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ONE HUNDRED FIFTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

April 10, 2018

Bob Goodlatte  
Chair  
House Judiciary Committee  
2138 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Goodlatte:

On Monday, April 9, the FBI raided the office, home, and hotel of Michael D. Cohen, President Trump's personal attorney, using a search warrant to seize business records, e-mails, and other documents. Mr. Cohen appears to have been under investigation for bank fraud, wire fraud, and campaign finance violations—although the exact allegations are unknown at this time.

The FBI's actions invoked the ire of President Trump. Yesterday afternoon, the President called the raid on Cohen's office a "disgrace." The raid was pursuant to a search warrant at the direction of the Office of the U.S. Attorney for the Southern District of New York, and was approved by the Department of Justice, but the President used it to decry the Special Counsel's Investigation as "witch hunt." The President claimed that the Special Counsel's team consists of "Democrats, all," despite the fact that Special Counsel Mueller and other key players are lifelong Republicans appointed by Republicans.

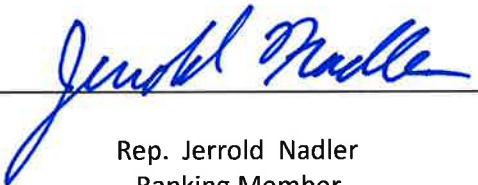
In this regard, we have grown increasingly concerned that the President may either order the firing of Special Counsel Mueller, or take other action to disrupt his and other pending investigations, such as firing Attorney General Sessions or Deputy Attorney General Rosenstein. When asked whether he might fire Special Counsel Mueller by a reporter on Monday evening, the President stated, "Why don't I just fire Mueller?" Well, I think it's a disgrace what's going on. We'll see what happens. Many people have said you should fire him. Again, they found nothing. And in finding nothing, that's a big statement." Just today White House Press Secretary Sarah Huckabee Sanders said that President Trump "believes he has the power" to fire Special Counsel Robert Mueller.

As a result and given the urgency of the situation, we are invoking our rights under House Rule XI, Clause (c), (2) to provide a written request to notify the Committee and its Clerk of our request to call a special meeting of the Committee to consider two items of legislation in order to protect the Office of the Special Counsel:

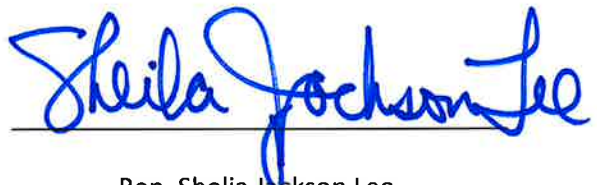
- **H.R. 3654, the Special Counsel Independence Protection Act**, introduced by Representative Sheila Jackson Lee, requires the Attorney General to work through the U.S. District Court for the District of Columbia in order to remove a duly appointed special counsel. The Attorney General could only remove the special counsel if a three-judge panel made a finding of misconduct, dereliction of duty, incapacity, conflict of interest, or other good cause.
- **H.R. 4669, the Special Counsel Integrity Act**, introduced by Representative Steve Cohen, creates a cause of action for the special counsel in the event of his or her removal. A three-judge panel could immediately reinstate the special counsel if it found that he or she had been removed for reasons other than misconduct, dereliction of duty, incapacity, conflict of interest, or other good cause. The bill further clarifies that only an Attorney General confirmed by the Senate—or, if the AG is recused, the most senior Senate-confirmed official at the Department of Justice—may remove or discipline a special counsel.

We are hopeful that you will schedule these urgent matters promptly.

Sincerely,



Rep. Jerrold Nadler  
Ranking Member  
House Committee on the Judiciary



Rep. Shelia Jackson Lee  
Ranking Member  
Subcommittee on Crime



Rep. Steve Cohen  
Ranking Member  
Subcommittee on the Constitution and Civil Justice

cc: Alley Adcock, Legislative Clerk, House Committee on the Judiciary