

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051

MINORITY (202) 225-5074

<http://oversight.house.gov>

February 21, 2019

Mr. Lanny J. Davis  
Davis Goldberg & Galper PLLC  
1700 K Street NW, Suite 825  
Washington, DC 20006

Dear Mr. Davis:

Your client, Michael Cohen, is scheduled to testify before our Committee on February 27, 2019. Cohen is expected to make accusations against President Trump, his former legal client. Cohen is a convicted criminal who has admitted to crimes of deception and lies for his personal greed and ambition. Our Members have a number of questions they intend to pose Cohen; however, Chairman Elijah Cummings has refused to request material necessary to prepare for Cohen's anticipated testimony. Therefore, we write to you to seek additional information about one facet of Cohen's work: the strategic consulting, lobbying, and foreign agent work he sought to undertake after he was denied a staff position in President Trump's White House.

As you boasted to our staff on January 18, 2019, you arranged for Cohen to testify before our Committee before he begins serving his prison sentence and you convinced Chairman Cummings to make Cohen the first announced witness of his chairmanship. Chairman Cummings agreed to your overtures, but he has unilaterally and unnecessarily attempted to limit the scope of Cohen's testimony. To be clear, and as our staff conveyed to you at the January meeting, our Members are not bound by the extremely narrow terms you have established with the Chairman. Our Members intend to pose questions they deem appropriate and they may ask your client about any of the following issues:

- The crimes of deception and lies to which Cohen pleaded guilty;
- Other criminal activity in which Cohen participated, but refused to disclose or cooperate with the U.S. Attorney's Office for the Southern District of New York (SDNY);
- Cohen's business dealings and international financial dealings, including those involving his relatives;
- Cohen's actions and boasts probative of his character, including his book deals, his desire to be a cable television personality, the fantastic claim he delivered his

Mr. Lanny J. Davis

February 21, 2019

Page 2

own baby, the delusional aim to be Mayor of the City of New York, and the fake *Women For Cohen* social media initiative he commissioned;<sup>1</sup> and

- Cohen's strategic consulting, lobbying, and foreign agent work.

Federal court records show how Cohen sought to use his association with President Trump for personal gain. According to the SDNY prosecutors, in January 2017, around the time of President Trump's inauguration, Cohen began offering lobbying and consulting services to a number of companies.<sup>2</sup> The prosecutors determined that Cohen "secured a substantial amount of consulting business for himself throughout 2017 by marketing to corporations what he claimed to be unique insights about and access to [President Trump]."<sup>3</sup> Cohen's list of major domestic and foreign corporate clients included AT&T, Novartis, BTA Bank of Kazakhstan, Columbus Nova, and Korea Aerospace Industries. His efforts landed Cohen a number of lucrative consulting deals worth millions of dollars. For example:

- AT&T paid Cohen \$600,000 for insight on how the Administration would approach its controversial proposed merger with Time Warner.<sup>4</sup>
- Swiss pharmaceutical company Novartis paid Cohen \$1.2 million for promised access to the White House on health care policy.<sup>5</sup>
- Kazakhstan's BTA Bank, which Cohen has previous business ties to, paid Cohen a large sum under a consulting agreement.<sup>6</sup>
- Columbus Nova, a company whose biggest investor is owned by a Russian oligarch, paid Cohen \$500,000 for advice on "potential sources of capital and potential investments."<sup>7</sup>

---

<sup>1</sup> Letter from Jim Jordan, Ranking Member, H. Comm. on Oversight & Reform, to Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform (Feb. 19, 2019), <https://republicans-oversight.house.gov/wp-content/uploads/2019/02/2019-02-19-JDJ-MM-to-EEC-re-Cohen-Testimony.pdf>.

<sup>2</sup> The Government's Sentencing Memorandum at 3, United States v. Cohen, No. 18-cr-602 (S.D.N.Y. filed Dec. 7, 2018), <https://assets.documentcloud.org/documents/5453401/SDNY-Cohen-sentencing-memo.pdf>.

<sup>3</sup> The Government's Sentencing Memorandum at 3, United States v. Cohen, No. 18-cr-602 (S.D.N.Y. filed Dec. 7, 2018), <https://assets.documentcloud.org/documents/5453401/SDNY-Cohen-sentencing-memo.pdf>.

<sup>4</sup> Rosalind S. Helderman et al., *Cohen's \$600,000 Deal with AT&T Specified He Would Advise on Time Warner Merger, Internal Company Records Show*, WASHINGTON POST (May 10, 2018), [https://www.washingtonpost.com/politics/cohens-600000-deal-with-atandt-specified-he-would-advise-on-time-warner-merger-internal-company-records-show/2018/05/10/cd541ae0-5468-11e8-a551-5b648abe29ef\\_story.html?utm\\_term=.917bf9be7834](https://www.washingtonpost.com/politics/cohens-600000-deal-with-atandt-specified-he-would-advise-on-time-warner-merger-internal-company-records-show/2018/05/10/cd541ae0-5468-11e8-a551-5b648abe29ef_story.html?utm_term=.917bf9be7834).

