



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

October 29, 2020

Austin R. Evers
1030 15th Street, NW, Suite B255
Washington, DC 20005
foia@americanoversight.org

Re: DOJ-2019-001521
19-cv-2562 (DDC)
VRB:TAZ:SJD

Dear Austin R. Evers:

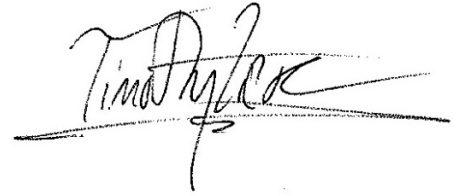
This responds to your Freedom of Information Act request, dated and received in this Office on December 18, 2018 in which you requested communications with the House Oversight and Government Reform Committee or its Sub-Committee on Government Operations pertaining to any request for testimony by U.S. Attorney John Huber before that sub-committee, dating since November 1, 2018.

Please be advised that a search has been conducted in the Offices of the Attorney General, Deputy Attorney General, and Legislative Affairs, as well as of the electronic database of the Departmental Executive Secretariat, which is the official records repository for the Offices the Attorney General and Deputy Attorney General, and 67 pages were located that contain records responsive to your request.. At this time, I have determined that 67 pages containing records responsive to your request are appropriate for release with excisions made pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5), and (b)(6). Exemption 5 pertains to certain inter- and intra-agency communications protected by civil discovery privileges. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. Please be advised that duplicative records have not been processed and are marked accordingly in the enclosed pages.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions regarding this response, please contact Michael Gerardi of the Department's Civil Division, Federal Programs Branch at 202-616-0680.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Ziese", written over a horizontal line.

Timothy Ziese
Senior Supervisory Attorney

Enclosures

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Wednesday, November 21, 2018 12:16 PM
To: Grooms, Susanne Sachsman
Subject: Re: Clinton foundation hearing/Huber

Hey Susanne. I saw a rumor of that last night. You are correct about the ongoing nature of the investigation.

(b) (6) but will try to give you a ring a bit later.

David F. Lasseter

On Nov 21, 2018, at 11:43, Grooms, Susanne Sachsman <(b) (6)> wrote:

David,

I just gave you a ring- Chairman Meadows has announced a subcommittee hearing on Dec 5 with Huber to discuss DOJ's probe of the Clinton Foundation (see news story below). Can you give me a ring about this on my cell (b) (6)? I thought Huber's review was ongoing...

Thanks,
Susanne

<https://thehill.com/hilltv/rising/417761-house-gop-to-hold-hearing-into-dojs-probe-of-clinton-foundation>

Sent from my iPhone

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Wednesday, November 28, 2018 6:11 PM
To: Boyd, Stephen E. (OLA); O'Callaghan, Edward C. (ODAG); Huber, John (USAUT)
Subject: FW: Witness Invitation Letter - Oversight of Nonprofit Organizations 12-5
Attachments: Witness Invite Huber.pdf

FYSA attached. I have spoken with the Committee and Rep Meadows office about this and explained to them why the Department cannot support it. I will update everyone when I get an official response.

dfi

From: Casey, Sharon (b) (6)
Sent: Wednesday, November 28, 2018 5:54 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Cc: Baney, Drew (b) (6); Dunne, Julie (b) (6)
Subject: Witness Invitation Letter - Oversight of Nonprofit Organizations 12-5

Dear Mr. Huber:

Attached please find an invitation letter for the Subcommittee on Government Operations hearing on Wednesday, December 5, 2018, at 10:00 a.m. in room 2154 Rayburn House Office building.

Please see the Witness Instruction Sheet for details on testimony. Please email an electronic copy of your testimony and bio no later than Monday, December 3, 2018, at 10:00 a.m. Please contact us with any questions.

Please confirm receipt of this invitation.

Thank you,
Sharon Casey



Sharon Ryan Casey
Deputy Chief Clerk
Committee on Oversight and Government Reform
2157 Rayburn Building, Washington, DC 20515
(b) (6) <https://oversight.house.gov>

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Members: (202) 225-5074
Miscellaneous: (202) 225-5051
<http://oversight.house.gov>

November 28, 2018

The Honorable John W. Huber
U.S. Attorney
U.S. Attorney's Office District of Utah
Department of Justice
111 South Main Street Suite 1800
Salt Lake City, UT 84111-2176

Dear Mr. Huber:

The Subcommittee on Government Operations of the Committee on Oversight and Government Reform requests your testimony at a hearing titled "Oversight of Nonprofit Organizations: A Case Study on the Clinton Foundation" on Wednesday, December 5, 2018, at 10:00 a.m. in room 2154 of the Rayburn House Office Building.

The hearing will discuss the management of 501(c) nonprofit organizations, and how that designation impacts the programs and activities a nonprofit is allowed to conduct. Also, the hearing will allow Members to examine the management of the Clinton Foundation, and the potential use of the Foundation as a vehicle for "pay-to-play" transactions. This hearing will also provide an opportunity for you to update the Committee on the general operations of your evaluation of the Clinton Foundation. You should be prepared to provide a five-minute opening statement and answer questions posed by Members.

The enclosed Witness Instruction Sheet provides information for witnesses appearing before the Committee. In particular, note the procedures for submitting written testimony at least two business days prior to the hearing. Please contact the Committee as soon as possible, to confirm your attendance. If you have questions, please contact Drew Baney of the majority staff at (202) 225-5074 or (b) (6)

Sincerely,



Mark Meadows
Chairman
Subcommittee on Government Operations

Enclosure

cc: The Honorable Gerald E. Connolly, Ranking Member
Subcommittee on Government Operations

Witness Instruction Sheet
Governmental Witnesses

1. Witnesses should provide their testimony via e-mail to Sharon Casey, Deputy Chief Clerk (b) (6), no later than 10:00 a.m. two business days prior to the hearing.
2. Witnesses should also provide a short biographical summary and include it with the electronic copy of testimony provided to the Clerk.
3. At the hearing, each witness will be asked to summarize his or her written testimony in five minutes or less in order to maximize the time available for discussion and questions. Written testimony will be entered into the hearing record and may extend to any reasonable length.
4. Written testimony will be made publicly available and will be posted on the Committee's website.
5. The Committee does not provide financial reimbursement for witness travel or accommodations. Witnesses with extenuating circumstances, however, may submit a written request for such reimbursements to Robin Butler, Financial Administrator, 2157 Rayburn House Office Building, at least one week prior to the hearing. Reimbursements will not be made without prior approval.
6. Witnesses with disabilities should contact Committee staff to arrange any necessary accommodations.
7. Please note that Committee Rule 16(b) requires counsel representing an individual or entity before the Committee or any of its subcommittees, whether in connection with a request, subpoena, or testimony, promptly submit the attached notice of appearance to the Committee.
8. Committee Rules governing this hearing are online at www.oversight.house.gov.

