



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

January 9, 2019

The Honorable Elijah E. Cummings
Chairman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The announcement of Deputy Attorney General Rod Rosenstein's departure from the Department of Justice (DOJ) is a reminder of the Committee's need to continue its investigation of actions undertaken by the Department and the Federal Bureau of Investigation (FBI) during 2016 and 2017.¹ This includes oversight of the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C § 1801 *et seq.* We write seeking your support for continued investigative activity.

Congress has granted the FBI and DOJ extraordinary powers to surveil Americans. With FISA granting these agencies unprecedented surveillance powers, you cosponsored H.R. 3228, the FISA Court Reform Act of 2013, to instill additional protections to the FISA process.²

During our Committee's joint investigation with the House Judiciary Committee, FBI and DOJ witnesses testified to issues raising the appearance of political bias in their investigation, particularly in the FISA process. For instance, an FBI attorney testified the FBI was aware Christopher Steele, the confidential human source for the Carter Page FISA application, was "desperate" Donald J. Trump not become elected president, yet disputed it constituted evidence of Steele's "bias" against then candidate Trump.³ This attorney also testified establishing probable cause in the FISA warrant application to surveil Carter Page would have been closer to a coin toss without the information provided by Steele.⁴

Our joint investigation revealed specific details of high-level government officials discussing statements made by Deputy Attorney General Rod Rosenstein concerning coup-like

¹ Pierre Thomas, Jonathan Karl, John Santucci, and Mike Levine, *Rosenstein expected to depart DOJ in coming weeks if new attorney general confirmed*, ABC NEWS (January 9, 2019) <https://abcnews.go.com/Politics/rosenstein-expected-depart-doj-coming-weeks-attorney-general/story?id=60252611>.

² H.R. 3228 FISA Court Reform Act of 2013, <https://www.congress.gov/bill/113th-congress/house-bill/3228>.

³ Transcribed interview of FBI Assistant General Counsel Sally Moyer.

⁴ *Id.*

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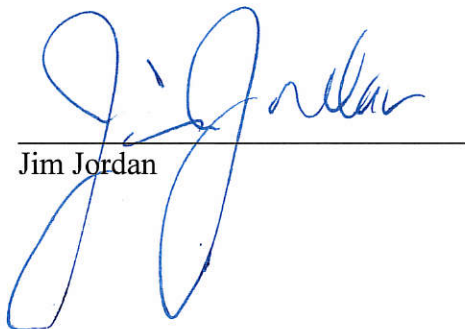
options against the President.⁵ These included coordinating with two cabinet officials to invoke the 25th Amendment and surreptitiously recording the President while in his presence.⁶ These facts raise serious concerns about the decision-making within DOJ and FBI.

The investigation revealed a multitude of other matters warranting further oversight and investigation by the Committee. In order to investigate the serious issues raised, we must conduct transcribed interviews with the following witnesses:

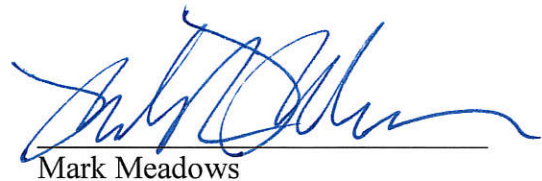
1. Deputy Attorney General Rod Rosenstein;
2. James A. Cromwell, Chief of Staff to Deputy Attorney General Rod Rosenstein;
3. Michael Sussman, an attorney at law firm of Perkins Coie LLP who personally brought information to FBI General Counsel James Baker related to communications between a Russian bank and a Trump organization;⁷
4. Joseph Pientka, the FBI agent who collected information provided by Associate Deputy Attorney General Bruce Ohr from Christopher Steele after the FBI had closed Steele as a source;⁸ and
5. Michael Gaeta, the FBI agent who had communications with Christopher Steele.⁹

It is incumbent on our Committee to continue our oversight of the Department of Justice. We request that you schedule these interviews as soon as possible after the Committee's organizing meeting. We look forward to hearing back from you on this important issue.

Sincerely,



Jim Jordan



Mark Meadows

⁵ Transcribed Interview of FBI General Counsel James Baker.

⁶ *Id.*

⁷ *Id.*

⁸ Transcribed Interview of Bruce Ohr.

⁹ *Id.*