

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Thursday, February 1, 2018 5:39 PM
To: Boyd, Stephen E. (OLA); Brower, Gregory (DO) (FBI)
Cc: (b)(6), (b)(7)(C) per FBI (DO) (FBI)
Subject: Fwd: Current position on HPSCI memo

Stephen/Greg—FYI below from Sen Collins.

dfi

David F. Lasseter

Begin forwarded message:

From: "Kaldahl, Ryan (Intelligence)" (b) (6)
Date: February 1, 2018 at 17:31:13 EST
To: (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI "Lasseter, David F. (OLA) (JMD)"
<David.F.Lasseter@usdoj.gov>
Cc: "Brown, Katie (Collins)" (b) (6)
Subject: RE: Current position on HPSCI memo

Dave, understood, and thanks in advance for anything you can share.

As you can imagine, she and others will likely get a lot of questions about this, and she, for one, would very much want to know the views of DOJ and the FBI before commenting.

Ryan Kaldahl
(b) (6)

From: (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Thursday, February 1, 2018 5:27 PM
To: Kaldahl, Ryan (Intelligence) (b) (6) Lasseter, David F. (OLA) (JMD) <David.F.Lasseter@usdoj.gov>
Cc: Brown, Katie (Collins) (b) (6)
Subject: RE: Current position on HPSCI memo

Ryan,

I will have to run this by our OGC folks.

Take care,

(b)(6), (b)(7)(C)

SSA (b)(6), (b)(7)(C), (b)(7)(E) per FBI
FBI Office of Congressional Affairs

From: Kaldahl, Ryan (Intelligence) (b) (6)
Sent: Thursday, February 01, 2018 5:12 PM
To: Lasseter, David F. (OLA) (JMD) <David.F.Lasseter@usdoj.gov>; (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Brown, Katie (Collins) (b) (6)
Subject: Current position on HPSCI memo

David and (b)(6), (b)(7)(C)

Senator Collins asked me to reach out to find out DOJ's and FBI's position on the public release of the HPSCI memo. Specifically, she's trying to figure out the degree of satisfaction from DOJ/FBI on the redactions that are reported to have been made. So here are the two questions:

1. Based upon what DOJ and FBI knows about the redactions made by the White House and the version of the HPSCI memo that is expected to be returned to the Committee, are DOJ and FBI still adamantly opposed to the release of the memo?
2. Are there any outstanding redactions requested by DOJ or FBI that were not made to the HPSCI memo, and if so, could you characterize their significance?

I'm happy to place or take a phone call from someone who can share this information so I can give it to Senator Collins.

Thanks in advance,

Ryan Kaldahl
(b) (6)

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Tuesday, February 6, 2018 12:05 PM
To: Brower, Gregory (DO) (FBI); Boyd, Stephen E. (OLA)
Cc: Mangum, Anela M. (OLA)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

rgf

From: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Tuesday, February 6, 2018 12:04 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Boyd, Stephen E. (OLA) (b)(6)
Cc: Mangum, Anela M. (OLA) <amangum@jmd.usdoj.gov>
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

yes

Gregory A. Brower
Assistant Director
FBI Congressional Affairs
(Direct) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(Mobile) (b)(6), (b)(7)(C), (b)(7)(E) per FBI

From: Lasseter, David F. (OLA) [<mailto:David.F.Lasseter@usdoj.gov>]
Sent: Tuesday, February 06, 2018 12:03 PM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Boyd, Stephen E. (OLA) (JMD)
(b)(6)
Cc: Mangum, Anela M. (OLA) (JMD) <Anela.M.Mangum@usdoj.gov>
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Do we need the JCC for this meeting?

Anela—can you send the following names to visitors center for escorted badges today:

Timothy Bergreen
Wells Bennett
Maher Bitar

Thanks,
dfi

From: Bitar, Maher (b)(6)
Sent: Tuesday, February 6, 2018 11:56 AM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Boyd, Stephen E. (OLA) (b)(6)
Cc: Bergreen, Timothy (b)(6); Bennett, Wells (b)(6); Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Understood. We will arrive 20 minutes early to get through security in time to start at 2pm, given we need to be back on the Hill right after. Those on our end will be Tim, Wells, and me.

Thanks and see you all soon,
Maher

From: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Tuesday, February 06, 2018 11:54 AM
To: Bitar, Maher (b) (6) Boyd, Stephen E. (OLA) (JMD) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells (b) (6) Lasseter, David F. (OLA) (JMD) <David.F.Lasseter@usdoj.gov>; Schools, Scott (ODAG) (JMD) <Scott.Schools@usdoj.gov>; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: Re: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Sorry. Other meetings require we do this one at Main Justice.

----- Original message -----

From: "Bitar, Maher" (b) (6)
Date: 2/6/18 10:56 AM (GMT-05:00)
To: "Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI" Boyd, Stephen E. (OLA) (JMD)" (b) (6)
Cc: "Bergreen, Timothy" (b) (6) "Bennett, Wells" (b) (6) "Lasseter, David F. (OLA) (JMD)" <David.F.Lasseter@usdoj.gov>, "Schools, Scott (ODAG) (JMD)" <Scott.Schools@usdoj.gov>, "Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI", "Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI" Boyd, Stephen E. (OLA) (JMD)" (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

2pm works for us. Any chance we can do it at FBI, since it's easier for us to enter the building and will save time?

From: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Tuesday, February 06, 2018 10:37 AM
To: Bitar, Maher (b) (6) Boyd, Stephen E. (OLA) (JMD) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells (b) (6) Lasseter, David F. (OLA) (JMD) <David.F.Lasseter@usdoj.gov>; Schools, Scott (ODAG) (JMD) <Scott.Schools@usdoj.gov>; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI Boyd, Stephen E. (OLA) (JMD) (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: Re: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

2pm at DOJ?

----- Original message -----

From: "Bitar, Maher" (b) (6)
Date: 2/6/18 9:36 AM (GMT-05:00)
To: "Boyd, Stephen E. (OLA) (JMD)" (b) (6) "Brower, Gregory (DO) (FBI)"
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: "Bergreen, Timothy" (b) (6) "Bennett, Wells"
(b) (6) "Lasseter, David F. (OLA) (JMD)" <David.F.Lasseter@usdoj.gov>, "Schools,
Scott (ODAG) (JMD)" <Scott.Schools@usdoj.gov>, "Priestap, E. W. (CD) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(b)(6), (b)(7)(C), (b)(7)(E) per FBI OGC) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Colleagues –

We now have a meetings beginning at 3pm. Ideally, we could hold our meeting before then (perhaps 1pm). If feasible, we're also happy to host you in our spaces, unless you require materials in your spaces. Please confirm soonest.

Thanks,
Maher

From: Bitar, Maher
Sent: Monday, February 05, 2018 7:47 PM
To: Boyd, Stephen E. (OLA) (JMD) (b) (6) Brower, Gregory (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) (b) (6) Lasseter, David F. (OLA) (JMD)
<David.F.Lasseter@usdoj.gov>; Schools, Scott (ODAG) <Scott.Schools@usdoj.gov>; Priestap, E. W. (CD) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Stephen, Greg –

Please find attached a letter from Ranking Member Schiff to Deputy Attorney General Rosenstein and Director Wray following the Committee's vote this evening in favor of releasing to the public a memorandum prepared by the Committee Minority. As you are aware, the Minority drafted this memorandum in response to the document prepared by the Committee Majority, which the President declassified on February 2, 2018. Also attached is the transmittal letter the Ranking Member sent to President Trump this evening, which triggers, pursuant to House Rule X, clause 11(g), a five day review period.

The Ranking Member previewed this letter during our Committee business meeting today (a transcript will be made public tomorrow or the day after) and the Majority has received a concurrent copy of this letter.

We appreciate the Department and the Bureau's response to our request, and ask that you confirm receipt for your respective agencies.

In the interest of time, given the brief review window, we would appreciate meeting with you and appropriate officials tomorrow to discuss our request and the review process you will engage in regarding

the Minority's memorandum. We are available tomorrow as of 1pm. We can bring signed copies of the letters to the meeting, if needed.

Don't hesitate to reach out if you have any questions.

Thanks,
Maher

--

Maher Bitar
General Counsel (Minority)
U.S. House Permanent Select Committee on Intelligence (HPSCI)
HVC-304 - The Capitol

(b) (6)

K. Michael Conaway, Texas
Peter T. King, New York
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Thomas J. Rooney, Florida
Ileana Ros-Lehtinen, Florida
Michael R. Turner, Ohio
Brad R. Wenstrup, Ohio
Chris Stewart, Utah
Rick Crawford, Arkansas
Trey Gowdy, South Carolina
Elise M. Stefanik, New York
Will Hurd, Texas

Adam B. Schiff, California,
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Nancy Pelosi, DEMOCRATIC LEADER

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U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

HVC-304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225-4121

DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGHEEN
MINORITY STAFF DIRECTOR

February 5, 2018

Donald J. Trump
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

Today, pursuant to Rule X, clause 11(g) of the Rules of the House of Representatives, the U.S. House Permanent Select Committee on Intelligence voted to disclose publicly a memorandum dated January 29, 2018, which the Committee Minority drafted in response to the memorandum prepared by the Committee Majority that you declassified on February 2, 2018.

Rule X, clause 11(g)(2) requires the Committee to provide you with notice of the Committee's decision, because some of the information in the Minority memorandum is classified. This notification triggers a five-day period pursuant to House Rule X, clause 11(g)(2)(B), in which you have an opportunity to review the information. Should you choose to abstain from action on this matter, the memorandum will become public after five days. In taking this vote, the Committee has determined that the public interest would be served by such disclosure.

Enclosed for your review is the Committee Minority memorandum. This document remains a confidential congressional record and remains subject to the Committee's control. In accordance with the Rules of the House of Representatives, we request that you return the document to the Committee after you complete your review or should you choose to abstain.

The memorandum is derived in part from investigative and law enforcement material made available to the Committee by the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Those agencies must be integrally involved in any review. DOJ and the FBI are best positioned to determine what limited redactions, if any, are needed to protect from public disclosure only that specific information which would legitimately cause harm to national security and ongoing investigations. Any review, moreover, must be undertaken in light of the extensive body of foundational information contained in the Committee Majority's document that was previously highly classified and which you declassified and disclosed to the public on Friday, February 2, 2018. It should also take into account any additional information DOJ, the FBI, or other Executive Branch agencies expect to declassify in the near future, including in response to other declassification requests. It is also imperative that any review of this

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memorandum weigh favorably the profound public interest in providing the American people with the facts in the Minority's memorandum, given the public release of the Majority's memorandum in its entirety.

The Committee requires that specific redactions, if any, be identified in writing to the Committee directly, in advance of the five-day deadline, including any additional redactions that the President and the White House may wish to impose above and beyond those recommended by DOJ and the FBI. In doing so, the Committee requires a clear, detailed explanation as to why each individual redaction is necessary to protect national security and the ongoing investigations, and a certification as to each particular redaction that the threat to the national interest of the United States posed by the disclosure is of such gravity that it outweighs any public interest in the disclosure of the specific information being redacted.

