

United States Senate

WASHINGTON, DC 20510

September 24, 2019

The Honorable Lindsey Graham
Chairman
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Graham:

This is to request that the Senate Judiciary Committee investigate the Trump Administration's withholding of a credible and urgent whistleblower report from Congress, and specifically that this Committee hold a hearing with Attorney General Barr and ensure that Congress obtains the whistleblower report as well as any advice provided by the Justice Department regarding the Administration's failure to transmit it to Congress.

Over the weekend, President Trump explained that he had discussed a political rival, former Vice President Joe Biden, with Ukrainian President Volodymyr Zelensky in July. It has separately been reported that President Trump used U.S. aid to Ukraine as leverage to pressure President Zelensky into generating information that could be used to damage Vice President Biden's presidential campaign. The President's discussion with President Zelensky, and the Administration's handling of security assistance to Ukraine, are reportedly the subject of the whistleblower's report.

Inspector General of the Intelligence Community Michael Atkinson has determined that the whistleblower's report is "urgent and credible" and that it "relates to one of the most significant and important of the Director of National Intelligence's responsibilities to the American people." The Inspector General gave the whistleblower report to Acting Director of National Intelligence Joseph Maguire on August 26, 2019, with the understanding that the report was of "urgent concern."

The Intelligence Community Whistleblower Protection Act requires the Director of National Intelligence to forward to Congress any whistleblower report that the Inspector General deems credible and urgent "within 7 calendar days." (50 U.S.C. § 3033(k)(5)). Yet Acting Director of National Intelligence Maguire has refused to provide the whistleblower report to Congress. His refusal is reportedly based on advice from the Department of Justice as well as the White House Counsel.

Withholding this whistleblower report from Congress strikes at the core of the separation of powers and represents an attempt by this Administration to obstruct legitimate congressional oversight of the executive branch. The possible abuse of presidential authority and the obstruction of congressional oversight are matters that fall squarely within the Judiciary Committee's jurisdiction.

We have a constitutional responsibility to determine the reasons for the whistleblower's report and why it is being withheld from Congress. Specifically, this Committee should use compulsory process as needed to obtain witnesses' testimony and relevant documents.

We therefore ask that you convene hearings to address the facts underlying the whistleblower's report, the Administration's refusal to provide that report to Congress in contravention of the law, and any legal advice provided by the Department of Justice or the White House Counsel on these matters.

We look forward to hearing from you soon about this important request.

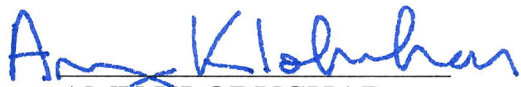
Sincerely,

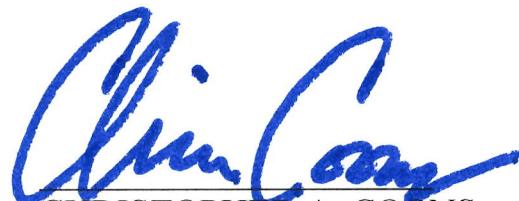

DIANNE FEINSTEIN
Ranking Member


PATRICK LEAHY
United States Senator


RICHARD J. DURBIN
United States Senator

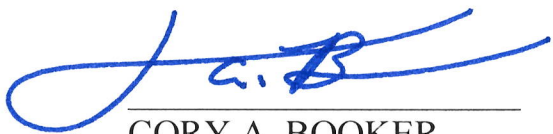

SHELDON WHITEHOUSE
United States Senator


AMY KLOBUCHAR
United States Senator


CHRISTOPHER A. COONS
United States Senator


RICHARD BLUMENTHAL
United States Senator


MAZIE K. HIRONO
United States Senator


CORY A. BOOKER
United States Senator


KAMALA D. HARRIS
United States Senator