

# Donald Trump's new FBI director pick has Russian ties of his own

Kenneth F. McCallion, Opinion contributor Published 5:00 a.m. ET June 8, 2017 | Updated 2 hours ago

*Christopher Wray looks good on paper, but his law firm represents Russian-controlled oil companies.*



(Photo: King & Spalding)

On paper, Christopher Wray appears to be an excellent choice to serve as the next FBI director. He has "impeccable" academic credentials ([Yale law school \(http://yaledailynews.com/blog/2017/06/07/christopher-wray-89-law-92-nominated-to-be-fbi-director/\)](http://yaledailynews.com/blog/2017/06/07/christopher-wray-89-law-92-nominated-to-be-fbi-director/)) and has had a decades-long distinguished career as a federal prosecutor and high-level official in the Department of Justice. As the criminal defense lawyer for New Jersey Gov. Chris Christie during the "Bridgegate" investigation, he did raise some eyebrows when it was learned that one of Christie's "missing" cellphones mysteriously ended up in [Wray's possession \(http://www.nj.com/news/index.ssf/2016/07/gov\\_christies\\_cell\\_phone\\_is\\_no\\_longer\\_missing.html\)](http://www.nj.com/news/index.ssf/2016/07/gov_christies_cell_phone_is_no_longer_missing.html), but this is unlikely to derail Wray's confirmation.

The most troubling issue that Wray may face is the fact that his law firm — King & Spalding — represents [Rosneft \(http://www.kslaw.com/Site-Search-Results?us\\_SearchText=rosneft\)](http://www.kslaw.com/Site-Search-Results?us_SearchText=rosneft) and [Gazprom \(http://www.kslaw.com/Site-Search-Results?us\\_SearchText=Gazprom\)](http://www.kslaw.com/Site-Search-Results?us_SearchText=Gazprom), two of Russia's largest state-controlled oil companies.

Rosneft was prominently mentioned in the now infamous [35-page dossier \(https://www.documentcloud.org/documents/3259984-Trump-Intelligence-Allegations.html\)](https://www.documentcloud.org/documents/3259984-Trump-Intelligence-Allegations.html) prepared by former British MI6 agent Christopher Steele. The dossier claims that the CEO of Rosneft, Igor Sechin, offered candidate Donald Trump, through Trump's campaign manager Carter Page, a 19% stake in the company in exchange for lifting U.S. sanctions on Russia. The dossier claims that the offer was made in July while Page was in Moscow.

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Rosneft is also the company that had a  [\\$500 billion oil drilling joint-venture \(http://www.reuters.com/article/us-exxon-rosneft-idUSBRE83H0UE20120418\)](http://www.reuters.com/article/us-exxon-rosneft-idUSBRE83H0UE20120418) with Exxon in 2012, when Secretary of State Rex Tillerson was Exxon's CEO. However, the deal was nixed by President Obama in 2014, when he imposed the [sanctions \(https://www.nytimes.com/2014/03/21/us/politics/us-expanding-sanctions-against-russia-over-ukraine.html\)](https://www.nytimes.com/2014/03/21/us/politics/us-expanding-sanctions-against-russia-over-ukraine.html) that crippled Russia's ability to do business with U.S. companies. The lifting of sanctions by the Trump administration would enable Exxon to renew its joint venture agreement with Rosneft, and the law firm of King & Spalding could end up in the middle of the contract negotiations between those two companies.

[Next FBI director must avoid James Comey mistakes](https://www.usatoday.com/story/opinion/2017/05/18/next-fbi-director-must-avoid-politics-comey-mistakes-column/101726568/)

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[Donald Trump is wrecking U.S. alliance with Europe](https://www.usatoday.com/story/opinion/2017/06/06/donald-trump-tweets--sadiq-khan-widen-chasm-between-us-and-europe-column/102516256/)

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The law firm's representation of Gazprom raises even more serious conflict issues for Wray. [Gazprom was a partner in RosUkrEnerg \(http://www.reuters.com/article/russia-capitalism-gas-special-report-pix-idUSL3N0TF4QD20141126\)](http://www.reuters.com/article/russia-capitalism-gas-special-report-pix-idUSL3N0TF4QD20141126) AG ("RUE"), which is controlled by [Ukrainian oligarch Dmitry Firtash \(http://abc7chicago.com/news/ukrainian-oligarchs-extradition-to-chicago-on-hold/1768041/\)](http://abc7chicago.com/news/ukrainian-oligarchs-extradition-to-chicago-on-hold/1768041/). He is under federal indictment in Chicago for racketeering charges, has had numerous financial dealings with former Trump campaign manager Paul Manafort, and is generally considered to be a member of Russian President Vladimir Putin's inner circle.

Though there is no indication that Wray personally worked on any of the Rosneft or Gazprom legal matters handled by his law firm, he might well have an ethical and legal conflict of interest that would prevent him from any involvement of the FBI's Russian probe. When a law firm such as King & Spalding represents clients, then all of the partners in that law firm have an actual or potential conflict of interest, preventing them from undertaking any representation of any other client that has interests clearly adverse to those of these two Russian companies. These conflict rules continue to apply even

after a lawyer leaves the law firm, so Wray could be ethically barred from involving himself in a federal investigation that includes within its scope a probe of Rosneft, Gazprom and affiliated companies. The public appearance of conflict of interest and impropriety might require him to recuse himself from the investigation.

If Wray was confirmed as the FBI director, and then had to recuse himself with regard to some or all of the Russia-related aspects of the critical investigation being conducted by the FBI and special counsel Robert Mueller, the potential damage to the investigation could be significant. If Wray refused to recuse himself from the Russia-Trump investigation — or at least acknowledge the potential conflict issue, a serious cloud could be cast over the FBI's level of commitment to the investigation.

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One of several reasons why former senator Joe Lieberman (<http://www.newsweek.com/fbi-director-joe-lieberman-trump-kasowitz-611182>) was generally considered to be unqualified for the FBI director's job was that his law firm — Kasowitz Benson Torres — has represented Trump for many years, thus creating the appearance of possible favoritism to Trump.

Similarly, the nomination of Wray as FBI director raises serious questions as to whether Wray — given his law firm's affiliation with Rosneft and Gazprom — would be perceived as an attempt by Trump to install a “Russia-friendly” director at the helm of the FBI.

The Senate must, therefore, proceed cautiously with Wray's confirmation hearing, and demand that any potential conflicts be fully disclosed — and hopefully resolved — before he is allowed to assume the title of FBI director.

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