I stand ready to work with you, as well as with the Department of Justice and Federal Bureau of Investigation, during the review. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Adam Schiff', written in a cursive style.

Adam Schiff

Ranking Member, House Permanent Select Committee on Intelligence

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DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

February 5, 2018

Deputy Attorney General Rod Rosenstein
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Director Christopher A. Wray
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535-0001

Dear Deputy Attorney General Rosenstein and Director Wray:

Today, in accordance with Rule X, clause 11(g) of the Rules of the House of Representatives, the U.S. House Permanent Select Committee on Intelligence voted to disclose publicly a memorandum dated January 29, 2018, which the Committee Minority drafted in response to the document prepared by the Committee Majority. The President declassified the Committee Majority's document in its entirety on February 2, 2018 pursuant to his own authority.

The Committee Minority's memorandum is derived in part from investigative and law enforcement information made available to the Committee by the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Accordingly, I have informed the President in our transmittal letter today of the expectation that your agencies will be integrally involved in any White House review of the memorandum. DOJ and the FBI are best positioned to determine what limited redactions, if any, are needed to protect only that specific information which, if disclosed, would legitimately cause harm to national security and ongoing investigations.

Your agencies are requested to record in writing – to the White House and to the Committee directly, in advance of the five-day deadline – any specific redactions you recommend, with a clear explanation, in classified form if necessary, as to why each individual redaction is absolutely necessary and what specific harm to national security and ongoing investigations could come from public disclosure of the redacted information.

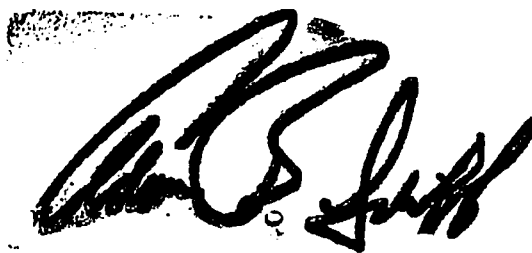
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Moreover, as part of its review, DOJ and the FBI will need to factor in the extensive body of foundational information contained in the Committee Majority's document which was previously highly classified and which President Trump declassified and disclosed to the public on Friday, February 2, 2018. Your agencies should also take into account any additional information that you expect to declassify in the near future, including in response to other declassification requests. It is also imperative that DOJ and the FBI approach this review with due consideration of the profound public interest in ensuring the American people obtain sufficient information to judge for themselves the propriety of the Department and the Bureau's actions in the course of its counterintelligence investigation into Russia's interference in the 2016 U.S. elections and links between the Russian government and individuals associated with the campaign of President Donald Trump.

My staff and I stand ready to consult with you and your teams as you undertake this review. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Schiff', is written over a rectangular stamp area.

Adam Schiff

Ranking Member, House Permanent Select Committee on Intelligence

Cc: The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives

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Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Tuesday, February 6, 2018 4:35 PM
To: Boyd, Stephen E. (OLA)
Cc: Schools, Scott (ODAG)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Copy, thank you.

From: Boyd, Stephen E. (OLA)
Sent: Tuesday, February 6, 2018 12:57 PM
To: Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>
Cc: Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Confirming that the proposed meeting has been postponed. SB

From: Hur, Robert (ODAG)
Sent: Tuesday, February 6, 2018 12:57 PM
To: Boyd, Stephen E. (OLA) (b) (6)
Cc: Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Subject: Re: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review


Thanks!

Sent from my iPhone

On Feb 6, 2018, at 12:55 PM, Boyd, Stephen E. (OLA) (b) (6) wrote:

From: Bitar, Maher (b) (6)
Sent: Monday, February 5, 2018 7:47 PM
To: Boyd, Stephen E. (OLA) (b) (6); Brower, Gregory (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>;
Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Priestap, E. W. (CD) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Duplicative Material



Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Wednesday, February 7, 2018 3:59 PM
To: Schools, Scott (ODAG)
Subject: FW: Schiff - request for call
Attachments: 20180205 - Letter to FBI and DOJ on HPSCI Minority Memo.pdf
Importance: High

FYSA – should have included you below.

From: Hur, Robert (ODAG)
Sent: Wednesday, February 7, 2018 3:57 PM
To: Rosenstein, Rod (ODAG) (b) (6)
Cc: Terwilliger, Zachary (ODAG) (zterwilliger@jmd.usdoj.gov) <zterwilliger@jmd.usdoj.gov>; Murphy, Marcia (ODAG) <mmurphy@jmd.usdoj.gov>
Subject: Schiff - request for call
Importance: High

DAG,

Congressman Schiff has asked for a phone call with you today to discuss the attached (specifically, the request in the paragraph at the bottom of the first paragraph).

(b) (5)

Thanks,
Rob

Robert K. Hur
Principal Associate Deputy Attorney General
Office of the Deputy Attorney General
(202) 514-2105 desk
(b) (6) bell
Robert.Hur@usdoj.gov

Devin Nunes, California, CHAIRMAN

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Trey Gowdy, South Carolina
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PERMANENT SELECT COMMITTEE
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WASHINGTON, DC 20515
(202) 225-4121

DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

February 5, 2018

Deputy Attorney General Rod Rosenstein
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Director Christopher A. Wray
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535-0001

Dear Deputy Attorney General Rosenstein and Director Wray:

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Your agencies are requested to record in writing – to the White House and to the Committee directly, in advance of the five-day deadline – any specific redactions you recommend, with a clear explanation, in classified form if necessary, as to why each individual redaction is absolutely necessary and what specific harm to national security and ongoing investigations could come from public disclosure of the redacted information.

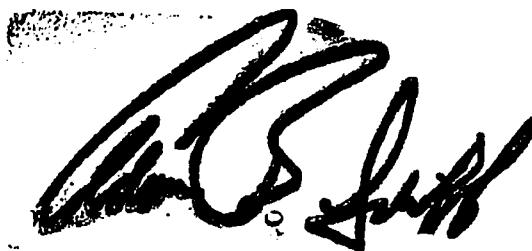
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Moreover, as part of its review, DOJ and the FBI will need to factor in the extensive body of foundational information contained in the Committee Majority's document which was previously highly classified and which President Trump declassified and disclosed to the public on Friday, February 2, 2018. Your agencies should also take into account any additional information that you expect to declassify in the near future, including in response to other declassification requests. It is also imperative that DOJ and the FBI approach this review with due consideration of the profound public interest in ensuring the American people obtain sufficient information to judge for themselves the propriety of the Department and the Bureau's actions in the course of its counterintelligence investigation into Russia's interference in the 2016 U.S. elections and links between the Russian government and individuals associated with the campaign of President Donald Trump.

My staff and I stand ready to consult with you and your teams as you undertake this review. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Schiff', is written over a rectangular stamp area.

Adam Schiff

Ranking Member, House Permanent Select Committee on Intelligence

Cc: The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives

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Bitar, Maher

From: Bitar, Maher
Sent: Wednesday, February 7, 2018 4:15 PM
To: Boyd, Stephen E. (OLA)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Checking

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Wednesday, February 07, 2018 4:14 PM
To: Bitar, Maher (b) (6)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

7:30 PM ET?

Or tomorrow morning 9:30 AM ET.

From: Bitar, Maher (b) (6)
Sent: Wednesday, February 7, 2018 3:57 PM
To: Boyd, Stephen E. (OLA) (b) (6); Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>;
Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Bergreen, Timothy (b) (6); Bennett, Wells
(b) (6); Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Priestap, E. W. (CD)
(FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Thank you. Much appreciated.

Maher

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Wednesday, February 07, 2018 3:54 PM
To: Bitar, Maher (b) (6); Lasseter, David F. (OLA) <David.F.Lasseter@usdoj.gov>;
Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Bergreen, Timothy (b) (6); Bennett, Wells
(b) (6); Schools, Scott (ODAG) <Scott.Schools@usdoj.gov>; Priestap, E. W. (CD)
(FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Back to you momentarily on this. DAG is travelling w/ full schedule today so time window might be narrow, but we'll try to make it happen. SB

From: Bitar, Maher (b) (6)
Sent: Wednesday, February 7, 2018 3:37 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Boyd, Stephen E. (OLA) (b) (6)

Boyd, Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Priestap, E. W. (CD)
(FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Stephen, Scott, David –

Ranking Member Schiff would like to speak with Deputy Attorney General Rosenstein today to follow-up on his letter to the DAG (attached again), including with regard to his notification request regarding any proposed redactions. This can be an unclassified call.

Please advise what time today that works best for the DAG and we can work out the logistics.

Thanks in advance,
Maher

--
Maher Bitar
General Counsel (Minority)
U.S. House Permanent Select Committee on Intelligence (HPSCI)
HVC-304 - The Capitol
(b) (6)

From: Bitar, Maher
Sent: Tuesday, February 06, 2018 1:04 PM
To: 'Lasseter, David F. (OLA)' <David.F.Lasseter@usdoj.gov>; Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI;
Boyd, Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) Schools, Scott (ODAG) <Scott.Schools@usdoj.gov>; Priestap, E. W. (CD)
(FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Ok – keep us posted.

