



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

September 20, 2019

William F. Marshall
Judicial Watch
Suite 800
425 Third Street, SW
Washington, DC 20024
bmarshall@judicialwatch.org

Re: DOJ-2018-005947 (DAG)
18-cv-01854 (D.D.C.)
VRB:TAZ

Dear William Marshall:

This is an eighth interim response to your FOIA request dated and received in this Office on May 29, 2018, in which you requested records from the Office of the Deputy Attorney General (ODAG) relating to Fusion GPS, Nellie Ohr, and/or Christopher Steele, dating since January 2016. This response is made on behalf of ODAG.

On December 19, 2018, April 15, 2019, May 1, 2019, May 13, 2019, June 3, 2019, July 10, 2019, and August 20, 2019, we provided you with interim responses to your request. We have now completed processing an additional two hundred sixty-six pages containing records responsive to your request. I have determined that all of these pages are appropriate for release with excisions made pursuant to Exemptions 6 and 7(C) of the FOIA, 5 U.S.C. § 552(b)(6) and (b)(7)(C), copies of thirteen pages of which are enclosed. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. Exemption 7(C) pertains to information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties. Please note that, where withholdings are taken on behalf of the Federal Bureau of Investigation, they are marked accordingly.

The remaining two hundred fifty-three pages of records responsive to your request located in ODAG files are identical to a copy of the same document which is available on the House of Representatives' website, located at https://docs.house.gov/meetings/IG/IG00/20180322/108023/HRPT-115-1_1-p1-U3.pdf. The version located by OIP contains the same non-FOIA redaction markings that appear in the version online.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2012 & Supp. V 2017). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

-2-

If you have any questions regarding this response, please contact Michael Gerardi of the Department's Civil Division, Federal Programs Branch, at 202-616-0680.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Ziese", with a long horizontal flourish extending to the right.

Timothy Ziese
Senior Reviewing Attorney
for
Vanessa R. Brinkmann
Senior Counsel

Enclosures

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

Attorney General Jeff Sessions

To Department of Justice

You are hereby commanded to be and appear before the
Permanent Select Committee on Intelligence

of the House of Representatives of the United States at the place, date, and time specified below.

- ☒ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: U.S. Capitol- House Permanent Select Committee on Intelligence, HVC-304

Date: 01 September 2017

Time: 12:00 p.m.

- ☐ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To the United States Marshal Service or any authorized Member of Congress or congressional staff

_____ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 24th day of August, 2017.

Dermi Neumann
Chairman or Authorized Member

Attest:

Karen L. Haas
Clerk

PROOF OF SERVICE

Subpoena for Attorney General Jeff Sessions Department of Justice
Address _____ _____
before the Permanent Select Committee on Intelligence _____
U.S. House of Representatives 115th Congress

Served by (print name) <u>Nicholas A. Ciarlante</u>
Title <u>Chief Clerk</u>
Manner of service <u>By Hand</u>
Date <u>24 August 2017</u>
Signature of Server <u>Nicholas A. Ciarlante</u>
Address _____ _____

UNCLASSIFIED//COMMITTEE SENSITIVE

Schedule A

Complete and unredacted copies of the following:

Any and all documents including electronic communications referring or relating to any Department of Justice (DOJ) and/or Federal Bureau of Investigation's (FBI) relationship with former British Secret Intelligence Service officer Christopher Steele, and/or the so-called "Trump Dossier*" including, but not limited to:

1. Any and all applications (including applications for renewal or extension), if they exist, for court orders submitted to the Foreign Intelligence Surveillance Court (FISC) pursuant to the Foreign Intelligence Surveillance Act (FISA) (whether or not approved by the Court) where information provided by Mr. Steele was utilized;
2. Any and all FISC orders issued, if they exist, based on any information provided by Mr. Steele and/or Fusion GPS;
3. Any and all additional documents submitted to the FISC, including, but not limited to, pleadings and transcripts, if they exist, based on information provided by and/or created by Mr. Steele and/or Fusion GPS, if they exist.
4. Any information, if it exists, provided by Christopher Steele as an informant/source (confidential or otherwise), or in any other capacity;
5. Any and all FD-1023s, Contact Reports, or other documents incorporating, relying on, or referring to information provided by Mr. Steele and/or sub-sources and/or Fusion GPS and/or contained in the "Trump Dossier," if they exist;
6. Any documents that memorialize compensation paid to, or any other benefits conferred on Mr. Steele and/or sub-sources, if they exist;
7. Any documents, if they exist, that memorialize DOJ and/or FBI efforts to corroborate, validate, or evaluate information provided by Mr. Steele and/or sub-sources and/or contained in the "Trump Dossier"; and
8. Any and all documented communications, if they exist, concerning Mr. Steele or sub-sources, information provided by Mr. Steele or sub-sources, or information contained in the "Trump Dossier."

