

## Center for Judicial Accountability

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**From:** Center for Judicial Accountability <elena@judgewidth.org>  
**Sent:** Tuesday, February 03, 2015 1:20 PM  
**To:** 'jacob\_neilson@judiciary-rep.senate.gov'  
**Cc:** info@judiciary-dem.senate.gov; 'info@judiciary-rep.senate.gov';  
whistleblower@judiciary-rep.senate.gov; david\_rybicki@judiciary-rep.senate.gov  
**Subject:** #1: ENSURING THE ACCURACY: of the Senate Judiciary Committee's webpage for the nomination of US Attorney Loretta Lynch as Attorney General -- & the Committee's "record"  
**Attachments:** 12-17-14-ltr-to-sjc-4pp.pdf; 12-19-14-ltr-to-sjc-lynch-1p.pdf; e-mail-transmittals-and-republican-acknowledgments.pdf

As the below bounced back as exceeding size capacity, it is being sent in 2 installments.

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**From:** Center for Judicial Accountability [<mailto:elena@judgewidth.org>]  
**Sent:** Tuesday, February 03, 2015 12:55 PM  
**To:** 'jacob\_neilson@judiciary-rep.senate.gov'  
**Cc:** [info@judiciary-dem.senate.gov](mailto:info@judiciary-dem.senate.gov); 'info@judiciary-rep.senate.gov'; [whistleblower@judiciary-rep.senate.gov](mailto:whistleblower@judiciary-rep.senate.gov); [david\\_rybicki@judiciary-rep.senate.gov](mailto:david_rybicki@judiciary-rep.senate.gov)  
**Subject:** ENSURING THE ACCURACY: of the Senate Judiciary Committee's webpage for the nomination of US Attorney Loretta Lynch as Attorney General -- & the Committee's "record"

Dear Jake,

This follows up our phone conversation yesterday afternoon, February 2, 2015.

Attached is the Center for Judicial Accountability's superseding December 17, 2014 letter to the Senate Judiciary Committee in opposition to Senate confirmation of U.S. Attorney Loretta Lynch as Attorney General. This is what the Senate Judiciary Committee should have posted on its webpage for the nomination, <http://www.judiciary.senate.gov/nominations/executive/pn2136-113>, rather than the superseded December 17, 2014 letter, which the Committee belatedly posted on January 23, 2015 under the heading "LETTERS RECEIVED".

Apart from the inaccurate posting of CJA's superseded December 17, 2014 letter, the Senate Judiciary Committee's posting of "LETTERS RECEIVED" is also incomplete in failing to post:

CJA's December 19, 2014 letter to U.S. Attorney Lynch, to which the Senate Judiciary Committee was an indicated recipient – and which was e-mailed to the Committee on that date.

CJA's January 6, 2015 letter to the Senate Judiciary Committee, enclosing our January 5, 2015 letter to President Obama & coverletter to his counsel – e-mailed to the Committee on January 6, 2015.

These two omitted letters are also attached – as is a pdf of CJA's four e-mails transmitting our letters to the Committee – with the four e-mail acknowledgments from "the Judiciary Committee's Republican Oversight and Investigations staff". This includes a pdf of our December 18, 2014 e-mailing of the superseding December 17, 2014 letter – and the e-mail acknowledgment thereof.

No less importantly, please confirm that CJA's attached December 17, 2014, December 19, 2014, and January 6, 2014 letters will ALL be part of "the record" of the Senate Judiciary Committee's proceedings on the nomination. As

discussed, at the Committee's January 29, 2015 confirmation hearing, Ranking Member Leahy held up a pile of letters, a few of which he identified, requesting that they be "put in the record":

January 29, 2015 C-Span VIDEO: at 1:05 mins. <http://www.c-span.org/video/?323994-1/us-attorney-general-nominee-confirmation-hearing-day-2-recess-votes>

Senate Judiciary Committee VIDEO: at 1:23 mins. <http://www.judiciary.senate.gov/meetings/attorney-general-nomination-part2>

Senator Leahy: "Thank you, Mr. Chairman. I appreciate your courtesy. I'd ask consent to put in the record."

Chairman Grassley: "Without objection."

