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HVC-304, THE CAPITOL
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(202) 225-4121

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October 31, 2016

Dear Director Comey:

Thank you for your letter of October 28, 2016, informing the Committee that the Federal Bureau of Investigation (FBI) would take the appropriate investigative steps to determine whether newly discovered emails related to former Secretary of State Hillary Clinton's personal email server contain classified information. I remain appreciative of the FBI's steadfast commitment to thoroughly investigating the extent of the harm former Secretary Clinton caused to our national security through her use of an unauthorized email server.

Your letter and several recent press reports raise a number of questions relevant to the Committee's oversight of the U.S. Intelligence Community (IC), of which FBI is a part. Given the unprecedented level of transparency you have promised Congress regarding this investigation, I hope you will answer the following questions as expeditiously as possible:

1. Press reports indicate there are approximately 650,000 e-mails on the one or more electronic devices FBI agents seized from Anthony Weiner, including many emails sent or received by Huma Abedin, a former State Department employee and current aide to former Secretary Clinton. How many of those e-mails contain metadata showing they were sent to or from former Secretary Clinton's private server?
2. We understand FBI agents investigating Anthony Weiner seized one or more electronic devices in mid-September. Please confirm the date FBI seized the devices and provide the dates when you, Deputy Director Andrew McCabe, and Attorney General Loretta Lynch, respectively, first learned the devices contained e-mails that were pertinent to the investigation of former Secretary Clinton's email server.
3. Press reports also indicate Deputy Director McCabe recused himself from an FBI investigation involving Virginia Governor Terry McAuliffe due to the donations McAuliffe's political action committee made to the political campaign of McCabe's wife. Has Deputy Director McCabe recused himself from other investigations involving former Secretary Clinton, including the investigation of classified information on her private email server? If so, when? And if not, why not?

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The Honorable James B. Comey
October 31, 2016
Page 2

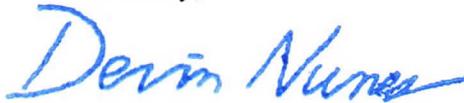
Separately, according to an interview summary released in response to Freedom of Information Act (FOIA) requests, an aide to former Secretary Clinton was counseled by Diplomatic Security officers because she brought Clinton's classified briefing book into a hotel room in Russia and a classified document from the briefing book was left in the hotel room after her departure. Additionally, an e-mail released in response to a FOIA request describes Huma Abedin asking another staffer to remove "burn stuff" that Abedin had left in a car during a trip to India. I also understand that former Secretary Clinton left classified documents in her hotel room in China and that U.S. Marine Corps security officials filed a report related to the possible compromise of the documents. In light of this information, please answer these additional questions:

1. How many incidents did the FBI investigation discover in which former Secretary Clinton or her aides mishandled hard-copy classified documents while overseas, and how did the incidents affect your decision not to recommend criminal charges?
2. Did any of the classified documents include information from IC elements? If so, what was the classification level of the information and which IC elements were the original classification authority?
3. Please provide any damage assessments that FBI or any other IC element carried out related to these incidents.

Please provide answers to these questions as soon as possible, but no later than November 2, 2016. I also remind you that, by law, FBI personnel have the right to furnish information, including classified information, to the congressional intelligence committees in accordance with applicable security procedures.

Please have your staff contact Michael Ellis of the Committee staff at (202) 225-4121 with any questions regarding this request. Thank you for your attention to this important matter.

Sincerely,



Devin Nunes
Chairman

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