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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

May 23, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Rod J. Rosenstein
Deputy Attorney General
U.S. Department of Justice

Dear Deputy Attorney General Rosenstein,

On May 1, 2018, and May 18, 2018, Committee staff reviewed *in camera* less redacted versions of the Strzok and Page text message productions provided to the Committee. On several occasions, my staff have requested that the Department of Justice provide the Committee with a redaction key, to no avail. Thus, the Committee is still in the dark about the justification the Department is relying upon to withhold that information from Congress. As one example of redacted material, in a text message produced to the Committee, the price of Andrew McCabe's \$70,000 conference table was redacted.¹ In another, an official's name was redacted in reference to a text about the Obama White House "running" an investigation, although it is unclear to which investigation they were referring.²

In order to see under the redactions, Committee staff had to travel to main Justice to review a lesser redacted version. When viewing the still redacted portions in context with the unredacted material, it appeared that the redacted portions may contain relevant information relating to the Committee's ongoing investigation into the manner in which the Department of Justice and FBI handled the Clinton and Russia investigations.³

Congress, and the public, have a right to know how the Department spends taxpayer money. I am unaware of any legitimate basis on which the cost of a conference table should be redacted. Embarrassment is not a good enough reason. The manner in which some redactions have been used casts doubt on whether the remaining redactions are necessary and defensible.

¹ Page: No way to change the room. The table alone was [70k]. (You can't repeat that!) No, instead it just means we now have to get a small conference table for his actual office, so that he can actually have a meeting that is intimate. DOJ-PROD-0000118. On April 3, 2015, as a result of my inquiring into the spending practices of the United States Marshals Service, the agency responded in an unredacted letter that a conference table cost \$22,000. Thus, there is no reasonable justification for redacting the cost of a conference table. Letter from William Delaney, Chief of Congressional and Public Affairs, USMS, to Senator Charles Grassley, Chairman. Sen. Comm. on the Judiciary (April 3, 2015).

² Strzok: And hi. Went well, best we could have expected. Other than [Liz's] quote, "the White House is running this." DOJ-PROD-0000212.

³ Several examples: DOJ-PROD-0000109; DOJ-PROD-0000119; DOJ-PROD-0000123; DOJ-PROD-0000154; DOJ-PROD-0000199; DOJ-PROD-0000199; DOJ-PROD-0000202; DOJ-PROD-0000204; DOJ-PROD-0000206; DOJ-PROD-0000208; DOJ-PROD-0000210; DOJ-PROD-0000212; DOJ-PROD-0000219; DOJ-PROD-0000220; DOJ-PROD-0000222; DOJ-PROD-0000226; DOJ-PROD-0000233; DOJ-PROD-0000258; DOJ-PROD-0000274; DOJ-PROD-0000275; DOJ-PROD-0000276; DOJ-PROD-0000324.

Accordingly, please provide unredacted copies of all text messages produced to the Committee no later than June 6, 2018. Should the Department continue to refuse to provide fully unredacted copies to Congress, please provide a privilege log describing the legal basis for withholding that information from Congress.

I anticipate that your written reply and most responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committee, and provide a classified addendum to the Office of Senate Security. Although the Committee complies with all laws and regulations governing the handling of classified information, it is not bound, absent its prior agreement, by any handling restrictions.

Should you have any questions, please contact Josh Flynn-Brown of my Judiciary Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary