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May 7, 2020

The Hon. Richard Grenell, Interim Director
Office of the Director of National Intelligence
Washington, DC 20511

Re: *Ed Butowsky v. David Folkenflik, et al.*, Case No. 4:18-cv-00442-ALM (E.D.Tex.); *Edward Butowsky v. Michael Gottlieb, et al.*, Case No. 4:19-cv-00180-ALM (E.D.Tex.); and *Edward Butowsky v. Douglas Wigdor, et al.*, Case No. 4:19-cv-00577-ALM (E.D.Tex.)

Ambassador Grenell:

I represent Ed Butowsky in the cases identified above, each of which concerns an overlapping question of fact, namely whether former Democratic National Committee employee Seth Rich played a role in leaking emails from the DNC to Wikileaks in 2016. I respectfully request your assistance in de-classifying National Security Agency records that would settle this question once and for all.

As you are probably aware, Mr. Rich was murdered in Washington, D.C. shortly after the emails were released, and Julian Assange strongly inferred that Mr. Rich – rather than Russian hackers – was responsible for sending the emails to Wikileaks. Conversely, Special Counsel Robert Mueller, the FBI, and the intelligence establishment all have insisted that Mr. Rich played no role in transferring the emails.

I am reliably informed that the NSA or its partners intercepted at least some of the communications between Mr. Rich and Wikileaks. Before elaborating on that, however, I should first note the extent to which the “deep state” has already tried to cover up information about Mr. Rich. In an October 9, 2018 affidavit submitted in a Freedom of Information Act lawsuit, FBI section chief David M. Hardy testified that (1) the FBI did not investigate any matters pertaining to Mr. Rich, and (2) the FBI was unable to locate any records about Mr. Rich. Both claims were unequivocally false.

Last September, Judicial Watch inadvertently obtained records about Mr. Rich by requesting communications between FBI lawyer Lisa Page and supervisory agent Peter Strzok. The header in the heavily-redacted email string is

“Seth Rich,” and in one email Agent Strzok boasts about having “squashed” something pertaining to Mr. Rich. See <https://www.judicialwatch.org/wpcontent/uploads/2020/01/JW-v-DOJ-Strzok-Page-Prod-16-00154.pdf>, pp. 123-124. The redaction codes on the email indicate that there was some sort of investigation pertaining to Mr. Rich, contrary to Mr. Hardy’s affidavit. Furthermore, the email string originated in the Washington Field Office, which is exactly where I had originally asked the FBI to search. The FBI refused to search there and, even though emails have since surfaced from the Washington Field Office, it still refuses to search there for records about Mr. Rich.

On March 20, 2020, I deposed former Asst. U.S. Attorney Deborah Sines, the prosecutor assigned to the Seth Rich murder case. She testified that (1) the FBI investigated a possible intrusion into Mr. Rich’s electronic accounts; (2) the FBI examined Mr. Rich’s computer; and (3) the FBI did have records pertaining to Mr. Rich. Ms. Sines further testified that she met with a prosecutor and an FBI agent from Mr. Mueller’s team (ergo there should be an FD-302 form from that interview). Again, this flatly contradicts the FBI’s official narrative that (1) Mr. Rich was never the subject of an FBI investigation; and (2) the FBI has no records pertaining to Mr. Rich.

In a recorded telephone conversation with my client, famed journalist Seymour “Sy” Hersh claimed that he spoke with a high-ranking FBI official who confirmed the existence of email communications between Mr. Rich and Wikileaks. My client separately spoke with another federal official who said he had seen the emails between Mr. Rich and Wikileaks.

Meanwhile, I’m sure you are familiar with the recent evidence that the FBI framed Lt. Gen. Michael Flynn and perpetrated frauds on the FISA court, all for the purpose of promoting and perpetuating the “Russia collusion” hoax. Suffice it to say that high-level officials have gone to extraordinary lengths to keep the hoax alive, and that extends to the false narrative that Russian agents were responsible for hacking the DNC. In Mr. Mueller’s report, for example, he claims that Mr. Rich played no role in the DNC email theft, but the only “evidence” he cites is a CNN report. Tellingly, Mr. Mueller and his staff made no attempt to interview the one person who would best know the source of the emails, *i.e.*, Julian Assange.

Now, back to the NSA. Former NSA officials Bill Binney, Ed Loomis, and Kirk Wiebe are prepared to testify that the DNC emails published by Wikileaks could not have been obtained via hacking. Markings on the published emails – including the speeds at which the email files were transmitted – exclude the possibility of hacking. Instead, someone must have downloaded the files onto a thumb drive or something similar. Furthermore, the NSA or its Five Eyes partners

in London would have intercepted any communications between Mr. Rich and Wikileaks.

I have enclosed an October 4, 2018 letter wherein the NSA refused to produce 32 pages of records about Seth Rich insofar as those records were classified. I have also enclosed a November 22, 2019 letter wherein the NSA declined to produce records in response to a subpoena duces tecum. One of my consulting experts, Larry C. Johnson, was informed that the NSA possesses additional communications between Mr. Rich and Wikileaks. Mr. Johnson is retired from the CIA, and he has spoken with an intelligence official who said there were additional communications.

Section 1.7 of Executive Order 13526 prohibits the use of classification for purposes of concealing wrongdoing, and I believe the NSA is trying to conceal wrongdoing that occurred during the Obama Administration. I respectfully request that you de-classify the NSA's records about Seth Rich, further directing the NSA to release the records. Releasing the records would certainly help my client, but it would do a lot more than that. Disclosure would go a long way toward exposing the depravity of the "deep state," and that is long overdue.

Thank you for your consideration.

Respectfully,



Ty Clevenger

cc: Senator Charles Grassley, Chairman
Senate Finance Committee
Senator Lindsey Graham, Chairman
Senate Judiciary Committee
Senator Ron Johnson, Chairman
Senate Committee on Homeland Security & Governmental Affairs
Congressman Devin Nunes, Ranking Member
House Permanent Select Committee on Intelligence
The Hon. Christopher Wray, Director
Federal Bureau of Investigation
Mr. Bradley Brooker, Acting General Counsel
Office of the Director of National Intelligence