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# 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

June 8, 2018

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

Dear Director Wray:

On May 11, 2018, I wrote to you about how the Federal Bureau of Investigation's (FBI) excessive redaction of documents hinder the Committee's oversight and I asked for detailed information about the FBI's processes for producing material to the Committee.<sup>1</sup> On June 7, 2018, I met with John Lausch and representatives from the Justice Department and the FBI to discuss the lack of compliance with my May 11 letter.<sup>2</sup> I appreciated the discussion and general description of how the FBI and Justice Department are responding to congressional document requests, but the information provided falls well short of an adequate response to my May 11th letter.

On March 23, 2018, I wrote to Attorney General Jeff Sessions requesting information about the Justice Department's process for redacting documents.<sup>3</sup> I received a response from the Justice Department on April 27, 2018, explaining the limited reasons for redactions and inviting Committee staff to review less-redacted documents *in camera* at the Department.<sup>4</sup>

As an accommodation to the Justice Department and FBI, and without waiving the Committee's right to possess unredacted copies of all responsive material, my staff reviewed less-redacted material *in camera* on May 18, 2018 and May 29, 2018. These reviews showed highly questionable redactions without apparent legitimate reasons.

These redactions included the names and what appear to be initials of Justice Department or FBI employees. Redacting the identities of these employees prevents the Committee from assessing the need to request additional documents relating to these employees or requesting interviews with these employees.

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<sup>1</sup> Letter from Sen. Ron Johnson, Chairman S. Comm. on Homeland Sec. and Gov't Affairs, to Christopher Wray, Director, Fed. Bureau of Investigation, (May 11, 2018).

<sup>2</sup> Meeting between Sen. Ron Johnson, Chairman S. Comm. on Homeland Sec. and Gov't Affairs, and John Lausch, Dep't of Justice, et al. (June 8, 2018).

<sup>3</sup> Letter from Sen. Ron Johnson, Chairman S. Comm. on Homeland Sec. and Gov't Affairs, to Jeff Sessions, Att'y Gen., U.S. Dep't of Justice, (Mar. 23, 2018).

<sup>4</sup> Letter from Stephen Boyd, Assistant Att'y Gen. for Legislative Affairs, to Sen. Ron Johnson Chairman S. Comm. on Homeland Sec. and Gov't Affairs (Apr. 27, 2018).

For example, on October 11, 2016, Peter Strzok sent a text message to Lisa Page that was partially redacted:<sup>5</sup>

2016-10-11 22:21:22, Tue	INBOX	Currently fighting with [REDACTED]
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The unredacted version shows that Strzok appears to be “fighting with” someone named “Stu” about a matter related to FISA.

2016-10-11 22:21:22, Tue	INBOX	Currently fighting with Stu for this FISA
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In another redacted text, on August 5, 2016, Strzok wrote Page about “the White House is running this”:<sup>6</sup>

2016-08-05 16:37:25, Fri	INBOX	And hi. Went well, best we could have expected. Other than [REDACTED] quote, "the White House is running this."
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The unredacted version appears to attributes the quote to an individual with the initials L.C.”

2016-08-05 16:37:25, Fri	INBOX	And hi. Went well, best we could have expected. Other than L.C's quote, "the White House is running this."
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Likewise, on October 7, 2016, Strzok wrote Page about leaks in the *New York Times*. A portion of the text was redacted:<sup>7</sup>

2016-10-07 09:53:05, Fri	INBOX	Jesus. More [REDACTED] leaks in the NYT
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The unredacted version appears to attribute the leaks to an unknown individual or entity with the initials “BO.”

2016-10-07 09:53:05, Fri	INBOX	Jesus. More BO leaks in the NYT
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There are additional redactions for the initials “BO.” On October 25, 2016, Strzok wrote to Page expressing anger about an unknown matter:<sup>8</sup>

2016-10-25 01:00:51, Tue	INBOX	I'm still angry at them over this stupid [REDACTED]
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<sup>5</sup> Text message from Peter Strzok to Lisa Page, Oct. 11, 2016, DOJ-PROD Bates 0000282.