For inquiries regarding these rules and procedures, please contact the Committee on Oversight and Government Reform at (202) 225-5074.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
115TH CONGRESS

NOTICE OF APPEARANCE OF COUNSEL

Counsel submitting: _____

Bar number: _____ State/District of admission: _____

Attorney for: _____

Address: _____

Telephone: (_____) _____ - _____

Pursuant to Rule 16 of the Committee Rules, notice is hereby given of the entry of the undersigned as counsel for _____ in (select one):

- All matters before the Committee
- The following matters (describe the scope of representation):

All further notice and copies of papers and other material relevant to this action should be directed to and served upon:

Attorney's name:

Attorney's email address:

Firm name (where applicable):

Complete Mailing Address:

I agree to notify the Committee within 1 business day of any change in representation.

Signature of Attorney

Date

Dunne, Julie

From: Dunne, Julie
Sent: Monday, December 3, 2018 4:14 PM
To: 'Lasseter, David F. (OLA)'
Cc: Vance, Sarah; Brebbia, Sean; Baney, Drew
Subject: RE: Dec.5 Hearing Invitation

David,

We've rescheduled Chairman Meadows' Dec. 5 subcommittee hearing for Dec. 13 at 2pm. Please let us know by the end of this week, about Mr. Huber's availability.

Thanks,
Julie

From: Lasseter, David F. (OLA) <David.F.Lasseter@usdoj.gov>
Sent: Monday, December 3, 2018 10:25 AM
To: Dunne, Julie <(b) (6)>
Cc: Vance, Sarah <(b) (6)>; Brebbia, Sean <(b) (6)>; Baney, Drew <(b) (6)>
Subject: RE: Dec.5 Hearing Invitation

Thanks Julie

From: Dunne, Julie <(b) (6)>
Sent: Monday, December 3, 2018 10:14 AM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Cc: Vance, Sarah <(b) (6)>; Brebbia, Sean <(b) (6)>; Baney, Drew <(b) (6)>
Subject: RE: Dec.5 Hearing Invitation

Hi David,

We have to reschedule the Dec. 5 hearing we've previously discussed. We're looking at rescheduling early next week. Will share more info as soon as possible.

Thanks,
Julie

From: Lasseter, David F. (OLA) <David.F.Lasseter@usdoj.gov>
Sent: Wednesday, November 28, 2018 2:14 PM
To: Dunne, Julie <(b) (6)>
Cc: Vance, Sarah <(b) (6)>; Brebbia, Sean <(b) (6)>; Baney, Drew <(b) (6)>
Subject: RE: Dec.5 Hearing Invitation

I can chat now for a few minutes.

From: Dunne, Julie (b) (6)
Sent: Wednesday, November 28, 2018 1:32 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Cc: Vance, Sarah (b) (6); Brebbia, Sean (b) (6); Baney, Drew (b) (6)
Subject: Dec.5 Hearing Invitation

Hi David,

Thanks for doing the call yesterday about the invitation we'd like to send to Mr. Huber for a hearing on Dec.5 (10am). I conveyed your concerns to Chairman Meadows. However, he would still like to proceed and invite Mr. Huber. We plan to send an invitation later today or early tmrw.

We tried to call you earlier today (at 202 514-1260) to discuss, but you were not at your desk. Please let us know a good time and we're happy to give you a call.

Thanks,
Julie

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Monday, December 3, 2018 5:02 PM
To: Doocy, Mary
Cc: Williamson, Ben
Subject: RE: Letter to Huber

Received Mary.

Weekend was nice...except for my Georgia Bulldogs losing. Hope yours was nice.

dfj

From: Doocy, Mary <(b) (6)>
Sent: Monday, December 3, 2018 4:12 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Cc: Williamson, Ben <(b) (6)>
Subject: Letter to Huber

Hi David,

Hope you had a nice weekend. Attached is the letter MRM just discussed with you on the phone.

Thank you,

Mary

MARK MEADOWS
11TH DISTRICT, NORTH CAROLINA

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM
CHAIRMAN, SUBCOMMITTEE ON
GOVERNMENT OPERATIONS

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

COMMITTEE ON FOREIGN AFFAIRS

Congress of the United States
House of Representatives
Washington, DC 20515-3311

1024 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6401

200 NORTH GROVE STREET, SUITE 50
HENDERSONVILLE, NC 28792
(828) 693-5660

www.house.gov/meadows

December 3, 2018

The Honorable John Huber
U.S. Attorney's Office
111 South Main Street
Suite 1800
Salt Lake City, UT 84111-2176

Dear Mr. Huber,

As you know, in March of this year, then-Attorney General Jeff Sessions nominated you to investigate possible misconduct at the FBI during both the 2016 presidential election and the early stages of the Trump administration – specifically overseeing document production to Congress and examining whether more should have been done to investigate financial irregularities surrounding the Clinton Foundation.

Part of these duties, as you know, includes engaging with whistleblowers and evaluating the reliability of evidence they produce to your investigators. However, documents provided to Congress indicate a disturbing lack of correspondence and troubling level of disengagement between your office and whistleblowers who claim to possess relevant information.

For example: our documents show an individual principal in the investigative firm MDA Analytics, which made a formal 'whistleblower submission' and provided your office the same materials, first reached out to your office on April 4, 2018. Their initial contact included pages of documents, records, and materials gathered during a two-year independent investigation of the Clinton Foundation. The principal sent additional evidence in follow-up letters to your office on April 18, 2018, May 29, 2018, and again on October 10, 2018.

During this time period, our records show they received no response or acknowledgement from your office. According to our information, the principal's team received their first response from you on Friday, November 30, at approximately 2:00pm, when they received a phone call from your office asking them to resend the documents, records, and materials they had already sent months ago. We are told your office claimed this initial response on Friday was a part of their "normal follow up process."

