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June 24, 2016

The Honorable Lamar Smith
Chairman, House Committee on Science, Space and Technology
2321 Rayburn House Office Building
Washington, DC 20515-6301

Dear Chairman Smith:

On May 23, 2016, we received from you a copy of a letter – identical in its substance to letters received by many other state attorneys general – suggesting this Office is engaging in prosecutorial misconduct and requesting that we immediately produce documents to your Committee. I responded by questioning your authority to make such a request, and pointing out that your letter provides no information to support the proposition that this Office has acted inappropriately in any way.

We have now received a second form letter from you, dated June 17, 2016, requesting that this Office produce several categories of documents to your Committee within one week. I note that neither of your letters shows the signatures of a majority of the Committee's members. Like the first, this more recent letter demonstrates no familiarity with the actual work of the Maine Attorney General's Office, and instead sets forth a legal argument intended to justify your demand for records. Having reviewed that argument and the citations accompanying it, we are all the more convinced that no jurisdictional basis exists upon which Congress may demand records from a state prosecutorial authority regarding pending investigations into violations of state law, if any exist. We therefore deny your request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Janet T. Mills'.

Janet T. Mills
Attorney General