

THE FLYNN AND KUSHNER INTERVIEWS WITH SSCI

Richard Burr and Mark Warner had a press conference today to – basically – reassure people that at least one intelligence committee is made up of grown-ups who will be able to conduct an investigation of Russia's attempts to interfere with the election. Among other things, Burr said the committee has a list of about 20 people with whom they're in the process of setting up interviews, about five of which have been scheduled, to start Monday.

Amid repeated discussions about leaks, Burr confirmed – as the NYT already has – that the Committee wants to meet with Jared Kushner. The NYT story about Kushner was clearly first informed by Senate Intelligence Committee personnel that SSCI wanted to talk to him, and then got Hope Hicks to confirm it publicly. Of particular interest (because Burr is very strict that committee business remain secret), the NYT SSCI source asked for anonymity to remain candid about Kushner, not because he or she was not permitted to talk with the press.

The Senate panel's decision to question Mr. Kushner would make him the closest person to the president to be called upon in any of the investigations, and the only one currently serving in the White House. The officials who initially described that Senate inquiry to The New York Times did so on the condition of anonymity in order to speak candidly about Mr. Trump's son-in-law.

Later the NYT story cites a statement from Burr and Mark Warner, confirming (as Burr did in the hearing) that they will speak with Kushner.

In today's hearing, having confirmed again the detail about Kushner, however, Burr took a

different approach in response to a question about Mike Flynn.

Q: Have you guys been in contact with Michael Flynn or representatives of Michael Flynn? Also, can you go into a little bit of the thought process between why you would have an interview behind closed doors or do it publicly, like why you would talk to Jared Kushner behind closed doors, why you would do it publicly?

Burr: Well, I think it's safe to say that we have had conversations with a lot of people. And you would think less of us if General Flynn wasn't in that list. From a standpoint of the interview process if you feel like you're being cheated, because they're not in public, if there's relevance to em they'll eventually be part of a public hearing.

[Burr goes on to discuss the committee doing private interviews first.]

Q: Have you already spoken with Flynn? Have you already spoken with Flynn?

Burr: I'm not gonna tell you one way or another.

Effectively, he confirms that Flynn will be asked to talk to the committee. But when asked (I think my transcription of this is correct but welcome corrections on this point) if he – or the committee – had already spoken with Flynn, he refused to provide the same kind of confirmation he did with Kushner, and particularly to say whether he or the committee had already spoken with him.

I raise this for several reasons. Obviously, the double standard – and Burr's willingness to deviate from his strict committee business secrecy pledge with regards to Kushner – is notable. The possibility that he or the committee may have *already* spoken with Flynn is

particularly interesting.

In my post on the Kushner story, I noted that the Kushner story for the first time got into the quid pro quo the Russians were really interested in – not a change in policy towards Ukraine, but rather, an end to the sanctions targeting Russia for its annexation of Ukraine. I actually missed one of the most important parts of that story, however. On December 29, the FSB-trained head of a sanctioned who met with Kushner at the request of Sergey Kislyak, Sergey Gorkov, stated that he thought Ukrainian-related sanctions might “change for the better.”

And in an interview on the state-owned Rossiya 24 TV channel on Dec. 29, the same month that he met with Mr. Kushner, Mr. Gorkov said he hoped that the situation caused by Ukraine sanctions imposed by the Americans against Russian banks like his “would change for the better.”

As I noted in my post, the possibility that Gorkov had discussed Ukraine sanctions directly with Kushner would change the connotation of the discussions between Flynn and Kislyak.

And those conversations were on December 29.

In other words, on the very same day that Kislyak and Flynn were having multiple phone calls – and discussed sanctions in vague terms – Gorkov was publicly discussing the Ukraine, not the hacking related, sanctions.

Again, Burr is happy to confirm the committee will call Kushner. He’s not going to say whether the committee has already spoken with Flynn, who would know better about the connotation of sanctions as discussed on December 29.

And SSCI likely has already read the conversations between Kislyak and Gorkov surrounding his meetings with the President’s son-in-law.