To be clear, this means documents show a whistleblower contacted your office with information on four separate occasions—only to receive their first response nearly 8 months later, in November, 5 days before our Congressional committee plans to hold a hearing on the subject.

Your office's apparent failure to respond to these inquires in a timely manner raises grave concerns as to whether you and your team take this investigation seriously. Better yet, it raises

Congress of the United States
Washington, DC 20515

concerns as to whether there has been any substantive investigation at all. The evidence provided by this whistleblower outlines widespread improprieties and alleged wrongdoing by Clinton Foundation principals, and it is critical that your team evaluate its merits.

Our committee needs to know why these inquiries were apparently not addressed in a timely manner and what, if anything, your office has been doing to conduct a serious and thorough investigation on this matter.

Your immediate response to this inquiry is requested.

Sincerely,



Mark Meadows
Member of Congress

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Tuesday, December 4, 2018 5:22 PM
To: Doocy, Mary
Subject: Response to Representative Meadows' letter of December 4, 2018
Attachments: 2017-7-27 Call for appointment of a second special counsel - Goodlatte #....pdf;
2017-11-13 Special Counsel - Goodlatte et al #3912087 and #3868206.pdf

Mary—good afternoon. Please see below response to Rep Meadows' December 4, 2018 letter to United States Attorney John Huber. Both letters referenced in below response are attached.

Dear Representative Meadows:

Thank you for your interest in the work of U.S. Attorney John Huber. In answering your inquiry, it is important at the outset to clarify Mr. Huber's work and role, as your letter contains an inaccurate description. In November of 2017, Attorney General Sessions tasked Mr. Huber with reviewing the issues outlined in House Judiciary Committee's letter of July 27, 2017. By letter of November 13, 2017, Assistant Attorney General Stephen Boyd informed congressional leadership of the scope of the assignment given to Mr. Huber. Although the Department informed the Congress that the assignment had been given to a senior prosecutor in the Department, Mr. Huber's name was not revealed until March 29, 2018.

As we have previously indicated, Mr. Huber's assignment is to evaluate the issues raised in letters from the House Judiciary Committee, and to then report directly to the Attorney General and the Deputy Attorney General, as appropriate. Mr. Huber may recommend whether any matters not currently under investigation should be opened, whether any matters currently under investigation require further resources, or whether any matters merit the appointment of a Special Counsel. As part of his efforts, Mr. Huber coordinates with other Department components and law enforcement partners who are, or have, investigated the matters under Mr. Huber's review. Consistent with longstanding Department policy, however, it would not be appropriate for Mr. Huber at this time to provide details of his work or the matters he actively is reviewing.

Mr. Huber takes his assignment seriously and he does not work alone. As to your particular concerns regarding MDA Analytics, Mr. Huber and his associates have been aware of the work product of MDA Analytics for the better part of a year. Mr. Huber and his associates review submissions made by the public in a timely manner, coordinate with other components and law enforcement partners as necessary, and duly consider the information in relation to Mr. Huber's assignment. In a recent communication, an associate of Mr. Huber contacted MDA Analytics to confirm receipt of a recent submission. In the course of that conversation, the associate asked that MDA Analytics ensure that all its submissions had in fact been sent for consideration as it appeared that there may have been a gap based upon MDA Analytics document numbering.

I trust you will find this information helpful. Please do not hesitate to contact this office if we can be of further assistance.

Respectfully,

David F. Lasseter
Deputy Assistant Attorney General
Office of Legislative Affairs

Office of Legislative Affairs
U.S. Department of Justice
(202) 514-1260



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Robert W. Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Chairman Goodlatte:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

As noted during our prior meeting in response to your letters, the Department of Justice (Department) takes seriously its responsibility to provide timely and accurate information to Congress on issues of public interest, and seeks to do so in a non-political manner that is consistent with the Department's litigation, law enforcement, and national security responsibilities. Additionally, the Department's leadership has a duty to carefully evaluate the status of ongoing matters to ensure that justice is served and that the Department's communications with Congress are accurate and complete.

To further that goal, the Attorney General has directed senior federal prosecutors to evaluate certain issues raised in your letters. These senior prosecutors will report directly to the Attorney General and the Deputy Attorney General, as appropriate, and will make recommendations as to whether any matters not currently under investigation should be opened, whether any matters currently under investigation require further resources, or whether any matters merit the appointment of a Special Counsel. This will better enable the Attorney General and the Deputy Attorney General to more effectively evaluate and manage the caseload. In conducting this review, all allegations will be reviewed in light of the Principles of Federal Prosecution. (USAM 9-27.000)

As you know, consistent with longstanding policy, the Department does not ordinarily confirm or deny investigations, and this letter should not be construed to do so. While this policy can be frustrating, especially on matters of great public concern, it is necessary to ensure that the Department acts with fairness and thoughtfulness, and always in a manner consistent with the law and rules of the Department.

The Honorable Robert W. Goodlatte
Page Two

In addition, you must know the Department will never evaluate any matter except on the facts and the law. Professionalism, integrity, and public confidence in the Department's work is critical for us, and no priority is higher.

Your letter referenced various allegations related to the Federal Bureau of Investigation's (FBI) handling of the investigation into former Secretary of State Hillary Clinton's use of a personal email server. On January 12, 2017, the Department's Inspector General (IG) sent a letter to you and other Members advising that the IG's office was initiating a review of, among other things:

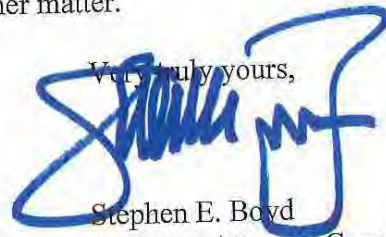
- Allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations;
- Allegations that the FBI Deputy Director should have been recused from participating in certain investigative matters;
- Allegations that Department and FBI employees improperly disclosed non-public information; and
- Allegations that decisions regarding the timing of the FBI's release of certain Freedom of Information Act documents on October 30 and November 1, 2016, and the use of a Twitter account to publicize the same, were influenced by improper considerations.

These investigations include issues raised in your letters. In addition, the Department has forwarded a copy of your letters to the IG so he can determine whether he should expand the scope of his investigation based on the information contained in those letters.

