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November 26, 2018

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley:

I respectfully request that the Senate Judiciary Committee conduct oversight hearings on Acting Attorney General Matthew Whitaker's potential Hatch Act violations and other conflicts of interest. According to Federal Election Commission filings, Mr. Whitaker's Senate campaign received thousands of dollars of donations from individuals outside the government while he was serving as former Attorney General Sessions' Chief of Staff at the U.S. Department of Justice (DOJ). As you know, the Hatch Act prohibits government employees from accepting political contributions and is one of the chief anti-corruption measures in American law. Additionally, recent reports indicate that immediately prior to his employment at DOJ, Mr. Whitaker earned \$1.2 million heading a conservative political group whose donors are anonymous. These payments at the very least call into question Mr. Whitaker's impartiality as the chief law enforcement officer of the United States.

Several other troubling revelations about Mr. Whitaker have surfaced in recent weeks. Mr. Whitaker has publicly questioned the validity of Special Counsel Mueller's investigation, outlined a blueprint for how to slow its work to a halt and even prevent its findings from seeing the light of day. This is the very investigation that Mr. Whitaker now oversees as Acting Attorney General.

Equally important, while serving as the Attorney General's Chief of Staff, Mr. Whitaker reportedly communicated confidential information to the White House about ongoing criminal investigations, violating Justice Department policies and rules. Such policies embody bedrock principles protecting the integrity and independence of federal law enforcement. Prior to his tenure at the DOJ, Mr. Whitaker reportedly served as an advisory board member of a company that defrauded customers of millions of dollars. He has questioned the precedential value of *Marbury v. Madison* and the role of the judiciary, and even suggested that judges must have a "biblical view" of the law. These statements are deeply troubling and do not befit the highest law enforcement official in the country.

As you know, Senator Whitehouse, Senator Hirono and I have filed a lawsuit challenging the appointment of Mr. Whitaker as Acting Attorney General on the basis that it violates the Appointments Clause of the Constitution. These recent revelations about Mr. Whitaker's actions underscore the importance of the Senate's advice and consent role in the confirmation of presidential nominees to cabinet positions. If the Senate Judiciary Committee held confirmation hearings concerning Mr. Whitaker's nomination, these are exactly the kinds of questions we would have an opportunity to ask him publicly, on the record, under oath.

Our committee performs a critical oversight role over the Department of Justice. We are entitled to know whether the man leading it has conflicts of interest that impact his ability to do his job as the chief law enforcement officer of the United States with impartiality. I respectfully request that you bring him before the committee to answer questions about these important issues.

Sincerely,



Richard Blumenthal
United States Senate