



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Senator Feinstein:

This responds to your letter dated December 29, 2016, which requested documents relating to the nomination of Senator Jeff Sessions to serve as Attorney General. Our responses below generally correspond to the numbered paragraphs in your letter.

As you know, Senator Sessions served as the United States Attorney for the Southern District of Alabama (SDAL) from 1981–1993. In response to your request, we have identified only the enclosed Report of Evaluation of the Office, dated January 1992. The Executive Office for United States Attorneys regularly conducts evaluations of offices in order to assess their effectiveness and other performance matters; this Report is the product of such an evaluation and it is the only one we have located for the 1981–1993 time-frame.

Many of the requested records for that time period are no longer readily retrievable in the Department's records systems, but some of them, such as records regarding his nomination in 1981 and subsequent appointments to be a United States Attorney may be available to you from the National Archives and Records Administration (NARA). That agency would be the current owner and custodian of records that were not destroyed in the normal course, pursuant to existing records schedules. Similarly, we have not located any records relating to his judicial nomination in 1993, but pertinent records that remain in existence also may be available to you through NARA.

We have identified two civil rights cases involving both the Department and the Alabama Attorney General's Office while Senator Sessions served as the Attorney General from 1995–1997. The first case is *White v. Alabama*, 74 F. 3d 1058 (11<sup>th</sup> Cir. 1996), in which the United States appeared as amicus curiae, although we note that Senator Sessions was not the Alabama Attorney General during the district court proceedings in the case. See 867 F. Supp. 1519 (M.D. Ala. 1994). The second case is *Alabama v. Reno*, Civil Action No. 96-0316 (D.D.C.), which our records indicate was filed on February 20, 1996 and dismissed on March 18, 1996. In addition, while we are aware that there were submissions to the Department from the Alabama Attorney General's Office during 1995–1997, the submissions are not readily retrievable in our record systems at this time.

In response to your last numbered paragraph regarding cases brought by the Department in the SDAL from 1981–1993, we understand that your request is focused on civil rights cases. With regard to the Department's 1985 prosecution of Albert Turner, Evelyn Turner, and Spencer Hogue, Jr., we refer you to information that may be available on the public record. *See, e.g., United States v. Hogue*, 812 F.2d 1568 (11<sup>th</sup> Cir. 1987). We also have identified the six civil rights cases below, but our records do not indicate whether the United States Attorney's Office played a role in them. Due to the age of these matters, we refer you to PACER, Westlaw, and other public sources for records relating to them.

- *Bolden v. City of Mobile*, 542 F. Supp. 1078 (S.D. Ala. 1982); 706 F.2d 1103 (11<sup>th</sup> Cir. 1983); 464 U.S. 807 (1983); 464 U.S. 1005 (1983) (intervention filed May 9, 1981, before Senator Sessions became the United States Attorney)
- *United States v. Conecuh County*, (S.D. Ala.) (Civil Action No. 83-1201) (filed Oct. 21, 1983)
- *United States v. City of Demopolis*, (S.D. Ala.) Civil Action No. 86-71-C (filed Jan. 16, 1986)
- *United States v. Presley*, U.S. Court of Appeals No. 90-9579 (11<sup>th</sup> Cir.) (filed May 1, 1988)
- *United States v. City of Selma*, (S.D. Ala.) (Civil Action No. 93-433) (filed May 18, 1993, after Senator Sessions left office as the United States Attorney)
- *United States v. Jones*, 837 F. Supp. 1145 (S.D. Ala. 1993); 846 F. Supp. 955 (S.D. Ala. 1994), 57 F.2d 1020 (11<sup>th</sup> Cir. 1995) (filed Sept. 10, 1993, after Senator Sessions left office as the United States Attorney)

We hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Peter J. Kadzik  
Assistant Attorney General

Enclosure

cc: The Honorable Charles E. Grassley  
Chairman