Once the IG's review is complete, the Department will assess what, if any, additional steps are necessary to address any issues identified by that review.

We will conduct this evaluation according to the highest standards of justice. We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

NOV 13 2017

The Honorable Andy Biggs
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Biggs:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

As noted during our prior meeting in response to your letters, the Department of Justice (Department) takes seriously its responsibility to provide timely and accurate information to Congress on issues of public interest, and seeks to do so in a non-political manner that is consistent with the Department's litigation, law enforcement, and national security responsibilities. Additionally, the Department's leadership has a duty to carefully evaluate the status of ongoing matters to ensure that justice is served and that the Department's communications with Congress are accurate and complete.

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The Honorable Andy Biggs
Page Two

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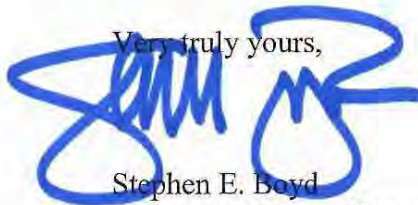
- Allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations;
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These investigations include issues raised in your letters. In addition, the Department has forwarded a copy of your letters to the IG so he can determine whether he should expand the scope of his investigation based on the information contained in those letters.

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We will conduct this evaluation according to the highest standards of justice. We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Steve Chabot
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Chabot:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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The Honorable Steve Chabot
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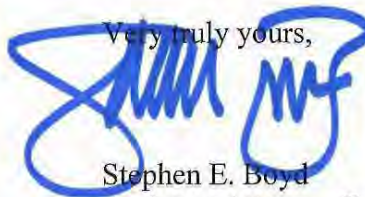
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Doug Collins
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Collins:

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The Honorable Doug Collins
Page Two

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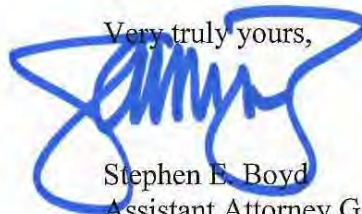
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Ron DeSantis
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman DeSantis:

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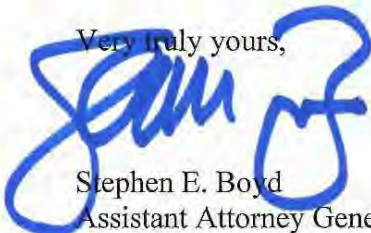
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Blake Farenthold
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Farenthold:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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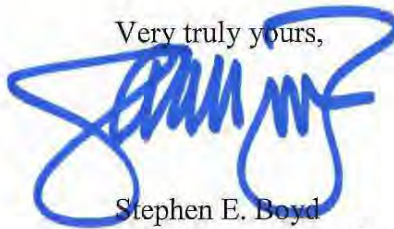
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Trent Franks
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Franks:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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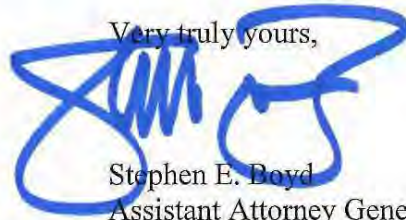
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Matt Gaetz
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Gaetz:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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The Honorable Matt Gaetz
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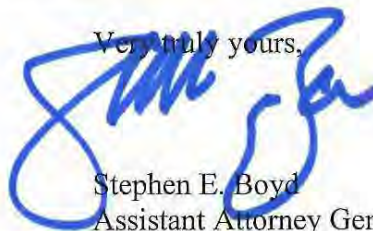
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Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Louie Gohmert
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Gohmert:

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The Honorable Louie Gohmert
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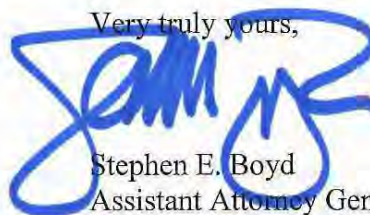
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Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Ron DeSantis
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman DeSantis:

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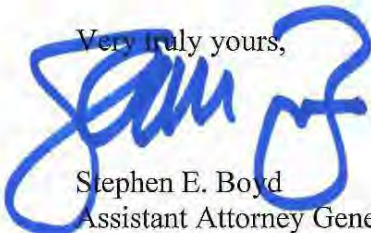
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Karen Handel
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congresswoman Handel:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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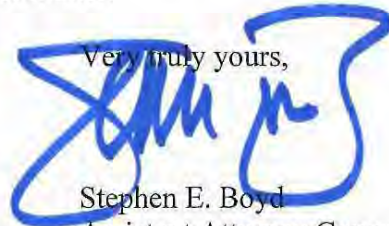
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Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Jim Jordan
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Jordan:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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The Honorable Jim Jordan
Page Two

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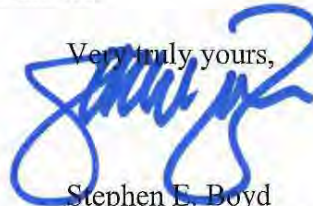
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Steve King
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman King:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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The Honorable Steve King
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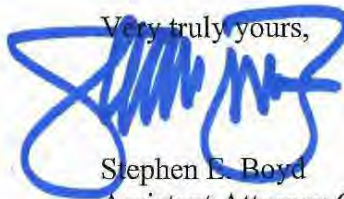
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Raúl Labrador
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Labrador:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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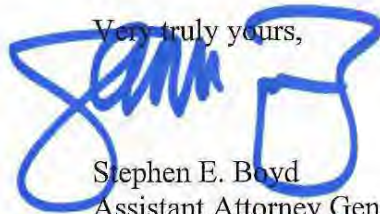
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Lamar Smith
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Smith:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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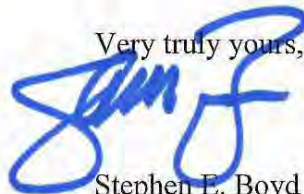
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Tom Marino
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Marino:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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The Honorable Tom Marino
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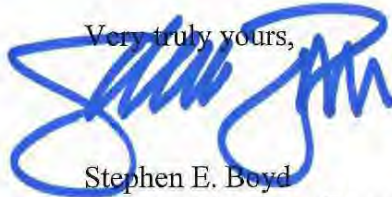
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Mike Johnson
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Johnson:

