

**Congress of the United States**  
**Washington, DC 20515**

February 15, 2017

Donald F. McGahn, II  
White House Counsel  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20006

Dear Mr. McGahn:

We are writing in response to the shocking reports last night that Department of Justice officials warned you three weeks ago that Lt. General Michael Flynn made false statements about his communications with the Russian Ambassador to Vice President-elect Pence, other White House officials, and the American people and that he was potentially susceptible to blackmail by the Russian government.<sup>1</sup>

These reports raise grave concerns about the honesty and integrity of White House officials with the public. The National Security Advisor provided false information to the public, which was then repeated by several senior White House officials. Even after learning that this information was inaccurate, no White House officials corrected those falsehoods.

These reports raise more than “trust” issues—they also raise significant national security concerns. The President’s National Security Advisor reportedly had secret discussions with Russian officials both during the campaign and after the election. General Flynn’s communications with the Russians about the sanctions during the transition potentially violated the Logan Act, and his acceptance of payments to travel to Moscow and celebrate Russia’s main propaganda outlet with Vladimir Putin in 2015 potentially violated the Constitution.

Moreover, even in the face of strong warnings and evidence that he was vulnerable to being blackmailed, the White House appears to have considered General Flynn fit to continue serving as the National Security Advisor. General Flynn continued to receive the nation’s most sensitive and classified information, without any apparent change to accommodate these national security concerns.

Kellyanne Conway confirmed on the Today Show this morning, “The fact is that General Flynn continued in that position and was in the presidential daily briefings, was part of the leader calls as recently as yesterday.”<sup>2</sup>

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<sup>1</sup> *Justice Department Warned White House that Flynn Could Be Vulnerable to Russian Blackmail, Officials Say*, Washington Post (Feb. 13, 2017) (online at [www.washingtonpost.com/world/national-security/justice-department-warned-white-house-that-flynn-could-be-vulnerable-to-russian-blackmail-officials-say/2017/02/13/fc5dab88-f228-11e6-8d72-263470bf0401\\_story.html?utm\\_term=.da912f35096c](http://www.washingtonpost.com/world/national-security/justice-department-warned-white-house-that-flynn-could-be-vulnerable-to-russian-blackmail-officials-say/2017/02/13/fc5dab88-f228-11e6-8d72-263470bf0401_story.html?utm_term=.da912f35096c)).

<sup>2</sup> *Today Show*, NBC (Feb. 14, 2017) (online at [www.today.com/video/kellyanne-conway-michael-flynn-](http://www.today.com/video/kellyanne-conway-michael-flynn-)

It is unclear if the White House would have made any changes or shared any of this information with the public if it had not been revealed publicly in the press.

Over the weekend, the President and the White House remained silent in the face of increasingly vocal calls for more information. As late as 5 p.m. on Monday, Ms. Conway told the press that General Flynn had the “full confidence of the President.”<sup>3</sup>

In order to obtain a complete and accurate account of the White House’s response to the extremely serious allegations against General Flynn, we request that you provide the following information by February 28, 2017:

1. When were you first notified about General Flynn’s December 2016 discussions with the Russian Ambassador about U.S. sanctions and the potential that General Flynn could be subject to blackmail? Who notified you?
2. Who did you tell about these warnings, and when did you tell them?
3. What steps, if any, did you or any other White House official take to correct the inaccurate statements that the White House had made to the public?
4. What steps did you or any other White House official take to suspend, isolate, or otherwise minimize General Flynn’s access to classified information or policy discussions related to Russia after receiving the warning from the Department of Justice?
5. How many classified intelligence briefings involving matters related to Russia did General Flynn attend as the National Security Advisor? How many classified intelligence products involving matters related to Russia did General Flynn receive as the National Security Advisor?
6. When did the President lose confidence and trust in General Flynn, and what was the preceding cause?
7. What potential disciplinary actions for General Flynn, if any, did you or anyone else in the Trump Administration discuss for misleading Vice President Pence and other White House officials?
8. Was the President or anyone else in the Trump Administration aware that General Flynn discussed sanctions with the Russian ambassador before January 26, 2017? Did anyone in the Trump Administration direct General Flynn to conduct these discussions?

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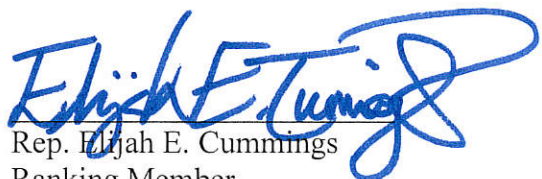
knew-he-d-become-a-lightning-rod-876816963732).

<sup>3</sup> *MSNBC Live*, MSNBC (Feb. 13, 2017) (online at [www.msnbc.com/msnbc-news/watch/conway-flynn-has-full-confidence-of-trump-876313155705](http://www.msnbc.com/msnbc-news/watch/conway-flynn-has-full-confidence-of-trump-876313155705)).

9. Did Lt. General Joseph Keith Kellogg, Jr., K.T. McFarland, or anyone else in the National Security Council know about occurrence and/or the content of General Flynn's conversations with the Russians? If so, did they inform any of their superiors?
10. Did anyone consult with or advise the President-Elect in any way on public messages he posted on his Twitter Account praising Russian President Vladimir Putin on December 30, 2016 —one day after several phone calls were placed between General Flynn and the Russian Ambassador?
11. When did you complete your legal analysis or review of the matter related to Flynn? Did you consult with the Department of Justice Office of Legal Counsel regarding your analysis?
12. Did you or any other White House official review the transcripts of the calls between General Flynn and the Russian Ambassador? If so, who conducted the review and for calls on what dates?
13. Did General Flynn report the fact that he had been interviewed by the FBI to you or anyone else in the White House? Were you aware that General Flynn had been interviewed by the FBI?
14. Have any other White House officials been interviewed by the FBI? If so, who was interviewed and on what date?
15. Were you involved in any adjudication analysis or decision regarding General Flynn's security clearance? If you were not, please identify who in the White House was involved.

Thank you for your prompt attention to this matter.

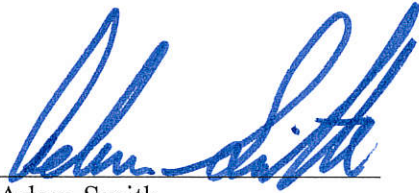
Sincerely,



Rep. Elijah E. Cummings  
Ranking Member  
House Committee on Oversight and  
Government Reform



Rep. John Conyers  
Ranking Member  
House Committee on the Judiciary



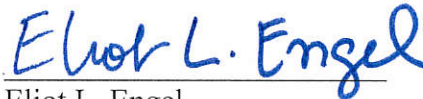
Adam Smith  
Ranking Member  
Committee on Armed Services



Bennie G. Thompson  
Ranking Member  
Committee on Homeland Security



Adam Schiff  
Ranking Member  
Permanent Select  
Committee on Intelligence



Eliot L. Engel  
Ranking Member  
Committee on Foreign Affairs

cc. The Honorable Jason Chaffetz, Chairman  
House Committee on Oversight and Government Reform

The Honorable Bob Goodlatte, Chairman  
House Committee on the Judiciary

The Honorable Mac Thornberry, Chairman  
Committee on Armed Services

The Honorable Michael McCaul, Chairman  
Committee on Homeland Security

The Honorable Devin Nunes, Chairman  
Permanent Select Committee on Intelligence

The Honorable Ed Royce, Chairman  
Committee on Foreign Affairs