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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

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November 4, 2019

VIA ELECTRONIC TRANSMISSION

The Honorable Mike Pompeo
Secretary
U.S. Department of State

Dear Secretary Pompeo,

I appreciate you sending me the Department's review of the security violations that occurred with respect to Secretary Clinton's use of a non-government server for government business. The review provided Congress and the public much-needed transparency with respect to the 91 valid security violations by 38 people and an additional 497 security violations in which culpability could not be determined. All of those violations occurred because Secretary Clinton chose to operate a non-government server for official business and failed to follow security protocols. Some of the classified information that was exposed to unclassified systems was classified at the Top Secret/Special Access Program level, which put national security at risk.

As I made clear during my October 28, 2019, speech on the Senate floor, mishandling classified information should be a bipartisan issue that is managed with equal application of the law without regard to power, party, or privilege. In addition, as I noted in my floor speech, then-Director Comey and the FBI claimed that they did not find evidence of criminal intent and concluded that no reasonable prosecutor would prosecute the case. However, your Department's review found instances in which State Department officials "deliberately transmitted [classified information] via unclassified email." That finding seems to be at odds with the FBI and requires additional explanation.

Further, a text message sent by Peter Strzok on June 28, 2016, indicates that Secretary Clinton and President Obama communicated via email while she used her non-government email address for official business:

Peter Strzok: “Jim – I have the POTUS – HRC emails D requested at end of briefing yesterday. I hesitate to leave them, please let me know a convenient time to drop them off”¹

Generally, communications between the President and other cabinet-level officials are of a very sensitive and classified nature. The failure to safeguard classified information by exposing it to unclassified systems without proper authority puts national security at risk. Accordingly, to better understand how the State Department undertook its review and what sanctions were imposed against those officials who were found to have violated security protocols, please answer the following questions no later than November 19, 2019:

1. The State Department identified 91 security violations attributable to 38 people. What are the names and titles of these officials? For each official, what sanction was imposed and at what level was the mishandled information classified?
2. The State Department identified an additional 497 security violations where culpability could not be identified. Please explain in greater detail why culpability could not be identified and at what level was the mishandled information classified?
3. The State Department found that some of its officials “deliberately transmitted” classified information via unclassified email. What are the names and titles of these officials, at what level was the mishandled information classified, and has the State Department referred any of them to the Justice Department for potential prosecution? If not, why not?
4. The review noted that some officials were not interviewed. Please list each individual that was not interviewed and the reason why.
5. Please provide all email communications between Secretary Clinton and President Obama, including those emails referenced by the Strzok text. In addition, in your written response, please note the classification level of those emails and whether they were part of the security review.

I anticipate that your written reply and some responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all

¹ FBI000742. See also, Gregg Re, *Clinton-Obama emails sought by Sen. Ron Johnson amid Dems’ impeachment inquiry*, Fox News (Oct. 31, 2019).

unclassified information directly to the Committee, and provide a classified addendum to the Office of Senate Security. Although the Committee complies with all laws and regulations governing the handling of classified information, it is not bound, absent its prior agreement, by any handling restrictions.

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Joshua Flynn-Brown of my Committee staff at (202) 224-4515.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Chairman
Committee on Finance