

# Congress of the United States

Washington, DC 20515

December 15, 2017

Sarah Isgur Flores  
Director  
Office of Public Affairs  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington DC 20530

Dear Director Flores,

We wrote to you yesterday regarding the Department's decision to invite a group of reporters to view text messages between FBI officials Peter Strzok and Lisa Page—in private, at Department headquarters, and before delivery to congressional offices was complete.<sup>1</sup>

Shortly after we transmitted our letter to the Department, you released a statement to the press:

When the initial inquiries came from the committees and members of Congress, the deputy attorney general consulted with the inspector general, and the inspector general determined that he had no objection to the Department's providing the material to the Congressional committees . . . . After that consultation, senior career ethics advisers determined that there were no legal or ethical concerns, including under the Privacy Act, that prohibited the release of the information to the public either by members of Congress or by the Department.<sup>2</sup>

But later in the evening, your story appears to have changed. In an additional statement, you said: "As we understand now, some members of the media had already received copies of the texts before that—but those disclosures were not authorized by the department."<sup>3</sup>

We require clarification on this point. In addition to the questions we asked in yesterday's letter to you, please tell us:

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<sup>1</sup> Natasha Bertrand, *In 'highly unusual' move, DOJ secretly invited reporters to view texts sent by ousted FBI agents*, BUSINESS INSIDER, Dec. 13, 2017.

<sup>2</sup> David Shortell, *DOJ says no wrongdoing in release of FBI agent's texts*, CNN, Dec. 14, 2017.

<sup>3</sup> Darren Samuelsohn, *Democrats want to know why Justice Department released FBI texts*, POLITICO, Dec. 14, 2017.

- Did the media have access to these text messages prior to their delivery to Congress?
- Did the Department authorize this disclosure? If so, who in the Department authorized this disclosure? If not, who in the Department made or facilitated this disclosure?
- If indeed it happened, why did you omit this unauthorized disclosure from your initial statement to the press?
- You say that you relied on the advice of “career ethics advisers” who “determined there were no legal or ethical concerns” with your release of this material to the press. Please provide all documents and communications that form the basis of this advice.

We ask for your response to both our initial letter and these questions no later than December 19, 2017. We also ask that you communicate directly with our offices, rather than through the press, when providing your response.

Sincerely,



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Jerrold Nadler  
Ranking Member

House Committee on the Judiciary



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Hakeem Jeffries  
Member of Congress



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Jamie Raskin  
Vice Ranking Member  
House Committee on the Judiciary

cc: Chairman Bob Goodlatte, House Committee on the Judiciary  
Deputy Attorney General Rod J. Rosenstein, U.S. Department of Justice