Maher

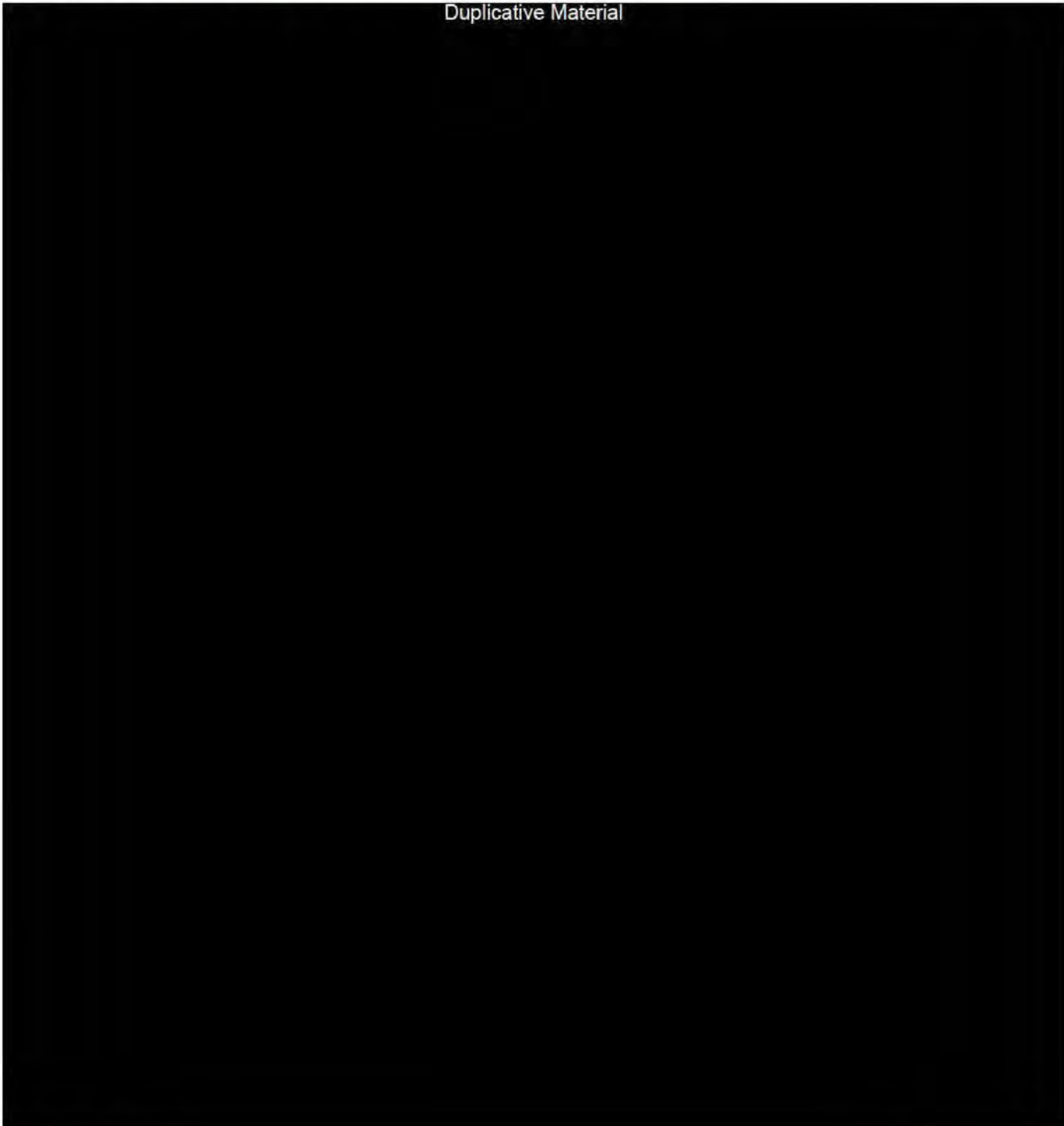
From: Lasseter, David F. (OLA) [<mailto:David.F.Lasseter@usdoj.gov>]
Sent: Tuesday, February 06, 2018 12:25 PM
To: Bitar, Maher (b) (6) Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Boyd,
Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) Schools, Scott (ODAG) <Scott.Schools@usdoj.gov>; Priestap, E. W. (CD)
(FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Maher—good afternoon. We will need to postpone this meeting. Will get back with you soonest.

THANKS,
David

From: Bitar, Maher (b) (6)
Sent: Tuesday, February 6, 2018 11:56 AM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Boyd, Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Duplicative Material



Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Wednesday, February 7, 2018 5:06 PM
To: Bitar, Maher
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Roger that. Thanks. DAG will personally call at 7:30 ET. SB

From: Bitar, Maher (b) (6)
Sent: Wednesday, February 7, 2018 5:04 PM
To: Boyd, Stephen E. (OLA) (b) (6)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Here you go – please protect since it’s a direct line: (b) (6)

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Wednesday, February 07, 2018 5:01 PM
To: Bitar, Maher (b) (6)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Probably best to get the number if we can?


From: Bitar, Maher (b) (6)
Sent: Wednesday, February 7, 2018 4:31 PM
To: Boyd, Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

7:30pm EST works. Your team can connect with RM Schiff on his cell phone. He’ll be expecting the call.

If your office doesn’t have it on file, let me know and we can provide it.

From: Boyd, Stephen E. (OLA) (b) (6)
Sent: Wednesday, February 07, 2018 4:14 PM
To: Bitar, Maher (b) (6)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Duplicative Material



Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Wednesday, February 7, 2018 5:10 PM
To: Boyd, Stephen E. (OLA)
Cc: Terwilliger, Zachary (ODAG); Murphy, Marcia (ODAG)
Subject: RE: DAG/Schiff Phone Call

Copy, thanks. [REDACTED] (b) (5)

Adding Marcy.

Thanks,
Rob

From: Boyd, Stephen E. (OLA)
Sent: Wednesday, February 7, 2018 5:09 PM
To: Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>
Cc: Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>
Subject: DAG/Schiff Phone Call

We're set up for the DAG to call Schiff at 7:30 ET. Schiff's cell phone: [REDACTED] (b) (6)

Subject is the recent letter. RH has a copy.

Stephen E. Boyd
Assistant Attorney General
U.S. Department of Justice
Washington, D.C.

[REDACTED] (b) (6)

Murphy, Marcia (ODAG)

From: Murphy, Marcia (ODAG)
Sent: Wednesday, February 7, 2018 5:47 PM
To: Rosenstein, Rod (ODAG)
Cc: Hur, Robert (ODAG); Terwilliger, Zachary (ODAG); Boyd, Stephen E. (OLA)
Subject: FW: Schiff - request for call
Attachments: 20180205 - Letter to FBI and DOJ on HPSCI Minority Memo.pdf
Importance: High

Here's the letter.

Marcy Murphy
Confidential Assistant to the
Deputy Attorney General
202-514-2101

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Wednesday, February 7, 2018 6:40 PM
To: Boyd, Stephen E. (OLA)
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

SB—please put stuff on me that relieves some pressure on you.

I will assist on the other project in the reviews.

dfi

From: Bitar, Maher (b) (6)
Sent: Wednesday, February 7, 2018 3:37 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI;
Boyd, Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6) Bennett, Wells
(b) (6) Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>; Priestap, E. W. (CD)
(FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Letter regarding HPSCI Minority Memorandum - DOJ/FBI Review

Duplicative Material



Gauhar, Tashina (ODAG)

From: Gauhar, Tashina (ODAG)
Sent: Wednesday, February 14, 2018 9:05 AM
To: Schools, Scott (ODAG)
Cc: Hur, Robert (ODAG)
Subject: Re: HPSCI Minority Memorandum - Proposed Redactions

I am at a meeting at Treasury this morning, but available to help however you need once I get back.

On Feb 14, 2018, at 8:17 AM, Schools, Scott (ODAG) <sschools@jmd.usdoj.gov> wrote:

FYI. Maher is on HPSCI minority staff. I will be at SSCI with Andy, likely most of the day, (b) (5)
[REDACTED] Thanks.

From: Bitar, Maher [REDACTED] (b) (6)
Sent: Tuesday, February 13, 2018 9:54 PM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI [REDACTED]; Boyd, Stephen E. (OLA)
[REDACTED] (b) (6) Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Cc: Bergreen, Timothy <[REDACTED] (b) (6)> Bennett, Wells
<[REDACTED] (b) (6)> (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI Anderson, Trisha B. (OGC) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: HPSCI Minority Memorandum - Proposed Redactions

Greg, Stephen, Scott -

We're writing to confirm that we dropped off with Greg and Chad at 6pm today a version of the Minority memorandum that includes proposed redactions, which we would like DOJ and the FBI to consider.

These surgical redactions reflect, in our view, the technical consultation we and your experts had yesterday, as well as additional views of the Ranking Member.

We believe these redactions ensure that already declassified information is not inadvertently blacked out, and insure that areas which the committee unanimously voted to declassify in the public interest are only redacted where necessary to address and protect your agencies' national security, law enforcement, and investigative concerns. This is consistent with what you conveyed to the White House in DAG Rosenstein and Director Wray's February 9 letter to the White House Counsel and which we discussed in more depth during our expert consultation yesterday. We believe that only limited redactions are necessary to protect your equities, while preserving adequate context in the memorandum, given the profound public interest in ensuring public understanding of the material facts.

In sharing this copy with surgical redactions, we hope to reach an understanding with your agencies that these redactions address DOJ and the FBI's concerns and mitigate any risks you identified in the unredacted version of our memorandum. We stand ready to meet again tomorrow

to discuss any remaining concerns you may have, so that we can resolve this soonest.

Once we have come to agreement on redactions, we would ask that your agencies confirm in writing to us that these redactions address all concerns identified by DOJ and the FBI, and that you are either declassifying the document or have no objection to making the agreed upon document public. Although the President failed to abide by the requirements of House Rule X (11) (g), which means the Committee could release the redacted document mindful that we have met any legitimate concerns of law enforcement, we prefer to resolve this matter in a cooperative manner that meets your concerns and ours.

If you believe that you still need to seek White House approval after we reach agreement, despite the White House Counsel's advisement that "the Executive Branch" - vice the President or White House - "stands ready to review any subsequent draft of the February 5th Memorandum for declassification at the earliest opportunity," we would ask that you affirm to the White House that appropriate redactions have been made to address all of your concerns and notify our committee concurrently so that we can take appropriate action if the White House still objects for political reasons.

Happy to discuss this further in the morning.

Maher

Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Wednesday, February 14, 2018 12:17 PM
To: Schools, Scott (ODAG); Hur, Robert (ODAG)
Subject: FW: HPSCI Minority Memorandum - Proposed Redactions

Do either/both of you have a moment to discuss? [REDACTED] (b) (5)

[REDACTED]. SB


From: Bergreen, Timothy [REDACTED] (b) (6)
Sent: Wednesday, February 14, 2018 12:03 PM
To: Bitar, Maher [REDACTED] (b) (6); Brower, Gregory (DO) (FBI) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; Boyd, Stephen E. (OLA) [REDACTED] (b) (6) Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Cc: Bennett, Wells [REDACTED] (b) (6) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI, Priestap, E. W. (CD) (FBI) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; Anderson, Trisha B. (OGC) (FBI) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: HPSCI Minority Memorandum - Proposed Redactions

Hi, all:

Not sure where you are in your review, but we are available to go over, either on the phone, or down at your place, this afternoon.

From: Bitar, Maher
Sent: Tuesday, February 13, 2018 9:54 PM
To: Gregory Brower [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI; [REDACTED] (b) (6) Scott.Schools@usdoj.gov
Cc: Bergreen, Timothy [REDACTED] (b) (6); Bennett, Wells [REDACTED] (b) (6) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI Trisha B. Anderson [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: HPSCI Minority Memorandum - Proposed Redactions

Duplicative Material



Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Thursday, February 15, 2018 11:18 AM
To: Rosenstein, Rod (ODAG); Hur, Robert (ODAG)
Cc: Terwilliger, Zachary (ODAG)
Subject: RE: HPSCI Minority Memorandum

Rgr that Sir

From: Rosenstein, Rod (ODAG)
Sent: Thursday, February 15, 2018 11:17 AM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>
Cc: Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>
Subject: RE: HPSCI Minority Memorandum

(b) (5)

From: Lasseter, David F. (OLA)
Sent: Thursday, February 15, 2018 11:02 AM
To: Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>; Rosenstein, Rod (ODAG) (b) (6)
Cc: Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>
Subject: RE: HPSCI Minority Memorandum

Exactly right. I informed Boyd. (b) (5)

From: Hur, Robert (ODAG)
Sent: Thursday, February 15, 2018 11:01 AM
To: Rosenstein, Rod (ODAG) (b) (6)
Cc: Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>; Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: FW: HPSCI Minority Memorandum

FYSA – (b) (5)
(see my highlights).

