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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*

November 30, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Christopher Wray
Director
Federal Bureau of Investigation

Dear Director Wray:

On November 19, 2018, the Federal Bureau of Investigation (FBI) reportedly raided the home of a former FBI contractor, Mr. Dennis Nathan Cain, who reportedly made disclosures to the Department of Justice Office of the Inspector General in accordance with the Intelligence Community Whistleblower Protection Act (ICWPA).¹ As you are aware, the ICWPA applies to FBI contractors and provides them a mechanism by which to report waste, fraud, abuse, and mismanagement to Congress and the Inspector General. During the raid, agents reportedly seized documents that Mr. Cain had provided to the Inspector General and that the Inspector General later provided to the House and Senate Intelligence Committees. These documents relate to the Clinton Foundation and Uranium One transaction. To better understand the FBI's basis for performing the raid, please answer the following no later than December 12, 2018:

1. Was the FBI aware at the time of the raid that Mr. Cain had made what appeared to be lawful disclosures to the Inspector General? If so, was the FBI aware that these disclosures were passed to the House and Senate Intelligence Committees, per the ICWPA process?
2. Does the FBI consider Mr. Cain's disclosures to be protected? Please explain.
3. On what basis did the FBI decide to carry out the aforementioned raid on November 19, 2018? Please explain and provide a copy of the warrant and all supporting affidavits.
4. Did the materials seized by the FBI during the raid contain any classified information? If so, was that information classified at the time Mr. Cain brought them to his residence?

¹ Richard Pollock "Exclusive: FBI Raids Home of Whistleblower on Clinton Foundation, Lawyer Says" *The Daily Caller* (November 29, 2018). Available at: <https://dailycaller.com/2018/11/29/fbi-whistleblower-clinton-uranium/>

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.

Thank you in advance for your cooperation with this request. If you have any questions, please contact Josh Flynn-Brown 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