



Federal Bureau of Investigation
Washington, D.C. 20535

August 27, 2019

MR. WILLIAM F. MARSHALL
C/O MR. JAMES F. PETERSON
JUDICIAL WATCH
SUITE 800
425 THIRD STREET SW
WASHINGTON DC, 20024

Civil Action No.: 18-cv-01088
FOIPA Request No.: 1436132-000
Subject: Correspondence with USSCJ and
HPSCI Regarding Carter Page FISA Warrant
Applications and Renewals

Dear Mr. Marshall:

While processing your Freedom of Information/Privacy Acts (FOIPA) request, the Office of Information Policy at the Department of Justice located FBI information in their records. This material was referred to the FBI for direct response to you.

The enclosed documents were reviewed under the FOIPA, Title 5, United States Code, Section(s) 552/552a as noted below. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemptions boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

Section 552		Section 552a
<input checked="" type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)
<input checked="" type="checkbox"/> (b)(3)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)
<u>50 USC Section 3024(i)(1)</u>	<input checked="" type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)
_____	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)

5 pages were reviewed and 5 pages are being released.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records on individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the Attorney for the Government. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Information Management Division

Enclosure

The enclosed documents represent the final release of information responsive to your Freedom of Information/Privacy Acts (FOIPA) request.

This material is being provided to you at no charge.

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes additional standard responses that apply to all requests for records on individuals. Part 3 includes general information about FBI records. For questions regarding Parts 1, 2, or 3, visit the www.fbi.gov/foia website under "Contact Us." Previously mentioned appeal and dispute resolution services are also available at the web address.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010))]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **National Security/Intelligence Records.** The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. A reasonable search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide and includes Electronic Surveillance (ELSUR) records. For additional information about our record searches visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

Davis, Patrick (Judiciary-Rep)

From: Davis, Patrick (Judiciary-Rep)
Sent: Friday, June 15, 2018 12:47 PM
To: Lasseter, David F. (OLA)
Cc: Foster, Jason (Judiciary-Rep)
Subject: FW: 2018-06-15 CEG to FBI (unclassified cover letter for FISA memorandum)
Attachments: 2018-06-15 CEG to FBI (unclassified cover letter for FISA memorandum).pdf

David,

Deputy Attorney General Rosenstein is copied on the attached letter from Chairman Grassley to Director Wray. The Office of Senate Security is arranging for delivery of the referenced classified memorandum.

Thanks,
-Patrick

From: Davis, Patrick (Judiciary-Rep)
Sent: Friday, June 15, 2018 12:46 PM
To: [redacted] (DO) (FBI) [redacted]
Cc: CEG (Judiciary-Rep) [redacted] Foster, Jason (Judiciary-Rep)
[redacted] Sawyer, Heather (Judiciary-Dem) [redacted]
Subject: 2018-06-15 CEG to FBI (unclassified cover letter for FISA memorandum)

b6 -1
b7C -1

b6 per OIP

b6 -1
b7C -1

Attached is an unclassified cover letter from Chairman Grassley to Director Wray. The unclassified cover letter and referenced classified memorandum were submitted this morning to the Office of Senate Security, which is arranging for their transmittal to FBI. Please confirm receipt of this email and please send all unclassified formal follow-up correspondence electronically in PDF format to the addresses copied above and me.

Thanks,
-Patrick

Patrick D. Davis
Deputy Chief Investigative Counsel
Chairman Charles E. Grassley

UNITED STATES SENATE COMMITTEE ON THE JUDICIARY
224 Dirksen Senate Office Building | Washington, DC 20510
phone 202.224.5225

~~TOP SECRET//NOFORN~~
(UNCLASSIFIED when separated from attachment)

CHARLES E. GRASSLEY, OHIO, Chairman	DIANNE FEINSTEIN, CALIFORNIA
ORREN G. MATTHEI, IOWA	BARBARA J. LEAHY, VERMONT
LINDSEY O. GRAHAM, SOUTH CAROLINA	ROBERTO J. CORKER, ALABAMA
JOHN CORNYN, TEXAS	SHARON BONDGOLDS, RHODE ISLAND
MARKETS W. LEE, TEXAS	JAY BYRNE, MINNESOTA
TED CRUZ, TEXAS	AL FRANKEN, MINNESOTA
MIKE LEE, UTAH	CHRISTOPHER A. COONS, DELAWARE
JEFF FLAKE, ARIZONA	ROBERTO BLUMENTHAL, CONNECTICUT
MARK GANDY, INDIANA	MARK E. WARREN, ILLINOIS
TIMM WAINES, NORTH CAROLINA	
JOHN KENNEDY, LOUISIANA	

