



URGENT/ FOR IMMEDIATE CONSIDERATION

Via Facsimile, Federal Express, and Mail

March 21, 2017

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
Suite HVC-304
U.S. House of Representatives
Washington, D.C. 20515

Re: Unasked Questions About Whistleblower Dennis Montgomery at Committee Hearings on Surveillance, Leaks and Alleged Russian Involvement in 2016 Presidential Elections.

Honorable Ladies and Gentlemen:

You may recall that I won landmark decisions before the U.S. District Court for the District of Columbia before the Honorable Richard Leon preliminarily enjoining the illegal, warrantless, and massive surveillance of U.S. citizens and lawful residents within the domestic United States. *See Klayman v. Obama, et al*, 957 F. Supp. 1 (D.D.C. 2013); *Klayman v. Obama, et al*, 142 F. Supp. 3d 172 (D.D.C. 2015).

Freedom Watch, Inc. (“Freedom Watch”) here addresses the House Permanent Select Committee on Intelligence (the “Committee”) hearings which began on March 20, 2017, investigating in part whether President Donald Trump and his associates were “wired,” that is illegally and unconstitutionally spied upon in general, both before and after the President Trump’s inauguration, by the administration of his predecessor, former President Barack Obama, and about alleged Russian collaboration with President Trump aides in the run up to the 2016 presidential election and thereafter.

As General Counsel of Freedom Watch, previously the founder of Judicial Watch, and a former federal prosecutor at the U.S. Department of Justice, I petitioned this Committee to have Chairman Devin Nunes and the Committee question Federal Bureau of Investigation (“FBI”) Director James Comey about apparent illegal and unconstitutional surveillance of prominent Americans, such as the chief justice of the Supreme Court, other justices, 156 judges, prominent businessmen, and others such as President Donald Trump. I incorporate by reference an article I wrote which appeared in Newsmax on Sunday, March 19, 2017, explaining my efforts to have the Committee question FBI Director Comey about what is supposed to be an on-going investigation of materials and testimony provided by whistleblower Dennis Montgomery (“Montgomery”), a former NSA and Central Intelligence Agency (“CIA”) contractor.

Regrettably, neither Chairman Nunes nor anyone else on the Committee raised the serious questions I suggested be posed to FBI Director Comey at the hearing on March 20, 2017. In the interests of justice and a full hearing of the important issues before it, these questions must be asked in open session at the subsequent hearing now scheduled for March 28, 2017. Indeed, Chairman Nunes has asked that persons with important and relevant information come forward. That is exactly what whistleblower Dennis Montgomery has done, through me, his undersigned counsel.

In this regard, on March 20, 2017, Chairman Devin Nunes opened the hearing by saying: *"To that end, we encourage anyone who has information about these topics to come forward and speak to the House Intelligence Committee."* Spoken at time 3:15 to 3:30.

There is a myriad of evidence, direct and circumstantial, of the illegal and unconstitutional surveillance disclosed to the FBI by Montgomery, and I do not need to belabor all of it here because it is currently contained in FBI files. However, former NSA and CIA contractor Montgomery holds much of the roadmap to "draining the swamp" of this corruption of our democracy.

A summary of the Montgomery's efforts to expose rampant illegal and unconstitutional surveillance on American citizens and prominent individuals such as President Trump, is as follows:

Montgomery left the NSA and CIA with 47 hard drives and over 600 million pages of information, much of which is classified, and sought to come forward legally as a whistleblower to appropriate government entities, including congressional intelligence committees, to expose that the spy agencies were engaged for years in systematic illegal surveillance on prominent Americans, again including the chief justice of the Supreme Court, other justices, 156 judges, prominent businessmen such as Donald Trump, and even yours truly.

Working side by side with former Obama Director of National Intelligence ("DIA") James Clapper, who lied in Congressional testimony, and former Obama Director of the CIA, the equally ethically challenged John Brennan, Montgomery witnessed "up close and personal" this "Orwellian Big Brother" intrusion on privacy, likely for potential coercion, blackmail or other nefarious purposes.