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The Honorable Mike Johnson
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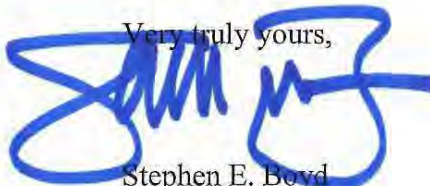
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Ted Poe
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Poe:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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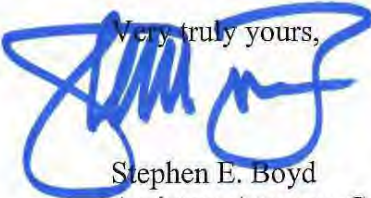
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Very truly yours,


Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

NOV 13 2017

The Honorable John Ratcliffe
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Ratcliffe:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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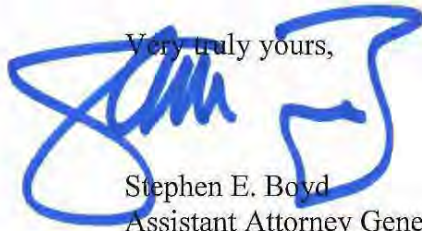
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Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Martha Roby
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congresswoman Roby:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

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The Honorable Martha Roby
Page Two

In addition, you must know the Department will never evaluate any matter except on the facts and the law. Professionalism, integrity, and public confidence in the Department's work is critical for us, and no priority is higher.

Your letter referenced various allegations related to the Federal Bureau of Investigation's (FBI) handling of the investigation into former Secretary of State Hillary Clinton's use of a personal email server. On January 12, 2017, the Department's Inspector General (IG) sent a letter to you and other Members advising that the IG's office was initiating a review of, among other things:

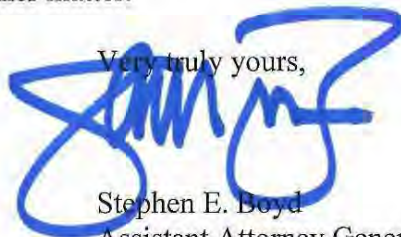
- Allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations;
- Allegations that the FBI Deputy Director should have been recused from participating in certain investigative matters;
- Allegations that Department and FBI employees improperly disclosed non-public information; and
- Allegations that decisions regarding the timing of the FBI's release of certain Freedom of Information Act documents on October 30 and November 1, 2016, and the use of a Twitter account to publicize the same, were influenced by improper considerations.

These investigations include issues raised in your letters. In addition, the Department has forwarded a copy of your letters to the IG so he can determine whether he should expand the scope of his investigation based on the information contained in those letters.

Once the IG's review is complete, the Department will assess what, if any, additional steps are necessary to address any issues identified by that review.

We will conduct this evaluation according to the highest standards of justice. We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable John Rutherford
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Congressman Rutherford:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

As noted during our prior meeting in response to your letters, the Department of Justice (Department) takes seriously its responsibility to provide timely and accurate information to Congress on issues of public interest, and seeks to do so in a non-political manner that is consistent with the Department's litigation, law enforcement, and national security responsibilities. Additionally, the Department's leadership has a duty to carefully evaluate the status of ongoing matters to ensure that justice is served and that the Department's communications with Congress are accurate and complete.

To further that goal, the Attorney General has directed senior federal prosecutors to evaluate certain issues raised in your letters. These senior prosecutors will report directly to the Attorney General and the Deputy Attorney General, as appropriate, and will make recommendations as to whether any matters not currently under investigation should be opened, whether any matters currently under investigation require further resources, or whether any matters merit the appointment of a Special Counsel. This will better enable the Attorney General and the Deputy Attorney General to more effectively evaluate and manage the caseload. In conducting this review, all allegations will be reviewed in light of the Principles of Federal Prosecution. (USAM 9-27.000)

As you know, consistent with longstanding policy, the Department does not ordinarily confirm or deny investigations, and this letter should not be construed to do so. While this policy can be frustrating, especially on matters of great public concern, it is necessary to ensure that the Department acts with fairness and thoughtfulness, and always in a manner consistent with the law and rules of the Department.

The Honorable John Rutherford
Page Two

In addition, you must know the Department will never evaluate any matter except on the facts and the law. Professionalism, integrity, and public confidence in the Department's work is critical for us, and no priority is higher.

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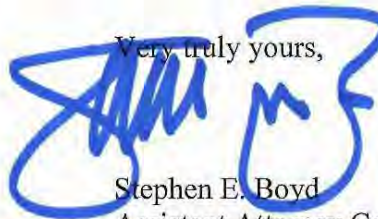
- Allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations;
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These investigations include issues raised in your letters. In addition, the Department has forwarded a copy of your letters to the IG so he can determine whether he should expand the scope of his investigation based on the information contained in those letters.

Once the IG's review is complete, the Department will assess what, if any, additional steps are necessary to address any issues identified by that review.

We will conduct this evaluation according to the highest standards of justice. We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General

BOB GOODLATTE, Virginia
CHAIRMAN

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ERIC SWALWELL, California
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ONE HUNDRED FIFTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

July 27, 2017

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
Washington, D.C.

The Honorable Rod J. Rosenstein
Deputy Attorney General
U.S. Department of Justice
Washington, D.C.

Dear Attorney General Sessions and Deputy Attorney General Rosenstein:

We are writing to you to request assistance in restoring public confidence in our nation's justice system and its investigators, specifically the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). We need to enable these agencies to perform their necessary and important law enforcement and intelligence functions fully unhindered by politics. While we presume that the FBI's investigation into Russian influence has been subsumed into Special Counsel Robert Mueller's investigation, we are not confident that other matters related to the 2016 election and aftermath are similarly under investigation by Special Counsel Mueller. The unbalanced, uncertain, and seemingly unlimited focus of the special counsel's investigation has led many of our constituents to see a dual standard of justice that benefits only the powerful and politically well-connected. For this reason, we call on you to appoint a second special counsel¹ to investigate a plethora of matters connected to the 2016 election and its aftermath, including actions taken by previously public figures like Attorney General Loretta Lynch, FBI Director James Comey, and former Secretary of State Hillary Clinton.

