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304 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0103
(202) 224-5744

United States Senate
WASHINGTON, DC 20510-0103

STATE OFFICES:

- 1800 FIFTH AVENUE NORTH
321 FEDERAL BUILDING
BIRMINGHAM, AL 35203
(205) 731-1384
- HUNTSVILLE INTERNATIONAL AIRPORT
1000 GLENN HEARN BOULEVARD
BOX 20127
HUNTSVILLE, AL 35824
(256) 772-0460
- 113 SAINT JOSEPH STREET
445 U.S. COURTHOUSE
MOBILE, AL 36602
(251) 694-4164
- 15 LEE STREET
FMJ FEDERAL BLDG., SUITE 208
MONTGOMERY, AL 36104
(334) 223-7303
- 2005 UNIVERSITY BOULEVARD, SUITE 2100
TUSCALOOSA, AL 35401
(205) 759-5047

July 5, 2016

The Honorable Loretta E. Lynch
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20535-0001

Dear Attorney General Lynch:

I write to you to express my serious concerns over recent events that have cast a shadow on the commitment of the Obama Administration to fairly and impartially execute the rule of law. The American people are rightly concerned about the direction of this country when they see senior government officials being treated differently than lower level officials without powerful, partisan friends. Even if there was no inappropriate discussion when you recently met with former Secretary Hillary Clinton's husband in an exclusive section of the Sky Harbor International Airport, it is difficult to explain to American voters – who are purportedly equal under the law – just how they are supposed to exercise that equality should their spouse ever be accused of a crime.

FBI Director James Comey, commenting on the investigation of Secretary Clinton's use of her personal e-mail system on July 5, 2016, said that, of the 30,000 emails returned to the State Department, "110 e-mails in 52 e-mail chains have been determined by the owning agency to contain classified information at the time they were sent or received. Eight of those chains contained information that was Top Secret at the time they were sent; 36 chains contained Secret information at the time; and eight contained Confidential information...Separate from those, about 2,000 additional e-mails were "up-classified" to make them Confidential." These statements confirm that Secretary Clinton misled the American people and was extremely reckless in her handling of classified information both sent and received on her private e-mail server.

If a lower-level government employee with access to classified information had behaved in this manner, including at the Top Secret level, they would lose their security clearance immediately and would almost certainly lose their job. If that same employee had previously established their own personal unsecured email server in their home for the purpose of evading government oversight, they would rightly be charged with a crime.

While I appreciate and respect the hard work of the FBI, I strongly believe that all Americans should be held to the same standards and that your Department must restore the trust of average Americans through a thorough review of the evidence and statutes. Director Comey noted

multiple infractions and patterns of violation of the laws and policies guiding national security information. The Obama Justice Department has pursued charges against reporters, mid-level employees, and members of the military when confronted with the mishandling of classified information. As you review the evidence, I expect you to hold Secretary Clinton to the same standard.

The public knows that Secretary Clinton established a server in her home, that she conducted the public's business on that server, and that she mishandled highly classified information. The public will reach its own conclusions as to why she did so and about how the rules are applied to those in positions of power and influence. I expect you and the Department to apply the rule of law fairly in deciding whether to bring charges in this case, as well as to fully explain the determination.

Many in Alabama and America believe that some powerful public officials act as if rules and laws do not apply to them. As John Adams said, ours is a "government of laws, and not of men." The nation is counting on your application of this principle.

Sincerely,

A handwritten signature in blue ink that reads "Richard Shelby". The signature is written in a cursive style with a long, sweeping underline.

Richard C. Shelby