

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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April 30, 2024

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

Dear Attorney General Garland:

The Committee on the Judiciary is conducting oversight of politically motivated prosecutions by state and local officials. Since last year, popularly elected prosecutors—who campaigned for office on the promise of prosecuting President Trump—engaged in an unprecedented abuse of prosecutorial authority: the indictment of a former President of the United States and current leading candidate for that office. New York County District Attorney (DANY) Alvin Bragg is engaged in one such politicized prosecution, which is being led in part by Matthew B. Colangelo, a former senior Justice Department official. Accordingly, given the perception that the Justice Department is assisting in Bragg’s politicized prosecution, we write to request information and documents related to Mr. Colangelo’s employment.

Mr. Colangelo’s recent employment history demonstrates his obsession with investigating a person rather than prosecuting a crime.¹ At the New York Attorney General’s Office, Mr. Colangelo ran investigations into President Trump,² leading “a wave of state litigation against Trump administration policies.”³ On January 20, 2021, the first day of the Biden Administration, Mr. Colangelo began serving as the Acting Associate Attorney General—the number three official in your department.⁴ Upon the confirmation of Associate Attorney General Vanita Gupta, Mr. Colangelo then served as the Principal Deputy Associate Attorney General.⁵ In December 2022, Bragg “beefed up [his] office” by hiring Mr. Colangelo to fill the

¹ Jacob Shamsian, *Manhattan DA’s office hires attorney with extensive experience investigating Trump, suing his administration*, BUSINESS INSIDER (Dec. 5, 2022); Patricia Hurtado, *Ex-DOJ Lawyer With Trump Experience Joins Manhattan DA’s Team*, BLOOMBERG (Dec. 5, 2022).

² *Id.*

³ *Who’s who in the Manhattan DA’s Donald Trump indictment*, THE ASSOCIATED PRESS (Mar. 31, 2023).

⁴ Staff Profile, U.S. Dep’t of Justice, Former Acting Associate Attorney General Matthew Colangelo (last updated Apr. 22, 2021).

⁵ Jonah E. Bromwich, *Manhattan D.A. Hires Ex-Justice Official to Help Lead Trump Inquiry*, N.Y. TIMES (Dec. 5, 2022).

void left by the departure of politicized line prosecutors Mark Pomerantz and Carey Dunne.⁶ Bragg hired Mr. Colangelo to “jump-start” his office’s investigation of President Trump, reportedly due to Mr. Colangelo’s “history of taking on Donald J. Trump and his family business.”⁷ Mr. Colangelo is now a lead prosecutor in President Trump’s trial.

Bragg’s prosecution concerns federal subject matter identical to a matter that the Justice Department closed in 2018, raising concerns that a state-level prosecutor is seeking to relitigate an issue on which the federal government previously declined prosecution. In addition, Bragg’s prosecution relies heavily on the testimony of his star witness, Michael Cohen, a convicted felon with a demonstrable animus towards President Trump.⁸ Cohen pleaded guilty to lying to Congress in 2018.⁹ In 2019, when he testified before the Democrat-led House Committee on Oversight and Reform in a hearing orchestrated by a longtime Democrat activist to aid their fruitless investigation into President Trump, Cohen lied again—six times.¹⁰ In the years since, Cohen has been vocal about his deeply personal animus toward President Trump.¹¹

As the Committee has previously explained, Bragg’s politicized prosecution of President Trump has serious consequences for federal interests. That a former senior Biden Justice Department official is now leading the prosecution of President Biden’s chief political rival only adds to the perception that the Biden Justice Department is politicized and weaponized. Accordingly, we ask that you provide the following documents and information:

1. All documents and communications for the period of January 2021 to December 2022 between or among Mr. Colangelo and any employee, agent, or representative of the New York County District Attorney’s Office, the Fulton County District Attorney’s Office, the New York Attorney General’s Office, or the Department of Justice’s Special Counsel’s Office, referring or relating to:
 - a. President Donald J. Trump;
 - b. The Trump Organization; or

⁶ Shamsian, *supra* note 1; see Erica Orden, *Liberal Manhattan DA takes on Trump in perilous legal fight*, POLITICO (Dec. 5, 2022); Ben Protess et al., *How the Manhattan DA’s investigation into President Donald Trump unraveled*, N.Y. TIMES (March 5, 2022).

⁷ Bromwich, *supra* note 5; see also Emma Colton, *Trump prosecutor quit top DOJ post for lowly NY job in likely bid to ‘get’ former president, expert says*, FOX NEWS (Apr. 25, 2024) (noting that Mr. Colangelo also held high-level positions in the Obama-Biden Administration, including “deputy director of the . . . National Economic Council and as chief of staff at the Labor Department.”).

⁸ See, e.g., Nicholas Fandos & Maggie Haberman, *In Congressional Testimony, Cohen Plans to Call Trump a ‘Con Man’ and a ‘Cheat’*, N.Y. TIMES (Feb. 26, 2019); Mark Berman et al., *The prosecutor, the ex-president and the ‘zombie’ case that came back to life*, WASH. POST (Mar. 17, 2023).

⁹ *Michael Cohen pleads guilty to lying to Congress*, ASSOC. PRESS (Nov. 29, 2018)

¹⁰ Letter from Jim Jordan & Mark Meadows, H. Comm. on Oversight & Reform, to William P. Barr, Att’y Gen., Dep’t of Justice (Feb. 28, 2019).

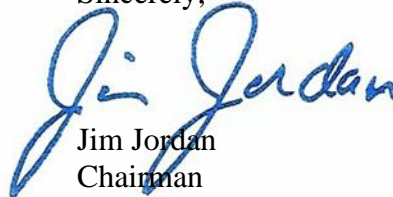
¹¹ See, e.g., Fandos & Haberman, *supra* note 8.

- c. Any other entity owned, controlled by, or associated with President Donald J. Trump;
2. All personnel files related to Mr. Colangelo's hiring, employment, and termination at the Department of Justice, including all documents and communications with the Office of Presidential Personnel about Mr. Colangelo's hiring;
3. All documents and communications between or among the Justice Department and the New York County District Attorney's Office referring or relating to the prosecution of President Donald J. Trump;
4. All documents and communications referring or relating to Michael Cohen's conviction in *United States v. Cohen*, No. 18-cr-602 (S.D.N.Y. 2018), including any decisional or pre-decisional memoranda relating to the case; and
5. All documents and communications referring or relating to Michael Cohen's conviction in *United States v. Cohen*, No. 18-cr-850 (S.D.N.Y. 2018).

Please provide the information requested as soon as possible but no later than 5:00 p.m. on May 14, 2024. The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."¹² Pursuant to the Rules of the House of Representatives, the Committee is authorized to conduct oversight of the Justice Department—including with respect to the Department's use of resources to initiate, or assist in the initiation of, politically motivated prosecutions of a former president and current frontrunner for that office—to inform potential legislative reforms.¹³

If you have any questions about this request, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

¹² See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citation marks omitted).

¹³ Rules of the U.S. House of Representatives, R. X (2023).