Many Democrats and members of the Washington media previously called for a "special prosecutor" to investigate Russian influence on the election and connections with the Trump campaign. Not surprisingly, once you actually made the decision to appoint a special counsel, the calls for further investigations by congressional committees continued, focused on allegations that have heretofore produced no evidence of criminality, despite the fact that over a year has passed since the opening of the original FBI investigation. Political gamesmanship continues to

¹ See 28 CFR Part 600 – General Powers of Special Counsel.

saturate anything and everything associated with reactions to President Trump's executive decisions, and reveals the hypocrisy of those who refuse to allow the Special Counsel's investigation to proceed without undue political influence. It is an unfortunate state of affairs.

Your stated rationale for recommending Director Comey's termination as FBI Director was his mishandling of former Secretary Clinton's email investigation and associated public disclosures concerning the investigation's findings. We believe this was the correct decision. It is clear that Director Comey contributed to the politicization of the FBI's investigations by issuing his public statement, nominating himself as judge and jury, rather than permitting career DOJ prosecutors to make the final decision. But many other questions remain unanswered, due to Mr. Comey's premature and inappropriate decision, as well as the Obama Justice Department's refusal to respond to legitimate Congressional oversight. Last week, the Republican Members of this Committee sent a letter to the Justice Department, asking for responses to those unanswered inquiries.² These questions cannot, for history's sake and for the preservation of an impartial system of justice, be allowed to die on the vine.

It is therefore incumbent on this Committee, in our oversight capacity, to ensure that the agencies we oversee are above reproach and that the Justice Department, in particular, remains immune to accusations of politicization. Many Congressional entities have been engaged in oversight of Russian influence on the election, but a comprehensive investigation into the 2016 Presidential campaign and its aftermath must, similarly, be free of even the suggestion of political interference. The very core of our justice system demands as much. A second, newly-appointed special counsel will not be encumbered by these considerations, and will provide real value to the American people in offering an independent perspective on these extremely sensitive matters.

Our call for a special counsel is not made lightly. We have no interest in engendering more bad feelings and less confidence in the process or governmental institutions by the American people. Rather, our call is made on their behalf. It is meant to determine whether the criminal prosecution of any individual is warranted based on the solemn obligation to follow the facts wherever they lead and applying the law to those facts.

As we referenced above, Democrats and the mainstream media called for a special counsel to be appointed to investigate any Russian influence on President Trump's campaign. Their pleas were answered, but there are many questions that may be outside the scope of Special Counsel Mueller's investigation. This was clear following Mr. Comey's recent testimony to the Senate Intelligence Committee on June 8, 2017, which ignited renewed scrutiny of former

² See House Judiciary Committee letter of July 21, 2017 to Attorney General Sessions, requesting answers to multiple questions which remain unanswered or inadequately answered from the Obama Administration, available at https://judiciary.house.gov/wp-content/uploads/2017/07/072117_Letter-to-AG-Sessions.pdf?utm_source=House+Judiciary+Committee+Press+Releases&utm_campaign=fcab593157-EMAIL_CAMPAIGN_2017_07_21&utm_medium=email&utm_term=0_df41eba8fd-fcab593157-101865997.

Attorney General Loretta Lynch, and the actions she took to mislead the public concerning the investigation into the Clinton email investigation. Last year, this Committee inquired repeatedly about the circumstances surrounding that and other matters, but our inquiries were largely ignored.³

During his testimony, Mr. Comey referenced a meeting on the Phoenix airport tarmac between Ms. Lynch and former President Bill Clinton. Mr. Comey raised concerns about Ms. Lynch's conduct, and questioned her independence, stating:

At one point, the attorney general had directed me not to call it an investigation, but instead to call it a matter, which confused me and concerned me. That was one of the bricks in the load that led me to conclude, 'I have to step away from the department if we're to close this case credibly.'⁴

In addition, in preparing to testify in front of Congress for a September 2015 hearing, Mr. Comey asked Ms. Lynch at the time whether she was prepared to refer to the Clinton investigation as just that, an "investigation." Mr. Comey testified that Ms. Lynch said, "Yes, but don't call it that, call it a matter." Mr. Comey retorted, "Why would I do that?" Ms. Lynch answered, "Just call it a matter."⁵ Mr. Comey stated that he acquiesced, but it gave him "a queasy feeling," since it gave him the "impression that the attorney general was trying to align how we describe our work" with how the Clinton campaign was talking about it.⁶

Notwithstanding the fact that the FBI is the Federal Bureau of Investigation, and not the Federal Bureau of Matters, one is hard-pressed to understand why Ms. Lynch directed then-Director Comey to call the Clinton investigation a "matter" unless she intended to use such deceptive language to help wrongly persuade the American people that former Secretary Clinton was not, in fact, the subject of a full-scale FBI investigation, or to otherwise undermine the integrity of the investigation.

Following Director Comey's Senate Intelligence Committee testimony, Senator Dianne Feinstein was asked about the testimony while appearing on CNN's "State of the Union." Senator Feinstein stated, "I would have a queasy feeling too, though, to be candid with you, I think we need to know more about that, and there's only one way to know about it, and that's to have the Judiciary Committee take a look at that."⁷

³ *Id.*

⁴ Peter Baker, *The New York Times*, June 8, 2017, available at <https://www.nytimes.com/2017/06/08/us/politics/comey-testimony-loretta-lynch.html>.

⁵ *Id.*

⁶ Ed O'Keefe, *The Washington Post*, June 8, 2017, available at https://www.washingtonpost.com/politics/2017/live-updates/trump-white-house/james-comey-testimony-what-we-learn/comey-repeats-that-lynch-asked-him-to-describe-clinton-investigations-as-a-matter/?utm_term=.ecb1c193f596.

⁷ Eli Watkins, "Feinstein: Judiciary Committee must 'step up and carry its weight'," *CNN.com*, June 11, 2017, available at <http://www.cnn.com/2017/06/11/politics/dianne-feinstein-james-comey/index.html>.

