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December 10, 2008

The Honorable Michael B. Mukasey
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Mukasey:

As part of our preparation for the Judiciary Committee's hearings on the nomination of Eric H. Holder to the office of Attorney General, we write to request that the Department of Justice provide certain materials in its possession relating to his service in the Department of Justice.

Specifically, we write to request, in accordance with the attached guidelines, all memoranda, correspondence, and other documents on which Mr. Holder is designated as a recipient, or documents prepared by Mr. Holder in his position as U.S. Attorney, Deputy Attorney General, or Acting Attorney General or by his staff, for his approval, or on which his name or initials appear, related to the following matters:

1. The Department of Justice's investigation into fundraising activities by Vice-President Al Gore during the 1996 election campaign cycle;
2. The investigation of President Clinton by the Office of the Independent Counsel and related impeachment proceedings against President Clinton, including consideration of appointing independent counsels and/or special prosecutors in related and unrelated matters during the period 1993-2001, including consideration of appointing independent counsels and special prosecutors;
3. The investigation by the Department of Justice into illegal contributions by the Castro family of Venezuela to the Democratic Party in 1992;
4. The investigation by the Department of Justice into the Clinton Administration's decision to allow Loral Space to export a communications satellite to China for launch on a Chinese-built rocket, and the subsequent report to Chinese government outlining methods for improving its missile guidance prepared by Loral scientists;
5. The issue of attorney-client privilege and work product protection for corporations under criminal investigation;
6. Clemency for the following members of the organization FALN (an acronym that translates to the Armed Forces of Puerto Rican Nationalists) by President Clinton on August 11, 1999, including but not limited to the July 8, 1999 memorandum from Deputy Attorney General Holder to the President: Elizam Escobar, Ricardo Jimenez, Adolfo Matos, Dylcia Noemi Pagan, Alicia Rodriguez, Ida Luz Rodriguez, Luis Rosa, Carmen Valentin, Alberto Rodriguez, Alejandrina Torres, Edwin Cortes, Oscar Lopez-Rivera, Juan Enrique Segarra-Palmer, Antonio Camacho-Negron, Roberto Maldonado-Rivera, and Norman Ramirez-Talavera;

7. FALN members who had petitions for clemency filed in their name but were not granted clemency, including but not limited to Carlos Alberto Torres;
8. The April 22, 2000, raid in Miami, Florida by Border Patrol agents to take Elian Gonzales into custody;
9. The Department of Justice's investigation into the 1993 confrontation at the Mt. Carmel Complex in Waco, Texas;
10. Any clemency or non-clemency related matter regarding Marc Rich, Pincus Green, Carlos Vignali, Harvey Weinig, Susan L. Rosenberg, or Linda Sue Evans, including but not limited to all communications to and from the U.S. Attorney's Office for the Southern District of New York prior to and following the issuance of the Rich and Green pardons;
11. Any matters related to or involving John M. Quinn;
12. The U.S. Attorney's Office for the Southern District of New York's criminal investigation of the 177 presidential pardons and commutations issued on January 20, 2001;
13. Death penalty approvals, rejections, or disputes;
14. The Youth Gun Crime Enforcement Act of 1999, the extension of the Brady bill, and other matters affecting gun rights;
15. The Department of Justice's decision not to defend the power of Congress to enact 18 U.S.C. § 3501 in the Supreme Court litigation in *Dickerson v. United States*, including Department responses to Judiciary Committee inquiries on the subject and views of U.S. Attorneys and Department advisory panels on the matter;
16. The Equal Employment Opportunity complaint filed against the Department on March 1, 1996 by class agent Lawrence D. Durnford; and
17. Any denial of a Congressional request for documents or information from the Executive Branch.

This request is consistent with requests for similar documents the Department of Justice has provided in the consideration of past nominees.

We would appreciate your prompt attention to this request so that we may have adequate time to review the requested documents in preparation for Mr. Holder's hearing. Thank you for your cooperation.

Sincerely,









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John Conyn

J. Thun

John H. Cohen

Guidelines

- 1) This request is continuing in character, and if additional responsive documents come to your attention following the date of production, please provide such documents to the Committee promptly.
- 2) As used herein, “document” means the original (or an additional copy when an original is not available) and each distribution copy of writings or other graphic material, whether inscribed by hand or by mechanical, electronic, photographic or other means, including without limitation correspondence, memoranda, publications, articles, transcripts, diaries, telephone logs, message sheets, records, voice recordings, tapes, film, dictabelts and other data compilations from which information can be obtained. This request seeks production of all documents described, including all drafts and distribution copies, and contemplates production of responsive documents in their entirety, without abbreviation or expurgation.
- 3) In the event that any requested document has been destroyed or discarded or otherwise disposed of, please identify the document as completely as possible, including without limitation the date, author(s), addressee(s), recipient(s), title, and subject matter, and the reason for disposal of the document and the identity of all persons who authorized disposal of the document.
- 4) If a claim is made that any requested document will not be produced by reason of a privilege of any kind, describe each such document by date, author(s), addressee(s), recipient(s), title, and subject matter, and set forth the nature of the claimed privilege with respect to each document.