*For purposes of this subpoena, the Trump Dossier refers to the document compiled by Mr. Steele and published by *BuzzFeed News* on January 10, 2017.

Due to the nature of this information, a classified return may be necessary. To the extent such is the case, this subpoena and its parameters extend in its totality to the production of classified materials that are responsive.

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Schedule Instructions

1. In complying with this subpoena, you are required to produce all responsive records that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce records that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as records that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed records should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this subpoena has been, or is also known by any other name than that herein denoted, the subpoena shall be read also to include that alternative identification.
3. If any record responsive to this subpoena was, but no longer is, in your possession, custody, or control, identify the record (stating its date, author, subject and recipients) and explain the circumstances under which the record ceased to be in your possession, custody, or control.
4. If a date or other descriptive detail set forth in this subpoena referring to a record is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all records which would be responsive as if the date or other descriptive detail were correct.
5. This subpoena is continuing in nature and applies to any newly-discovered or newly-created information. Any responsive record not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
6. It shall not be a basis for refusal to produce records that any other person or entity also possesses non-identical or identical copies of the same records.
7. Each record produced shall be produced in a form that renders the record capable of being printed and copied.
8. The production returned pursuant to this subpoena will be issued in electronic format, either scanned copies of all documents or electronic files stored on a portable drive. A combination of the two is also acceptable, if that expedites production.
9. Records produced in response to this subpoena shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the subpoena was served.
10. When you produce records, you should identify the paragraph in the Committee's schedule to which the records respond.
11. Two sets of records shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When records are produced to the Committee, production sets shall be

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delivered to the Majority Staff in Room HVC-304 of the House of Representatives Building and the Minority Staff in Room HVC-304 of the House of Representatives Building.

12. Upon completion of the record production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all records in your possession, custody, or control which reasonably could contain responsive records; and (2) records responsive to the request have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee since the date of receiving the Committee's request or in anticipation of receiving the Committee's request.

Schedule Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, whether classified or unclassified, and whether original or copy, including, but not limited to, the following: memoranda, instructions, working papers, records notes, letters, notices, confirmations, telegrams, receipts, interoffice and intra office communications, electronic mail (e-mail), cables, notations of any type of conversation, telephone calls, meeting or other communications, bulletins, printed matter, computer printouts, teletypes, transcripts, diaries, analyses, summaries, minutes, accounts, projections, comparisons, messages, correspondence, press releases, circulars, reviews, opinions, investigations, questionnaires and surveys, spreadsheets, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto). The term also means any graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "documents in your possession, custody, or control" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that you have placed in the temporary possession, custody, or control of any third party.
3. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise.

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4. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this Subpoena any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
5. The terms "person" or "persons" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
6. The terms "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.
7. The term "Trump Dossier" refers to a document compiled by Mr. Steele and published by *BuzzFeed News* on or about January 10, 2017.



UNITED STATES
HOUSE OF REPRESENTATIVES

KASHYAP PRAMOD PATEL
SENIOR COUNSEL FOR COUNTERTERRORISM
PERMANENT SELECT COMMITTEE ON INTELLIGENCE

Desk: (b)(6)
Cell: 202-300-8558

HVC-304, THE CAPITOL
WASHINGTON, DC 20515

(b)(6)



UNITED STATES
HOUSE OF REPRESENTATIVES

NICK CIARLANTE
CHIEF CLERK
PERMANENT SELECT COMMITTEE ON INTELLIGENCE

(b)(6)
Fax (202) 225-1991

HVC-304, U.S. CAPITOL
WASHINGTON, DC 20515

(b)(6)

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DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

September 15, 2017

The Honorable Jeff Sessions
Attorney General
United States Department of Justice
950 Pennsylvania Ave, N.W.
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave, N.W.
Washington, D.C. 20530

Dear Attorney General Sessions and Director Wray:

On September 14, 2017, representatives from the Department of Justice (“DOJ”) and Federal Bureau of Investigation (“FBI”) informed the Committee that they were not prepared to produce *any* documents responsive to the subpoenas issued on August 24—despite a 13-day extension of the original September 1 deadline that was granted at DOJ’s request. I was particularly concerned to learn that, in the past three weeks, efforts to assemble such documents had not advanced beyond a preliminary stage.

