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Via Electronic Mail

November 7, 2025

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

Dear Chairman Grassley:

This letter is in response to your October 23, 2025, letter to our client, Jack Smith, requesting information relating to his appointment as Special Counsel and his investigation into President Trump's alleged unlawful retention of classified documents, obstruction of justice, and role in attempting to overturn the results of the 2020 election.

Given continued speculation and mischaracterizations about his work as Special Counsel, Mr. Smith respectfully reiterates his request to testify in a public hearing before your Committee. Mr. Smith is fully committed to providing information about the work of the Special Counsel's Office, and we are committed to working with you to provide the public an opportunity to hear directly from Mr. Smith regarding his work.

The questions in your letter demonstrate the need for Mr. Smith to receive guidance and authorization from the Justice Department, and to review the Special Counsel files, so that he can answer such questions accurately, precisely, and completely. As stated in our October 23, 2025, letter to you and Chairman Jim Jordan of the House Judiciary Committee, to ensure that Mr. Smith is able to effectively answer your questions while adhering to applicable legal obligations and responsibilities, we have sought guidance and authorization from the Department of Justice regarding Mr. Smith's testimony and response to Chairman Jordan's request for documents, as well as access to the Special Counsel files, which he has not had an opportunity to review in nearly a year.

Your letter implies that it would be improper for a President to direct Justice Department officials to investigate or prosecute specific individuals, particularly a political adversary. We agree. Such political meddling in prosecutorial decision making undermines the credibility of the Justice Department and the integrity of any subsequent enforcement actions. Political meddling in prosecutorial actions also risks turning impartial law enforcement agencies into partisan tools to protect the President's allies and punish his perceived adversaries. No such thing occurred while Mr. Smith served as Special Counsel. Politics played no role whatsoever in his investigative and prosecutorial decisions, which he made solely on the facts and the law.

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We look forward to cooperating with you to ensure that Mr. Smith can respond to your questions at a public hearing, so that the American people can hear the facts directly from Mr. Smith.

Sincerely,



Lanny A. Breuer



Peter Koski

cc: The Honorable Richard J. Durbin, Ranking Member, Senate Committee on the Judiciary