

UNITED STATES OF AMERICA  
*Congress of the United States*

SUBPOENA

000002

To Federal Bureau of Investigation  
c/o Director Christopher Wray  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Greeting:

*Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS of the Senate of the United States, on August 20, 2020, at 5:00 o'clock p .m., at its committee room, 340 Dirksen Senate Office Building, Washington, D.C. 20510, then and there to produce all records related to the Crossfire Hurricane investigation. This includes, but is not limited to, all records provided or made available to the Inspector General of the U.S. Department of Justice for its review that resulted in the report "Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation"; and all records related to requests to the General Services Administration (GSA) or Office of the Inspector General of GSA for presidential transition records from November 2016 through December 2017. The instructions and definitions for responding to this subpoena are attached hereto and made a part hereof.*

*Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.*

*To Staff Representative of the Committee on Homeland Security and Governmental Affairs to serve and return.*

*Given under my hand, by authority vested in me  
by the Committee on this 6<sup>th</sup> day of  
August, 2020.*



*Chairman, Committee on Homeland Security  
and Governmental Affairs, United States  
Senate*

## Instructions & Definitions

### For the purposes of this subpoena:

The records subpoenaed include all those that are in the custody, possession, or control, or within the right of custody, possession, or control, of the FBI or its agents, employees, or representatives.

Records shall be produced in their entirety, without abbreviation, modification, or redaction, including all attachments and materials affixed thereto.

All records should be produced in the same order as they are kept or maintained in the ordinary course, or the records should be organized and labeled to correspond to the categories of the records requested. Parties subject to this subpoena are subject to a duty to supplement with respect to each request. Each category of records subpoenaed shall be construed independently, and no category shall be viewed as limiting the scope of any other category.

If the subpoena cannot be complied with in full, it shall be complied with to the extent possible, with an explanation of why full compliance is not possible. Any document withheld in whole or part on the basis of privilege, or for any other reason, shall be identified on a privilege log submitted with response to this subpoena. The log shall state the date of the document, its author, his or her occupation and employer, all recipients, the title and/or subject matter, the privilege claimed and a brief explanation of the basis of the claim of privilege. If any document responsive to this subpoena was, but no longer is, in your custody, control, or possession, identify the document and explain the circumstances by which it ceased to be in your custody, control, or possession.

Records shall be produced in electronic form instead of paper productions. Records shall be delivered as delimited text with images and native files; further instructions for electronic productions are available from staff upon request. Alternatively, all records derived from word processing programs, email applications, instant message logs, spreadsheets, and wherever else practicable, shall be produced in text searchable PDF format. Spreadsheets shall also be provided in their native format. Audio and video files shall be produced in their native format, although picture files associated with email or word processing programs shall be produced in PDF format along with the document it is contained in or to which it is attached.

Other than native files produced along with TIF images in accordance with the instructions for electronic productions (available upon request), every page of material produced to the Committee must contain a unique Bates number. All files produced shall be named according the Bates range that file contains (e.g., YourCo-00001-YourCo-00035).

Records produced on paper (those from paper files that you choose to produce as such) shall not contain any permanent fasteners (*i.e.*, staples), but shall be separated based on the divisions between records as it is maintained in the custodian's files by non-permanent fasteners (*e.g.*, paper clips, binder clips, rubber bands) or a non-white flip sheet.

Two sets of records should be delivered, one set to the Majority Staff and one set to the Minority Staff.

## Definitions

1. The term “records” means any written, recorded, or graphic material of any kind, including but not limited to letters, memoranda, reports, notes, electronically stored information (*e.g.*, emails, email attachments, text messages, WhatsApp messages, etc.), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts.
2. The term “related to” means involving, concerning, referring to, describing, evidencing, or constituting. It includes not only work performed pursuant to formal agreements, but also work performed pursuant to informal or unofficial arrangements and relationships.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope. The term “any” means both any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders. The use of a verb in any tense, mood, or voice shall be construed as the use of the verb in all other tenses, moods, or voices, as necessary to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.