

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216

One Hundred Thirteenth Congress

December 28, 2018

The Honorable Matthew Whitaker
Acting Attorney General
United States Department of Justice

The Honorable Christopher Wray
Director
Federal Bureau of Investigation

Dear Attorney General Whitaker and Director Wray:

With the 115th Congress coming to a close, the investigation into decisions made by DOJ and FBI and related interviews conducted by the House Committee on the Judiciary and Committee on Oversight and Government Reform have, at least for the time being, been concluded. I believe deeply in the mission of the FBI and continue to have great faith in the vast majority of the men and women, who are professionals and work day in and day out at the Bureau to combat crime and protect our country. I sincerely appreciate the efforts that Director Wray has undertaken thus far towards restoring the reputation and integrity of the Bureau. However, there is still work to be done. While only the transcripts from Director Comey's interview with the Committees have so far been released widely, in the public interest of transparency the transcripts from all of these interviews should be made available to the American people.


In preparation for such release, we have provided these transcripts to the FBI and DOJ so you can identify any classified materials that should be redacted. The probability of any materials needing redaction should be very low, however, since everyone present for the interviews understood the interviews were conducted in an unclassified forum, the FBI and/or DOJ had lawyers present at all of the interviews where FBI/DOJ employees testified, and when it was necessary to address classified matters, we proceeded to conduct one interview in a properly secure location. Moreover, any classified matters that arose during any of the interviews should have been immediately flagged for corrective action.

The Committees sent the transcripts to the FBI and DOJ on December 18, 2018, to give the agencies an opportunity to review for classification concerns. The review was not completed by either the deadline originally proposed, nor an extended deadline we offered. It is critical that the FBI/DOJ do its part and complete this review. We can't compel you to review the words of your own employees to protect your equities. However, we again strongly encourage you to review the transcripts for classified materials.

It is unusual that the agencies tasked with reviewing the transcripts to ensure there are no classification concerns are also the same agencies that are the subject of our investigation, which makes the lack of timely cooperation in reviewing the transcripts very troubling. Please be advised that un-redacted versions of the transcripts will remain in the custody of Members of Congress to ensure the integrity of the redaction process. There should be no redactions of materials simply because of embarrassment, inconvenience, or any reason other than classification issues.

Despite the delay to date in reviewing the transcripts, it is incumbent upon the FBI/DOJ to complete the review as expeditiously as possible so that the transcripts may be made publicly available. These are the equities of your agencies we are trying to protect. Thank you again for your efforts to restore the reputations of DOJ and FBI as the premier law enforcement agencies in the world and for your prompt attention to these matters.

Sincerely,



Bob Goodlatte

Chairman

House Committee on the Judiciary

cc: Jerrold Nadler
Ranking Member
House Committee on the Judiciary