

May 15, 2017

Hon. Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Attorney General Sessions:

Democracy 21 is forwarding to you three complaints, dated February 27, 2017, March 2, 2017 and May 12, 2017, that we have filed with the Department of Justice Office of Professional Responsibility (OPR), stating our position that your direct involvement in the firing of FBI Director James Comey, and in seeking his replacement, are violations of the Department's recusal regulation. 28 C.F.R. § 45.2.

It is also Democracy 21's position that your involvement in these matters violates your public pledge to recuse yourself "from any matters arising from the campaigns for President of the United States."¹

The Justice Department's recusal regulation requires you to recuse yourself from participating in any matter dealing with the FBI investigation of Russian interference in the 2016 presidential election and whether the Trump campaign or Trump associates colluded with Russian actors.

The recusal regulation provides that any Justice Department employee "shall not participate" in a criminal investigation if he has a "political relationship" with any person or organization "substantially involved" in the conduct under investigation, or if he or any person or organization he knows "has a specific or substantial interest" that would be "directly affected" by the outcome of the investigation. 28 C.F.R. §45.2(a).

As set forth in greater detail in the enclosed complaints, the recusal restriction applies to you with regard to the Russia investigation, in light of your close ties to the Trump presidential campaign, your role as a leading surrogate for the Trump presidential campaign, and the potential that you are a subject of the investigation, given your contacts with the Russian ambassador during the presidential campaign.

¹ Department of Justice Office of Public Affairs, "Attorney General Statement on Recusal" (March 2, 2017).

We are also providing copies of the OPR complaints to the Justice Department's Inspector General and requesting the Inspector General to investigate and take appropriate action on this matter.

This is a matter of national interest and of importance to the credibility and integrity of the Department of Justice.

Democracy 21 calls on you to withdraw immediately from any further role in the selection of a new FBI Director. Democracy 21 also calls on you to comply with the Justice Department recusal regulation and with your own recusal commitment by playing no further role in any other aspect of the Russia investigation.

Sincerely,

/s/ Fred Wertheimer

Fred Wertheimer
President

Enclosures