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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

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August 17, 2016

VIA ELECTRONIC TRANSMISSION

Michael DiSilvestro
Director Office of Senate Security
United States Senate
Washington, D.C. 20510

Dear Mr. DiSilvestro:

Pursuant to my oversight request to the Federal Bureau of Investigation (FBI) as Chairman of the Judiciary Committee, yesterday the FBI provided to your office certain documents from its criminal investigation into former Secretary of State Hillary Clinton.

A substantial amount of the material appears to be unclassified or has been explicitly portion marked as unclassified. Specifically, the FBI 302 interview summary of Huma Abedin and several other witnesses appear to be entirely unclassified, as there are no header or footer markings on each page and every paragraph is portion marked as UNCLASSIFIED. Additionally, the Letterhead Memorandum summarizing the FBI's investigation is 32 pages long, but has fewer than a dozen and a half paragraphs marked SECRET. The rest are marked as UNCLASSIFIED/FOUO.

As I have expressed to the FBI in the past, it is inappropriate to unnecessarily mingle classified and unclassified information. Doing so requires that in order to access the unclassified information constituting a substantial amount of the material, Members and staff must unnecessarily access the classified portions as well. In order to properly safeguard classified information, it should be accessed only when necessary to decrease the potential for compromise.

Accordingly, as you have done on similar occasions in the past, please provide the Judiciary Committee with a copy of the unclassified FBI documents from the production. Out of an abundance of caution, my staff has asked the FBI to work with your office to confirm that the

FBI interview summaries contained in the binders sent yesterday that do not contain the proper classified markings are, in fact, unclassified. For those documents that are portion marked, please provide the Committee with unclassified copies by redacting the information that has been marked as classified. This request applies only to the documents authored by the FBI in the first binder. It does not include the classified emails recovered from Secretary Clinton's server included in the second binder of materials provided yesterday.

While it is regrettable that the FBI has imposed the burden of this task on your office by improperly comingling so much unclassified material with classified material, I appreciate your prompt assistance on previous occasions as well as in this instance, since these unclassified materials are necessary to ongoing Judiciary Committee investigations. Please contact Jason Foster of my staff at (202) 224-5225 with any questions.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary