

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

June 22, 2018

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

Chairman Trey Gowdy
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairmen Goodlatte and Gowdy:

This letter provides an update in response to the Committees' written and oral requests for information from the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). As described below, the FBI believes that the majority of the Committees' requests have been substantially complied with, and is actively working to identify and produce additional materials on a rolling basis to fulfill the Committees' remaining requests.

As you are aware, on June 15, 2018, Deputy Attorney General Rosenstein and FBI Director Wray attended a meeting with Speaker Ryan, Chairmen Goodlatte, Gowdy, and Nunes, and a limited number of staff. Based on that meeting, as well as ongoing communications with Committee staff, the FBI and DOJ believe that there has been substantial compliance with the majority of requests arising out of the March 22, 2018, subpoena (the subpoena). Specifically:

- Request No. 2 was complied with, by letter dated April 3, 2018;
- Request No. 3 was complied with, by letter dated May 9, 2018, and a document production on approximately June 20, 2018;
- Request No. 4 was complied with, by the in camera review of the materials sought;
- Request No. 5 was complied with, by letter dated June 19, 2018; and
- Request No. 6 was complied with, by letter dated March 9, 2018.

With respect to Request No. 1, seeking documents provided to the DOJ Inspector General, that production remains ongoing under the direction of United States Attorney John Lausch. To date, DOJ and the FBI have made available approximately 800,000 documents for review. With regard to Request No. 8, the FBI has collected and will place additional documents related to defensive briefings in the DOJ reading room.

For Request No. 7, on June 22, 2018, the FBI produced over 1400 pages of responsive materials. Following guidance from Committee staff, the FBI continues to diligently and expeditiously collect, review, and process additional responsive materials related to

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communications between Peter Strzok and personnel in former FBI Deputy Director McCabe's office. The FBI has identified the relevant personnel, developed appropriate search terms and date parameters, and is actively searching for and processing responsive materials from three (3) enclaves (Unclassified, Secret, and Top Secret), and Lync and text messages. To do this, the FBI has shifted resources from other Congressional production projects, and is adding staff to further expedite the review and processing. FBI staff will be working throughout the weekend to keep the production moving forward.

The initial estimated volume of Top Secret emails collected in response to Request Nos. 7 and 9 of the subpoena, plus a request from Chairman Nunes that required collection of Top Secret communications, is between 50,000 and 65,000 emails. This represents the volume of emails contained in the relevant custodians' accounts, *without* application of search terms. In recognition of the need to produce any responsive material as quickly as possible, the FBI's Science and Technology Branch has built and deployed a tool to allow for faster searches within the Top Secret enclave. Once search parameters are applied, this initial estimate is likely to decrease significantly.

Regarding Request No. 9 of the subpoena, seeking "[a]ll documents and communications referring or relating to proposed, recommended, or actual FISA coverage on the Clinton Foundation or persons associated or in communication with the Clinton Foundation," the FBI is responding by separate, classified letter. Despite attempting a variety of approaches, Request No. 9 is proving difficult to address and the FBI is seeking to further engage with the Committee to better understand the information sought. Because Committee staff have indicated that Request Nos. 8 and 9 may be related, the FBI believes that some of the defensive briefing materials to be placed in the reading room (*i.e.*, in response to Request No. 8) might relate to information sought in Request No. 9. After reviewing those defensive briefing materials, please let this office know whether those documents will assist in focusing Request No. 9.

The FBI is committed to expeditiously completing production of the requested materials, and looks forward to continuing to work with the Committee. To the extent that the Committee can further prioritize its requests, the FBI would appreciate the opportunity to engage in a dialogue.

Sincerely,

Jill C. Tyson

Acting Assistant Director Office of Congressional Affairs The Honorable Robert W. Goodlatte The Honorable Trey Gowdy Page Three

cc:

The Honorable Jerrold Nadler Ranking Member

The Honorable Elijah Cummings Ranking Member

The Honorable Paul D. Ryan Speaker, U.S. House of Representatives