

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<http://oversight.house.gov>

April 10, 2019

The Honorable Daniel R. Coats  
Director of National Intelligence  
Office of the Director of National Intelligence  
Washington, DC 20511

Dear Mr. Director:

On September 28, 2018, the House Permanent Select Committee on Intelligence (HPSCI) voted to publicly release 53 transcripts of witness interviews that HPSCI conducted during its investigation into Russia's interference in the 2016 presidential election.<sup>1</sup> In preparation for this public disclosure, HPSCI transmitted the transcripts to the Office of the Director of National Intelligence (ODNI) for a classification review.<sup>2</sup> As it has now been over six months since these actions, we write to seek an update on the status of ODNI's classification review of these 53 transcripts.

Disclosure of HPSCI's transcripts—with appropriate protections for classified information—is particularly relevant now that Special Counsel Robert Mueller has completed his investigation of Russian interference in the 2016 presidential election. The Special Counsel found that no member or associate of the Trump campaign conspired with the Russian government.<sup>3</sup> As the Justice Department prepares the Special Counsel's report for public disclosure, full transparency demands the public disclosure of HPSCI's witness interviews on the same subject matter.

Disclosure of these transcripts will also advance our ongoing oversight of the Justice Department and Federal Bureau of Investigation (FBI). During the 115th Congress, the House Committees on Oversight and Government Reform and Judiciary initiated an investigation of the FBI's and the Justice Department's actions in two major investigations affecting the 2016

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<sup>1</sup> H. Perm. Select Comm. on Intel., Business Meeting, (Sept. 28, 2018) ("Motion that the Committee Transmit Certain Executive Session Transcripts to the Office of the Director of National Intelligence for Appropriate Classification Review in Preparation for Public Disclosure: *Passed by Voice*"); See Morgan Chalfant, *House Intel votes to release Russia transcripts*, THE HILL, (Sept. 28, 2018) (Rep. Mike Conaway: "We would like to make sure that we're not responsible for releasing classified information... While some of those folks don't have classifications, classified material was discussed.").

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

<sup>3</sup> Letter from William Barr, Att'y Gen., Dep't of Justice, to Lindsey Graham, Dianne Feinstein, Jerrold Nadler, Doug Collins (March 24, 2019).

presidential election.<sup>4</sup> We continue to examine whether Justice Department and FBI personnel deviated from apolitical prosecutorial and investigative norms during these investigations. The disclosure of the HPSCI transcripts for former FBI Deputy Director Andrew McCabe, former Deputy Attorney General Sally Yates, and former Director of National Intelligence James Clapper, among others, will advance our oversight.

In March 2018, HPSCI issued a report finding that the Trump campaign did not coordinate with the Russian government to interfere in the 2016 presidential election.<sup>5</sup> HPSCI sought to advance public transparency on this matter by publicly releasing its transcripts following ODNI's classification review.<sup>6</sup> Then-Chairman Devin Nunes estimated that about 70 to 80 percent of the information from the interviews is unclassified and signaled that ODNI could complete its review in a matter of weeks.<sup>7</sup> Chairman Nunes expected ODNI could complete its review promptly because "there's so much that's out there that's misinformation or disinformation on this Russia-gate fiasco."<sup>8</sup>


With the findings by the Special Counsel—that no associate of President Trump's campaign coordinated with Russia to interfere in the 2016 presidential election—we see no further reason to delay. Prompt declassification of HPSCI's transcripts will advance our Committee's oversight responsibilities and provide the American public with important transparency. To that end, we ask:

1. When will ODNI complete its classification review of all 53 HPSCI transcripts?
2. How many of the 53 transcripts have been reviewed to date?
3. Please explain why ODNI has spent over six months reviewing the HPSCI transcripts.

If you have any questions, please contact us directly or ask your staff to contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

  
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Jim Jordan  
Ranking Member

Sincerely,

  
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Mark Meadows  
Ranking Member  
Subcommittee on Government Operations

<sup>4</sup> News Release, H. Comm. on Judiciary and Oversight & Gov't Reform, Gowdy, Goodlatte Open Investigation Into Decisions Made by DOJ in 2016 (Oct. 24, 2016), <https://republicans-oversight.house.gov/release/gowdy-goodlatte-open-investigation-decisions-made-doj-2016/>.

<sup>5</sup> *Report on Russian Active Measures*, H. Perm. Select Comm. on Intel., (March 22, 2018).

<sup>6</sup> H. Perm. Select Comm. on Intel., Business Meeting, (Sept. 28, 2018); *Republicans plans release of House interviews in Russia probe*, CBS NEWS, (Sept. 17, 2018).

<sup>7</sup> *GOP push to release House interviews in Russia investigation*, AP, (Sept. 16, 2018).

<sup>8</sup> *Republicans plans release of House interviews in Russia probe*, CBS NEWS, (Sept. 17, 2018).

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cc: The Honorable Elijah E. Cummings, Chairman, Committee on Oversight and Reform  
The Honorable Adam B. Schiff, Chairman, Permanent Select Committee on Intelligence  
The Honorable Devin G. Nunes, Ranking Member, Permanent Select Committee on  
Intelligence