

to intervene with Comey.<sup>331</sup> McGahn recalled Boente telling him in calls that day that he did not think it was sustainable for Comey to stay on as FBI director for the next four years, which McGahn said he conveyed to the President.<sup>332</sup> Boente did not recall discussing with McGahn or anyone else the idea that Comey should not continue as FBI director.<sup>333</sup>

3. The President Asks Intelligence Community Leaders to Make Public Statements that he had No Connection to Russia

In the weeks following Comey's March 20, 2017 testimony, the President repeatedly asked intelligence community officials to push back publicly on any suggestion that the President had a connection to the Russian election-interference effort.

On March 22, 2017, the President asked Director of National Intelligence Daniel Coats and CIA Director Michael Pompeo to stay behind in the Oval Office after a Presidential Daily Briefing.<sup>334</sup> According to Coats, the President asked them whether they could say publicly that no link existed between him and Russia.<sup>335</sup> Coats responded that the Office of the Director of National Intelligence (ODNI) has nothing to do with investigations and it was not his role to make a public statement on the Russia investigation.<sup>336</sup> Pompeo had no recollection of being asked to stay behind after the March 22 briefing, but he recalled that the President regularly urged officials to get the word out that he had not done anything wrong related to Russia.<sup>337</sup>

Coats told this Office that the President never asked him to speak to Comey about the FBI investigation.<sup>338</sup> Some ODNI staffers, however, had a different recollection of how Coats described the meeting immediately after it occurred. According to senior ODNI official Michael Dempsey, Coats said after the meeting that the President had brought up the Russia investigation and asked him to contact Comey to see if there was a way to get past the investigation, get it over with, end it, or words to that effect.<sup>339</sup> Dempsey said that Coats described the President's comments as falling "somewhere between musing about hating the investigation" and wanting Coats to "do something to stop it."<sup>340</sup> Dempsey said Coats made it clear that he would not get involved with an ongoing FBI investigation.<sup>341</sup> Edward Gistaro, another ODNI official, recalled

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<sup>331</sup> SC\_AD\_00210 (Donaldson 3/21/17 Notes); McGahn 12/12/17 302, at 7; Donaldson 11/6/17 302, at 19.

<sup>332</sup> McGahn 12/12/17 302, at 7; Burnham 11/03/17 302, at 11.

<sup>333</sup> Boente 1/31/18 302, at 3.

<sup>334</sup> Coats 6/14/17 302, at 3; Culver 6/14/17 302, at 2.

<sup>335</sup> Coats 6/14/17 302, at 3.

<sup>336</sup> Coats 6/14/17 302, at 3.

<sup>337</sup> Pompeo 6/28/17 302, at 1-3.

<sup>338</sup> Coats 6/14/17 302, at 3.

<sup>339</sup> Dempsey 6/14/17 302, at 2.

<sup>340</sup> Dempsey 6/14/17 302, at 2-3.

<sup>341</sup> Dempsey 6/14/17 302, at 3.

that right after Coats's meeting with the President, on the walk from the Oval Office back to the Eisenhower Executive Office Building, Coats said that the President had kept him behind to ask him what he could do to "help with the investigation."<sup>342</sup> Another ODNI staffer who had been waiting for Coats outside the Oval Office talked to Gistaro a few minutes later and recalled Gistaro reporting that Coats was upset because the President had asked him to contact Comey to convince him there was nothing to the Russia investigation.<sup>343</sup>

On Saturday, March 25, 2017, three days after the meeting in the Oval Office, the President called Coats and again complained about the Russia investigations, saying words to the effect of, "I can't do anything with Russia, there's things I'd like to do with Russia, with trade, with ISIS, they're all over me with this."<sup>344</sup> Coats told the President that the investigations were going to go on and the best thing to do was to let them run their course.<sup>345</sup> Coats later testified in a congressional hearing that he had "never felt pressure to intervene or interfere in any way and shape—with shaping intelligence in a political way, or in relationship . . . to an ongoing investigation."<sup>346</sup>

On March 26, 2017, the day after the President called Coats, the President called NSA Director Admiral Michael Rogers.<sup>347</sup> The President expressed frustration with the Russia investigation, saying that it made relations with the Russians difficult.<sup>348</sup> The President told Rogers "the thing with the Russians [wa]s messing up" his ability to get things done with Russia.<sup>349</sup> The President also said that the news stories linking him with Russia were not true and asked Rogers if he could do anything to refute the stories.<sup>350</sup> Deputy Director of the NSA Richard Ledgett, who was present for the call, said it was the most unusual thing he had experienced in 40 years of government service.<sup>351</sup> After the call concluded, Ledgett prepared a memorandum that he and Rogers both signed documenting the content of the conversation and the President's request, and they placed the memorandum in a safe.<sup>352</sup> But Rogers did not perceive the President's request to be an order, and the President did not ask Rogers to push back on the Russia

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<sup>342</sup> Gistaro 6/14/17 302, at 2.

