretary Clinton's email practices, you felt compelled to update and supplement your testimony. While on the other hand, you refused to respond to questions regarding a Logan Act investigation related to connections between then-presidential candidate Donald Trump's advisers and Russian government officials.

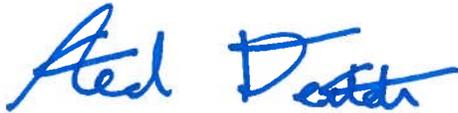
Director James Comey  
January 12, 2017  
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Now, recent media reports have revealed new information concerning meetings between Carter Page, a Trump foreign policy campaign adviser, and Russian government officials—among other connections between the Trump campaign and the Russian government.

Given the seriousness and public policy implications of illegal meddling in U.S. foreign policy, I hope you will feel similarly compelled to supplement your testimony—as you did in the Clinton investigation—to offer a response to my questions related to Logan Act violations.

An excerpt of the hearing transcript is attached to this letter. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Ted Deutch". The signature is written in a cursive style with a large initial "T" and "D".

Ted Deutch  
MEMBER OF CONGRESS

Attachment

**OVERSIGHT OF THE  
FEDERAL BUREAU OF INVESTIGATION**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON THE JUDICIARY**  
**HOUSE OF REPRESENTATIVES**  
ONE HUNDRED FOURTEENTH CONGRESS  
SECOND SESSION

SEPTEMBER 28, 2016

**Serial No. 114-91**

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<i><a href="http://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=105390">http://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=105390</a></i>	

more, on that list of things that make this case highly unusual. I yield back.

Mr. GOODLATTE. The Director is permitted to respond if he chooses to do so.

Mr. COMEY. No, I don't think so.

Mr. GOODLATTE. The Chair recognizes the gentleman from Florida, Mr. Deutch, for 5 minutes.

Mr. DEUTCH. Thank you, Mr. Chairman. Director Comey, the FBI is tasked with very serious responsibilities. You are on the front lines trying to prevent terrorist attacks. You are investigating public corruption. And as I told your agents on a recent visit to your Miami field office, I am grateful to you and your agents, all of the women and men of the FBI, for your dedication to the—and commitment to the pursuit of justice. We are most grateful.

Now, one critical responsibility of the FBI is to investigate when American citizens violate Federal laws involving improper contacts with foreign governments. And, Director Comey, if an American national goes outside government channels to negotiate with a foreign government on behalf of the United States, that is a very serious crime, one that would violate the Logan Act, which, as you know, is the law that prohibits unauthorized people from negotiating with foreign governments in the place of the United States Government.

Director Comey, would the FBI take allegations of Logan Act violations seriously? Is that within your jurisdiction?

Mr. COMEY. Yes. It is within our jurisdiction.

Mr. DEUTCH. And if you had credible evidence that someone had violated the Logan Act, would the FBI investigate that alleged violation of law?

Mr. COMEY. I think we have done many Logan Act investigations over the years. And we certainly will in the future.

Mr. DEUTCH. And am I correct in assuming that you are familiar with publicly quoted comments from various intelligence sources that have said that Russia has targeted the United States with a legal State-directed hacking?

Mr. COMEY. I am aware of the published reports.

Mr. DEUTCH. If an American citizen, Director Comey, conducted meetings with a Russian individual who has been sanctioned by the United States about potential weakening of U.S. sanctions policy in violation of the Logan Act, would the FBI investigate?

Mr. COMEY. I don't think it is appropriate to answer that. That gets too close to confirming or denying whether we have an investigation. Seems too close to real life. So I am not going to comment.

Mr. DEUTCH. Okay. But there are—you have investigated Logan Act violations. It is something that is clearly within your jurisdiction.

I appreciate, Director Comey, your confirming that the FBI would treat these potential violations of law both seriously and urgently, because everything that I just outlined that you said the FBI would investigate has apparently happened already. Public reports suggest that the Logan Act may have been violated by Carter Page, one of the men Donald Trump signaled out as the top foreign policy adviser.

So now the campaign appears eager to revise Mr. Page's role given the attention rightly being given to his illicit negotiations

with a sanctioned Russian official. I read reports from Yahoo News from last week that law enforcement may already be looking into this issue. And I assume we all agree that the allegations are very serious. Russia, a Nation that hacks America, a Nation that continues to enable Assad, the Assad regime, to slaughter the Syrian people, a Nation that threatens and violates the territorial integrity of its neighbors and our European allies.

It is a dangerous violation of Federal law if Donald Trump's adviser, Carter Page, is engaging in freelance negotiations with Russia. And here is what we know. In March, Donald Trump named Carter Page as a foreign policy adviser. In July, Mr. Page traveled to Moscow to give a speech that was harshly critical of the United States. And during that trip, Mr. Page is reported to have also met with a Russian official named Igor Sechin, a member of Vladimir Putin's inner circle and the president of the petroleum company, Rosneft, who was sanctioned by the United States under executive order 13361, prohibiting him from traveling to the United States or conducting business with U.S. firms.

So Mr. Sechin has a clear and personal interest in lifting U.S. sanctions against him and other top Russian officials put in place by President Obama after Russia's military action in Ukraine. Now, if these two men met to discuss sanctions policy, or a lifting of sanctions under a potential Trump administration, this would be enormously concerning.

Just last week the press reported that U.S. intelligence officials are seeking to determine whether an American businessman identified by Donald Trump as one of his foreign policy advisers has opened up private communications with senior Russian officials, including talks about possible lifting of sanctions.

Mr. Comey, it is illegal if Trump's adviser met with Russians who have been sanctioned by the United States about lifting these sanctions. And I am grateful for your reassurances this morning that the FBI would investigate potential violations of the Logan Act by any individual who engages in unauthorized negotiations with a foreign government. I remind my colleagues that Donald Trump invited Russia to hack the United States. I remind my colleagues that Donald Trump suggested breaking America's long-standing commitment to our NATO allies and weakening U.S. sanctions against Russia. Is there a connection between these reckless and dangerous policy proposals, and the potential violation of the Logan Act by Donald Trump's Russia adviser?

Mr. Comey, we appreciate very much the FBI's vigilance in pursuing justice. And, Mr. Chairman, I yield back.

Mr. GOODLATTE. The gentleman is permitted to respond if you choose to.

So the Chair now recognizes the gentleman from Pennsylvania, Mr. Marino, for 5 minutes.

Mr. MARINO. Thank you, Chairman.

Thank you, Director, for being here. I think we have worked on a couple of cases together in our districts.

Mr. COMEY. Yes.

Mr. MARINO. Would you clarify something for me on act-of-production immunity? Does act-of-production immunity go beyond this scenario that I am going to state?