<sup>6</sup> Text message from Peter Strzok to Lisa Page, Aug. 5, 2016, DOJ-PROD-0000212.

<sup>7</sup> Text message from Peter Strzok to Lisa Page, Oct. 7, 2016, DOJ-PROD-0000278.

<sup>8</sup> Text message from Peter Strzok to Lisa Page, Oct. 25, 2016, DOJ-PROD-0000299.



The unredacted version shows that Strzok was angry about some unclear “stupid BO DOD thing.”

2016-10-25 01:00:51, Tue	INBOX	I'm still angry at them over this stupid <b>BO DOD thing</b>
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The same day, October 25, 2016, Strzok again wrote to Page about unclear “bad choices”:<sup>9</sup>

2016-10-25 01:15:49, Tue	INBOX	Np. Just cranky at them for bad choices about [REDACTED]
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The unredacted version shows that Strzok was “cranky” about “bad choices about BO.”

2016-10-25 01:15:49, Tue	INBOX	Np. Just cranky at them for bad choices about <b>BO.</b>
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In addition to names, the *in camera* reviews raise concerns that the redactions hid substantive information relevant to the Committee’s oversight. For example, on September 26, 2015, Peter Strzok sent a text message to Lisa Page that was partially redacted.<sup>10</sup>

Date UTC	Type of Message	Body
2015-09-26 01:03:50, Sat	INBOX	DoJ wants to [REDACTED] I get they want to scope as narrowly as possible but they're creating a ton of extra work for everyone. [REDACTED] nAnyway, now I have to go in tomorrow so they can look thru emails.

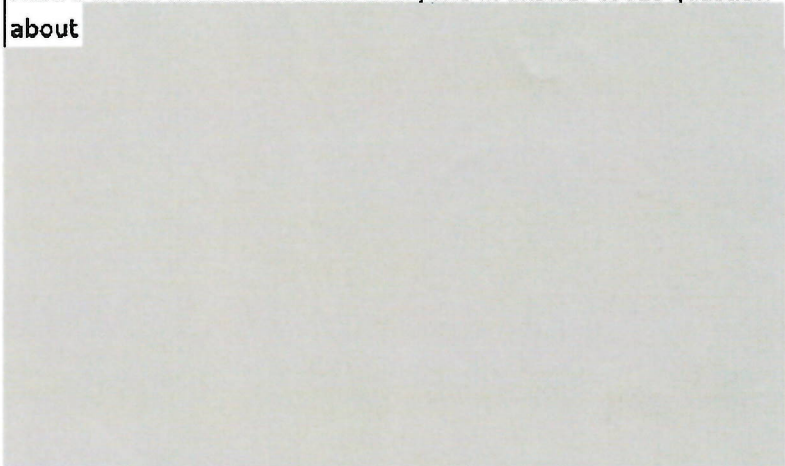
Based on the *in camera* review, the complete text message without the redactions reads:

Date UTC	Type of Message	Body
2015-09-26 01:03:50, Sat	INBOX	DoJ wants to <b>bargain away everything</b> I get they want to scope as narrowly as possible but they're creating a ton of extra work for everyone. <b>Stockholm Syndrome</b> nAnyway, now I have to go in tomorrow so they can look thru emails.

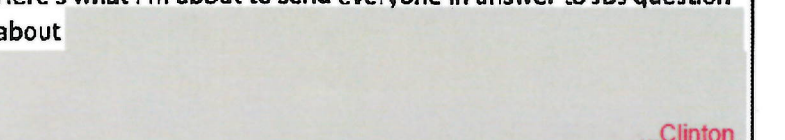
The text messages are disjointed and cryptic, and often lack context. However, because Strzok sent this text during the FBI’s investigation of classified information on Secretary Clinton’s private email server,<sup>11</sup> the unredacted text is relevant to the Committee’s oversight.