<sup>343</sup> Culver 6/14/17 302, at 2-3.

<sup>344</sup> Coats 6/14/17 302, at 4.

<sup>345</sup> Coats 6/14/17 302, at 4; Dempsey 6/14/17 302, at 3 (Coats relayed that the President had asked several times what Coats could do to help "get [the investigation] done," and Coats had repeatedly told the President that fastest way to "get it done" was to let it run its course).

<sup>346</sup> *Hearing on Foreign Intelligence Surveillance Act Before the Senate Select Intelligence Committee*, 115<sup>th</sup> Cong. (June 7, 2017) (CQ Cong. Transcripts, at 25) (testimony by Daniel Coats, Director of National Intelligence).

<sup>347</sup> Rogers 6/12/17 302, at 3-4.

<sup>348</sup> Rogers 6/12/17 302, at 4.

<sup>349</sup> Ledgett 6/13/17 302, at 1-2; *see* Rogers 6/12/17 302, at 4.

<sup>350</sup> Rogers 6/12/17 302, at 4-5; Ledgett 6/13/17 302, at 2.

<sup>351</sup> Ledgett 6/13/17 302, at 2.

<sup>352</sup> Ledgett 6/13/17 302, at 2-3; Rogers 6/12/17 302, at 4.

investigation itself.<sup>353</sup> Rogers later testified in a congressional hearing that as NSA Director he had “never been directed to do anything [he] believe[d] to be illegal, immoral, unethical or inappropriate” and did “not recall ever feeling pressured to do so.”<sup>354</sup>

In addition to the specific comments made to Coats, Pompeo, and Rogers, the President spoke on other occasions in the presence of intelligence community officials about the Russia investigation and stated that it interfered with his ability to conduct foreign relations.<sup>355</sup> On at least two occasions, the President began Presidential Daily Briefings by stating that there was no collusion with Russia and he hoped a press statement to that effect could be issued.<sup>356</sup> Pompeo recalled that the President vented about the investigation on multiple occasions, complaining that there was no evidence against him and that nobody would publicly defend him.<sup>357</sup> Rogers recalled a private conversation with the President in which he “vent[ed]” about the investigation, said he had done nothing wrong, and said something like the “Russia thing has got to go away.”<sup>358</sup> Coats recalled the President bringing up the Russia investigation several times, and Coats said he finally told the President that Coats’s job was to provide intelligence and not get involved in investigations.<sup>359</sup>

4. The President Asks Comey to “Lift the Cloud” Created by the Russia Investigation

On the morning of March 30, 2017, the President reached out to Comey directly about the Russia investigation.<sup>360</sup> According to Comey’s contemporaneous record of the conversation, the President said “he was trying to run the country and the cloud of this Russia business was making

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<sup>353</sup> Rogers 6/12/17 302, at 5; Ledgett 6/13/17 302, at 2.

<sup>354</sup> *Hearing on Foreign Intelligence Surveillance Act Before the Senate Select Intelligence Committee*, 115<sup>th</sup> Cong. (June 7, 2017) (CQ Cong. Transcripts, at 20) (testimony by Admiral Michael Rogers, Director of the National Security Agency).

<sup>355</sup> Gistaro 6/14/17 302, at 1, 3; Pompeo 6/28/17 302, at 2-3.

<sup>356</sup> Gistaro 6/14/17 302, at 1.

<sup>357</sup> Pompeo 6/28/17 302, at 2.

<sup>358</sup> Rogers 6/12/17 302, at 6.

<sup>359</sup> Coats 6/14/17 302, at 3-4.

<sup>360</sup> SCR012b\_000044 (President’s Daily Diary, 3/30/17, reflecting call to Comey from 8:14 - 8:24 a.m.); Comey 3/30/17 Memorandum, at 1 (“The President called me on my CMS phone at 8:13 am today . . . The call lasted 11 minutes (about 10 minutes when he was connected).”; *Hearing on Russian Election Interference Before the Senate Select Intelligence Committee*, 115<sup>th</sup> Cong. (June 8, 2017) (Statement for the Record of James B. Comey, former Director of the FBI, at 6).