Senator Leahy: "I just mention a number of letters, former F.B.I. Director Louis Freeh, we all know very well, supportive of Loretta Lynch, and Congressman John Lewis, a number of Justice Department officials, both the Bush administration's and various democratic administrations', the F.B.I. Agents Association. I won't list all of them but they could all just be part of the record."

Chairman Grassley: "They will be, Senator Leahy."

Am I correct that the pile of letters Ranking Member Leahy held up and requested be put "in the record" were only letters supportive of the nomination – these being, in essence, the supportive letters the Committee posted on its webpage as "LETTERS RECEIVED"? If so, will Chairman Grassley be putting "in the record" the letters opposing the nomination that the Committee received, such as CJA's three letters? If not, why not?

What is the procedure for ensuring that opposition letters are put "in the record" and included in the Committee's report to the Senate and, ultimately, in the bound volume on the confirmation? Can only senators who are among the Committee's 20 members request that opposition letters be put "in the record" – or can any of the Senate's 80 other members make that request?

Please advise, without delay, so that I may be guided accordingly.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
Tel: 914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

## Center for Judicial Accountability

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**From:** Whistleblower (Judiciary-Rep) <Whistleblower@judiciary-rep.senate.gov>  
**Sent:** Tuesday, February 03, 2015 1:21 PM  
**To:** Center for Judicial Accountability  
**Subject:** Thank you for your recent contact

Thank you for taking the time to contact the Judiciary Committee's Republican Oversight and Investigations staff. Your email has been received and will be reviewed. If you are a constituent of Senator Grassley's from Iowa, please also send a copy of your message to the personal office at the following link to ensure that you receive a reply:

<http://www.grassley.senate.gov/constituents/questions-and-comments>

Unfortunately, if you are not a constituent, you may not receive an individual response due to the high volume of emails from around the country and the office's limited resources. You may wish to consider contacting your home state

senators: [http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm?OrderBy=state&Sort=ASC](http://www.senate.gov/general/contact_information/senators_cfm.cfm?OrderBy=state&Sort=ASC)

We will contact you if further information is needed to inquire into the issues you have raised.

Although we cannot pursue every allegation that we receive, that does not mean your concerns may not have merit. You should consider reporting waste, fraud, abuse, or mismanagement elsewhere as well, if you have not already done so. Confidential, protected whistleblower disclosures can also be made to:

- the Office of Special Counsel (<https://osc.gov/pages/file-complaint.aspx>)
- the Office of the Inspector General for the Department of Justice (<http://www.justice.gov/oig/hotline/>), or
- the office of inspector general at another relevant agency (<https://www.ignet.gov/contact-us>).

If you report your concerns to one of these agencies, please let us know so that we can ensure that the agency treats it appropriately. Should you have additional information to provide, please do not hesitate to forward it to us at this email address. All disclosures are treated as protected, and none of the information will be used without consulting with you first. Thank you.

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**Subject:** #2: ENSURING THE ACCURACY: of the Senate Judiciary Committee's webpage for the nomination of US Attorney Loretta Lynch as Attorney General -- & the Committee's "record"  
**Attachments:** 1-6-15-ltr-to-sjc-with-ltr-to-president-and-his-counsel.pdf

Installment #2

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Unfortunately, if you are not a constituent, you may not receive an individual response due to the high volume of emails from around the country and the office's limited resources. You may wish to consider contacting your home state

senators: [http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm?OrderBy=state&Sort=ASC](http://www.senate.gov/general/contact_information/senators_cfm.cfm?OrderBy=state&Sort=ASC)

We will contact you if further information is needed to inquire into the issues you have raised.

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- the Office of Special Counsel (<https://osc.gov/pages/file-complaint.aspx>)
- the Office of the Inspector General for the Department of Justice (<http://www.justice.gov/oig/hotline/>), or
- the office of inspector general at another relevant agency (<https://www.ignet.gov/contact-us>).

If you report your concerns to one of these agencies, please let us know so that we can ensure that the agency treats it appropriately. Should you have additional information to provide, please do not hesitate to forward it to us at this email address. All disclosures are treated as protected, and none of the information will be used without consulting with you first. Thank you.