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August 22, 2018

The Honorable Charles E. Grassley
Chairman
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

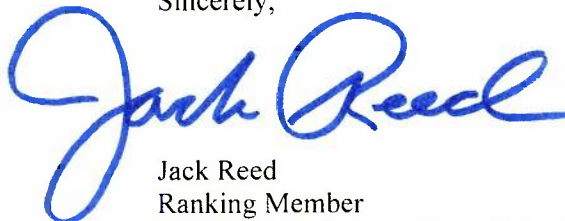
Dear Chairman Grassley

As the Ranking Member of the Committee on Armed Services, I request, that you provide the members of the Armed Services Committee, as well as committee staff with appropriate clearance, access to records under the Judiciary Committee's control regarding Judge Brett Kavanaugh's service in the White House that address national security and the scope of presidential authority on national security matters. This request includes access to records concerning the George W. Bush Administration's responses to the September 11th terror attacks; the rendition, detention, and interrogation of suspected enemy combatants, including the development of the so-called enhanced interrogation techniques; and international and domestic surveillance. I also request that we work together to obtain any additional such records that are not under your control from the National Archives before the Senate concludes its debate on Judge Kavanaugh's nomination to the Supreme Court of the United States.

Judge Kavanaugh's service in the White House Counsel's Office, and as Staff Secretary under President Bush, placed him in a position to influence legal policy for the Bush Administration. He served in these roles when that administration developed novel, and at times concerning, theories of presidential power in the area of national security.

The Supreme Court is the final authority on the interpretation of our Constitution, including the scope of the President's national security powers. The Senators serving on the Armed Services Committee should have access to facts about Judge Kavanaugh's involvement in past presidential assertions of national security authority in order to carry out the Senate's Constitutional responsibility to provide advice and consent on his nomination to the Supreme Court. I look forward to working with you to carry out this request.

Sincerely,



Jack Reed
Ranking Member
Senate Committee on Armed Services