

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH
JEFF SESSIONS, ALABAMA
LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
MICHAEL S. LEE, UTAH
TED CRUZ, TEXAS
JEFF FLAKE, ARIZONA
DAVID VITTER, LOUISIANA
DAVID A. PERDUE, GEORGIA
THOM TILLIS, NORTH CAROLINA

PATRICK J. LEAHY, VERMONT
DIANNE FEINSTEIN, CALIFORNIA
CHARLES E. SCHUMER, NEW YORK
RICHARD J. DURBIN, ILLINOIS
SHELDON WHITEHOUSE, RHODE ISLAND
AMY KLOBUCHAR, MINNESOTA
AL FRANKEN, MINNESOTA
CHRISTOPHER A. COONS, DELAWARE
RICHARD BLUMENTHAL, CONNECTICUT

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

April 12, 2016

VIA ELECTRONIC TRANSMISSION

The Honorable Hillary Clinton

c/o

Mr. David E. Kendall, Esq.

Williams & Connolly LLP

725 Twelfth Street, N.W.

Washington, D.C. 20005

Dear Secretary Clinton:

I was pleased to see your interview on Meet the Press on April 3rd, in which you stated regarding inquiries into your non-governmental email arrangement: “back in August, we made clear that I’m happy to answer any questions that anybody might have, and I stand by that.”¹ I hope this means you are reconsidering your refusal to answer the questions I asked you, through your attorney, in my letter dated January 14, 2016. I also hope it means you will substantively respond to this letter as well.

As you are likely aware, Marcel Lehel Lazar, the Romanian hacker known as “Guccifer,” was recently extradited from Romania to the United States, where he is to stand trial for some of his many alleged hacking crimes.² In fact, Mr. Lazar’s public release of hacked emails between Sidney Blumenthal and you was the first public revelation of your @clintonemail.com address.³ While the names of Mr. Lazar’s victims are not included in his indictment, press reports indicate that he allegedly hacked into the email accounts of Secretary Powell and Sidney Blumenthal, among several others. It is unclear from court documents and press reports whether Mr. Lazar ever attempted to hack your @clintonemail.com account or if he only had indirect access to your email via Mr. Blumenthal’s account. In an interview, Mr. Lazar purportedly claimed he “had memos Hillary Clinton got as a State Secretary, with CIA briefings [that] were being read by her

¹ Available at <http://www.nbc.com/meet-the-press/video/meet-the-press-april-3-2016/3012215>

² Catherine Herridge, Pamela K. Browne, *Source: No “Coincidence” Romanian Hacker Guccifer Extradited Amid Clinton Probe*, FOX NEWS, Apr. 8, 2016.

³ *Id.*

[and] two other people from the U.S. Government. I used to read her memos for six-seven hours and then I'd get up and do the gardening in the yard.”⁴

Under the Crime Victims' Rights Act, 18 U.S.C. § 3771, the Department of Justice and other departments and agencies engaged in the detection, investigation, or prosecution of crime are required to make their best efforts to see that crime victims are notified of the rights provided for them by the Act, including the victims' right to reasonable, accurate, and timely notice of any public court proceeding involving the crime or of any release of the accused. The Act defines a “crime victim” as “a person directly and proximately harmed as a result of the commission of a Federal offense.”

In order for the Committee to assess the relevance of Mr. Lazar's activities to the ongoing inquiry into matters relating to your use of a non-governmental email and server for State Department business, please respond to the following by April 26, 2016:

1. Have you received any notice from the Department of Justice or other government agency relating to Mr. Lazar?
2. Has the Department of Justice or any other government agency informed you that you were a victim of hacking, other unlawful computer access, or any other crime, whether attempted or realized, by Mr. Lazar or any other person or entity?

Thank you in advance for your cooperation with this request. If you have questions, please contact Patrick Davis of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

cc: The Honorable Patrick J. Leahy
Ranking Member
Senate Committee on the Judiciary

The Honorable Loretta Lynch
Attorney General
Department of Justice

⁴ Matei Rosca, *Exclusive: Jailed Hacker Guccifer Boasts, "I Used to Read [Clinton's] Memos...and Then Do the Gardening"* PANDO, Mar. 20, 2015.