

Whitaker, Matthew (OAG)

From: Whitaker, Matthew (OAG)
Sent: Wednesday, November 22, 2017 5:21 PM
To: Huber, John (USAUT)
Subject: Letter from Attorney General
Attachments: 11.22 Letter to Huber.pdf; ATT00001.htm; 2017-11-13 Special Counsel - Goodlatte #3912087.pdf; ATT00002.htm

As we discussed. MW



Office of the Attorney General
Washington, D. C. 20530

November 22, 2017

Hon. John W. Huber
United States Attorney for
The District of Utah
111 South Main Street
Suite 1800
Salt Lake City, UT 84111

Dear Mr. Huber:

In consultation with the Deputy Attorney General, I have requested that you review the matters referenced in the enclosed November 13, 2017, letter from Assistant Attorney General Stephen Boyd to House Judiciary Committee Chairman Robert Goodlatte and make recommendations to me or the Deputy Attorney General, as appropriate. Your review need not include matters that you determine are within the scope of the investigation being conducted by Special Counsel Robert Mueller.

Your recommendations should include whether any matters not currently under investigation warrants the opening of an investigation, whether any matters currently under investigation require further resources or further investigation, and whether any matters would merit the appointment of a Special Counsel.

Sincerely,

A handwritten signature in blue ink, reading "Jefferson B. Sessions III", is positioned above the printed name.

Jefferson B. Sessions III
Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Robert W. Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

NOV 13 2017

Dear Chairman Goodlatte:

This responds to your letters dated July 27, 2017, and September 26, 2017, in which you and other Members request the appointment of a Special Counsel to investigate various matters, including the sale of Uranium One, alleged unlawful dealings related to the Clinton Foundation and other matters. We are sending identical responses to the other Members who joined your letter.

As noted during our prior meeting in response to your letters, the Department of Justice (Department) takes seriously its responsibility to provide timely and accurate information to Congress on issues of public interest, and seeks to do so in a non-political manner that is consistent with the Department's litigation, law enforcement, and national security responsibilities. Additionally, the Department's leadership has a duty to carefully evaluate the status of ongoing matters to ensure that justice is served and that the Department's communications with Congress are accurate and complete.

To further that goal, the Attorney General has directed senior federal prosecutors to evaluate certain issues raised in your letters. These senior prosecutors will report directly to the Attorney General and the Deputy Attorney General, as appropriate, and will make recommendations as to whether any matters not currently under investigation should be opened, whether any matters currently under investigation require further resources, or whether any matters merit the appointment of a Special Counsel. This will better enable the Attorney General and the Deputy Attorney General to more effectively evaluate and manage the caseload. In conducting this review, all allegations will be reviewed in light of the Principles of Federal Prosecution. (USAM 9-27.000)

As you know, consistent with longstanding policy, the Department does not ordinarily confirm or deny investigations, and this letter should not be construed to do so. While this policy can be frustrating, especially on matters of great public concern, it is necessary to ensure that the Department acts with fairness and thoughtfulness, and always in a manner consistent with the law and rules of the Department.

The Honorable Robert W. Goodlatte
Page Two

In addition, you must know the Department will never evaluate any matter except on the facts and the law. Professionalism, integrity, and public confidence in the Department's work is critical for us, and no priority is higher.

Your letter referenced various allegations related to the Federal Bureau of Investigation's (FBI) handling of the investigation into former Secretary of State Hillary Clinton's use of a personal email server. On January 12, 2017, the Department's Inspector General (IG) sent a letter to you and other Members advising that the IG's office was initiating a review of, among other things:

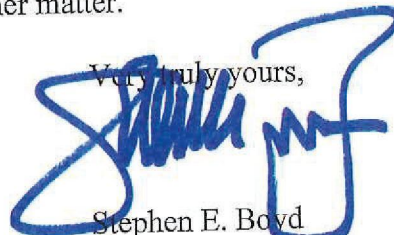
- Allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016, and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations;
- Allegations that the FBI Deputy Director should have been recused from participating in certain investigative matters;
- Allegations that Department and FBI employees improperly disclosed non-public information; and
- Allegations that decisions regarding the timing of the FBI's release of certain Freedom of Information Act documents on October 30 and November 1, 2016, and the use of a Twitter account to publicize the same, were influenced by improper considerations.

These investigations include issues raised in your letters. In addition, the Department has forwarded a copy of your letters to the IG so he can determine whether he should expand the scope of his investigation based on the information contained in those letters.

Once the IG's review is complete, the Department will assess what, if any, additional steps are necessary to address any issues identified by that review.

We will conduct this evaluation according to the highest standards of justice. We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General