(b) (5)

Rob

From: Boyd, Stephen E. (OLA)
Sent: Thursday, February 15, 2018 10:50 AM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>; Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>
Subject: FW: HPSCI Minority Memorandum

FYI below.

From: Bitar, Maher (b) (6)
Sent: Thursday, February 15, 2018 10:41 AM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Bergreen, Timothy (b) (6); Boyd, Stephen E. (OLA) (b) (6); Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Cc: Bennett, Wells (b) (6) (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: HPSCI Minority Memorandum

All –

Pursuant to the Ranking Member's call this morning with DAG Rosenstein, we wanted to urge the following next steps:

We understand that DOJ and FBI will finalize today a review of the proposed redactions we shared with you on Tuesday (per the below) to confirm that these surgical redactions address and protect your agencies' national security and law enforcement concerns. We stand ready to meet again today to discuss any additional views you have about the proposed redactions and come to mutual agreement, as needed.

Once we have come to agreement on the redactions, DOJ and FBI will confirm in writing to the Ranking Member that, notwithstanding DOJ's general position that it does not favor release of material from FISA applications, this version of the Minority memorandum, with these surgical redactions, adequately addresses and protects your agencies' national security and law enforcement concerns. It will be important that the Ranking Member receive your views in writing, so that we can properly understand your agencies' position. Concurrently, DOJ and FBI will transmit to the White House this version of the Minority memorandum along with the same written certification that your concerns have been adequately addressed and protected.

We believe this process can and should be resolved by close of business today, which would be in our respective institutions' mutual interest.

Consistent with the White House Counsel's February 9 letter, we will then expect the White House to agree in short order with the public release of the memorandum, since DOJ and FBI's identified concerns will have been adequately addressed.

Maheer

--
Maheer Bitar
General Counsel (Minority)
U.S. House Permanent Select Committee on Intelligence (HPSCI)
HVC-304 - The Capitol
(b) (6)

From: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Wednesday, February 14, 2018 8:07 PM
To: Bergreen, Timothy (b) (6); Bitar, Maher (b) (6); Boyd, Stephen E. (OLA) (JMD) (b) (6); Schools, Scott (ODAG) (JMD)

<Scott.Schools@usdoj.gov>

Cc: Bennett, Wells <(b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI>;
Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI;
Hoven, Christopher (b) (6)
Subject: Re: HPSCI Minority Memorandum

Tim-

Just seeing this-- SCIF most of day and haven't talked to Director who was traveling. I will be in touch tomorrow.

Greg

----- Original message -----

From: "Bergreen, Timothy" (b) (6)
Date: 2/14/18 5:43 PM (GMT-05:00)
To: "Bitar, Maher" (b) (6); "Brower, Gregory (DO) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI>; "Boyd, Stephen E. (OLA) (JMD)" (b) (6)>; "Schools, Scott (ODAG) (JMD)"
<Scott.Schools@usdoj.gov>
Cc: "Bennett, Wells" (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI)"
(b)(6), (b)(7)(C), (b)(7)(E) per FBI "Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI "Anderson, Trisha B. (OGC) (FBI)"
(b)(6), (b)(7)(C), (b)(7)(E) per FBI "Hoven, Christopher" (b) (6)
Subject: HPSCI Minority Memorandum

All:

Ranking member Schiff would like to speak with Director Wray tomorrow morning. We can have him available anytime between 9 and 10 as a first offering from us. It would probably be better to do the call secure if there is to be any discussion of specific items.

As you know, the Ranking Member is eager to resolve this soonest.

Christopher Hoven, Mr. Schiff's scheduler, is CC:d.

Thanks,

Tim

From: Bitar, Maher
Sent: Tuesday, February 13, 2018 9:54 PM
To: Gregory Brower (b)(6), (b)(7)(C), (b)(7)(E) per FBI (b) (6) Scott.Schools@usdoj.gov
Cc: Bergreen, Timothy (b) (6)>; Bennett, Wells (b)(6); (b)(6), (b)(7)(C), (b)(7)(E) per FBI Trisha B. Anderson (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: HPSCI Minority Memorandum - Proposed Redactions

Duplicative Material

Hur, Robert (ODAG)

From: Hur, Robert (ODAG)
Sent: Thursday, February 15, 2018 11:54 AM
To: Lasseter, David F. (OLA)
Cc: Rosenstein, Rod (ODAG); Terwilliger, Zachary (ODAG); Boyd, Stephen E. (OLA); Schools, Scott (ODAG)
Subject: Re: HPSCI Minority Memorandum

Adding Scott to this thread.


Sent from my iPhone

On Feb 15, 2018, at 11:34 AM, Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov> wrote:

Good conversation. Expressed below position. Can discuss more with whomever if desired.

From: Rosenstein, Rod (ODAG)
Sent: Thursday, February 15, 2018 11:17 AM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Hur, Robert (ODAG) <rhur@jmd.usdoj.gov>
Cc: Terwilliger, Zachary (ODAG) <zterwilliger@jmd.usdoj.gov>
Subject: RE: HPSCI Minority Memorandum

Duplicative Material



Schools, Scott (ODAG)

From: Schools, Scott (ODAG)
Sent: Friday, February 16, 2018 2:28 PM
To: Hur, Robert (ODAG)
Subject: FW: HPSCI Minority Memorandum

FYSA.

From: Bitar, Maher (b) (6)
Sent: Friday, February 16, 2018 2:25 PM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Bergreen, Timothy (b) (6); Boyd, Stephen E. (OLA) (b) (6); Schools, Scott (ODAG) <sschools@jmd.usdoj.gov>
Cc: Bennett, Wells (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Lasseeter, David F. (OLA) <dlasseter@jmd.usdoj.gov>
Subject: RE: HPSCI Minority Memorandum

All –

Thanks again for meeting earlier today. We had the chance to consult with the Ranking Member. We went through the text and proposed redactions again and would like to hand over today an updated version that we believe addresses both your and our interests.

Would someone be able to meet at 4pm today at FBI for me to hand over the document and clarify a couple of related matters? It would be very brief.

Thanks,
Maher

From: Bitar, Maher
Sent: Thursday, February 15, 2018 10:41 AM
To: 'Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI'; Bergreen, Timothy (b) (6); Boyd, Stephen E. (OLA) (JMD) (b) (6); Schools, Scott (ODAG) (JMD) <Scott.Schools@usdoj.gov>
Cc: Bennett, Wells (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: HPSCI Minority Memorandum

All –

Pursuant to the Ranking Member's call this morning with DAG Rosenstein, we wanted to urge the following next steps:

We understand that DOJ and FBI will finalize today a review of the proposed redactions we shared with you on Tuesday (per the below) to confirm that these surgical redactions address and protect your agencies' national security and law enforcement concerns. We stand ready to meet again today to discuss any

additional views you have about the proposed redactions and come to mutual agreement, as needed.

Once we have come to agreement on the redactions, DOJ and FBI will confirm in writing to the Ranking Member that, notwithstanding DOJ's general position that it does not favor release of material from FISA applications, this version of the Minority memorandum, with these surgical redactions, adequately addresses and protects your agencies' national security and law enforcement concerns. It will be important that the Ranking Member receive your views in writing, so that we can properly understand your agencies' position. Concurrently, DOJ and FBI will transmit to the White House this version of the Minority memorandum along with the same written certification that your concerns have been adequately addressed and protected.

We believe this process can and should be resolved by **close of business today**, which would be in our respective institutions' mutual interest.

Consistent with the White House Counsel's February 9 letter, we will then expect the White House to agree in short order with the public release of the memorandum, since DOJ and FBI's identified concerns will have been adequately addressed.


Maier

--

Maier Bitar
General Counsel (Minority)
U.S. House Permanent Select Committee on Intelligence (HPSCI)
HVC-304 - The Capitol
(b) (6)

From: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Sent: Wednesday, February 14, 2018 8:07 PM
To: Bergreen, Timothy (b) (6); Bitar, Maier <(b) (6)>
Boyd, Stephen E. (OLA) (JMD) (b) (6); Schools, Scott (ODAG) (JMD)
<Scott.Schools@usdoj.gov>
Cc: Bennett, Wells (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI;
Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Hoven, Christopher <(b) (6)>
Subject: Re: HPSCI Minority Memorandum

Duplicative Material



Brower, Gregory (DO) (FBI)

From: Brower, Gregory (DO) (FBI)
Sent: Friday, February 16, 2018 3:15 PM
To: Bitar, Maher
Cc: Bergreen, Timothy; Boyd, Stephen E. (OLA); Schools, Scott (ODAG); Bennett, Wells; (b)(6), (b)(7)(C) per FBI (DO) (FBI); Priestap, E. W. (CD) (FBI); Anderson, Trisha B. (OGC) (FBI); Lasseter, David F. (OLA)
Subject: RE: HPSCI Minority Memorandum

Sure. Let me know when you arrive.

Gregory A. Brower
Assistant Director
FBI Congressional Affairs
(Direct) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(Mobile) [REDACTED]

From: Bitar, Maher [REDACTED] (b) (6)
Sent: Friday, February 16, 2018 3:13 PM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Bergreen, Timothy [REDACTED] (b) (6); Boyd, Stephen E. (OLA) (JMD); [REDACTED] (b) (6); Schools, Scott (ODAG) (JMD) <Scott.Schools@usdoj.gov>; Bennett, Wells [REDACTED] (b) (6); (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B. (OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI Lasseter, David F. (OLA) (JMD) <David.F.Lasseter@usdoj.gov>
Subject: Re: HPSCI Minority Memorandum

That's fine. Can we aim for 4:15pm?

Thanks,

Maher

On Feb 16, 2018, at 3:07 PM, Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI wrote:

Maher:

I can take receipt today, but I am not that that anyone from OGC or CD is going to be able to meet. Please advise.

