

Legal Sidebar

A Brief History of Attorney General Recusal

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The [recent announcement](#) by U.S. Attorney General Jeff Sessions that he would recuse himself from any investigations into President Donald Trump's 2016 presidential campaign has raised questions about how often recusals by the Attorney General have happened in the past. While there is no official compilation of recusals, it appears that [Attorneys General of the United States](#) have recused themselves at least 15 times since 1989. The information below cites to these instances and states the causes for the recusals, if causes were provided by the utilized sources. Additionally, while this list is not definitive, it demonstrates that Attorneys General have recused themselves for a multitude of reasons over the last few decades.

- In 1990, Attorney General Richard Thornburgh [recused](#) himself from a criminal investigation into drug use among public officials. One of the people implicated in the investigation was a former aide to the Attorney General.
- In 1993, Attorney General William Barr [recused](#) himself from an investigation of Senator Charles Robb and his political wiretapping case.
- In 1998, Attorney General Janet Reno [recused](#) herself from the tax evasion case against Webster L. Hubbell, a former Associate Attorney General who served under her.
- In 1999, Attorney General Reno [recused](#) herself from the investigation by the Federal Bureau of Investigation (FBI) into the 1993 siege and raid on the Branch Davidian compound, in Waco, Texas. She anticipated being called as a witness.
- In 2001, Attorney General John Ashcroft [recused](#) himself from an investigation into Senator Robert G. Torricelli's campaign activities. Senator Torricelli had been the chief fundraiser for Senate Democrats in 2000 and had helped raise funds for Ashcroft's opponent in the 2000 Missouri Senate race.
- In 2002, Attorney General Ashcroft [recused](#) himself from the Justice Department's criminal investigation of Enron Corporation and the energy company's collapse. Kenneth Lay, head of Enron, had made contributions to Ashcroft's 2000 Senate campaign.
- In 2003, Attorney General Ashcroft [recused](#) himself from the investigation into the leak of Valerie Plame's affiliation with the Central Intelligence Agency (CIA). Attorney General Ashcroft cited no reason other than an abundance of caution due to his close ties to senior White House aides.
- In 2005, Attorney General Alberto Gonzales also [recused](#) himself from the investigation into Valerie Plame's leaked identity. Attorney General Gonzales had previously been involved with the case in his prior position as White House Counsel.
- In 2007, Attorney General Gonzales [recused](#) himself during the investigation into the Justice Department's dismissals of nine U.S. Attorneys in 2006.
- In 2008, Attorney General Michael Mukasey [recused](#) himself from an investigation into the Alavi Foundation's

Iranian ties. He previously represented Alavi in a real estate dispute while in private practice.

- In 2008, Attorney General Mukasey [recused](#) himself from the investigation into Bernie Madoff. His son was a defense attorney representing a financial officer at Madoff's investment firm.
- In 2009, Attorney General Eric Holder [recused](#) himself from an investigation of tax havens at Swiss bank UBS. Attorney General Holder had done work for the bank in the private sector.
- In 2009, Attorney General Holder [recused](#) himself from participating in the criminal investigation against Major League pitcher, Roger Clemens, for lying to Congress during testimony on performance-enhancing drugs. Attorney General Holder had previously worked at a law firm representing Clemens.
- In 2011, Attorney General Holder [recused](#) himself from a Justice Department review of the AT&T and T-Mobile merger.
- In 2013, Attorney General Holder [recused](#) himself from the criminal investigation of a leak to the Associated Press, after agents from the FBI interviewed him for the investigation.

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