MAURICE H. DAVIS, Chief Counsel and Staff Director
JENNIFER DAVIS, Subcommittee Staff Director

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-4276

June 15, 2018

VIA ELECTRONIC TRANSMISSION

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

Dear Director Wray:

Attached please find a classified memorandum related to additional concerns and questions regarding the FISA application for surveillance of Carter Page and the three renewal applications. I also formally request that the FBI perform a classification review of the memorandum and declassify it to the greatest extent possible, with minimal redactions if any are necessary to protect information that would legitimately cause harm to national security. Thank you for your prompt attention to this important matter. If you have any questions, please contact Patrick Davis of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Enclosure: As stated.

cc: The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary

~~TOP SECRET//NOFORN~~
(UNCLASSIFIED when separated from attachment)

The Honorable Richard Burr
Chairman
Senate Select Committee on Intelligence

The Honorable Mark Warner
Vice Chairman
Senate Select Committee on Intelligence

The Honorable Devin Nunes
Chairman
House Permanent Select Committee on Intelligence

The Honorable Adam Schiff
Ranking Member
House Permanent Select Committee on Intelligence

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice

The Honorable Rod J. Rosenstein
Deputy Attorney General
U.S. Department of Justice

TOP SECRET//NOFORN

Date: 07-17-2019
Classified by: NSICG/[REDACTED]
Reason: 1.4(C)
Declassify on: 12-31-2044

June 15, 2018

b6-1
b7C-1

(U) TO: The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation

(U) FROM: Chairman Charles E. Grassley
Senate Judiciary Committee
(TS)

(~~TS~~) SUBJECT: [REDACTED] the Carter Page FISA Applications

b1-1
b3-1
b7D-1

(U) As you know, as part of the Committee's constitutional duties to conduct oversight of the FBI and the broader Department of Justice, the Committee was provided access to a FISA application seeking approval for surveillance of Carter Page, as well as three renewal applications to continue that surveillance. Senator Graham and I previously wrote to you to raise issues regarding the primary source relied upon in those applications, Christopher Steele.

(~~TS~~) Today I write regarding [REDACTED] (TS)

[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] (TS)
[REDACTED] The FBI relied on Mr. Steele as a source in the applications even though his work was funded by the Clinton campaign and the Democratic National Committee. That fact was not clearly and specifically disclosed to the FISC. Instead, it was only vaguely alluded to in a footnote. Thus,

b1-1
b3-1
b7D-1
b7E-1

[REDACTED] [REDACTED] [REDACTED] (TS)

b1-1
b3-1
b7D-1

(U) In order for the Committee to evaluate these issues, please respond to the following questions and provide the requested documents by June 29, 2018:

1. (~~TS~~) What was the specific issue with [REDACTED] (TS)

b1-1
b3-1
b7D-1

[REDACTED]
[REDACTED]
[REDACTED] Please describe the issue in detail and provide all related documents.

2. (~~TS~~) The footnote stated that the FBI [REDACTED] (TS)

b1-1
b3-1
b7D-1

[REDACTED]
[REDACTED] Please provide a detailed explanation and provide all related documents.

TOP SECRET//NOFORN

~~TOP SECRET//NOFORN~~

3. (~~TS//NF~~) Please provide all Source Validation Reports [redacted] If none were completed, please explain why. (TS) b1-1 b3-1 b7D-1

4. (~~TS//NF~~) What steps, if any, did the FBI take to ensure [redacted] [redacted] Please provide all related documents. If no steps were taken, please explain why. (TS) b1-1 b3-1 b7D-1

5. (~~TS//NF~~) Was the FBI aware [redacted] [redacted] [redacted] Please provide all related documents. (TS) b1-1 b3-1 b7D-1

6. (~~TS//NF~~) The final renewal application, filed in late June of 2017, included additional information [redacted] (TS) [redacted] [redacted] [redacted] When did the FBI receive that additional information [redacted] [redacted] (TS) [redacted] [redacted] Please provide all related documents. b1-1 b3-1 b7D-1 b7E-1

(U) (~~TS//NF~~) To be clear, I do not seek to have the FBI disclose the identity of this source, nor do I want to know. Since FBI documents typically refer to sources by codename or source number, there is no reason the FBI cannot provide me answers to the questions above while protecting the source's anonymity.

(U) I anticipate that your responses may contain both classified and unclassified information. Please send all unclassified material directly to the Committee. Please send all classified material to the Office of Senate Security. Although the Committee complies with all laws and regulations governing the handling of classified information, it is not bound, absent its prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

~~TOP SECRET//NOFORN~~