Thx
GB

Gregory A. Brower
Assistant Director
FBI Congressional Affairs
(Direct) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
(Mobile) [REDACTED]

From: Bitar, [REDACTED] (b) (6)

Sent: Friday, February 16, 2018 2:25 PM

To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Bergreen, Timothy

<(b)(6) Boyd, Stephen E. (OLA) (JMD)

<(b)(6) Schools, Scott (ODAG) (JMD) <Scott.Schools@usdoj.gov>

Cc: Bennett, Wells (b)(6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI (DO) (FBI)

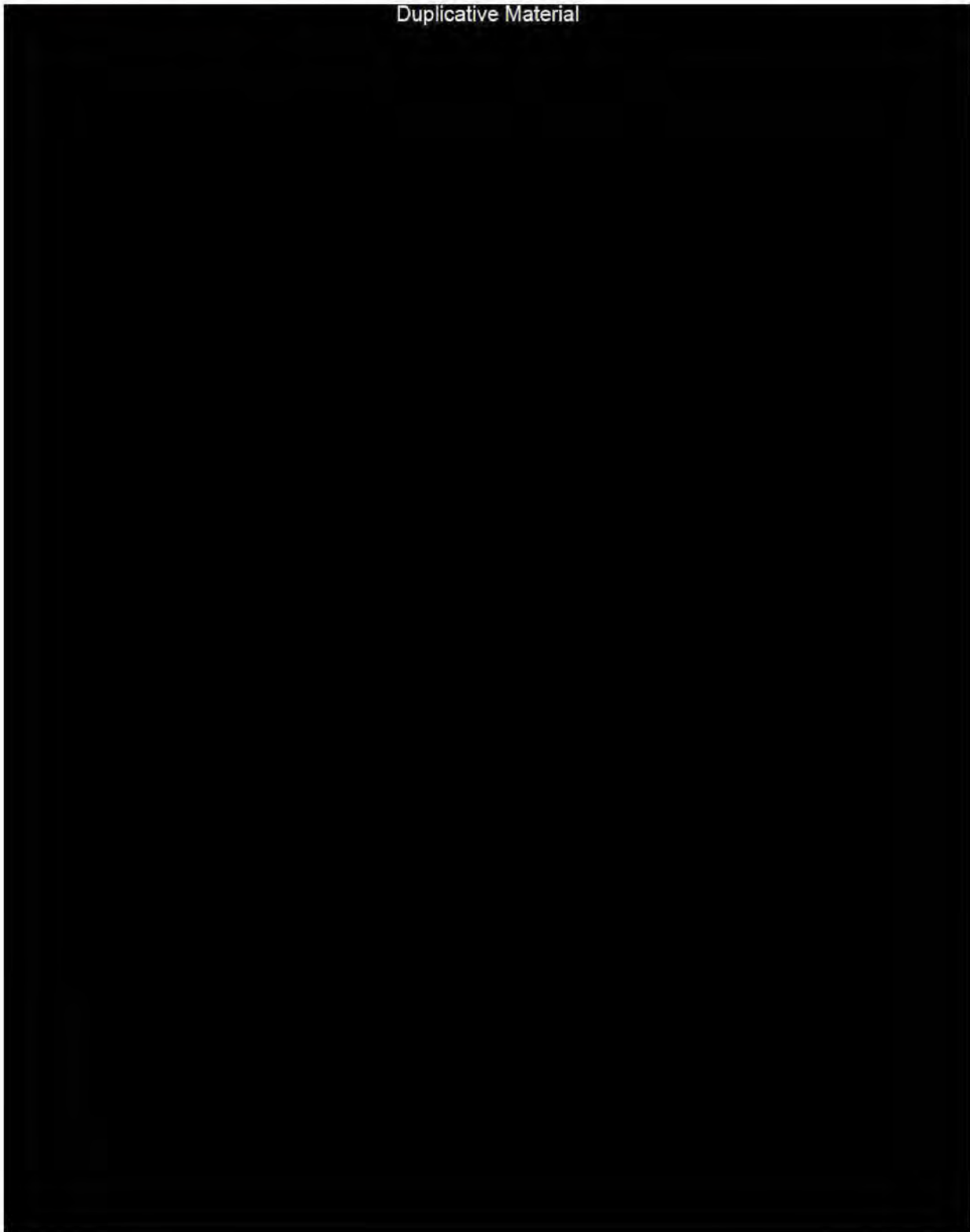
(b)(6), (b)(7)(C), (b)(7)(E) per FBI >; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B.

(OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Lasseter, David F. (OLA) (JMD)

<David.F.Lasseter@usdoj.gov>

Subject: RE: HPSCI Minority Memorandum

Duplicative Material



Schools, Scott (ODAG)

From: Schools, Scott (ODAG)
Sent: Friday, February 16, 2018 7:33 PM
To: Hur, Robert (ODAG)
Subject: Fwd: HPSCI Minority Memorandum

As I said ...

Begin forwarded message:

From: "Bitar, Maher" (b) (6)
Date: February 16, 2018 at 5:55:47 PM EST
To: "Brower, Gregory (DO) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: "Bergreen, Timothy" (b) (6) "Boyd, Stephen E. (OLA) (JMD)" (b) (6), "Schools, Scott (ODAG) (JMD)" <Scott.Schools@usdoj.gov>, "Bennett, Wells" (b) (6), (b)(6), (b)(7)(C), (b)(7)(E) per FBI "DO) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI "Priestap, E. W. (CD) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI, "Anderson, Trisha B. (OGC) (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI "Lasseter, David F. (OLA) (JMD)" <David.F.Lasseter@usdoj.gov>, "Travel, WB" (b) (6) "Travel, MB" (b) (6)
Subject: RE: HPSCI Minority Memorandum

Greg – thanks again for receiving the document a short while ago. As noted, the document you received reflects, in our view, redactions to ensure the document now in your possession should be deemed unclassified. We explained the specific reasoning behind each redaction to the Ranking Member, and we are of the view that this version now addresses both your and our interests.

We would appreciate your review of this version to determine it is appropriately unclassified with the proposed redactions, which the team indicated earlier today could occur by Tuesday. If you believe modifications need to be made to the proposed redactions, we ask that you flag these for us, so that we can make sure they do not raise concerns for the Ranking Member. Although Wells and I will be on work travel much of next week, Tim will be available to meet or discuss by phone. (I have CCed Wells and my travel email addresses to this chain - WB and MB Travel – please ensure our regular and travel email addresses are included on correspondence.)

Once there is mutual agreement on the redactions, the Ranking Member asks that the document – with appropriate classification markings struck through or redacted – and an accompanying letter certifying that DOJ and FBI now deem the document to be unclassified be sent to him. We ask that the document and letter be sent to those of us on this chain electronically or Tim can pick them up in person.

Since this is the Minority's document, the Ranking Member will want to release the document to the public at his discretion. We would also ask, since the memorandum is the property of the Minority, that all copies of the original document be provided back to us at the conclusion of this ordeal.

Thanks and don't hesitate to reach out if you have questions,

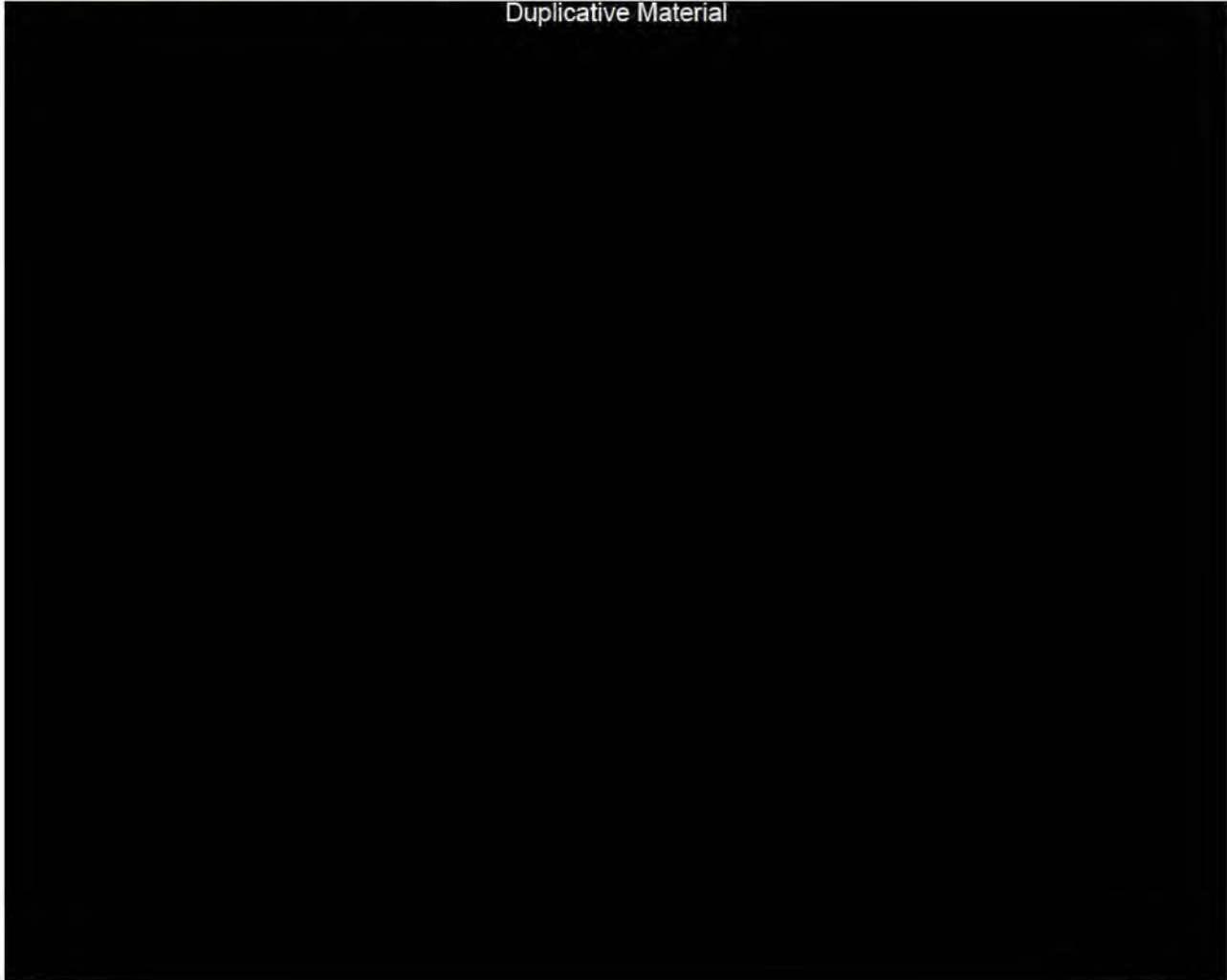
Maher

--

Maher Bitar
General Counsel (Minority)
U.S. House Permanent Select Committee on Intelligence (HPSCI)
HVC-304 - The Capitol
(b) (6)

From: Bitar, Maher
Sent: Friday, February 16, 2018 3:13 PM
To: Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Cc: Bergreen, Timothy (b) (6) Boyd, Stephen E. (OLA) (JMD)
(b) (6) Schools, Scott (ODAG) (JMD) <Scott.Schools@usdoj.gov>;
Bennett, Wells (b) (6) (b)(6), (b)(7)(C), (b)(7)(E) per FBI. (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI; Priestap, E. W. (CD) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Anderson, Trisha B.
(OGC) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Lasseter, David F. (OLA) (JMD)
<David.F.Lasseter@usdoj.gov>
Subject: Re: HPSCI Minority Memorandum

Duplicative Material



Bergreen, Timothy

From: Bergreen, Timothy
Sent: Wednesday, February 21, 2018 7:25 AM
To: Brower, Gregory (DO) (FBI); Boyd, Stephen E. (OLA)
Subject: Just checking in

Morning, Gentlemen:

Anticipating "inquiries" from my chain-of-command.

