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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

November 15, 2012

### Via Electronic Transmission

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

The Honorable Robert S. Muller, III  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20535

Dear Attorney General Holder and Director Mueller:

I write today regarding the recent resignation of Director of Central Intelligence (DCI) General David Petraeus and the involvement by the U.S. Department of Justice (Department), including the Federal Bureau of Investigation (FBI), in uncovering information that revealed an extramarital affair cited by General Petraeus as a reason for his resignation. On Tuesday, my staff received a very brief preliminary call with an official from the FBI who declined to discuss the matter, citing its ongoing nature. However, the FBI official suggested my staff issue a formal request to the Department.

Yesterday, the Director provided a closed door briefing to members of the House Permanent Select Committee on Intelligence, the Senate Select Committee on Intelligence, and Chairman Leahy of the Senate Committee on the Judiciary. As the Ranking Member of the authorizing committee of jurisdiction for the Department and the FBI, and given the numerous press reports on this matter, including information alleged to have been provided by government sources, I request a detailed briefing to discuss this matter and provide concrete facts surrounding this resignation and the Department's involvement.

Specifically, I would ask that any briefing include the following information:

- (1) a timeline of events from initial contact with FBI personnel through the current status of the inquiry,
- (2) an explanation of how and why the FBI opened the inquiry,
- (3) a detailed list of personnel who signed off on the investigation,
- (4) a detailed account of the legal authorities used to obtain each of the electronic communications of those involved, and the role, if any, of any U.S. Attorneys' Offices,
- (5) an explanation of timing and circumstances of how you and the FBI Director first learned of this inquiry and when the White House was notified of the inquiry,

- (6) a description of Department employee's contacts with Congress prior to the election and whether the Department considers those contacts protected whistleblower disclosures,
- (7) an explanation of whether the FBI shared information regarding the investigation with investigators from various military criminal investigation organizations (including Army Criminal Investigation Command (CID), Air Force Office of Special Investigations (OSI), or Navy Criminal Investigative Service (NCIS)) and when that information was shared,
- (8) a description of the status of any related reviews being conducted by the FBI Inspections Division, the Office of Professional Responsibility, the Deputy Attorney General's Office, or the Office of Inspector General, including any related to public reports of alleged communications between an FBI agent and a witnesses that involved inappropriate photographs or text,
- (9) an explanation of whether the extramarital affair was uncovered during the initial background investigation conducted by the FBI prior to General Petraeus' confirmation as DCI
- (10) an explanation of any legal analysis conducted by any component of the Department, including the FBI, regarding whether you or the FBI Director were obligated by law to report the investigation of DCI Petraeus to the President or any other government official.

Thank you for your attention to this important matter. To address the questions raised by this matter, I ask that you provide a briefing no later than November 28, 2012.

Sincerely,



Charles E. Grassley  
Ranking Member

Cc: The Honorable Patrick Leahy  
Chairman