



Congress of the United States
House of Representatives
Washington, DC 20515

January 7, 2019

The Honorable John W. Huber
United States Attorney
111 S. Main Street
Suite 1800
Salt Lake City, UT 84111

Dear Mr. Huber:

We write to request an update on the progress of your review of irregularities involved with the Department of Justice's (DOJ) and Federal Bureau of Investigation's (FBI) actions during 2016 and 2017, including the process by which they undertook to comply with the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C § 1801 *et seq.*

The DOJ's and FBI's actions and decision-making during the investigations of former Secretary of State Hillary Clinton and the presidential campaign of Donald Trump raise serious concerns about impartiality, fundamental fairness, and adherence to the rule of law. These concerns prompted separate reviews from the Department of Justice, the DOJ Inspector General (DOJ IG), and congressional oversight committees. For the past fourteen months we have been part of a joint investigation by the House Committee on Oversight and Government Reform and the House Judiciary Committee into these matters as well.

In March 2018, the Committees called for the Attorney General to appoint a Special Counsel to review FBI and DOJ decisions in 2016 and 2017.¹ Specifically, the Committees expected an official who would:

review decisions made and not made by the Department of Justice and the FBI in 2016 and 2017, including but not limited to evidence of bias by any employee or agent of the DOJ, FBI, or other agencies involved in the investigation; the decisions to charge or not charge and whether those

¹ See Letter from Bob Goodlatte, Chairman, H. Comm. on Judiciary and Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform to Jefferson B. Sessions, Attorney Gen. and Rod Rosenstein, Deputy Attorney Gen., Dep't of Justice (Mar. 6, 2018), https://judiciary.house.gov/wp-content/uploads/2018/03/030618_Special-Counsel-Letter.pdf?utm_source=House+Judiciary+Committee+Press+Releases&utm_campaign=911e937989-EMAIL_CAMPAIGN_2018_03_06&utm_medium=email&utm_term=0_df41eba8fd-911e937989-101865997; *Id* (“... while we have confidence in the Inspector General of the Department of Justice, the DOJ IG does not have authority to investigate other governmental entities or former employees of the Department, the Bureau, or other agencies.”).

decisions were made consistent with the applicable facts, the applicable law, and traditional investigative and prosecutorial policies and procedures; and whether the FISA process employed in the fall of 2016 was appropriate and devoid of extraneous influence.²

Although the Attorney General did not appoint a Special Counsel, he recognized the importance of the Committees' inquiry and appointed you to review these matters.³

Your investigation has been ongoing for over nine months. During the course of our extensive investigation we have interviewed more than a dozen current and former DOJ and FBI personnel, and were surprised to hear none of these potentially informative witnesses testified to speaking with you.⁴ Further, last month then-Chairman Mark Meadows invited you to testify as a witness at the Subcommittee on Government Operations' hearing "Oversight of Nonprofit Organizations: A Case Study on the Clinton Foundation." We were disappointed to learn from the Department you were not enthusiastic about testifying when declining the invitation.

To better understand the status and scope of your review, we request that you please provide the following information to us regarding your review:

1. The total number of witnesses you have interviewed, including names of specific individuals where possible, and the number of witnesses remaining to be interviewed;
2. The total number of FISA applications reviewed;
3. The total number of documents reviewed, including their substance and format (e.g. emails, meeting notes, phone logs, etc.); and
4. A description and account of your coordination with DOJ IG Michael Horowitz.

Please provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on January 21, 2019. Please contact Anudeep Buddharaju at 202-225-5074 with the Oversight Committee and Carlton Davis at 202-225-3951 with the Judiciary Committee with any questions about this request. Thank you for your attention to this matter.

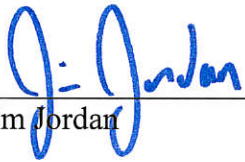
² *Id.*

³ See Letter from Jefferson B. Sessions, Attorney Gen., Dep't of Justice to Robert W. Goodlatte, Chairman, H. Judiciary Comm. and Trey Gowdy, Chairman, H. Comm. Oversight & Gov't Reform (March 29, 2018) ("The additional matters raised in your March 6, 2018, letter fall within the scope of his existing mandate, and I am confident that Mr. Huber's review will include a full, complete, and objective evaluation of these matters in a manner that is consistent with the law and the facts.").

⁴ *E.g.*, Bruce Ohr Transcribed Interview 126, Aug. 28, 2016 ("Mr. Ratcliffe: Well, I want to make -- part of the reason I'm also trying to make this record real clear is there's someone that's been appointed to look at potential FISA abuse, United States Attorney John Huber. Have you talked to Mr. Huber? Mr. Ohr: I have not. I mean, I have spoken with Mr. Huber in the past when he was a U.S. Attorney, but I have not spoken with him as part of this.").

The Honorable John W. Huber
January 7, 2019
Page 3


Sincerely,



Jim Jordan



Doug Collins



Mark Meadows

cc: The Honorable Elijah E. Cummings, Committee on Oversight and Reform
The Honorable Lindsey Graham, U.S. Senate Committee on the Judiciary
The Honorable Ron Johnson, U.S. Senate Committee on Homeland Security
and Governmental Affairs
The Honorable Michael E. Horowitz, Inspector General, Department of Justice