

# United States Senate

WASHINGTON, DC 20510

April 16, 2020

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

Dear Director Wray:

On January 28, 2020, we wrote to Attorney General Barr and requested the declassification of four footnotes in the Office of the Inspector General (OIG) report about the Federal Bureau of Investigation's (FBI) Crossfire Hurricane investigation.<sup>1</sup> Since then, we received declassified versions of those and other footnotes, and they reveal disturbing facts about the FBI's investigation: the Crossfire Hurricane team's investigative file included at least two intelligence reports stating that key parts of the reporting from Christopher Steele—reporting that “played a central and essential role” in the decision to request FISA orders<sup>2</sup>—were part of a Russian disinformation campaign.<sup>3</sup>

The information in the now-declassified footnotes also directly contradicts statements provided by FBI officials in the OIG report. Specifically, William “Bill” Priestap, the Assistant Director for the Counterintelligence Division who was “ultimately responsible for the [Crossfire Hurricane] investigation,”<sup>4</sup> told OIG that “the FBI ‘didn’t have any indication whatsoever’ by May 2017 that the Russians were running a disinformation campaign through the Steele election reporting.”<sup>5</sup> The investigation's Supervisory Intelligence Analyst also told OIG that “he had no information as of June 2017 that Steele's election reporting source network had been penetrated or compromised.”<sup>6</sup> Yet, in January 2017, the FBI received a report that part of Steele's reporting “was part of a Russian disinformation campaign” and, in February 2017, the FBI received a second report that another part of Steele's reporting was “the product of [Russian Intelligence Services] infiltrate[ing] a source into the network.”<sup>7</sup> We are deeply troubled by the Crossfire Hurricane team's awareness of and apparent indifference to Russian disinformation, as well as by the grossly inaccurate statements by the FBI official in charge of the investigation and its supervisory intelligence analyst.

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<sup>1</sup> Letter from Ron Johnson & Charles E. Grassley, Chairmen, to William Barr, Attorney General (Jan. 28, 2020), <https://www.hsgac.senate.gov/media/majority-media/johnson-grassley-call-for-ag-barr-to-declassify-four-significant-footnotes-in-doj-oig-report-about-crossfire-hurricane-investigation->

<sup>2</sup> U.S. Dep't of Justice, Office of Inspector Gen., Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation 359 (Dec. 2019), <https://www.justice.gov/storage/120919-examination.pdf> (“DOJ OIG Report”).

<sup>3</sup> DOJ OIG Report n. 350, Enclosure to Letter from Stephen E. Boyd, Assistant Attorney General, to Ron Johnson & Charles E. Grassley, Chairmen (Apr. 2, 2020), <https://www.hsgac.senate.gov/imo/media/doc/Johnson%20Letter%20-%20Footnotes%2020200402%20w%20att%202.pdf>; DOJ OIG Report n. 350, Enclosure to Letter from Richard Grenell, Acting Director of National Intelligence, to Ron Johnson & Charles E. Grassley, Chairmen (Apr. 15, 2020), <https://www.grassley.senate.gov/sites/default/files/2020-04-15%20ODNI%20to%20CEG%20RHJ%20%28FISA%20Footnote%20Declassification%29.pdf>.

<sup>4</sup> DOJ OIG Report at 64.

<sup>5</sup> *Id.* at 194.

<sup>6</sup> DOJ OIG Report n. 342, Letter from Richard Grenell, Acting Director of National Intelligence, to Ron Johnson & Charles E. Grassley, Chairmen (Apr. 15, 2020).

<sup>7</sup> *Id.* at n. 350.

These recently declassified footnotes raise another issue of significant concern: what other parts of the FBI's investigation were infected by Russian disinformation? For example, one footnote explains that Russian Intelligence Services targeted Steele's company for penetration.<sup>8</sup> Another footnote shows that, as early as October 2016 and the same time it was preparing its first FISA application, the FBI became aware that one of Steele's key sources was either a Russian intelligence officer or otherwise linked to Russian intelligence.<sup>9</sup> In other words, the FBI knew that Russian intelligence was targeting Christopher Steele's company, that Steele relied on sources affiliated with Russian intelligence, and at least two of Steele's reports were described as the product of a Russian disinformation campaign. Because these facts show the intention, means, and ability to plant Russian disinformation in Steele's reporting, they suggest that the prevalence of such disinformation in the FBI's Crossfire Hurricane investigation may have been widespread.

For these reasons, please provide the following no later than April 30, 2020:

1. All intelligence records (*e.g.*, reporting, products, memoranda, *etc.*), foreign or domestic, received or reviewed by the Crossfire Hurricane team.<sup>10</sup> For any such intelligence record no longer in FBI's possession, please identify the record, the entity that provided the record, and the date of FBI's review.
2. All FBI records (*e.g.*, 302s, ECs, *etc.*) addressing these intelligence products;
3. A list of all intelligence records requested but not received or reviewed by the Crossfire Hurricane team.

Please send all unclassified material directly to each Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to each Committee, and provide a classified addendum to the Office of Senate Security. Although our Committees comply with all laws and regulations governing the handling of classified information, they are not bound, absent prior agreement, by any handling restrictions.

Should you have any questions, please contact Joseph Folio of Chairman Johnson's Homeland Security and Governmental Affairs Committee staff at (202) 224-4751 or Joshua Flynn-Brown of Chairman Grassley's Finance Committee staff at (202) 224-4515.

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<sup>8</sup> *Id.* at n. 342 (“[Russian Intelligence Services] may have targeted Orbis,” Steele’s company); Letter from Stephen E. Boyd, Assistant Attorney General, to Ron Johnson & Charles E. Grassley, Chairmen (Apr. 2, 2020) (explaining that the FBI was aware of “possible previous attempts by a foreign government to penetrate and research a company or individuals associated with Christopher Steele.”).

<sup>9</sup> DOJ OIG Report n. 302, Letter from Richard Grenell, Acting Director of National Intelligence, to Ron Johnson & Charles E. Grassley, Chairmen (Apr. 15, 2020); *see also id.* at n. 339 (“The Primary Sub-source also told the FBI [in January 2017] ... that the subsource who provided the information about the Carter Page-Sechin meeting had connections to Russian Intelligence Service[.]”).

<sup>10</sup> *See, e.g.*, DOJ OIG Report at 385-86 (discussing “the potential for disinformation in the Steele election reporting” and “information [OIG] found in FBI files [they] revised, and that was available to the Crossfire Hurricane team during the relevant time period”).

Sincerely,



Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs



Charles E. Grassley  
Chairman  
Committee on Finance

cc: The Honorable William Barr  
Attorney General, Department of Justice

The Honorable Michael Horowitz  
Inspector General, Department of Justice

Ambassador Richard Grenell  
Acting Director, Office of the Director of National Intelligence