As noted in my letter of September 1, the Committee continues to seek any documents regarding the extent of your agencies’ relationship with former British Secret Intelligence Service officer Christopher Steele and/or the so-called “Trump Dossier” relevant to the Committee’s ongoing investigation of Russian interference in the 2016 U.S. presidential election—including allegations of collusion between the Trump campaign and the Russians. The Committee has also sought any Foreign Intelligence Court Surveillance Act (FISA) applications submitted to the Foreign Intelligence Surveillance Court (FISC) – whether or not approved by the FISC – that may have incorporated any information provided by Mr. Steele and/or Fusion GPS. To date, no documents have been provided.

Unfortunately, DOJ’s and FBI’s last-minute engagement with the Committee regarding subpoena compliance and failure to produce *any* documents—including those previously made available—fits into a continuing pattern of insufficient responsiveness to written Committee requests dating back over 5 months, including for documents and testimony from Attorney

General Sessions, FBI Deputy Director Andrew McCabe, and former Acting Assistant Attorney General Mary McCord.

The Committee remains committed to exercising its constitutional oversight responsibilities, and will continue seeking your cooperation with these efforts. DOJ and FBI are therefore granted an extraordinary extension of an additional seven (7) days for production that satisfies the August 24 subpoena, to occur no later than 9:00 a.m. on September 22, 2017. In the alternative, and pursuant to the testimonial subpoenas issued on September 5, the Attorney General and the Director of the FBI shall appear for an open hearing at 9:00 am on September 28, 2017, in Room HVC-210 of the U.S. Capitol, to testify under oath.

In the event of continued noncompliance, the Committee reserves its right to proceed with any and all available legal options—including reporting to the full House of Representatives a resolution to hold the Attorney General and Director of the FBI in contempt of Congress, pursuant to 2 U.S.C. §§ 192, 194.

Sincerely,

A handwritten signature in blue ink that reads "Devin Nunes". The signature is written in a cursive, flowing style.

Devin Nunes
Chairman

Devin Nunes, California, CHAIRMAN

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PERMANENT SELECT COMMITTEE
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HVC-304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225-4121

DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

September 1, 2017

The Honorable Jeff Sessions
Attorney General
United States Department of Justice
950 Pennsylvania Ave, N.W.
Washington, D.C. 20530

Dear Attorney General Sessions:

On August 24, 2017, the House Permanent Select Committee on Intelligence ("Committee") served subpoenas on the Attorney General, in his capacity as head of the Department of Justice ("DOJ"), and the Director of the Federal Bureau of Investigation ("FBI") for production of documents relevant to the Committee's ongoing investigation of Russian interference in the 2016 U.S. presidential election, including allegations of collusion between the Trump campaign and the Russians.

The subpoenas directed DOJ and FBI to produce any and all documents relating to the agencies' relationship with former British Secret Intelligence Service officer Christopher Steele and/or the so-called "Trump Dossier," including those memorializing FBI's relationship with Mr. Steele, any payments made to Mr. Steele, and efforts to corroborate information provided by Mr. Steele and his sub-sources—whether directly or via Fusion GPS. The subpoenas also directed DOJ and FBI to provide copies of any Foreign Intelligence Surveillance Act (FISA) applications submitted to the Foreign Intelligence Surveillance Court (FISC)—whether or not approved by the FISC—incorporating information provided by Mr. Steele, his sub-sources, and/or Fusion GPS.

Resort to compulsory process was necessary because of DOJ's and FBI's insufficient responsiveness to the Committee's numerous Russia-investigation related requests over the past several months. On multiple occasions, through written requests and direct engagements, the Committee has sought but failed to receive responsive testimony or documents from DOJ and FBI. For example, to date the Committee has not received a meaningful response to its May 9, 2017, request to Attorney General Sessions. Additionally, on May 16, 2017, the Committee sent a letter asking then-Acting Director Andrew McCabe to participate in a voluntary interview, and produce relevant documents. The Committee received no reply until May 27—more than two months later—when DOJ declined the interview request and indicated that "the Department is not prepared to respond further to your request at this time."

