

U.S. House of Representatives
Committee on the Judiciary
Washington, DC 20515-6216
One Hundred Fifteenth Congress

March 16, 2017

The Honorable Jefferson Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Sessions:

We write about your decision to terminate the 46 United States attorneys held over from the previous administration—without warning, without an obvious plan to name their successors, and, with respect to at least one such official, in direct contravention of your earlier promises.

We recognize that, in ordinary circumstances, a United States attorney serves at the pleasure of the President. Given the Trump Administration's wide-ranging and ongoing conflict-of-interest troubles, however, we wonder if the wiser course of action would have been to allow these officials to stay on and act as an independent voice on matters that might directly impact President Trump.

We have particular concerns about the impact of your decision on two key posts.

As you know, Mr. Preet Bharara, former U.S. Attorney for the Southern District of New York, had jurisdiction over allegations of improper activity emanating from Trump Tower, the Trump Campaign, and the Trump Organization. Just last week, a bipartisan coalition of three watchdog groups—Democracy 21, Citizens for Responsibility and Ethics in Washington, and the Campaign Legal Center—wrote to ask Mr. Bharara to “take appropriate action to ensure that the Trump Organization and related Trump business enterprises do not receive payments and

financial benefits from foreign governments that benefit President Trump.”¹ If Mr. Bharara was, to your knowledge, investigating any such allegations, then your decision to fire him would be completely inappropriate. In any event, his removal has been cause for confusion—given that both you and President Trump are reported to have met with Mr. Bharara during the transition and asked him remain at his post.²

We also have concerns about your decision to remove Channing Phillips, U.S. Attorney for the District of Columbia. On March 2, 2017, every Democratic member of the House Committee on the Judiciary asked Mr. Phillips to investigate your statements to the Senate Judiciary Committee as possible violations of criminal law.³ It seems entirely improper for you to remove Mr. Phillips just as this referral has been made.

Accordingly, so that we can evaluate the full implications of these firings, we ask that you provide our Committee with a summary of any and all pending investigations at the Department of Justice involving members of the Trump Administration, the Trump transition, the Trump campaign, and the Trump Organization. We also ask that you answer the following questions:

- Was the decision to remove Mr. Bharara from his office in any way related to any matter under investigation by the Office of the U.S. Attorney for the District of New York?
- Why did your position about Mr. Bharara change between November 30, 2016, when you and the President are said to have promised him that he could stay on in his position, and March 10, 2017, when you decided to fire him?
- According to reports, President Trump placed a phone call to Mr. Bharara on March 9, 2017.⁴ What was the purpose of that phone call? Did it comply with Department of Justice guidance restricting contact between the White House and Department personnel?
- Was the decision to remove Mr. Phillips from his office in any way related to any matter under investigation by the Office of the U.S. Attorney for the District of Columbia?

¹ Tom Hamburger, *Watchdogs ask U.S. Attorney to investigate Trump over foreign business deals*, WASH. POST, Mar. 8, 2017.

² Benjamin Weiser and Nick Corasaniti, *Preet Bharara Says He Will Stay On as U.S. Attorney Under Trump*, N.Y. TIMES, Nov. 30, 2016.

³ Letter from Ranking Member John Conyers, Jr., et al., to the Hon. Channing Phillips, U.S. Attorney for D.C., and the Hon. James B. Comey, Director, Fed. Bureau of Investigation, Mar. 2, 2017.

⁴ Eric Lichtblau and William K. Rashbaum, *White House Addresses Trump's Unorthodox Call to Preet Bharara*, N.Y. TIMES, Mar. 13, 2017.

- Given that Mr. Phillips had received a congressional referral related to your conduct, was it appropriate for you to participate in the decision to have him removed from office?

We ask that you provide us with a response to this letter as soon as possible, but in any event no later than March 23, 2017.

Thank you for your prompt attention to this matter.

Sincerely,

John Longenecker Jr
Levitt Stadler

Bl. ger
Sheila Jackson Lee