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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 Staff Director*

October 18, 2017

VIA ELECTRONIC TRANSMISSION

The Honorable Jeff Sessions
Attorney General
United States Department of Justice
Washington, D.C. 20220

Dear Attorney General Sessions:

On October 12, 2017, I wrote to several agencies, including the Department of Justice, regarding the Uranium One/Rosatom transaction that was approved by the Committee on Foreign Investment in the United States (CFIUS) during the Obama administration. In that letter, I noted that the Department had an ongoing criminal investigation into Rosatom officials during the CFIUS approval process and asked, among other things, whether CFIUS was informed of that criminal matter.

On October 18, 2017, *The Hill* reported that “[a]n American businessman . . . worked for years undercover as an FBI confidential witness” to assist in the Department’s criminal investigation.¹ According to the reporting, the confidential witness “was asked by the FBI to sign a nondisclosure agreement (NDA) that prevents him from revealing what he knows to Congress.”² Further, the witness’ attorney said, “the Obama Justice Department threatened him with loss of freedom. They said they would bring a criminal case against him for violating an NDA.”³

These restrictions appear to improperly prevent the individual from making critical, good faith disclosures to Congress of potential wrongdoing. They also purport to limit the Committee’s access to information it needs to fulfill its constitutional responsibility of oversight. This Committee has oversight jurisdiction of the Justice Department, and if this NDA does in fact exist, it hinders the Committee’s ability to do its job. Accordingly, please provide a copy of the NDA by November 1, 2017. In addition, should the NDA exist, I request that you release him from it and pledge not to engage in any form of retaliation against him for good faith communications with Congress.

¹ John Solomon and Alison Spann, *FBI informant blocked from telling Congress about Russia nuclear corruption case, lawyer says*, *The Hill* (Oct. 18, 2017).

² *Id.*

³ *Id.*

Should you have further questions, please contact Josh Flynn-Brown or DeLisa Lay of my Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Chairman
Committee on the Judiciary