



**U.S. Department of Justice**

Office of Legislative Affairs

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*Office of the Assistant Attorney General*

*Washington, DC 20530*

The Honorable Jim Jordan  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Jordan:

We are in receipt of your February 3, 2023, subpoena to the Department of Justice (Department), as well as your subpoena to the Federal Bureau of Investigation (FBI). On January 17, 2023, you sent letters to the Department and FBI requesting information on a range of topics. The Department responded on January 20, 2023, offering to meet with the Committee to discuss your requests and identify a way to meet the Committee's needs. You have not yet responded to our offer.

We remain ready to discuss next steps for the Department to address your informational needs while also respecting Executive Branch interests. We have offered to engage with the Committee and provide information voluntarily, so a subpoena is premature. The overwhelming majority of congressional requests for information are resolved through voluntary discussion and cooperation. This process of accommodation is also constitutionally mandated. Both Congress and the Executive Branch are required to negotiate in good faith to meet the informational needs of Congress while protecting the institutional interests of the Executive Branch.<sup>1</sup>

Background on how the Department accommodates congressional requests for information is available in our letter of January 20. As we noted, we share your belief that congressional oversight is vital to a well-functioning democracy, and an important part of effective congressional oversight is good-faith engagement in the accommodations process. For example, as we explained, the Committee can assist the Department in making this process as efficient as possible by meeting with the Department to explain the scope of your interests and how to prioritize your requests.

Our letter also described the Department's good-faith efforts to respond to your information requests sent during the 117th Congress and committed to working with the Committee in the new Congress in response to your letters of January 17, sent in your capacity as

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<sup>1</sup> See *United States v. AT&T*, 567 F.2d 121, 127, 130 (D.C. Cir. 1997) (“[E]ach branch should take cognizance of an implicit constitutional mandate to seek optimal accommodation through a realistic evaluation of the needs of the conflicting branches in the particular fact situation.”).

Chairman. We also offered to engage in staff-level meetings to help us understand which of the more than 80 separate requests incorporated in your letter to the Department reflected the Committee's current priorities. In a meeting with FBI staff on January 17, the Committee declined to provide prioritization guidance. The FBI has since provided two document submissions and authorized the transcribed interview of former Executive Assistant Director Jill Sanborn. Your subpoena to the FBI includes requests for materials that were not referenced in your letter to the FBI of January 17, but the FBI nevertheless will endeavor to respond to those information requests as well.

We hope you will reconsider engaging with the Department in the accommodations process. We are committed to working in good faith to respond to your requests and remain ready to discuss your informational needs and priorities for review and production of pertinent documents. The Department has already begun the work of identifying information that would address your needs. While we await your response to our offer to meet and confer, we will continue the process of identifying responsive information to share with the Committee. The Office of Legislative Affairs is available to arrange a meeting at your convenience.

Sincerely,

Carlos Felipe Uriarte  
Assistant Attorney General

cc:

The Honorable Jerrold L. Nadler  
Ranking Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515