

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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January 26, 2024

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Comer:

I write today with great concern about a possible serious fraud being perpetrated on our Committee. Former President Donald Trump's attorneys may have made false representations purporting to speak on your behalf in order to prevent the Committee from obtaining complete access to records documenting Trump's receipt of foreign government payments while he was in the White House. To the extent that attorneys for former President Trump lied about your communications with them to bury evidence of the former President's receipt of illegal foreign payments, the Committee must immediately launch an investigation of this deception and re-issue a subpoena to foil this duplicitous scheme.

As you are aware, earlier this month, I released a Democratic staff report entitled *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump*, which drew from a limited set of documents produced to the Committee by former President Trump's former accounting firm, Mazars USA, LLP, to prove that former President Trump received *at least* \$7.8 million in foreign emoluments in violation of the Constitution.¹ As detailed in the report, our access to Mazars's record was stymied at the beginning of last year by a communication from Donald Trump's attorney, purporting to be speaking on your behalf, instructing Mazars to stop complying with the Committee's subpoena and the terms of a court-approved settlement: "I do not know the status of Mazars [*sic*] production, but my understanding is that the Committee has no interest in forcing Mazars to complete it and is willing to release it from further obligations under the settlement agreement."² *The Messenger* reported last week

¹ Committee on Oversight and Accountability, Democratic Staff Report, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

² Email from Patrick Strawbridge, Consovoy McCarthy PLLC, on behalf of Donald Trump, to Counsel for Mazars USA LLP, (Jan. 19, 2023); Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (Mar. 12, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BofA%20Subpoena.pdf>); *Comer Stymies Probe into Trump Tax Records*,

that you had explained you “had no involvement in any directive to cut off the flow of Trump documents” to the Committee. Reportedly, you stated: “I don’t even know who the Trump lawyers are,” and then added, “I don’t have any communication with them. I have no communication with them.”³

Your clear and categorical statements to *The Messenger* strongly suggest that former President Trump’s counsel lied and deliberately misled counsel for Mazars in stating the “Committee has no interest in forcing Mazars to complete it and is willing to release it from further obligations under the settlement agreement.”⁴ By making this extraordinary representation on your behalf, Mr. Trump’s attorneys succeeded in burying evidence of additional payments from foreign governments to the former President. As the report explains, the \$7.8 million in foreign payments reflects illegal and unconstitutional payments recorded in receipts and ledgers from Mazars covering just two years of Trump’s presidency, just three of the former President’s more than 500 businesses, and just 20 of the more than 190 nations in the world, as well as one Trump Tower lease identified in the public record. By blocking the production of further documents from Mazars, purportedly by acting on your behalf, former President Trump’s attorneys deprived the Committee’s Democratic staff of the ability to work with Mazars to conduct further searches for responsive records, including documents relating to Russia, Korea, South Africa, and Brazil.⁵

In June 2023, you authorized the filing of a joint motion, together with attorneys for Mr. Trump and Mazars, to dismiss the court-supervised agreement and the underlying case requiring Mazars to produce records to the Committee. In the filing, you appear to have taken the position that, “Mazars has produced all documents that it agreed to produce under the Parties’ Stipulated Agreement and that all of the terms of the Stipulated Agreement have now been fulfilled.”⁶ It is baffling how you came to this conclusion as you never discussed it with me or anyone on the

House Democrats Say, Washington Post (Mar. 13, 2023) (online at www.washingtonpost.com/politics/2023/03/13/trump-tax-records-investigation/).

³ *Trump Money Probe in Congress Dogged by Denials and Claims of ‘Fraud’*, *The Messenger* (Jan. 18, 2024) (online at <https://themessenger.com/politics/trump-money-probe-in-congress-dogged-by-denials-and-claims-of-fraud>).

⁴ Email from Patrick Strawbridge, Consovoy McCarthy PLLC, on behalf of Donald Trump, to Counsel for Mazars USA LLP, (Jan. 19, 2023); Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (Mar. 12, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BoFA%20Subpoena.pdf>); *Comer Stymies Probe into Trump Tax Records*, *House Democrats Say*, Washington Post (Mar. 13, 2023) (online at www.washingtonpost.com/politics/2023/03/13/trump-tax-records-investigation/).

⁵ Committee on Oversight and Accountability, Democratic Staff Report, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

⁶ Joint Motion for Entry of Dismissal with Prejudice and to Terminate the Case, *Trump v. Committee on Oversight and Accountability of the U.S. House of Representatives*, et al., Civil Action No. 1:19-cv-01136-APM (D.D.C. June 30, 2023).

Democratic staff. Perhaps this is a result of further false or fraudulent claims by Mr. Trump's attorneys purporting to speak on our behalf?

In any event, as our report makes clear, there are still numerous documents and information we are seeking from Mazars. However, without the involvement of Committee Democrats—or even notification to us—the district court granted this flawed motion on July 5, 2023, putatively ending the litigation and the court's supervision of the parties' agreement.⁷ Thus, in the face of mounting evidence that foreign governments sought to influence the Trump Administration by playing to President Trump's financial interests, evidence of his misconduct has been intentionally buried.⁸

If, as you stated, you were not involved in—much less directing—the termination of document productions to the Committee, I urge you to launch an immediate investigation into the false and fraudulent misrepresentations by former President Trump's attorneys, and to join me in ensuring the Committee receives from Mazars *all* the records it has pertaining to *all* the payments received by former President Trump from *all* foreign governments during the *entirety* of his presidency. Former President Trump's acceptance of these payments is not only illegal and unconstitutional but also raises significant national security concerns as the corrupt and autocratic foreign governments making these payments sought—and often received—favours and specific foreign policy outcomes. You have often asserted that you are committed to “investigating foreign nationals' attempts to target and coerce high-ranking U.S. officials' family members by providing money or other benefits in exchange for certain actions.”⁹ And earlier this week, your spokesperson affirmed that you are working “to ban influence peddling and reform federal ethics laws.”¹⁰ I therefore urge you to join me in holding former President Trump and his attorneys fully responsible for their efforts to obstruct this Committee's investigation and their false and fraudulent misrepresentations about your statements on behalf of the Committee.

Sincerely,


Jamie Raskin
Ranking Member

⁷ See Order, *Trump v. Committee on Oversight and Accountability of the U.S. House of Representatives*, et al., Civil Action No. 1:19-cv-01136-APM (D.D.C. July 5, 2023).

⁸ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to Debra Steidel Wall, Acting Archivist of the United States, National Archives and Records Administration (Nov. 14, 2022) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2022-11-14.CBM%20to%20Steidel%20Wall-NARA%20re%20Mazars%20Docs.pdf>).

⁹ E.g., Letter from Chairman James Comer, Committee on Oversight and Accountability, to Matthew Schwartz, Boies Schiller Flexner, Counsel to Devon Archer (June 12, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Letter-to-Archer-061223.pdf>).

¹⁰ *Republicans Turn on Their Impeachment Chairman: 'Parade of Embarrassments' (Exclusive)*, The Messenger (Jan. 24, 2024) (online at <https://themessenger.com/politics/republicans-turn-on-their-impeachment-chairman-a-parade-of-embarrassments-exclusive>).