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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

March 15, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave. NW
Washington, D.C. 20530

Dear Attorney General Barr:

As you are undoubtedly aware, during a recent interview on 60 Minutes, former acting Director of the Federal Bureau of Investigation (FBI) Andrew McCabe explained how Deputy Attorney General Rod Rosenstein discussed with him and others within the Department of Justice (DOJ) the possibility of removing the President of the United States by invoking the 25th Amendment. In addition, Mr. McCabe described how the Deputy Attorney General, in a manner that was “absolutely serious,” offered to wear a wire into the White House to record the President and gather evidence against him.

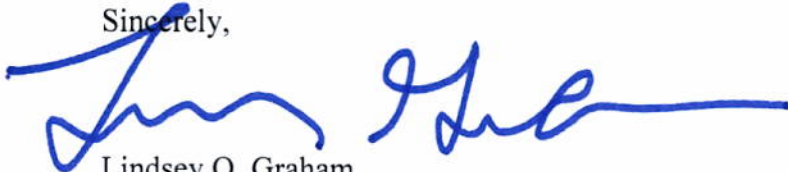
The Committee is deeply concerned with these discussions and whether they essentially indicate that two of the highest ranking law enforcement officials in the United States were discussing what amounts to a coup against the President. Accordingly, the Committee plans to conduct oversight into these discussions and related matters. To that end, the Committee requests that the DOJ provide the following documents by no later than March 29, 2019:

1. All documents and communications (commonly referred to as the “McCabe Memos”) written by Mr. McCabe to memorialize discussions, meetings, or correspondence he had with senior government officials, including the President.
2. Documents and communications sufficient to show the names, titles, and business addresses of all personnel who participated in any meeting that included Deputy Attorney General Rosenstein and Mr. McCabe between May 9, 2017, and May 17, 2017, or any other meeting that included these two officials during which the 25th Amendment, recording conversations with the President, or opening an obstruction of justice investigation related to the removal of Director Comey was in anyway mentioned or discussed. In lieu of documents, you may provide a list of the requested information.
3. All documents and communications referring or relating to a meeting or meetings that included Mr. McCabe and Deputy Attorney General Rosenstein during which the 25th Amendment, taping conversations with the President, or opening an obstruction of justice investigation related to the removal of Director Comey were discussed.

4. All documents and communications created on or after May 9, 2017, referring or relating to the 25th Amendment.
5. All documents and communications created on or after May 9, 2017, referring or relating to recording conversations with the President.
6. Any opinion prepared by the Office of Legal Counsel or any other entity within the Department referring or relating to the 25th Amendment.
7. All documents and communications relied upon by FBI's Office of Professional Responsibility in reaching its decision to recommend the dismissal of Mr. McCabe, including the Office of Professional Responsibility's report on Mr. McCabe.

If your staff has any questions regarding this request, please have them contact Zachary Somers with the majority staff on the Committee. Thank you for your prompt attention to this matter.

Sincerely,



Lindsey O. Graham
Chairman

cc: The Honorable Dianne Feinstein
The Honorable Christopher Wray