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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

February 2, 2018

**VIA ELECTRONIC TRANSMISSION**

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

The Honorable Rod J. Rosenstein  
Deputy Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Dear Director Wray and Deputy Attorney General Rosenstein:

Pursuant to Section 3.5 of Executive Order 13526, I am writing to formally demand a Mandatory Declassification Review of the classified criminal referral Senator Graham and I sent to the FBI and the Justice Department regarding Christopher Steele's potential violations of 18 U.S.C. § 1001.<sup>1</sup>

On January 4, 2018, Senator Graham and I sent a classified memo to the Justice Department and the FBI. The eight-page memo referred for further investigation materially inconsistent statements reportedly made by Christopher Steele, the author of the anti-Trump dossier funded by the Democratic National Committee and the Clinton campaign during the 2016 Presidential election. On January 19, 2018, an FBI Congressional liaison, Greg Brower, sent a letter claiming that a few of the paragraphs marked as unclassified in our memo contained classified information. A redacted copy of Mr. Brower's letter is attached for reference.

As I explained in a speech on the Senate floor, the FBI's claims mischaracterize and misstate what those paragraphs actually say. Nonetheless, on January 29, I wrote to Director Wray and Inspector General Horowitz, raising my objections to the FBI's classification claims, but attaching a further redacted version of the referral that addressed FBI's concerns. On February 2, 2018, Mr. Brower stated that the FBI had no concerns with the public release of that further redacted version, which is attached to this letter.

Today, the President formally declassified a memorandum drafted by the majority staff of the House Permanent Select Committee on Intelligence (HPSCI).<sup>2</sup> Much of the information in the declassified HPSCI memorandum overlaps with the information in the criminal referral made by Senator Graham and me. That information has now been declassified and can no longer

<sup>1</sup> Similarly, pursuant to Section 1.8 of Executive Order 13526, I am, as an authorized holder of the information, also formally challenging the propriety of the classification of the FBI and Justice Department information referenced in the referral.

<sup>2</sup> [https://intelligence.house.gov/uploadedfiles/memo\\_and\\_white\\_house\\_letter.pdf](https://intelligence.house.gov/uploadedfiles/memo_and_white_house_letter.pdf)

properly be deemed as classified in our criminal referral. Accordingly, I ask that you immediately review the classified referral in light of today's declassification and provide the Committee with the declassified version by no later than February 6, 2018.

Thank you for your prompt attention to this matter. Please contact Patrick Davis of my staff at (202) 224-5225 if you have any questions.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

Enclosures: As stated.

cc: The Honorable Michael E. Horowitz  
Inspector General  
United States Department of Justice

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

Director, Office of Information Policy  
United States Department of Justice  
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