

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

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<http://oversight.house.gov>

June 21, 2018

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

Dear Mr. Attorney General:

The Committee is conducting oversight of the Department's use of compulsory process and other means of obtaining documents and testimony from journalists. The Department's policy states, "freedom of the press can be no broader than the freedom of members of the news media to investigate and report on the news" and the use of certain investigative tools must be considered by balancing a variety of factors, including the Department's obligations to protect national security, public safety, and the critical role a free press plays in an open society.¹

Department policy further states the use of investigative tools like subpoenas to members of the press is "not standard investigatory procedure[]," and constitutes an "extraordinary measure[]." ² The recent revelation the Department resorted to these extraordinary measures with respect to a reporter for the *New York Times* while investigating the matter of James A. Wolfe raises questions as to how the Department applied its stated policy in this case.

Congress and the Executive Branch share an obligation to uphold the freedom of the press, and to ensure compulsory tactics are used only when all other reasonable avenues of obtaining necessary investigatory information have been foreclosed. To assist the Committee in conducting this oversight, please arrange a briefing for Committee staff on the matter, including the following topics:

1. How the Department determines when the use of a subpoena or other compulsory process is appropriate to obtain records and communications belonging to a member of the news media; and
2. To the extent practicable, how this process was followed with regard to Ali Watkins of the *New York Times* in connection with the investigation into James A. Wolfe.

¹ See generally, 28 C.F.R. § 50.10.

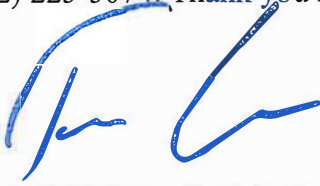
² 28 C.F.R. § 50.10(a)(3).

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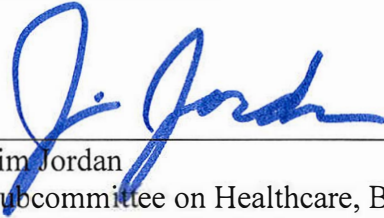
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Please respond as soon as possible but no later than 5:00 p.m. on July 6, 2018. If you have any questions regarding this inquiry, please contact James Lesinski of the Committee staff at (202) 225-5074. Thank you for your attention to this matter.



Trey Gowdy

Sincerely,



Jim Jordan
Subcommittee on Healthcare, Benefits,
and Administrative Rules



Mark Meadows
Subcommittee on Government Operations

Enclosure

cc: The Honorable Elijah E. Cummings

The Honorable Raja Krishnamoorthi
Subcommittee on Healthcare, Benefits, and Administrative Rules

The Honorable Gerald E. Connolly
Subcommittee on Government Operations

**COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
115TH CONGRESS**

NOTICE OF APPEARANCE OF COUNSEL

Counsel submitting: _____

Bar number: _____ **State/District of admission:** _____

Attorney for: _____

Address: _____

Telephone: (_____) _____ - _____

Pursuant to Rule 16 of the Committee Rules, notice is hereby given of the entry of the undersigned as counsel for _____ in (select one):

All matters before the Committee

The following matters (describe the scope of representation):

All further notice and copies of papers and other material relevant to this action should be directed to and served upon:

Attorney's name: _____

Attorney's email address: _____

Firm name (where applicable): _____

Complete Mailing Address: _____

I agree to notify the Committee within 1 business day of any change in representation.

Signature of Attorney

Date