<sup>9</sup> Text message from Peter Strzok to Lisa Page, Oct. 25, 2016, DOJ-PROD-0000300.  
<sup>10</sup> Text message from Peter Strzok to Lisa Page, Sept. 26, 2015, DOJ-PROD-0000014.  
<sup>11</sup> The FBI launched their investigation of the server on July 10, 2015, based on a referral made by the State Department Inspector General and Intelligence Community Inspector General on July 6, 2015. Fed. Bureau of Investigation, Clinton E-Mail Investigation (July 2016), available at <https://info.publicintellgence.net/FBI-ClintonEmails.pdf>.

In another text message, dated July 26, 2016, the redacted information appears to detail the FBI's apparent lack of time and resources to pursue additional "avenues" with respect to the Clinton email investigation:<sup>12</sup>

2016-07-26 02:30:57, Tue	INBOX	Here's what I'm about to send everyone in answer to JB's question about 
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Based on the *in camera* review, the complete text message without the redactions reads in part:

2016-07-26 02:30:57, Tue	INBOX	Here's what I'm about to send everyone in answer to JB's question about  ...Clinton, Mills, and Abedin all said they felt the server was permitted and did not receive information that it was not. To the extent there was objection down the line in IRM, we did not pursue that as State OIG did, because it was not a key question behind our investigation. There are going to be many avenues we might have pursued if we had unlimited time and resources, but this is one of those categories of wouldn't have changed our fundamental understanding of the gravamen of the case.
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None of the above redactions are clearly justified under the criteria provided in the Justice Department's April 27 response to me. The FBI and the Justice Department have not explained the basis for redactions to these text messages, or any other document produced to date. The Committee has not received any privilege log or any other justification about why a particular document—or a particular piece of information in a document—has been redacted. The refusal to provide this information creates additional barriers for the Committee in exercising its constitutional oversight responsibilities.

<sup>12</sup> Text message from Peter Strzok to Lisa Page, July 26, 2016, DOJ-PROD-0000195.



My request to you outlined particularized concerns with the FBI's role in reviewing documents that are responsive to congressional oversight requests. It asked straightforward questions that must be answered by the FBI—not the Department of Justice—and ought to be easy to answer. As I explained to your representative on June 7, I will not end my Committee's oversight into these matters until all of our questions have been answered and the public's confidence in the FBI and the Justice Department has been fully restored.

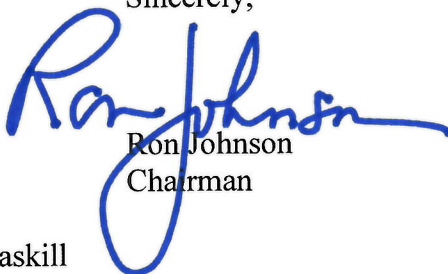
In a text message dated October 25, 2016, Peter Strzok revealed the unfortunate attitude that some individuals at the highest levels of the FBI appear to have toward Congress:<sup>13</sup>

2016-10-25 01:17:02, Tue	OUTBOX	Congress. Too hard to write.
2016-10-25 01:18:34, Tue	INBOX	Got it. F them.

That attitude and the slow-walked inadequate response to my May 11th letter are completely unacceptable. Moving forward, I expect more complete and expeditious responses to my oversight requests, or I will be forced to conclude that Mr. Strzok's attitude is more widespread and that the FBI intends to obstruct this committee's constitutional responsibility. I sincerely hope I never reach that conclusion.

Please provide a full and detailed response to my May 11, 2018 letter as soon as possible but no later than 5:00 p.m. on June 22, 2018. Thank you for your attention to this matter.

Sincerely,



Ron Johnson  
Chairman

cc: The Honorable Claire McCaskill  
Ranking Member

The Honorable Jeff Sessions  
Attorney General

The Honorable Rod J. Rosenstein  
Deputy Attorney General

The Honorable John R. Lausch Jr.  
United States Attorney for the Northern District of Illinois

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<sup>13</sup> Text message from Peter Strzok to Lisa Page, Sept. 26, 2015, DOJ-PROD-0000300.