

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

CHRISTOPHER R. HIXON, STAFF DIRECTOR  
MARGARET E. DAUM, MINORITY STAFF DIRECTOR

May 21, 2018

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20535

Dear Director Wray:

The Committee on Homeland Security and Governmental Affairs is continuing its oversight of the Federal Bureau of Investigation (FBI). The Committee recently received documents that contain several references to a “sensitive” matter, which appear from context to refer to the memorandum prepared by former British intelligence officer Christopher Steele (“Steele Dossier”). I write to request information about the FBI’s handling of this matter.

According to documents received by the Committee, the FBI appeared to have had awareness in January 2017 that media outlets had information about the Steele Dossier. It appears that then-FBI Director James Comey briefed then-President-elect Trump about this information, at the request of then-Director of National Intelligence James Clapper. According to the FBI, CNN then published its article using the President-elect briefing as the “trigger.”<sup>1</sup>

- **January 6, 2017, 9:44 a.m.** FBI Chief of Staff Jim Rybicki sent an email to unspecified recipients stating, “the director is coming into HQ briefly now for an update from the *sensitive matter* team.”<sup>2</sup>
- **January 6, 2017, afternoon.** Director Comey met with President-elect Trump.<sup>3</sup>
- **January 7, 2017.** Director Comey memorialized his discussion with President-elect Trump via an email to senior FBI leadership.<sup>4</sup> Director Comey wrote, “I said there was something that Clapper wanted me to speak to PE [President Elect] about alone or in a very small group.”<sup>5</sup> Director Comey wrote, “I then executed the session exactly as I had planned,” and “I said media like CNN had them and were looking for a news hook.”<sup>6</sup>

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<sup>1</sup> Email from Andrew McCabe to James Comey, James Rybicki, David Bowdich, and Michael Kortan, Jan. 8, 2017, FBI\_OIG\_Cong Prod\_010707.

<sup>2</sup> Email from James Rybicki to undisclosed recipients, Jan. 6, 2017, FBI\_OIG\_Cong Prod\_010709 (emphasis added).

<sup>3</sup> See Statement by President-elect Donald J. Trump Following a Meeting with Intelligence Community Leaders (Jan. 6, 2017), available at <http://www.presidency.ucsb.edu/ws/index.php?pid=119961>.

<sup>4</sup> Email from James Comey to Andrew McCabe, James Baker, & James Rybicki, Jan. 7, 2017.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

- **January 8, 2017, 12:08 p.m.** Then-FBI Deputy Director Andrew McCabe sent an email to senior FBI leadership with the subject line “Flood is coming.”<sup>7</sup> Mr. McCabe wrote, “CNN is close to going forward with the *sensitive story*. . . . The trigger for them [CNN] is they know the material was discussed in the brief and presented in an attachment.”<sup>8</sup>
- **January 8, 2017, 12:55 p.m.** Mr. McCabe emailed then-Deputy Attorney General Sally Yates and then-Principal Deputy Attorney General Matthew Axelrod with the subject line “News.”<sup>9</sup> Mr. McCabe wrote, “Just an FYI, and as expected, it seems CNN is close to running a story about the *sensitive reporting*.”<sup>10</sup>
- **January 10, 2017.** CNN published a story entitled “Intel chiefs presented Trump with claims of Russian efforts to compromise him.”<sup>11</sup> The article explained that the President-elect received the briefing on the contents of the Steele Dossier.<sup>12</sup>
- **January 10, 2017, 6:20 p.m.** BuzzFeed News published the contents of the Steele Dossier.<sup>13</sup>

In order to assist the Committee in better understanding this sequence of events, please provide the following information and material:

1. Please identify all members of the “sensitive matter team,” as referenced in Mr. Rybicki’s January 6th email.
2. Please provide the date and circumstances by which the FBI first learned that media outlets, including CNN, may have possessed the Steele Dossier.
3. Please produce any notes, memoranda or other written material created in preparation of briefing then-President-elect Trump about the Steel Dossier on January 6.
4. Please produce all documents and communications between or among James Comey and James Clapper or their staffs referring or relating to Director Comey’s briefing President-elect Trump about the Steele Dossier.

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<sup>7</sup> Email from Andrew McCabe to James Comey, James Rybicki, David Bowdich, and Michael Kortan, Jan. 8, 2017, FBI\_OIG\_Cong Prod\_010707.

<sup>8</sup> *Id.* (emphasis added).

<sup>9</sup> Email from Andrew McCabe to Sally Yates, & Matthew Axelrod, Jan. 8, 2017, FBI\_OIG\_Cong Prod\_010717.

<sup>10</sup> *Id.* (emphasis added).

<sup>11</sup> Evan Perez, Jim Sciutto, Jake Tapper, & Carl Bernstein, *Intel chiefs presented Trump with claims of Russian efforts to compromise him*, CNN (Jan. 10, 2017), <https://www.cnn.com/2017/01/10/politics/donald-trump-intelligence-report-russia/index.html>.

<sup>12</sup> *Id.*

<sup>13</sup> Ken Bensinger, Miriam Elder, & Mark Schoofs, *These Reports Allege Trump Has Deep Ties To Russia*, BUZZFEED NEWS (Jan. 10, 2017), [https://www.buzzfeed.com/kenbensinger/these-reports-allege-trump-has-deep-ties-to-russia?utm\\_term=.dhWOq0agE#.ljkpmLaO8](https://www.buzzfeed.com/kenbensinger/these-reports-allege-trump-has-deep-ties-to-russia?utm_term=.dhWOq0agE#.ljkpmLaO8).

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Page 3

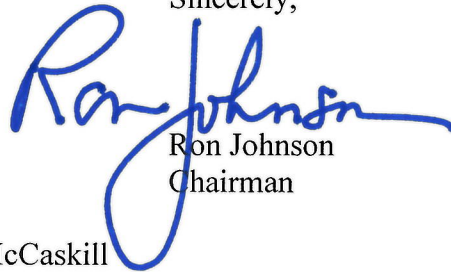
5. Please produce all documents and communications between or among FBI employees and other Executive Branch officials or employees referring or relating to the “sensitive matter” or to Director Comey’s communication to then-President-elect Trump about the existence of the Steele Dossier.

Please respond as soon as possible but no later than 5:00 p.m. on June 4, 2018.

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of the Government.”<sup>14</sup> Additionally, S. Res. 62 (115<sup>th</sup> Congress) authorizes the Committee to examine “the efficiency and economy of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices....”<sup>15</sup>

Thank you for your attention to this matter. If you have any questions about this request, please ask your staff to contact Kyle Brosnan or Brian Downey of the Committee staff at (202) 224-4751.

Sincerely,



Ron Johnson  
Chairman

cc: The Honorable Claire McCaskill  
Ranking Member

Enclosure

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<sup>14</sup> S. Rule XXV(k); see also S. Res. 445, 108<sup>th</sup> Cong. (2004).

<sup>15</sup> S. Res. 62 § 12, 115<sup>th</sup> Cong. (2017).