But when Montgomery came forward as a whistleblower to congressional intelligence committees and various other congressmen and senators, including Senator Charles Grassley – Chairman of the Senate Judiciary Committee who, like Comey, once had a reputation for integrity, he was "blown off." No one wanted to even hear what he had to say.

The reason I suspect is that Montgomery's allegations were either too hot to handle, or the congressional intelligence and judiciary committees already knew that this unconstitutional surveillance was being undertaken.

After Montgomery was turned away as a whistleblower, he came to me at Freedom Watch. With the aid of the Honorable Royce C. Lamberth of the U.S. District Court for the District of Columbia, who I had come to respect and trust over the years of my public interest advocacy, we brought Montgomery forward to FBI Director James Comey, through his General Counsel James Baker. Under grants of immunity, which I obtained through Assistant U.S. Attorney Deborah Curtis, Montgomery produced the hard drives and later was interviewed under oath in a secure room at the FBI Field Office in the District of Columbia.

It was there that Montgomery laid out how persons like then businessman Donald Trump were illegally spied upon by Clapper, Brennan, and the spy agencies of the Obama administration. He even claimed that these spy agencies had manipulated voting in Florida during the 2008 presidential election, where illegal tampering resulted in helping Obama to win the White House.

Montgomery's interview with the FBI, conducted and videotaped by Special FBI Agents Walter Giardina and William Barnett, occurred almost two years ago, and nothing that I know of has happened since.

It would appear that the FBI's investigation was "buried" by FBI Director Comey, perhaps because the FBI itself collaborates with the spy agencies to conduct illegal surveillance. In landmark court cases which I filed after the revelations of Edward Snowden, the Honorable Richard Leon, a colleague of Judge Lamberth, had ruled that this type of surveillance constituted a gross violation of the Fourth Amendment to the Constitution. *See* www.freedomwatchusa.org.

A few months ago, given the FBI's seeming inaction in conducting a bona fide timely investigation of the treasure trove of information Montgomery had produced and testified to, I went to Chairman Bob Goodlatte of the House Judiciary Committee, as I had done earlier with Senator Grassley, since Montgomery had revealed that judges had been spied upon, and asked his staff to inquire of Director Comey the status of the investigation. I have heard nothing back from Goodlatte or his staff and they have not responded to recent calls and emails.

So last Thursday, I traveled to Capitol Hill to personally meet with Chairman Devin Nunes of the House Intelligence Committee and, when his scheduler claimed that he was "unavailable," I forcefully pushed for a meeting with one of his committee lawyers, Allen R. Souza, and fully briefed him about Montgomery and the FBI's apparent cover-up.

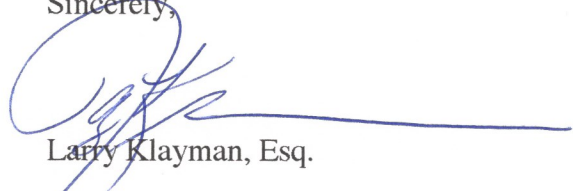
I told this staff intel lawyer to inform Chairman Nunes of the facts behind this apparent cover-up before the Committee holds its hearing on the alleged Trump wiretaps and was to question Comey last Monday, March 20, in open session. My expressed purpose: to have Chairman Nunes of the House Intelligence Committee ask Comey, under oath, why he and his FBI have seemingly not moved forward with the Montgomery investigation while, on the other hand, the FBI Director recently claimed publicly, I believe falsely, that there is "no evidence" of surveillance on President Trump and those around him by the Obama administration. Indeed, there is.

During my meeting with House Intelligence Committee counsel Allen R. Souza, I politely warned him that if Chairman Nunes, who himself had that same day undercut President Trump by also claiming that there is no evidence of surveillance by the Obama administration, does not question Comey about the FBI's Montgomery investigation, I would go public with what would appear to be the House Intelligence Committee's complicity in keeping the truth from the American people and allowing the FBI to continue its apparent cover-up of Montgomery's revelations as a whistleblower.

