

# United States Senate

WASHINGTON, DC 20510

December 13, 2016

The Honorable Loretta Lynch  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Dear Attorney General Lynch:

We urge the Department of Justice to publicly confirm that objective career Department professionals are conducting a criminal investigation into whether officials in the Russian government intervened in, or directed others to intervene in, the 2016 U.S. presidential election to help one candidate over the other. If such an investigation is not ongoing, we urge you to open one without delay.

On September 28, 2016, Director James Comey of the Federal Bureau of Investigation testified before the House Judiciary Committee and was asked about the Department's standard for commenting on whether an investigation is underway. Director Comey stated that "[o]ur standard is we do not confirm or deny the existence of investigations," but he cited examples of "exceptional circumstances" that he said justified commenting on the existence of investigations, including "when there is a need for the public to be reassured" and "where the public needed transparency."<sup>i</sup>

Surely this is just such an exceptional circumstance. On December 9, the *Washington Post* reported that the CIA has concluded that Russia moved deliberately to help elect one candidate as president of the United States. The *Post* further reported that U.S. intelligence agencies have identified individuals with connections to Russia's government who provided WikiLeaks with thousands of hacked emails from one U.S. party's national political committee and campaign chairman. Deliberate hacking of national political party and campaign staff email systems in order to tilt the election results in favor of the candidate deemed more sympathetic to Russian interests is an unprecedented breach and threat to U.S. democracy and national security. The public needs transparency and reassurance that the Department of Justice is actively investigating these matters and that, if the investigation finds evidence that Russian officials perpetrated or directed such acts, appropriate criminal charges will be announced.

The American people need to know that threats to our national security and the sanctity of our democratic process will not go unexamined and unchallenged by the Department of Justice. We

must ensure that a foreign government cannot undermine our democratic institutions and elections as a means to serve its own interests. We urge you to publicly confirm that a criminal investigation into these matters is underway or will immediately be opened.

Thank you for your attention to this important issue.

Sincerely,



Richard J. Durbin  
United States Senator



Patrick J. Leahy  
United States Senator



Benjamin L. Cardin  
United States Senator



Al Franken  
United States Senator



Brian Schatz  
United States Senator



Gary C. Peters  
United States Senator



Robert P. Casey, Jr.  
United States Senator



Edward J. Markey  
United States Senator



Tom Udall  
United States Senator

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<sup>i</sup> Hearing before the Committee on the Judiciary, House of Representatives, "Oversight of the Federal Bureau of Investigation," Serial No. 114-91, September 28, 2016, at p. 41, available at [https://judiciary.house.gov/wp-content/uploads/2016/09/114-91\\_22125.pdf](https://judiciary.house.gov/wp-content/uploads/2016/09/114-91_22125.pdf).