

# U.S. House of Representatives

## Committee on the Judiciary

Washington, DC 20515-6216

One Hundred Sixteenth Congress

May 30, 2019

The Honorable Michael Horowitz  
Inspector General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Inspector General Horowitz:

I write regarding the Investigative Summary released by your office yesterday titled *Findings of Misconduct by an FBI Deputy Assistant Director for Unauthorized Contacts with the Media, Disclosing Law Enforcement and Other Sensitive Information to the Media, and Accepting a Gift from the Media* (Summary). The investigation leading to the Summary originally stemmed from your office's *Review of Allegations Regarding Various Actions by the Department and the Federal Bureau of Investigation (FBI) in Advance of the 2016 Election* (2018 Report).

The Summary states, in pertinent part:

The OIG investigation concluded that the DAD [Deputy Assistant Director] engaged in misconduct when the DAD: (1) disclosed to the media the existence of information that had been filed under seal in federal court, in violation of 18 USC §401, Contempt of Court; (2) provided without authorization FBI law enforcement sensitive information to reporters on multiple occasions; and (3) had dozens of official contacts with the media without authorization, in violation of FBI policy.<sup>1</sup>

The Summary later states "Prosecution of the DAD was declined."<sup>2</sup>

While the DAD is not named in the Summary, there are several indications the DAD in question is former FBI counterintelligence agent Peter Strzok. For example, the 2018 Report noted, "Peter Strzok is an experienced counterintelligence agent who was promoted to Deputy Assistant Director (DAD) of the Espionage Section in September 2016."<sup>3</sup> The 2018 Report also said, "[m]ost troubling, on October 29, 2016, Strzok forwarded from his FBI account to his

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<sup>1</sup> INSPECTOR GEN., DEP'T OF JUSTICE, *Findings of Misconduct by an FBI Deputy Assistant Director for Unauthorized Contacts with the Media, Disclosing Law Enforcement and Other Sensitive Information to the Media, and Accepting a Gift from the Media* (2019).

<sup>2</sup> *Id.*

<sup>3</sup> INSPECTOR GEN., DEP'T OF JUSTICE, *Review of Allegations Regarding Various Actions by the Department and the Federal Bureau of Investigation (FBI) in Advance of the 2016 Election*, 396 (2018) [hereinafter Election Report].

personal email account an email about the proposed search warrant the Midyear team<sup>4</sup> was seeking on the Weiner laptop. This email included a draft of the search warrant affidavit, which contained information from the Weiner investigation that appears to have been under seal at the time in the Southern District of New York . . .”<sup>5</sup>

According to Figure 3.1 of the 2018 Report, no other Deputy Assistant Director was in the FBI Chain of Command for the Midyear investigation, the main subject of the 2018 Report.<sup>6</sup> As such, please answer the following questions:

- 1) Is Peter Strzok the DAD referenced in the report?
- 2) Was this case referred to the Department of Justice for prosecution?
- 3) Did the Department decline to prosecute? If so, why?
- 4) Was the appropriate federal court notified an FBI agent disclosed to the media existence of information that had been filed under seal? If not, why not? If so, what, if any, action was taken by the Court?

Additionally, last year you testified before the Senate Judiciary Committee your office was investigating former FBI Director James Comey’s leaking of memos he wrote regarding his conversations with the President. Specifically, you testified, “we received a referral on that from the FBI. We are handling that referral and we will issue a report when the matter is complete, consistent with the law and rules.”<sup>7</sup> To better understand the status of this review, please answer the following question:

- 5) Is your office’s investigation into James Comey still ongoing? If not, what was the resolution of your investigation? If so, when do you anticipate issuing a report on the matter?

Please provide answers to these questions on or before June 7, 2019. Thank you in advance for your cooperation in these matters.

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<sup>4</sup> “Midyear Exam” was the internal codename the FBI gave to its investigation into former Secretary of State Hillary Clinton’s email server.

<sup>5</sup> Election Report, *supra* note 3, at 426.

<sup>6</sup> *Id.* at 45.

<sup>7</sup> *Examining the Inspector General’s First Report on Justice Department and FBI Actions in Advance of the 2016 Presidential Election: Hearing Before the S. Comm. on the Judiciary*, 115th Cong. (2018) (testimony of Hon. Michael Horowitz, Inspector Gen., U.S. Dep’t of Justice).

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Sincerely,



Doug Collins  
Ranking Member

cc: The Honorable Jerrold Nadler, Chairman