<sup>5</sup> MJ Lee et al., *Inside Michael Cohen's Aggressive Pitch Promising Access to Trump*, CNN (May 10, 2018), <https://www.cnn.com/2018/05/09/politics/michael-cohen-trump-lobbying/index.html>.

<sup>6</sup> See, e.g., Christopher Brennan, *Trump Associate Received More than \$21M in Kazakh Oligarchs' Alleged Money Laundering Scheme*, NY DAILY NEWS (Apr. 25, 2018), <https://www.nydailynews.com/news/national/trump-associate-received-21m-alleged-oligarch-scheme-article-1.3953189>; Adam Davidson, *Trump's Business of Corruption*, NEW YORKER (Aug. 21, 2017), <https://www.newyorker.com/magazine/2017/08/21/trumps-business-of-corruption>.

<sup>7</sup> Bess Levin, *Michael Cohen Must Be The Most Gifted Consultant in America*, VANITY FAIR (May 9, 2018), <https://www.vanityfair.com/news/2018/05/michael-cohen-must-be-the-most-gifted-consultant-in-america>.

- South Korean company Korea Aerospace Industries paid Cohen \$150,000 for “legal consulting concerning accounting standards on production costs” related to part of a multi-billion dollar Pentagon contract the company was bidding on.<sup>8</sup>

Despite collecting a handsome windfall, Cohen apparently performed little to no work. According to the SDNY prosecutors, “while Cohen made millions of dollars for these consulting arrangements, his promises of insight and access proved essentially hollow.”<sup>9</sup> Instead, it appears that Cohen leveraged his association with President Trump to attract and retain major corporate clients, produced no tangible results, and still walked away with millions of dollars.

Regardless of whether Cohen charged clients with no intention of doing the work, or whether he attempted but failed to deliver what he promised, he reportedly did not register his lobbying activities with the federal government. The *Wall Street Journal* reported that Cohen failed to register as a domestic lobbyist as required under the Lobbying Disclosure Act (LDA).<sup>10</sup> Violators of the LDA can be fined up to \$200,000 per violation or face up to five years in prison.<sup>11</sup> Similar registration requirements in the Foreign Agents Registration Act (FARA) apply to an individual lobbying on behalf of a foreign principal if the activity is meant to influence the U.S. government (or any portion of the U.S. public) regarding U.S. policy toward a foreign place.<sup>12</sup> Violators of FARA can face criminal fines or up to five years in prison.<sup>13</sup>

Due to Cohen’s reported agreements with both domestic companies and foreign entities, our Members have questions about whether Cohen was required to register his lobbying activities with the federal government pursuant to either the LDA or FARA. Accordingly, we request that you provide the following documents and information on Cohen’s behalf:

1. All documents and communications related to Michael Cohen’s lobbying and/or consulting agreements, including agreements executed as or on behalf of Essential Consultants LLC;
2. All documents and communications related to all lobbying disclosures contemplated or filed with Congress as required by the LDA; and

---

<sup>8</sup> Amanda Macias, *South Korean Defense Company That Paid Trump Lawyer Cohen \$150,000 is Poised to Win Part of a \$16 Billion Pentagon Deal*, CNBC (May 9, 2018), <https://www.cnbc.com/2018/05/09/south-korean-firm-that-paid-trump-lawyer-cohen-poised-to-win-pentagon-deal.html>.

<sup>9</sup> The Government’s Sentencing Memorandum at 3-4, *United States v. Cohen*, No. 18-cr-602 (S.D.N.Y. filed Dec. 7, 2018), <https://assets.documentcloud.org/documents/5453401/SDNY-Cohen-sentencing-memo.pdf> (“Documents obtained by the Government and witness interviews revealed that Cohen performed minimal work, and many of the consulting contracts were ultimately terminated.”).

<sup>10</sup> Nicole Hong et al., *Prosecutors Investigating Michael Cohen for Possible Illegal Lobbying*, WALL STREET JOURNAL (June 14, 2018), <https://www.wsj.com/articles/prosecutors-investigating-michael-cohen-for-possible-illegal-lobbying-1529012696>.

<sup>11</sup> *Lobbying Disclosure Act Guidance – Section 12: Penalties*, U.S. HOUSE OF REPRESENTATIVES (Jan. 31, 2017), [https://lobbyingdisclosure.house.gov/amended\\_lda\\_guide.html#section12](https://lobbyingdisclosure.house.gov/amended_lda_guide.html#section12).

<sup>12</sup> 22 U.S.C. § 611 et seq. (2012).

<sup>13</sup> *FARA Enforcement*, DEP’T OF JUSTICE (July 26, 2018), <https://www.justice.gov/nsd-fara/fara-enforcement>.

Mr. Lanny J. Davis

February 21, 2019

Page 4


3. All documents and communications related to lobbying disclosures contemplated or filed with the Attorney General as required by FARA.

Please provide these documents to the Committee as soon as possible, but no later than February 25, 2019. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan  
Ranking Member



Mark Meadows  
Ranking Member  
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman, Comm. on Oversight and Reform  
The Honorable Devin Nunes, Ranking Member, Permanent Select Comm. on Intelligence