Previously, on March 8, the Committee sought from DOJ certain documents, including relevant FISA applications and FISC orders, and on March 17 was allotted two billets to review responsive documents on a read-and-return basis. The Committee was not provided a copy of these documents, and the Committee's request to review them again was denied.

The subpoenas issued on August 24 required production no later than 12:00pm on September 1, 2017. Neither DOJ nor FBI provided any documents by the deadline. On the afternoon of August 31, less than 24 hours before the due date, the Committee received an initial response from the DOJ Office of Legislative Affairs requesting—on behalf of both DOJ and FBI—additional time to comply with the subpoenas.

The Committee requires timely production of the subpoenaed documents in order to execute its oversight responsibilities on behalf of the American public and fully evaluate the actions of both DOJ and the FBI. There is no legitimate basis for DOJ's failure to meaningfully engage the Committee until the eve of the deadline or begin production as a show of good faith.

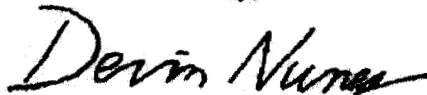
Moreover, there is no legitimate basis for DOJ's request for additional time to comply, because DOJ and the FBI are well aware of the identity of the requested documents. Indeed, as noted above, at least some of them have already been compiled and made temporarily available for the Committee's review, and the remaining requested documents are readily identifiable.

Notwithstanding these concerns, the Committee hereby grants an additional thirteen (13) days for full compliance and production, to occur no later than 9:00 a.m. on September 14, 2017, at the local specified in the original subpoena. This revised deadline will not be extended.

In the alternative, if all responsive documents are not produced by the revised deadline, the Attorney General and the Director of the FBI shall appear before the Committee at 9:00 am on September 14, 2017, in Room HVC-210 of the U.S. Capitol during an open hearing, to explain under oath DOJ's and FBI's unwillingness or inability to comply in full with the subpoenas issued on August 24.

Please be advised that, in the event that DOJ or FBI fails to provide the documents in full or testimony described above, the Committee expressly reserves its right to proceed with any and all available legal options—including reporting to the full House of Representatives a resolution to hold the Attorney General and Director of the FBI in contempt of Congress, pursuant to 2 U.S.C. §§ 192, 194.

Sincerely,

A handwritten signature in black ink that reads "Devin Nunes". The signature is written in a cursive, flowing style.

Devin Nunes
Chairman

Devin Nunes, California, CHAIRMAN

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DAMON NELSON
STAFF DIRECTOR

TIMOTHY S. BERGREEN
MINORITY STAFF DIRECTOR

March 23, 2018

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Washington, D.C. 20535

Dear Attorney General Sessions and Director Wray:

As you are aware, the House Permanent Select Committee on Intelligence (the Committee) is conducting an ongoing investigation into the abuse of surveillance authorities under the Foreign Intelligence Surveillance Act (FISA) by the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI). While the Committee appreciates the cooperation of DOJ and FBI with some past requests, I hope that you will expedite the process moving forward. Additionally, the Committee remains concerned about the DOJ's and FBI's unduly narrow construction—and withholding—of information relevant to the Committee's exercise of its ongoing constitutional oversight responsibilities.

To further the Committee's investigation, the Committee directs DOJ and FBI to, **no later than 5:00 pm on April 9, 2018**, provide in unredacted form, all documents and communications, including emails and text messages (from any messaging applications) referring or relating to any of the following topics: (1) the Steele dossier, to include any and all information that supported or related to the work undertaken by Christopher Steele; (2) all applications for surveillance under the Foreign Intelligence Surveillance Act against any person affiliated with the campaign for any candidate in the 2016 U.S. presidential election, and any documents and communications pertaining to the processes related to those applications; and (3) all matters where the below named DOJ/FBI individuals discussed, referenced, or undertook work regarding Christopher Steele, the Steele dossier, related FISA applications and the application process.

The Committee requests these materials, for the time period from January 1, 2016, to the present, from all government-provided accounts (classified and unclassified) and government-provided devices for the following current and/or former DOJ/FBI officials:

1. James Comey
2. Andrew McCabe
3. Peter Strzok
4. Lisa Page
5. (b)(6), (b)(7)(C) per FBI
6. Bill Priestap
7. Greg Brower
8. James Baker
9. Bruce Ohr

With respect to former FBI Deputy Director McCabe, the request should be construed to include any memoranda documenting his conversations or interactions with President Trump.

Sincerely,



Devin Nunes
Chairman