



Congress of the United States
House of Representatives
Washington, DC 20515

January 15, 2019

The Honorable Elijah E. Cummings
Chairman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am writing to request additional information about the Committee's hearing scheduled for February 7, 2019, at which you have invited Michael D. Cohen, a convicted felon sentenced to prison, to testify.¹ Cohen pleaded guilty to providing intentionally false testimony to a Congressional committee.² You invited Cohen to testify before finishing consultations with the Special Counsel's Office and without consulting the minority.³ As the Committee prepares for your first major hearing, there is still much we do not know about your plans for the hearing.

Shortly after you announced the hearing, Michael Avenatti, an attorney for Stephanie Clifford, who presents herself in the adult performance industry under the stage name *Stormy Daniels*, announced that he will attend the hearing with Ms. Clifford.⁴ Avenatti did not say whether you invited them to attend the hearing or whether they will testify. I hope you can clarify Mr. Avenatti's and Ms. Clifford's roles in the hearing.

¹ Press Release, H. Comm. on Oversight & Reform, Chairman Cummings Announces Oversight Committee Hearing Schedule, Jan. 10, 2019, <https://oversight.house.gov/news/press-releases/chairman-cummings-announces-oversight-committee-hearing-schedule>.

² See Plea Agreement, U.S. v. Michael Cohen, No. 1:18-cr-850 (S.D.N.Y. 2018), <https://www.justice.gov/file/1115566/download>; Indictment, U.S. v. Michael Cohen, No. 1:18-cr-850 (S.D.N.Y. 2018), <https://www.justice.gov/file/1115596/download>; Devlin Barrett et.al., *Michael Cohen, Trump's former lawyer, pleads guilty to lying to Congress about Moscow project*, Nov. 29, 2018, https://www.washingtonpost.com/politics/michael-cohen-trumps-former-lawyer-pleads-guilty-to-lying-to-congress/2018/11/29/5fac986a-f3e0-11e8-bc79-68604ed88993_story.html?utm_term=.657f859fc6c4.

³ Letter from Jim Jordan, Ranking Member, H. Comm. on Oversight & Reform, to Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform (Jan. 11, 2019).

⁴ Morgan Gstalter, *Avenatti says he and Stormy Daniels will attend Cohen's congressional hearing*, THE HILL, Jan. 14, 2019, <https://thehill.com/homenews/administration/425029-avenatti-says-he-and-stormy-daniels-will-attend-cohen-congressional>.

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According to news reports, the Committee's hearing would not be the first time Mr. Avenatti and Ms. Clifford have appeared at an official proceeding involving Mr. Cohen. Mr. Avenatti previously appeared at a procedural hearing in Mr. Cohen's criminal case in Federal District Court in the Southern District of New York.⁵ One report described Mr. Avenatti's interjection at Mr. Cohen's hearing and the hearing's "circus-like atmosphere."⁶ According to another report describing the court hearing, the appearance of Ms. Clifford and Mr. Avenatti turned the court's proceeding into a "three-ring circus."⁷ To avoid a public charade at a Congressional hearing—your seminal foray as Chairman—please provide answers to the following questions:

1. Have you, your staff, or any Democratic Member extended an invitation for either Michael Avenatti or Stephanie Clifford to attend the Committee's February 7, 2019, hearing?
2. Have you, your staff, or any Democratic Member arranged for reserved seats for either Michael Avenatti or Stephanie Clifford to attend the Committee's February 7, 2019, hearing? If so, is there a new Committee policy for reserving seats? If there is, is the minority permitted to reserve seats?
3. Is it your intention to call either Michael Avenatti or Stephanie Clifford as a witness at the February 7, 2019, hearing, or at any future Committee hearings?
4. Are there any other witnesses you intend to bring before the Committee at the February 7, 2019, hearing?

We should agree that the Committee's work is serious business that should not be discredited by publicity hounds and witnesses seeking to advance their own agenda. I look forward to hearing from you soon.

Sincerely,



Jim Jordan
Ranking Member

⁵ See Marcus Baram, *Inside a tense Michael Cohen court hearing: Stormy's lawyer and "taint team" concerns*, FAST COMPANY, April 13, 2018, <https://www.fastcompany.com/40558846/inside-a-tense-michael-cohen-court-hearing-stormys-lawyer-and-taint-team-concerns>.

⁶ *Id.*

⁷ See Kaja Whitehouse et. al., *How Cohen's day in court turned into the Stormy Daniels show*, April 16, 2018, NEW YORK POST, <https://nypost.com/2018/04/16/how-cohens-day-in-court-turned-into-the-stormy-daniels-show/>.