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August 1, 2017

Charles E. Grassley
United States Senate
Committee on the Judiciary
Washington, DC 20510-6275

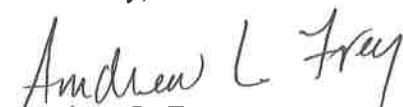
Dear Chairman Grassley:

This is in response to your letter of July 18, 2017, transmitting post-hearing questions for me from Senator Whitehouse regarding the subject of executive privilege. The subject is one that I had no occasion to deal with in my years in the Solicitor General's Office or since, in my practice at Mayer Brown. While at the Solicitor General's Office my area of responsibility was for cases coming from the Justice Department's Criminal Division, and those were not the types of cases in which the issue of executive privilege arose. Consequently, I can bring no expertise or familiarity with the issues posed by Senator Whitehouse to bear on responding to his questions, and I doubt that an opinion offered as an uninformed commenter would be of value to the Committee.

I have been in touch with Senator Whitehouse's staff regarding the foregoing limitations on my areas of expertise and have been advised that it would be acceptable for me to decline respectfully to answer the questions he has propounded. I hereby do so.

It was a great privilege to have the opportunity to appear and testify before the Subcommittee on Crime and Terrorism regarding the important issues it is considering, and I stand ready to be of continued service should the occasion arise where my knowledge and experience would be of use.

Sincerely,


Andrew L. Frey