And, that is where it stands today. The big question: will the Committee do its job and hold FBI Director Comey to account about the Montgomery investigation, or will the members of this honorable Committee, like virtually every other politician in both political parties, run away from the president's and the American people's concerns? The president, his aides, and millions of other Americans have systematically had their Fourth Amendment and other constitutional rights to privacy violated. Thus far, there appears to be an on-going cover-up of the FBI's investigation of the materials and testimony provided by Montgomery which bear on matters before this Committee.

Please respond to my letter by close of business March 24, 2017, in order that the American people, and Mr. Montgomery may know where you and the other members of your Committee stand. Do you intend to get at and investigate the full truth, or as has regrettably been the case for many years in government, sweep the truth under the carpet?

Sincerely,

A handwritten signature in blue ink, appearing to read 'Larry Klayman', with a long horizontal line extending to the right.

Larry Klayman, Esq.

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Newsmax

Nunes Must Ask FBI's Comey About Montgomery Mass Surveillance Case

Sunday, March 19, 2017 01:04 PM

By: Larry Klayman

The old expression about Washington, D.C., is that if you want a friend, get a dog! In the case of President Donald Trump, this is a lesson he has undoubtedly learned in his thus far short tenure as the commander in chief. Nowhere is this seen more than over the current controversy concerning the president's claims that he was wiretapped, that is, illegally spied upon, by his predecessor's administration, former President Barack Obama.

As I have written in this Newsmax blog and elsewhere particularly of late, my client, former NSA and CIA contractor Dennis Montgomery, holds the keys to disproving the false claims of those representatives and senators on the House and Senate intelligence committees, reportedly as well as FBI Director James Comey, that there is no evidence that the president and his men were wiretapped.

Montgomery left the NSA and CIA with 47 hard drives and over 600 million pages of information, much of which is classified, and sought to come forward legally as a whistleblower to appropriate government entities, including congressional intelligence committees, to expose that the spy agencies were engaged for years in systematic illegal surveillance on prominent Americans, including the chief justice of the Supreme Court, other justices, 156 judges, prominent businessmen such as Donald Trump, and even yours truly. Working side by side with Obama's former Director of National Intelligence (DIA), James Clapper, and Obama's former Director of the CIA, John Brennan, Montgomery witnessed "up close and personal" this "Orwellian Big Brother" intrusion on privacy, likely for potential coercion, blackmail or other nefarious purposes.

But when Montgomery came forward as a whistleblower to congressional intelligence committees and various other congressmen and senators, including Senator Charles Grassley, Chairman of the Senate Judiciary Committee, who, like Comey, once had a reputation for integrity, he was "blown off;" no one wanted to even hear what he had to say. The reason, I suspect, is that Montgomery's allegations were either too hot to handle, or the congressional intelligence and judiciary committees already knew that this unconstitutional surveillance was being undertaken. Moreover, given the power of the NSA, CIA, and DNI, for congressional committee heads to take action to legitimately and seriously investigate and if necessary recommend prosecution of officials like Clapper and Brennan could, given the way Washington works, result in the spy agencies disclosing and leaking (as occurred recently with General Michael Flynn), the details of their mass surveillance, ruining the careers if not personal lives of any politician who would take them on.

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businessman Donald Trump were illegally spied upon by Clapper, Brennan, and the spy agencies of the Obama administration. He even claimed that these spy agencies had manipulated voting in Florida during the 2008 presidential election, which illegal tampering resulted in helping Obama to win the White House.

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And, that is where it stands today. The big question: will House Intelligence Committee Chairman Nunes do his job and hold FBI Director Comey's feet to the fire about the Montgomery investigation?

Please watch the House Intelligence Committee hearing closely this Monday.

Larry Klayman, founder of Judicial Watch and Freedom Watch, is known for his strong public interest advocacy in furtherance of ethics in government and individual freedoms and liberties. To read more of his reports, [Go Here Now](#).

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