



**U.S. Department of Justice**

Office of Legislative Affairs

Office of the Assistant Attorney General

*Washington, D.C. 20530*

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March 8, 2017

The Honorable Charles E. Grassley  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

This responds to your letter dated February 21, 2017, which requested documents from the Department of Justice (the Department) in connection with the Committee's consideration of the nomination of Judge Neil M. Gorsuch to serve as Associate Justice of the Supreme Court of the United States.

As requested by the Committee, the Department has identified documents related to Judge Gorsuch's service as Principal Deputy Associate Attorney General, including Judge Gorsuch's staff file, as well as electronic mail related to significant cases handled by the Department during Judge Gorsuch's tenure. These documents were identified using a broad set of search terms associated with the ten cases listed in Senator Feinstein's February 22, 2017 letter to Judge Gorsuch and three other significant cases on which Judge Gorsuch worked. The Department's accompanying reply letter to Senator Feinstein specifies Judge Gorsuch's affiliation with each of these cases.

Enclosed please find 144,182 pages of documents responsive to your request. As you requested, they are provided in a searchable PDF format. These records include deliberative documents protected by constitutional or common law privileges that the Department would not typically disclose under the Freedom of Information Act or in civil litigation, but the Department has decided to produce them to the Committee, in this limited instance, to accommodate your information needs relating to Judge Gorsuch's confirmation. We are continuing our efforts to review documents responsive to your request and will follow up as we identify additional documents.

The Honorable Charles E. Grassley  
The Honorable Dianne Feinstein  
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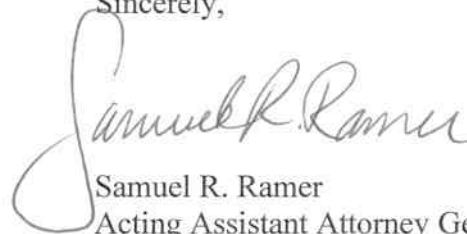
During our review, we also identified 3,136 pages of documents responsive to your request that are also protected under constitutional or common law privileges and in which the Department has certain confidentiality interests. Public disclosure of these documents would inhibit the robust internal exchange of views that is essential to sound decision-making in the Department's exercise of its institutional responsibilities, including those relating to law enforcement and litigation. We appreciate the Committee's decision to respect the Department's privileges, and, as an accommodation to the Committee's interests, we are prepared to make these documents available for review by two Committee staff of the Majority and two Committee staff of the Minority at the Department at times convenient to such staff.

We have not included additional documents that set forth attorney litigation work product because their disclosure would implicate substantial confidentiality and litigation interests. This is consistent with the Department's longstanding policies regarding the protection of such materials. In addition, we have redacted or not produced documents where necessary to protect against unwarranted invasions of individual privacy interests, including the names of law enforcement personnel, consistent with your letter and the Department's longstanding practice.

As your letter acknowledged, the Committee has not sought documents from the Department in connection with other recent Supreme Court nominations. Despite the unusual nature of the Committee's current request for such documents, we have undertaken significant efforts to produce these documents in as timely a manner as possible while carefully weighing the confidentiality and institutional interests central to the Department's mission.

We hope that the documents provided today will assist the Committee in its own important work, and we look forward to continuing to work with the Committee to meet its needs related to its consideration of Judge Gorsuch's nomination. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

A handwritten signature in cursive script that reads "Samuel R. Ramer". The signature is written in dark ink and is positioned above the printed name and title.

Samuel R. Ramer  
Acting Assistant Attorney General

Enclosures