We share Senator Feinstein's and Mr. Comey's concerns – specifically, that during the midst of a contentious Presidential election, which was already rife with scandal arising from Secretary Clinton's mishandling of classified information, that our nation's chief law enforcement officer would instruct the FBI Director, her subordinate, to mislead the American public about the nature of the investigation. Following Ms. Lynch's directive to downplay the Clinton investigation as a "matter," Director Comey infamously terminated the Clinton investigation, stating, "[a]lthough there is evidence of potential violations of the statutes regarding the handling of classified information, our judgment is that no reasonable prosecutor would bring such a case."⁸

Mr. Comey's testimony has provided new evidence that Ms. Lynch may have used her position of authority to undermine the Clinton investigation. At any other point in history this accusation would entail a shock to the conscience of law abiding Americans who expect a DOJ free of political influence. We only have, however, an investigation into Russian influence on the 2016 election, including any ties to the Trump campaign. To limit our nation's insight into just this single component of the 2016 election will only cause the special counsel's work to be derided as one-sided and incomplete. The special counsel's work must begin and end unimpeded by political motivations on either side of the aisle. For these reasons, the following points must also be fully investigated – ideally, via a second special counsel. This is imperative to regain the cherished trust and confidence in our undoubtedly distressed law enforcement and political institutions.

We call on a newly appointed special counsel to investigate, consistent with appropriate regulations, the following questions, many of which were previously posed by this Committee and remain unanswered:

- 1) Then-Attorney General Loretta Lynch directing Mr. Comey to mislead the American people on the nature of the Clinton investigation;
- 2) The shadow cast over our system of justice concerning Secretary Clinton and her involvement in mishandling classified information;
- 3) FBI and DOJ's investigative decisions related to former Secretary Clinton's email investigation, including the propriety and consequence of immunity deals given to potential Clinton co-conspirators Cheryl Mills, Heather Samuelson, John Bentel and possibly others;
- 4) The apparent failure of DOJ to empanel a grand jury to investigate allegations of mishandling of classified information by Hillary Clinton and her associates;
- 5) The Department of State and its employees' involvement in determining which communications of Secretary Clinton's and her associates to turn over for public scrutiny;

⁸ Statement by FBI Director James B. Comey on the Investigation of Secretary Hillary Clinton's Use of a Personal E-Mail System, July 5, 2016, available at <https://www.fbi.gov/news/pressrel/press-releases/statement-by-fbi-director-james-b-comey-on-the-investigation-of-secretary-hillary-clinton2019s-use-of-a-personal-e-mail-system>.

- 6) WikiLeaks disclosures concerning the Clinton Foundation and its potentially unlawful international dealings;
- 7) Connections between the Clinton campaign, or the Clinton Foundation, and foreign entities, including those from Russia and Ukraine;
- 8) Mr. Comey's knowledge of the purchase of Uranium One by the company Rosatom, whether the approval of the sale was connected to any donations made to the Clinton Foundation, and what role Secretary Clinton played in the approval of that sale that had national security ramifications;
- 9) Disclosures arising from unlawful access to the Democratic National Committee's (DNC) computer systems, including inappropriate collusion between the DNC and the Clinton campaign to undermine Senator Bernie Sanders' presidential campaign;
- 10) Post-election accusations by the President that he was wiretapped by the previous Administration, and whether Mr. Comey and Ms. Lynch had any knowledge of efforts made by any federal agency to unlawfully monitor communications of then-candidate Trump or his associates;
- 11) Selected leaks of classified information related to the unmasking of U.S. person identities incidentally collected upon by the intelligence community, including an assessment of whether anyone in the Obama Administration, including Mr. Comey, Ms. Lynch, Ms. Susan Rice, Ms. Samantha Power, or others, had any knowledge about the "unmasking" of individuals on then candidate-Trump's campaign team, transition team, or both;
- 12) Admitted leaks by Mr. Comey to Columbia University law professor, Daniel Richman, regarding conversations between Mr. Comey and President Trump, how the leaked information was purposefully released to lead to the appointment of a special counsel, and whether any classified information was included in the now infamous "Comey memos";
- 13) Mr. Comey's and the FBI's apparent reliance on "Fusion GPS" in its investigation of the Trump campaign, including the company's creation of a "dossier" of information about Mr. Trump, that dossier's commission and dissemination in the months before and after the 2016 election, whether the FBI paid anyone connected to the dossier, and the intelligence sources of Fusion GPS or any person or company working for Fusion GPS and its affiliates; and
- 14) Any and all potential leaks originated by Mr. Comey and provide to author Michael Schmidt dating back to 1993.

You have the ability now to right the ship for the American people so these investigations may proceed independently and impartially. The American public has a right to know the facts – all of them – surrounding the election and its aftermath. We urge you to appoint a second special counsel to ensure these troubling, unanswered questions are not relegated to the dustbin of history.

Sincerely,

Bob Goodlatte

Jo Jordan

Lamar Smith

Matt Fitz

Tom Marino

Steve Chalot

Blake Farentsord

Steve King

Tom Schant

AMM

D. C. [unclear] Raul R. Labrador

Mr. [unclear] Andy Biggs

MIKE JOHNSON

John Futherford

Matthew Roby

John Ratcliffe

Franklin

Karen C. Handel

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Monday, January 7, 2019 2:30 PM
To: Bidelman, Kiley
Cc: Castor, Stephen; Buddharaju, Anudeep
Subject: RE: Letter from Jordan, Collins and Meadows to John Huber

Received. Please note that the Department is operating under a partial government shut-down and is not in position to respond, generally, to letters at this time.

Thanks,
David

David F. Lasseter
Deputy Assistant Attorney General
Office of Legislative Affairs
U.S. Department of Justice
(202) 514-1260

From: Bidelman, Kiley <(b) (6)>
Sent: Monday, January 7, 2019 11:33 AM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Cc: Castor, Stephen <(b) (6)>; Buddharaju, Anudeep <(b) (6)>
Subject: Letter from Jordan, Collins and Meadows to John Huber

Good morning – please see attached a letter to Mr. John Huber from the Committee on Oversight and Reform. Please note this letter has a due date of January 21, 2019.

Please acknowledge receipt of this letter.

Thanks,
Kiley

Kiley N. Bidelman
Clerk
Committee on Oversight and Government Reform
Rep. Jim Jordan, Ranking Member
2157 Rayburn HOB, Washington, DC 20515
202.225.5074



Congress of the United States
House of Representatives
Washington, DC 20515

January 7, 2019

The Honorable John W. Huber
United States Attorney
111 S. Main Street
Suite 1800
Salt Lake City, UT 84111

Dear Mr. Huber:

We write to request an update on the progress of your review of irregularities involved with the Department of Justice's (DOJ) and Federal Bureau of Investigation's (FBI) actions during 2016 and 2017, including the process by which they undertook to comply with the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C § 1801 *et seq.*

The DOJ's and FBI's actions and decision-making during the investigations of former Secretary of State Hillary Clinton and the presidential campaign of Donald Trump raise serious concerns about impartiality, fundamental fairness, and adherence to the rule of law. These concerns prompted separate reviews from the Department of Justice, the DOJ Inspector General (DOJ IG), and congressional oversight committees. For the past fourteen months we have been part of a joint investigation by the House Committee on Oversight and Government Reform and the House Judiciary Committee into these matters as well.