Thanks,

Tim

Timothy S. Bergreen
HPSCI

Bergreen, Timothy

From: Bergreen, Timothy
Sent: Saturday, February 24, 2018 11:56 AM
To: Boyd, Stephen E. (OLA)
Subject: Re: Update: Memo Return Today

Just tried you

Timothy S. Bergreen
HPSCI

> On Feb 24, 2018, at 11:32, Boyd, Stephen E. (OLA) (b) (6) wrote:

>
> Yup. Just call (b) (6) when you are free.

>
> -----Original Message-----

> From: Bergreen, Timothy (b) (6)

> Sent: Saturday, February 24, 2018 11:31 AM

> To: Boyd, Stephen E. (OLA) (b) (6)

> Subject: Re: Update: Memo Return Today

>
> Can you give me until 1150 to call?

>
> Timothy S. Bergreen
> HPSCI

>
>> On Feb 24, 2018, at 11:25, Bergreen, Timothy (b) (6) > wrote:

>>
>> (b) (6)
>>
>> Timothy S. Bergreen
>> HPSCI

>>
>>> On Feb 24, 2018, at 11:08, Boyd, Stephen E. (OLA) (b) (6) wrote:

>>>
>>> What's your best number? Have a logistics question.

>>>
>>> -----Original Message-----

>>> From: Bergreen, Timothy (b) (6)

>>> Sent: Saturday, February 24, 2018 10:11 AM

>>> To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>

>>> Cc: Boyd, Stephen E. (OLA) (b) (6); Nelson, Damon (b) (6)

(b) (6); Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI; Wirkkala, Rheanne (b) (6)

(b) (6); Bitar, Maher <(b) (6)> Bennett, Wells (b) (6)

(b) (6) Blake, Carly (b) (6)

>>> Subject: Re: Update: Memo Return Today

>>>

///

>>> Minority will be at HPSCI at 1300.

>>>

>>> Timothy S. Bergreen

>>> HPSCI

>>>

>>>> On Feb 24, 2018, at 09:43, Lasseeter, David F. (OLA) <David.F.Lasseeter@usdoj.gov> wrote:

>>>>

>>>> Damon/Tim-good morning. Following up on Stephen's email I would like to setup a time to make a hand-delivery this afternoon. I would plan to deliver one copy of the document and an accompanying cover letter to each of you. I suggest doing this at 1pm at the HPSCI spaces. In the alternative, I could leave with House Security under both of your names.

>>>>

>>>> Please confirm that this plan is acceptable.

>>>>

>>>> Thanks,

>>>> David

>>>>

>>>>

>>>> David F. Lasseeter

>>>>

>>>>> On Feb 24, 2018, at 09:23, Boyd, Stephen E. (OLA) [REDACTED] (b) (6) wrote:

>>>>>

>>>>> Gentlemen:

>>>>>

>>>>> I wanted to make you both aware that we anticipate having the Minority memo back to the Committee as early as today, probably early this afternoon.

>>>>>

>>>>> I will be back in touch with you regarding transmittal, but wanted to give you a heads up now that this is probably coming your way.

>>>>>

>>>>> Please confirm receipt.

>>>>>

>>>>> Thanks,

>>>>>

>>>>> Stephen

>>>>>

>>>>> Sent from my iPhone

>>>

>

Lasseter, David F. (OLA)

From: Lasseter, David F. (OLA)
Sent: Saturday, February 24, 2018 2:14 PM
To: Nelson, Damon; Bergreen, Timothy
Cc: Brower, Gregory (DO) (FBI); Boyd, Stephen E. (OLA)
Subject: RE: Update: Memo Return Today
Attachments: Redacted Minority Memo.pdf; Letter to Chairman.pdf

Damon/Tim--please find attached cover letter to Chairman Nunes and the redacted unclassified version of the HPSCI Minority memo.

Thanks,
David

-----Original Message-----

From: Nelson, Damon (b) (6)
Sent: Saturday, February 24, 2018 1:11 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Boyd, Stephen E. (OLA) (b) (6)
Cc: Bergreen, Timothy (b) (6) Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Update: Memo Return Today

Do you have an estimated time?

-----Original Message-----

From: Lasseter, David F. (OLA) (b) (6)
Sent: Saturday, February 24, 2018 12:30 PM
To: Boyd, Stephen E. (OLA) (b) (6)
Cc: Nelson, Damon (b) (6) Bergreen, Timothy (b) (6) (b) (6) Brower, Gregory (DO) (FBI) (b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: Re: Update: Memo Return Today

Damon/Tim--good afternoon. We are currently in the middle of doing the redactions. It is unlikely we will be there at 1300. We will provide an update when we are headed to you.

Thanks,
David

David F. Lasseter

> On Feb 24, 2018, at 09:43, Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov> wrote:
>

Duplicative Material



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 24, 2018

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

As directed by the President and in accordance with a letter provided to you on February 9, 2018, Department of Justice (Department) and Federal Bureau of Investigation (FBI) personnel have provided technical assistance to the House Permanent Select Committee on Intelligence (Committee) with respect to the second classified memorandum written by Committee members.

The enclosed version of that memorandum identifies the redactions that the Department and the FBI believe are necessary to protect information that remains properly classified in accordance with Executive Order 13526. The classification determinations reflected in this document have been made by career professionals taking into account the President's decision to declassify an earlier memorandum, as described in a letter to you dated February 2, 2018.

With the redactions as marked in the enclosed, the document is unclassified.

Very truly yours,

A handwritten signature in blue ink, appearing to read "S. Boyd", written over the typed name.

Stephen E. Boyd
Assistant Attorney General

Enclosure

Cc: The Honorable Adam Schiff
Ranking Member
House Permanent Select Committee on Intelligence

~~TOP SECRET//NOFORN~~

TO: All Members of the House of Representatives
FROM: HPSCI Minority
DATE: January 29, 2018
RE: Correcting the Record – The Russia Investigations

The HPSCI Majority's move to release to the House of Representatives its allegations against the Federal Bureau of Investigation (FBI) and the Department of Justice (DOJ) is a transparent effort to undermine those agencies, the Special Counsel, and Congress' investigations. It also risks public exposure of sensitive sources and methods for no legitimate purpose.

FBI and DOJ officials did not "abuse" the Foreign Intelligence Surveillance Act (FISA) process, omit material information, or subvert this vital tool to spy on the Trump campaign.

In fact, DOJ and the FBI would have been remiss in their duty to protect the country had they not sought a FISA warrant and repeated renewals to conduct temporary surveillance of Carter Page, someone the FBI assessed to be an agent of the Russian government. DOJ met the rigor, transparency, and evidentiary basis needed to meet FISA's probable cause requirement, by demonstrating:

- o contemporaneous evidence of Russia's election interference;
- o concerning Russian links and outreach to Trump campaign officials;
- o Page's history with Russian intelligence; and
- o [REDACTED] Page's suspicious activities in 2016, including in Moscow.

The Committee's Minority has therefore prepared this memorandum to correct the record:

- **Christopher Steele's raw intelligence reporting did not inform the FBI's decision to initiate its counterintelligence investigation in late July 2016.** In fact, the FBI's closely-held investigative team only received Steele's reporting in mid-September – more than seven weeks later. The FBI – and, subsequently, the Special Counsel's – investigation into links between the Russian government and Trump campaign associates has been based on troubling law enforcement and intelligence information unrelated to the "dossier."
- **DOJ's October 21, 2016 FISA application and three subsequent renewals carefully outlined for the Court a multi-pronged rationale for surveilling Page, who, at the time of the first application, was no longer with the Trump campaign.** DOJ detailed Page's past relationships with Russian spies and interaction with Russian officials during the 2016 campaign, [REDACTED]. DOJ cited multiple sources to support the case for surveilling Page — but made only narrow use of information from Steele's sources about Page's specific activities in 2016, chiefly his suspected July 2016 meetings in Moscow with Russian officials. [REDACTED]. In fact, the FBI interviewed Page in March 2016 about his contact with Russian intelligence, the very month candidate Donald Trump named him a foreign policy advisor.

As DOJ informed the Court in subsequent renewals, [REDACTED] **Steele's reporting about Page's Moscow meetings** [REDACTED], DOJ's applications did not otherwise rely on Steele's reporting, including any "salacious" allegations

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about Trump, and the FBI never paid Steele for this reporting. While explaining why the FBI viewed Steele's reporting and sources as reliable and credible, DOJ also disclosed:

- Steele's prior relationship with the FBI;
 - the fact of and reason for his termination as a source; and
 - the assessed political motivation of those who hired him.
- **The Committee Majority's memorandum, which draws selectively on highly sensitive classified information, includes other distortions and misrepresentations that are contradicted by the underlying classified documents, which the vast majority of Members of the Committee and the House have not had the opportunity to review – and which Chairman Nunes chose not to read himself.¹**

Background

On January 18, 2018, the Committee Majority, during an unrelated business meeting, forced a surprise vote to release to the full House a profoundly misleading memorandum alleging serious abuses by the FBI and DOJ. Majority staff drafted the document in secret on behalf of Chairman Devin Nunes (and reportedly with guidance and input from Rep. Trey Gowdy), and then rushed a party-line vote without prior notice.

This was by design. The overwhelming majority of Committee Members never received DOJ authorization to access the underlying classified information, and therefore could not judge the veracity of Chairman Nunes' claims. Due to sensitive sources and methods, DOJ provided access only to the Committee's Chair and Ranking Member (or respective designees), and limited staff, to facilitate the Committee's investigation into Russia's covert campaign to influence the 2016 U.S. elections.² As DOJ has confirmed publicly, it did not authorize the broader release of this information within Congress or to the public, and Chairman Nunes refused to allow DOJ and the FBI to review his document until he permitted the FBI Director to see it for the first time in HPSCI's secure spaces late on Sunday, January 28 – 10 days after disclosure to the House.³

FBI's Counterintelligence Investigation

In its October 2016 FISA application and subsequent renewals, DOJ accurately informed the Court that the FBI initiated its counterintelligence investigation on July 31, 2016, after receiving information [REDACTED]. George Papadopoulos revealed [REDACTED] that individuals linked to Russia, who took interest in Papadopoulos as a Trump campaign foreign policy adviser, informed him in late April 2016 that Russia [REDACTED].⁴ Papadopoulos's disclosure, moreover, occurred against the backdrop of Russia's aggressive covert campaign to influence our elections, which the FBI was already monitoring. We would later learn in Papadopoulos's plea that that the information the Russians could assist by anonymously releasing were thousands of Hillary Clinton's emails.⁵

DOJ told the Court the truth. Its representation was consistent with the FBI's underlying investigative record, which current and former senior officials later corroborated in extensive

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Committee testimony. Christopher Steele's reporting, which he began to share with an FBI agent [REDACTED] through the end of October 2016, **played no role** in launching the FBI's counterintelligence investigation into Russian interference and links to the Trump campaign. In fact, Steele's reporting did not reach the counterintelligence team investigating Russia at FBI headquarters until mid-September 2016, more than seven weeks after the FBI opened its investigation, because the probe's existence was so closely held within the FBI.⁶ By then, the FBI had already opened sub-inquiries into [REDACTED] individuals linked to the Trump campaign:

[REDACTED] and former campaign foreign policy advisor **Carter Page**.

