

United States Senate
WASHINGTON, DC 20510

April 7, 2020

VIA ELECTRONIC TRANSMISSION

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear Mr. President:

In an October 17, 2018, classified letter to then Deputy Attorney General Rosenstein, the Judiciary Committee requested answers relating to questions raised by the classified appendix to the Inspector General's report on how the Federal Bureau of Investigation (FBI) handled the investigation of former Secretary of State Hillary Clinton titled, "A Review of Various Actions by the Federal Bureau of Investigation and Department of Justice in Advance of the 2016 Election." Having not received a meaningful response, we reiterated that request to Attorney General Barr in a letter on April 16, 2019. Today, we request that you declassify that appendix so that the American public can have a more complete understanding of what occurred during this investigation.

As we have written about publicly before, this highly classified appendix makes clear that the Obama administration's Justice Department and FBI made serious mistakes during the Clinton investigation. As explained in the unclassified version of the Inspector General's report, the classified report addresses key aspects of that investigation:

The FBI had considered obtaining permission from the Department to review certain classified materials that may have included information potentially relevant to the Midyear investigation. Although the Midyear team drafted a memorandum to the Deputy Attorney General in late May 2016 stating that review of the highly classified materials was necessary to complete the investigation and requesting permission to access them, the FBI never sent this request to the Department.

Our paramount concern is that the classified appendix is precisely the type of information that should be made available to the American public because, otherwise, they will not know the full picture of what happened during the investigation. Unfortunately, our Democrat colleagues in Congress appear to view transparency as a one-way street. Although they seek documents and information that they believe will damage your administration, they ignore other relevant documents and information that could possibly be problematic for their political narrative—even though it would provide transparency to the American people. In order to be consistent, both parties should want the same result with respect to this investigation: the public needs to know what happened.

To that end, we request that you declassify, to the fullest extent possible under Executive Order 13526, this classified appendix to the Inspector General's report on the Clinton investigation. We believe that declassification is appropriate at this time because, among other factors, the Inspector General's investigation is closed; the investigation has already been the subject of years of oversight, public hearings, and document productions; and there is a strong public interest in knowing and understanding what really transpired during the Clinton investigation. Together, these outweigh the need to further protect the information contained in the appendix.

Congress and the Executive Branch should not be the only custodians of this information – the public's business ought to be public. Declassification is consistent with the approach that you have taken with documents relating to the Russia investigation, and your call with the President of Ukraine and the related Intelligence Community complaint.

We very much appreciate your time and attention to this request.

Sincerely,



Charles E. Grassley
Chairman
Committee on Finance



Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs

cc: The Honorable William Barr
Attorney General
Department of Justice

Ambassador Richard Grenell
Acting Director
Office of the Director of National Intelligence