

Congress of the United States

Washington, DC 20515

December 14, 2017

The Hon. Michael Horowitz
Inspector General
U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Ave, NW, Suite 4706
Washington, DC, 20530

Dear Mr. Horowitz,

On the evening of December 12, 2017, the Department of Justice delivered to us a set of private text messages between FBI officials Peter Strzok and Lisa Page. It has been reported that the Department also invited a group of reporters to view these text messages—in private, at Department headquarters, and before delivery to congressional offices was complete.¹

On December 13, 2017, Deputy Attorney General Rod Rosenstein appeared as a witness before the House Judiciary Committee. When Representatives Hakeem Jeffries (D-NY) and Jamie Raskin (D-MD) questioned him about the Department's sharing these sensitive text messages with the press, Mr. Rosenstein responded:

[A]s you know, I am not the public affairs officer, so I wouldn't know what the precedent was, but generally speaking our goal is to be as forthcoming with the media as we can, when it is lawful and appropriate to do so. So I would not approve anybody disclosing something that was not appropriate to disclose.²

When pressed further about the relevance of the text messages to an ongoing investigation by the Office of the Inspector General, Mr. Rosenstein said:

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

² *Oversight Hearing with Deputy Attorney General Rod Rosenstein*, before the H. Comm. on the Judiciary, Dec. 13, 2017 (statement of Deputy Attorney general Rod Rosenstein).

When this inquiry came in from the Congress, we did consult with the Inspector General to determine that he had no objection to the release of the material. If he had, I can assure you we would not have authorized the release.³

We write to you for further clarification on this matter:

- A spokeswoman for the Department suggested that “career Justice officials evaluated the messages . . . to be sure they could be released ‘under both ethical and legal standards.’”⁴ Did the Department consult with your office prior to its producing these text messages to Congress?
- Did the Department consult with your office prior to its sharing these text messages with the press?

Thank you for your prompt attention to this matter. We ask for your response no later than December 19, 2017.

Sincerely,



Jarrold Nadler
Ranking Member
House Committee on the Judiciary



Hakeem Jeffries
Member of Congress



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

³ *Id.*

⁴ Darren Samuelsohn, *DOJ fuels doubt about integrity of Mueller probe*, POLITICO, Dec. 14, 2017.