As Committee testimony bears out, the FBI would have continued its investigation, including against [REDACTED] individuals, even if it had never received information from Steele, never applied for a FISA warrant against Page, or if the FISC had rejected the application.⁷

DOJ's FISA Application and Renewals

The initial warrant application and subsequent renewals received independent scrutiny and approval by four different federal judges, ²three of whom were appointed by President George W. Bush and one by President Ronald Reagan. DOJ first applied to the FISC on October 21, 2016 for a warrant to permit the FBI to initiate electronic surveillance and physical search of Page for 90 days, consistent with FISA requirements. The Court approved three renewals – in early January 2017, early April 2017, and late June 2017 – which authorized the FBI to maintain surveillance on Page until late September 2017. Senior DOJ and FBI officials appointed by the Obama and Trump Administrations, including acting Attorney General Dana Boente and Deputy Attorney General Rod Rosenstein, certified the applications with the Court.

one by George H.W. Bush

FISA was not used to spy on Trump or his campaign. As the Trump campaign and Page have acknowledged, Page ended his formal affiliation with the campaign months **before** DOJ applied for a warrant. DOJ, moreover, submitted the initial application **less than three weeks** before the election, even though the FBI's investigation had been ongoing since the end of July 2016.

DOJ's warrant request was based on compelling evidence and probable cause to believe Page was knowingly assisting clandestine Russian intelligence activities in the U.S.:

- **Page's Connections to Russian Government and Intelligence Officials:** The FBI had an independent basis for investigating Page's motivations and actions during the campaign, transition, and following the inauguration. As DOJ described in detail to the Court, Page had an extensive record as [REDACTED] [REDACTED]⁸ prior to joining the Trump campaign. He resided in Moscow from 2004-2007 and pursued business deals with Russia's state-owned energy company Gazprom— [REDACTED]⁹ As early as [REDACTED], a Russian intelligence officer [REDACTED] targeted Page for recruitment. Page showed [REDACTED].

UNCLASSIFIED

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Page remained on the radar of Russian intelligence and the FBI. In 2013, prosecutors indicted three other Russian spies, two of whom targeted Page for recruitment. The FBI also interviewed Page multiple times about his Russian intelligence contacts, including in March 2016.¹⁰ The FBI's concern about and knowledge of Page's activities therefore long predate the FBI's receipt of Steele's information.

- **Page's Suspicious Activity During the 2016 Campaign:** The FISA applications also detail Page's suspicious activity after joining the Trump campaign in March 2016. [REDACTED] Page traveled to Moscow in July 2016, during which he gave a university commencement address – an honor usually reserved for well-known luminaries.
 - **It is in this specific sub-section of the applications that DOJ refers to Steele's reporting on Page and his alleged coordination with Russian officials.** Steele's information about Page was consistent with the FBI's assessment of Russian intelligence efforts to recruit him and his connections to Russian persons of interest.
 - In particular, Steele's sources reported that Page met separately while in Russia with Igor Sechin, a close associate of Vladimir Putin and executive chairman of Rosneft, Russia's state-owned oil company, and Igor Divyekin, a senior Kremlin official. Sechin allegedly discussed the prospect of future U.S.-Russia energy cooperation and "an associated move to lift Ukraine-related western sanctions against Russia." Divyekin allegedly disclosed to Page that the Kremlin possessed compromising information on Clinton ("kompromat") and noted "the possibility of its being released to Candidate #1's campaign."¹¹ [Note: "Candidate #1" refers to candidate Trump.] This closely tracks what other Russian contacts were informing another Trump foreign policy advisor, George Papadopoulos.
- In subsequent FISA renewals, **DOJ provided additional information obtained through multiple independent sources that corroborated Steele's reporting.**
 - [REDACTED]¹²
 - [REDACTED]
 - Page's [REDACTED] in Moscow with [REDACTED] senior Russian officials [REDACTED] as well as meetings with Russian officials [REDACTED]¹³

This information contradicts Page's November 2, 2017 testimony to the Committee, in which he initially denied any such meetings and then was forced to admit speaking with

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Dvorkovich and meeting with Rosneft's Sechin-tied investor relations chief, Andrey Baranov.

- **The Court-approved surveillance of Page allowed FBI to collect valuable intelligence.** The FISA renewals demonstrate that the FBI collected important investigative information and leads by conducting Court-approved surveillance. For instance, [REDACTED]

DOJ also documented evidence that Page [REDACTED]

[REDACTED], anticipated
[REDACTED] and repeatedly contacted [REDACTED]
[REDACTED] in an effort to present himself as [REDACTED]

15

16

Page's efforts to [REDACTED] also contradict his sworn testimony to our Committee.

DOJ's Transparency about Christopher Steele

Far from "omitting" material facts about Steele, as the Majority claims,¹⁷ DOJ repeatedly informed the Court about Steele's background, credibility, and potential bias. DOJ explained in detail Steele's prior relationship with and compensation from the FBI; his credibility, reporting history, and source network; the fact of and reason for his termination as a source in late October 2016; and the likely political motivations of those who hired Steele.

- **DOJ was transparent with Court about Steele's sourcing:** The Committee Majority, which had earlier accused Obama Administration officials of improper "unmasking," faults DOJ for not revealing the names of specific U.S. persons and entities in the FISA application and subsequent renewals. In fact, DOJ appropriately upheld its longstanding practice of protecting U.S. citizen information by purposefully not "unmasking" U.S. person and entity names, unless they were themselves the subject of a counterintelligence investigation. DOJ instead used generic identifiers that provided the Court with more than sufficient information to understand the political context of Steele's research. In an extensive explanation to the Court, DOJ discloses that Steele

"was approached by an identified U.S. Person,¹⁸ who indicated to Source #1[Steele]¹⁹ that a U.S.-based law firm²⁰ had hired the identified U.S. Person to conduct research regarding Candidate #1's²¹ ties to Russia. (The identified U.S. Person and Source #1 have a long-standing business relationship.) The identified U.S. person hired Source #1 to conduct this research. The identified U.S. Person never advised Source #1 as to the motivation behind the research into Candidate #1's ties to Russia. The FBI speculates that the identified U.S. Person was likely looking for information that could be used to discredit Candidate #1's campaign."²²

Contrary to the Majority's assertion that DOJ fails to mention that Steele's research was commissioned by "political actors" to "obtain derogatory information on Donald Trump's ties to Russia,"²³ DOJ in fact informed the Court accurately that Steele was hired by

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politically-motivated U.S. persons and entities and that his research appeared intended for use “to discredit” Trump’s campaign.

- **DOJ explained the FBI’s reasonable basis for finding Steele credible:** The applications correctly described Steele as [REDACTED]. The applications also reviewed Steele’s multi-year history of credible reporting on Russia and other matters, including information DOJ used in criminal proceedings.²⁴ Senior FBI and DOJ officials have repeatedly affirmed to the Committee the reliability and credibility of Steele’s reporting, an assessment also reflected in the FBI’s underlying source documents.²⁵ The FBI has undertaken a rigorous process to vet allegations from Steele’s reporting, including with regard to Page.²⁶
- **The FBI properly notified the FISC after it terminated Steele as a source for making unauthorized disclosures to the media.** The Majority cites no evidence that the FBI, prior to filing its initial October 21, 2016 application, actually knew or should have known of any allegedly inappropriate media contacts by Steele. Nor do they cite evidence that Steele disclosed to *Yahoo!* details included in the FISA warrant, since the British Court filings to which they refer do not address what Steele may have said to *Yahoo!*.

DOJ informed the Court in its renewals that the FBI acted promptly to terminate Steele after learning from him (after DOJ filed the first warrant application) that he had discussed his work with a media outlet in late October. The January 2018 renewal further explained to the Court that Steele told the FBI that he made his unauthorized media disclosure because of his frustration at Director Comey’s public announcement shortly before the election that the FBI reopened its investigation into candidate Clinton’s email use.

- **DOJ never paid Steele for the “dossier”:** The Majority asserts that the FBI had “separately authorized payment” to Steele for his research on Trump but neglects to mention that payment was cancelled and never made. As the FBI’s records and Committee testimony confirms, although the FBI initially considered compensation [REDACTED], Steele ultimately never received payment from the FBI for any “dossier”-related information.²⁷ DOJ accurately informed the Court that Steele had been an FBI confidential human source since [REDACTED], for which he was “compensated [REDACTED] by the FBI” – payment for previously-shared information of value unrelated to the FBI’s Russia investigation.²⁸

Additional Omissions, Errors, and Distortions in the Majority’s Memorandum

- **DOJ appropriately provided the Court with a comprehensive explanation of Russia’s election interference, including evidence that Russia courted another Trump campaign advisor, Papadopoulos, and that Russian agents previewed their hack and dissemination of stolen emails.** In claiming that there is “no evidence of any cooperation or conspiracy between Page and Papadopoulos,”²⁹ the Majority misstates the reason why DOJ specifically explained Russia’s courting of Papadopoulos. Papadopoulos’s interaction with Russian agents, coupled with real-time evidence of Russian election interference, provided the Court with a broader context in which to evaluate Russia’s clandestine activities and Page’s history and alleged contact with Russian officials. Moreover, since only Page [REDACTED]

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[REDACTED], no evidence of a separate conspiracy between him and Papadopoulos was required. **DOJ would have been negligent in omitting vital information about Papadopoulos and Russia's concerted efforts.**

- **In its Court filings, DOJ made proper use of news coverage.** The Majority falsely claims that the FISA materials “relied heavily” on a September 23, 2016 *Yahoo!* News article by Michael Isikoff and that this article “does not corroborate the Steele Dossier because it is derived from information leaked by Steele himself.”³⁰ In fact, DOJ referenced Isikoff’s article, alongside another article the Majority fails to mention, not to provide separate corroboration for Steele’s reporting, but instead to inform the Court of Page’s public denial of his suspected meetings in Moscow, which Page also echoed in a September 25, 2016 letter to FBI Director Comey. [REDACTED]

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- **The Majority’s reference to Bruce Ohr is misleading.** The Majority mischaracterizes Bruce Ohr’s role, overstates the significance of his interactions with Steele, and misleads about the timeframe of Ohr’s communication with the FBI. In late November 2016, Ohr informed the FBI of his prior professional relationship with Steele and information that Steele shared with him (including Steele’s concern about Trump being compromised by Russia). He also described his wife’s contract work with Fusion GPS, the firm that hired Steele separately. This occurred weeks after the election and more than a month after the Court approved the initial FISA application. The Majority describes Bruce Ohr as a senior DOJ official who “worked closely with the Deputy Attorney General, Yates and later Rosenstein,” in order to imply that Ohr was somehow involved in the FISA process, but there is no indication this is the case.

