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**Beers, Elizabeth R. (DO) (FBI)**

**From:** Beers, Elizabeth R. (DO) (FBI)  
**Sent:** Friday, May 19, 2017 4:20 PM  
**To:** Rybicki, James E. (DO) (FBI); McCabe, Andrew G. (DO) (FBI); Bowdich, David L. (DO) (FBI); Baker, James A. (OGC) (FBI); Brower, Gregory (OGC) (FBI); [redacted] OGC) (FBI)  
**Subject:** RE: Future testimony

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[redacted]

b5 1

From: [redacted]  
Subject: [redacted]

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**From:** Rybicki, James E. (DO) (FBI)  
**Sent:** Friday, May 19, 2017 4:11 PM  
**To:** McCabe, Andrew G. (DO) (FBI); [redacted] Bowdich, David L. (DO) (FBI); [redacted] Baker, James A. (OGC) (FBI); [redacted] Brower, Gregory (OGC) (FBI); [redacted] OGC) (FBI); [redacted] Beers, Elizabeth R. (DO) (FBI); [redacted]  
**Subject:** FW: Future testimony

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Please see a DRAFT response to Director Comey (below). I will hold pending further direction.

Thanks,  
Jim

Director:

In response to your e-mails below, we have consulted with executive management here, including the General Counsel, and recommend the following:

1. That your counsel convey any acceptance or declinations to invitations to testify directly to the Committees;
2. That your counsel consult with Special Counsel Mueller to determine the timing of any such testimony; and,
3. The Office of General Counsel stands ready to discuss with you, in consultation with the Department of Justice and the Special Counsel, institutional privileges or prerogatives that may be presented by any such testimony.

Thanks,  
Jim

**From:** [redacted]  
**Sent:** Friday, May 19, 2017 3:02 PM  
**To:** [redacted]

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b7C 3  
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To: Rybicki, James E. (DO) (FBI) [redacted]  
Subject: Re: Future testimony

Yes and yes

On Fri, May 19, 2017 at 2:10 PM Rybicki, James E. (DO) (FBI) [redacted] wrote:

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Director: We just met to discuss the requests outlined in the two e-mails below. Before responding, the General Counsel has asked me to confirm that you have discussed with the attorneys representing you, and that you are comfortable discussing these issues with us rather than communicating through your counsel.

Thanks,  
Jim

From [redacted]  
Sent: Friday, May 19, 2017 11:49 AM

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To: Rybicki, James E. (DO) (FBI) [redacted]  
Subject: Re: Future testimony

Jim:

I just got off a call with Senators Burr and Warner. They would like to have a hearing next Wednesday at which I testify, first in open session and then in closed, if necessary. I asked them not to announce it until I check with FBI/DOJ to see if you want to discuss anything before they do that. I told them I had asked for guidance on any institutional prerogatives and for the opportunity to review any documents FBI has produced that relate to me. I told them I would communicate with them by the end of the day to either ask them to hold announcing the Wednesday hearing or go ahead.

Many thanks.

Jim

On Thu, May 18, 2017 at 6:36 PM [redacted] wrote:

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Jim:

Thank you for forwarding the testimony requests from SSCI, SJC, and House Govt Affairs. I have communicated to SSCI that I accept their invitation. In light of that commitment to SSCI, would you please ask OCA to communicate my respectful declination to SJC and House Govt Affairs?

Would you also tell OGC that I need to have a conversation, once the SSCI hearing date is set, as to whether FBI/DOJ has any guidance for, or requests of, me with respect to any institutional privileges or prerogatives they wish me to take into account?

Last, would you please tell OGC that I would like to be able to review any documents authored by me or on which I am copied that will be produced to SSCI in connection with my testimony and would like the opportunity for that review before I testify?

Thanks for your assistance.

Jim