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May 3, 2017

The Honorable Lindsey Graham, Chairman
Subcommittee on Crime and Terrorism
U.S. Senate Committee on the Judiciary
Washington, DC 20510

The Honorable Sheldon Whitehouse, Ranking Member
Subcommittee on Crime and Terrorism
U.S. Senate Committee on the Judiciary
Washington, DC 20510

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Dear Chairman Graham and Ranking Member Whitehouse:

I write on behalf of my client, Ambassador Susan E. Rice, in response to Senator Graham's invitation to Ambassador Rice to testify at a May 8, 2017 hearing before the Senate Committee on the Judiciary, Subcommittee on Crime and Terrorism entitled "Russian Interference in the 2016 United States Election."

While Ambassador Rice commends the Subcommittee's efforts to examine this matter of extraordinary national significance, it is extremely rare for the Congress to request the testimony of a former senior advisor to the President given the longstanding and well-recognized separation of powers concerns at issue. Moreover, Chairman Graham's invitation was extended only after the hearing was noticed, less than two weeks before the hearing was scheduled to occur, and without consultation with Ambassador Rice, a professional courtesy that would customarily be extended to any witness. Notwithstanding the significance of these concerns, Ambassador Rice is prepared to assist Congressional inquiries into Russian election interference because of the important national interests at stake, provided they are conducted in a bipartisan manner, and as appropriate, in classified session.

In this case, however, Senator Whitehouse has informed us by letter that he did not agree to Chairman Graham's invitation to Ambassador Rice, a significant departure from the bipartisan invitations extended to other witnesses. Under these circumstances, Ambassador Rice respectfully declines Senator Graham's invitation to testify.

Again, and as Ambassador Rice has stated publicly, she supports and is committed to assisting the bipartisan Congressional inquiries into Russian interference in the 2016 election, given the utmost importance of this matter to our national security.

Please contact me if you have any questions.

Sincerely,



Kathryn H. Ruemmler
of LATHAM & WATKINS LLP