In March 2018, the Committees called for the Attorney General to appoint a Special Counsel to review FBI and DOJ decisions in 2016 and 2017.¹ Specifically, the Committees expected an official who would:

review decisions made and not made by the Department of Justice and the FBI in 2016 and 2017, including but not limited to evidence of bias by any employee or agent of the DOJ, FBI, or other agencies involved in the investigation; the decisions to charge or not charge and whether those

¹ See Letter from Bob Goodlatte, Chairman, H. Comm. on Judiciary and Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform to Jefferson B. Sessions, Attorney Gen. and Rod Rosenstein, Deputy Attorney Gen., Dep't of Justice (Mar. 6, 2018), https://judiciary.house.gov/wp-content/uploads/2018/03/030618_Special-Counsel-Letter.pdf?utm_source=House+Judiciary+Committee+Press+Releases&utm_campaign=911e937989-EMAIL_CAMPAIGN_2018_03_06&utm_medium=email&utm_term=0_df41eba8fd-911e937989-101865997; *Id.* (“...while we have confidence in the Inspector General of the Department of Justice, the DOJ IG does not have authority to investigate other governmental entities or former employees of the Department, the Bureau, or other agencies.”).

decisions were made consistent with the applicable facts, the applicable law, and traditional investigative and prosecutorial policies and procedures; and whether the FISA process employed in the fall of 2016 was appropriate and devoid of extraneous influence.²

Although the Attorney General did not appoint a Special Counsel, he recognized the importance of the Committees' inquiry and appointed you to review these matters.³

Your investigation has been ongoing for over nine months. During the course of our extensive investigation we have interviewed more than a dozen current and former DOJ and FBI personnel, and were surprised to hear none of these potentially informative witnesses testified to speaking with you.⁴ Further, last month then-Chairman Mark Meadows invited you to testify as a witness at the Subcommittee on Government Operations' hearing "Oversight of Nonprofit Organizations: A Case Study on the Clinton Foundation." We were disappointed to learn from the Department you were not enthusiastic about testifying when declining the invitation.

To better understand the status and scope of your review, we request that you please provide the following information to us regarding your review:

1. The total number of witnesses you have interviewed, including names of specific individuals where possible, and the number of witnesses remaining to be interviewed;
2. The total number of FISA applications reviewed;
3. The total number of documents reviewed, including their substance and format (e.g. emails, meeting notes, phone logs, etc.); and
4. A description and account of your coordination with DOJ IG Michael Horowitz.

Please provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on January 21, 2019. Please contact Anudeep Buddharaju at 202-225-5074 with the Oversight Committee and Carlton Davis at 202-225-3951 with the Judiciary Committee with any questions about this request. Thank you for your attention to this matter.

² *Id.*

³ See Letter from Jefferson B. Sessions, Attorney Gen., Dep't of Justice to Robert W. Goodlatte, Chairman, H. Judiciary Comm. and Trey Gowdy, Chairman, H. Comm. Oversight & Gov't Reform (March 29, 2018) ("The additional matters raised in your March 6, 2018, letter fall within the scope of his existing mandate, and I am confident that Mr. Huber's review will include a full, complete, and objective evaluation of these matters in a manner that is consistent with the law and the facts.").

⁴ *E.g.*, Bruce Ohr Transcribed Interview 126, Aug. 28, 2016 ("Mr. Ratcliffe: Well, I want to make -- part of the reason I'm also trying to make this record real clear is there's someone that's been appointed to look at potential FISA abuse, United States Attorney John Huber. Have you talked to Mr. Huber? Mr. Ohr: I have not. I mean, I have spoken with Mr. Huber in the past when he was a U.S. Attorney, but I have not spoken with him as part of this.").

The Honorable John W. Huber
January 7, 2019
Page 3


Sincerely,



Jim Jordan



Doug Collins



Mark Meadows

cc: The Honorable Elijah E. Cummings, Committee on Oversight and Reform
The Honorable Lindsey Graham, U.S. Senate Committee on the Judiciary
The Honorable Ron Johnson, U.S. Senate Committee on Homeland Security
and Governmental Affairs
The Honorable Michael E. Horowitz, Inspector General, Department of Justice

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Monday, January 7, 2019 2:35 PM
To: Huber, John (USAUT); O'Callaghan, Edward C. (ODAG); Weinsheimer, Bradley (ODAG); Boyd, Stephen E. (OLA); Kupec, Kerri (OPA)
Subject: FW: Letter from Jordan, Collins and Meadows to John Huber
Attachments: 2019-01-07 JDJ DC MM to Huber re DOJ investigation due 1-21.pdf

FYSA. Letter from minority members asking John Huber questions. We are in no position to respond, (b) (5)

John—obviously, please refer any media inquiries to OPA.

Thanks,
df

From: Bidelman, Kiley <(b) (6)>
Sent: Monday, January 7, 2019 11:33 AM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Cc: Castor, Stephen (b) (6); Buddharaju, Anudeep (b) (6)
Subject: Letter from Jordan, Collins and Meadows to John Huber

Duplicative records

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Monday, January 7, 2019 4:23 PM
To: Belair, Brendan
Subject: RE: Letter from Jordan, Collins and Meadows to John Huber

I am happy to discuss this with you and provide the same response I gave to Congressman Meadows

From: Belair, Brendan <(b) (6)>
Sent: Monday, January 7, 2019 4:06 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: Re: Letter from Jordan, Collins and Meadows to John Huber

Roger

Sent from my iPhone

On Jan 7, 2019, at 3:35 PM, Lasseter, David F. (OLA) <David.F.Lasseter@usdoj.gov> wrote:

?

From: Bidelman, Kiley <(b) (6)>
Sent: Monday, January 7, 2019 11:33 AM

Duplicative records

