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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR  
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April 16, 2019

President Donald J. Trump  
The White House  
Washington, D.C. 20500

Dear Mr. President:

We write to express our concern that, as recently reported in the press, you are considering dismissing John M. Mitnick, the General Counsel of the Department of Homeland Security. The Senate's confidence in Mr. Mitnick was demonstrated when our Committee approved and the full Senate confirmed his nomination by voice vote just last year.

The General Counsel serves a crucial role within the Department of Homeland Security. As the chief legal officer for the Department, the General Counsel is responsible for providing timely and sound legal advice to the entire Department, which includes overseeing all of the Department's attorneys. It is imperative that the General Counsel is able to provide an accurate and unbiased assessment of the law to the Department regarding homeland security policies irrespective of political implications.

The presence of a Senate-confirmed General Counsel is even more important during this time of transition. With numerous vacancies across the Department, those officials serving in acting capacities will need a steady and experienced source of legal advice to guide their work addressing the myriad of policy challenges currently facing the Department. Legal guidance on department policies designed to cope with the humanitarian and national security crisis at our southwest border is just one example.

Although we recognize that the General Counsel serves at the pleasure of the President, we write to urge that his continued service is based upon the soundness of his legal advice. Mr. Mitnick is a well-qualified General Counsel, whom we believe can continue to serve you and the Department well during this pivotal time for our country.

Respectfully,



Ron Johnson  
Chairman



James Lankford  
Chairman  
Subcommittee on Regulatory Affairs  
and Federal Management

cc: Gary C. Peters  
Ranking Member

The Honorable Kevin K. McAleenan  
Acting Secretary  
Department of Homeland Security