



U.S. Department of Justice

Office of the Associate Attorney General

Washington, D.C. 20530

June 22, 2007

The Attorney General of the United States
United States Department of Justice
Robert F. Kennedy Justice Building
Washington, D.C. 20530

Dear Judge:

After nearly seventeen years of service in the Justice Department, as both a career civil servant and as a United States Attorney, I was honored to be nominated by the President to serve as Associate Attorney General. It has been a tremendous opportunity to serve as Acting Associate Attorney General since September 2006.

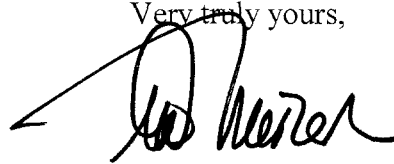
After much consideration, I have concluded that it is highly unlikely that both the Judiciary Committee and the Senate will take prompt action on my nomination in the near term, if ever. This view is informed in part by statements suggesting that some senior Justice nominees will not be voted upon until the Senate receives e-mails and witnesses it has demanded from the White House. As a result, the prospects of my confirmation seem as distant today as they have been over much of the last ten months since my nomination. This continued uncertainty is beneficial to neither the Office of the Associate Attorney General nor the U.S. Attorney's Office in the District of Montana. With no clear end in sight with respect to my nomination, it is untenable for me to pursue both responsibilities and provide proper attention to my family. While this is a difficult decision, it is because of these factors that I have today requested that the President withdraw my nomination.

As satisfying as my work as United States Attorney has been, I was pleased to be asked to serve our nation at Main Justice. Working with the leadership and personnel in the thirteen divisions and offices reporting to the Office of the Associate Attorney General has been a rewarding and gratifying experience. The breadth of the DOJ mission is reflected by the important work of the Antitrust Division, the Civil Division, the Civil Rights Division, the Environment and Natural Resources Division, and the Tax Division, the three grantmaking and research entities, and the six other components that report through the Associate's office. I leave Main Justice with a great confidence in this institution and its people at headquarters and in the field as a result of the outstanding criminal and civil cases, partnership efforts with state and local governments and non-profit organizations, and the other substantial contributions DOJ employees make to the administration of justice.

It will be a great pleasure to return home to continue my work as United States Attorney for the District of Montana. I have heard the call from my home state senators encouraging me to choose one Department of Justice role. This change will address their concerns with certainty as opposed to the uncertainty of a more protracted nomination process. The work of federal law enforcement is important to public safety in Montana. I can assure you - - and the empirical evidence confirms it - - that the men and women in the U.S. Attorney's Office have excelled without my day-to-day physical presence in the state. Nonetheless, I look forward to working with them once again on a daily basis to execute the strategic plan we have in place for 2007.

I wish you every success now and in the future. It is my view that the strategic initiatives launched during your tenure will generate significant improvements in public safety and the enforcement efforts of federal, state, and local governments.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Mercer", with a large, stylized initial "W" that loops back to the left.

William W. Mercer
Acting Associate Attorney General

cc: Paul J. McNulty
Deputy Attorney General