



United States Senate
WASHINGTON, DC 20510-0504
<http://feinstein.senate.gov>

November 17, 2017

L. Steven Grasz
Husch Blackwell LLP
13330 California Street, Suite 200
Omaha, NE 68154

Dear Mr. Grasz,

The U.S. Senate Judiciary Committee is currently considering your nomination to the U.S. Court of Appeals for the Eighth Circuit. I write to request a document that was discussed at a nominations hearing the Committee held on November 15, 2017. This document is relevant to the Committee's consideration of your fitness to be a lifetime-appointed federal judge.

At the November 15 hearing, the American Bar Association's Standing Committee's Chair, Ms. Pamela Bresnahan, testified about your nomination and the role this document played in informing the ABA's analysis. Specifically, in the Standing Committee's November 15 Supplemental Statement the ABA described the document as "reflect[ing] [your] efforts to intervene, in [your] own name, using information that was confidential, to change an outcome of a non-partisan Judicial Nominating Committee ("JNC") process, in order to provide the Governor an opportunity to appoint a preferred candidate." The Statement also notes that you acknowledged to an ABA evaluator your use, inconsistent with Nebraska state law, of confidential information in the document. The ABA testified that this incident "raised particular concerns because it involved the process of the selection of a non-partisan judiciary."

I ask that you produce this document to the Judiciary Committee as soon as possible. In addition, please explain whether you used confidential information included in the document and under what authority this use was permitted. Please

respond with the requested information and materials as soon as possible, but no later than Monday, November 27.

Sincerely,


Dianne Feinstein

DF/ph