Bruce Ohr is a well-respected career professional whose portfolio is drugs and organized crime, not counterintelligence. There is no evidence that he would have known about the Page FISA applications and their contents. The Majority’s assertions, moreover, are irrelevant in determining the veracity of Steele’s reporting. By the time Ohr debriefs with the FBI, it had already terminated Steele as a source and was independently corroborating Steele’s reporting about Page’s activities. Bruce Ohr took the initiative to inform the FBI of what he knew, and the Majority does him a grave disservice by suggesting he is part of some malign conspiracy.

- **Finally, Peter Strzok and Lisa Page’s text messages are irrelevant to the FISA application.** The Majority gratuitously includes reference to Strzok and Page at the end of their memorandum, in an effort to imply that political bias infected the FBI’s investigation and DOJ’s FISA applications. In fact, neither Strzok nor Page served as affiants on the applications, which were the product of extensive and senior DOJ and FBI review.³² In demonizing both career professionals, the Majority accuses them of “orchestrating leaks to the media” – a serious charge; omits inconvenient text messages, in which they critiqued a wide range of other officials and candidates from both parties; does not disclose that FBI Deputy Director McCabe testified to the Committee that he had no idea what Page and Strzok were referring to in their “insurance policy” texts;³³ and ignores Strzok’s acknowledged role in preparing a public declaration, by then Director Comey, about former Secretary Clinton’s “extreme carelessness” in handling classified information—which greatly damaged Clinton’s public reputation in the days just prior to the presidential election.

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¹ Letter to HPSCI Chairman Devin Nunes, Assistant Attorney General Stephen Boyd, Department of Justice, January 24, 2018.

² Letter to HPSCI Chairman Devin Nunes, Assistant Attorney General Stephen Boyd, Department of Justice, January 24, 2018. DOJ also confirmed in writing to Minority Staff DOJ and FBI's terms of review:

the Department has accommodated HPSCI's oversight request by allowing repeated in camera reviews of the material in an appropriate secure facility under the general stipulations that (1) **the Chair (or his delegate) and the Ranking Member (or his delegate) and two staff each, with appropriate security clearances, be allowed to review on behalf of the Committee,** (2) that the review take place in a reading room set up at the Department, and (3) that the documents not leave the physical control of the Department, and (5) that the review opportunities be bipartisan in nature. Though we originally requested that no notes be taken, in acknowledgment of a request by the Committee and recognizing that the volume of documents had increased with time, the Department eventually allowed notes to be taken to facilitate HPSCI's review. Also, initial reviews of the material include [sic] short briefings by Department officials to put the material in context and to provide some additional information.

Email from Stephen Boyd to HPSCI Minority Staff, January 18, 2018 (emphasis supplied).

³ Letter to HPSCI Chairman Devin Nunes, Assistant Attorney General Stephen Boyd, Department of Justice, January 24, 2018.

⁴ [REDACTED]

⁵ Papadopoulos's October 5, 2017 guilty plea adds further texture to this initial tip, by clarifying that a Russian agent told Papadopoulos that "They [the Russians] have dirt on her"; "the Russians had emails of Clinton"; "they have thousands of emails." *U.S. v. George Papadopoulos* (1:17-cr-182, District of Columbia), p. 7.

⁶ [REDACTED]

⁷ Under the Special Counsel's direction, Flynn and Papadopoulos have both pleaded guilty to lying to federal investigators and are cooperating with the Special Counsel's investigation, while Manafort and his long-time aide, former Trump deputy campaign manager Rick Gates, have been indicted on multiple counts and are awaiting trial. See *U.S. v. Michael T. Flynn* (1:17-cr-232, District of Columbia); *U.S. v. Paul J. Manafort, Jr., and Richard W. Gates III* (1:17-cr-201, District of Columbia); *U.S. v. George Papadopoulos* (1:17-cr-182, District of Columbia).

⁸ [REDACTED]

⁹ [REDACTED]

¹⁰ [REDACTED] See also, *U.S. v. Evgeny Buryakov, a/k/a "Zhenya," Igor Sporyshev, and Victor Podobnyy*, U.S. Southern District of New York, January 23, 2015.

¹¹ Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, p.18. Repeated in subsequent renewal applications

¹² Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, pp. 20-21.

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14 [REDACTED] the FBI and broader Intelligence Community's high confidence assessment that the Russian government was engaged in a covert interference campaign to influence the 2016 election, including that Russian intelligence actors "compromised the DNC" and WikiLeaks subsequently leaked in July 2016 "a trove" of DNC emails. Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, pp. 6-7. Repeated and updated with new information in subsequent renewal applications. Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, pp. 20-21.

15 Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, pp. 36, 46, 48.

16 Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, p. 56.

17 HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, pp. 2-3 (enumerating "omissions" of fact, regarding Steele and his activities, from the Page FISA applications).

18 Glenn Simpson.

19 Christopher Steele.

20 Perkins Coie LLP.

21 Donald Trump.

22 Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, pp. 15-16, n. 8. Repeated in subsequent renewal applications.

23 HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, p. 2.

24 Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, p. 15, footnote 8. Repeated in subsequent renewal applications.

25 Interview of Andrew McCabe (FBI Deputy Director), House Permanent Select Committee on Intelligence, December 19, 2017, p. 46, 100; Interview of Sally Yates (former Deputy Attorney General), House Permanent Select Committee on Intelligence, November 3, 2017, p. 16; Interview with John Carlin (former Assistant Attorney General for National Security), House Permanent Select Committee on Intelligence, July, 2017, p. 35.

26 Interview of Andrew McCabe (FBI Deputy Director), House Permanent Select Committee on Intelligence, December 19, 2017, p. 100-101, 115.

27 Interview of FBI Agent, House Permanent Select Committee on Intelligence, December 20, 2017, p. 112.

28 Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, pp. 15-16, n. 8. Repeated in subsequent renewal applications.

29 HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, p. 4 ("The Page FISA application also mentions information regarding fellow Trump campaign advisor George Papadopoulos, but there is no evidence of any cooperation or conspiracy between Page and Papadopoulos.")

30 HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, p. 2. Neither Isikoff nor Yahoo! are specifically identified in the FISA Materials, in keeping with the FBI's general practice of not identifying U.S. persons.

31 Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, p. 25; Department of Justice, Foreign Intelligence Surveillance Court Application, January 12, 2017, p. 31; Carter Page, Letter to FBI Director James Comey, September 25, 2016.

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³³ Interview of Andrew McCabe (FBI Deputy Director), House Permanent Select Committee on Intelligence, December 19, 2017, p. 157.

Nelson, Damon

From: Nelson, Damon
Sent: Saturday, February 24, 2018 2:15 PM
To: Lasseter, David F. (OLA); Boyd, Stephen E. (OLA)
Cc: Bergreen, Timothy; Brower, Gregory (DO) (FBI)
Subject: RE: Update: Memo Return Today

TY

-----Original Message-----

From: Lasseter, David F. (OLA) [mailto:David.F.Lasseter@usdoj.gov]
Sent: Saturday, February 24, 2018 2:15 PM
To: Nelson, Damon (b) (6) Boyd, Stephen E. (OLA)
(b) (6) gov>
Cc: Bergreen, Timothy <(b) (6) Brower, Gregory (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Update: Memo Return Today

Just transmitted via email Damon

-----Original Message-----


From: Nelson, Damon (b) (6)
Sent: Saturday, February 24, 2018 2:09 PM
To: Lasseter, David F. (OLA) <dlasseter@jmd.usdoj.gov>; Boyd, Stephen E. (OLA)
(b) (6)
Cc: Bergreen, Timothy (b) (6) Brower, Gregory (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Update: Memo Return Today

I just tried your number. Update?

-----Original Message-----

From: Nelson, Damon
Sent: Saturday, February 24, 2018 1:11 PM
To: 'Lasseter, David F. (OLA)' <David.F.Lasseter@usdoj.gov>; Boyd, Stephen E. (OLA)
(b) (6)
Cc: Bergreen, Timothy <(b) (6) Brower, Gregory (DO) (FBI)
(b)(6), (b)(7)(C), (b)(7)(E) per FBI
Subject: RE: Update: Memo Return Today

Duplicative Material



Boyd, Stephen E. (OLA)

From: Boyd, Stephen E. (OLA)
Sent: Saturday, February 24, 2018 2:17 PM
To: Flores, Sarah Isgur (OPA)
Subject: FW: Update: Memo Return Today
Attachments: Redacted Minority Memo.pdf; Letter to Chairman.pdf

Attached. [REDACTED] (b) (5).

-----Original Message-----

From: Lasseter, David F. (OLA)
Sent: Saturday, February 24, 2018 2:14 PM
To: Nelson, Damon [REDACTED] (b) (6) Bergreen, Timothy [REDACTED] (b) (6)
[REDACTED] (b) (6)
Cc: Brower, Gregory (DO) (FBI) [REDACTED] (b)(6), (b)(7)(C), (b)(7)(E) per FBI Boyd, Stephen E. (OLA) [REDACTED] (b) (6)
Subject: RE: Update: Memo Return Today

Damon/Tim--please find attached cover letter to Chairman Nunes and the redacted unclassified version of the HPSCI Minority memo.

Thanks,
David

Bitar, Maher

From: Bitar, Maher
Sent: Wednesday, February 28, 2018 8:24 PM
To: Brower, Gregory (DO) (FBI)
Cc: Bergreen, Timothy; Boyd, Stephen E. (OLA); Schools, Scott (ODAG); Bennett, Wells; (b)(6), (b)(7)(C) per FBI (DO) (FBI); Priestap, E. W. (CD) (FBI); Anderson, Trisha B. (OGC) (FBI); Lasseeter, David F. (OLA); Travel, WB; Travel, MB
Subject: Re: HPSCI Minority Memorandum

All -

Now that this is behind us, we're writing to follow up on our ask below that all hardcopies of our unredacted memorandum in DOJ and FBI's possession be returned to us (the Minority), and that you confirm that you have deleted from your classified systems all electronic copies of our unredacted memorandum.

We're happy to pick up the copies this week or next, unless you're able to have them couriered to our space (to the attention of Tim, Wells and/or me).

Thanks again and greatly appreciate that we were able to engage in good faith throughout this process.

Maher

On Feb 16, 2018, at 5:55 PM, Bitar, Maher <(b) (6)> wrote:

Duplicative Material

