

## U.S. Department of Justice

## Federal Bureau of Investigation

Office of the Deputy Director

Washington, DC 20535-0001

December 21, 2018

Chairman Robert W. Goodlatte Committee on the Judiciary U.S. House of Representatives Washington, D.C. 20515

Dear Chairman Goodlatte:

Late on Wednesday, December 19, 2018, the Federal Bureau of Investigation (FBI) received from House Judiciary Committee staff over 3,400 pages of confidential witness interview transcripts that the Committee indicated it intends to publically disclose. These transcripts are from closed interviews conducted as a part of the joint House Judiciary and House Oversight and Government Reform Committees' investigation ("Investigation"). Committee staff informed the FBI that the deadline for any suggested redactions or corrections to these thousands of pages of sensitive materials is during the anticipated Government shutdown, at noon on December 24<sup>th</sup> – *Christmas Eve*.

The Department of Justice (Department) and the FBI have provided both Committees with hundreds of thousands of pages of requested documents throughout the course of their Investigation. In doing so, we have honored our obligation to protect sensitive information that implicates national security, law enforcement sensitivities, ongoing cases and investigations, litigation, and personally identifiable information. We have endeavored to engage in the accommodations process in good faith and consistent with longstanding practice.

The Committees agreed to conduct the witness interviews in a confidential setting. Based on the information discussed during those closed interviews and included in the transcripts, the FBI believes that the release of un-redacted or inadequately redacted transcripts will result in the disclosure of law enforcement sensitive information and personally identifiable information. Moreover, given the nature of the topics covered with the witnesses, including FISA warrants and counterintelligence investigations, the transcripts, individually or in combination, may contain classified information. Your Committee has not afforded the FBI the time necessary to undertake a thorough review of this large volume of documents for classified, sensitive, and personally identifiable information.

It is our shared responsibility – predicated on legal requirements – to protect sensitive information of this nature from public disclosure. Therefore, we respectfully request that the Committees maintain the confidentiality of the un-redacted interview transcripts pending a complete review by the FBI, the Department, and the Special Counsel's Office, as appropriate.

Thank you for supporting the FBI, its mission, and its people.

Sincerely,

David L. Bowdich

Deputy Director

## The Honorable Robert Goodlatte Page 2

cc:

The Honorable Trey Gowdy

Chairman

Committee on Oversight and Government Reform

The Honorable Jerrold Nadler Ranking Member Committee on the Judiciary

The Honorable Elijah Cummings Ranking Member Committee on Oversight and Government Reform