

Questions for the Record from Rep. Darrell Issa for Mr. Ball
Hearing on “Intellectual Property: Enforcement Activities by the Executive Branch”
May 7, 2024

1. How many referrals did HSI make to DOJ for prosecutions of criminal IP violations in FY23, how does that compare to the previous two fiscal years, and what factors drove any significant changes over that time? Do you expect referrals to increase or decrease in FY24 compared to FY23?
2. How many referrals or case leads did HSI receive from rights holders in FY23, was this an increase or decrease from FY22, and what percentage of these referrals led to investigations being opened?
3. HSI reporting indicates a decrease of more than 50 percent in the number of IP Theft and Commercial Fraud investigations opened between FY22 and FY23. What is driving this decrease, and do you expect the number of such investigations opened to increase or decrease in FY24 compared to FY22 and FY23?
4. When DOJ fails to act on a referral, what happens to the case?
5. Over the past three fiscal years, do you believe that generally the number of criminal IP violations being committed in your jurisdiction increased or decreased, and by how much (regardless of whether they were investigated, referred, or prosecuted)?
6. What impact has the border crisis had on HSI’s resources for pursuing IP Theft and Commercial Fraud investigations?
7. How does HSI determine which IP theft cases are worth the expenditure of resources required for opening and conducting an investigation? What IP criminal activities are the highest priority, what activities are the lowest priority, how are these priorities set, and what are the factors considered in setting those priorities?
8. Does HSI have sufficient resources and authority to effectively enforce the IP laws in its purview and investigate IP crimes? If not, what resources or authorities does HSI need that it does not currently have?

Questions for the Record from Rep. Ted Lieu for Mr. Ball
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1. Mr. Ball, your testimony highlights that “online piracy costs the U.S. economy an estimated \$29.2 billion in lost revenue.” These losses stem in part from large-scale illegal streaming services operated by entities outside the United States. These are entities not subject to U.S. law and law enforcement. What limitations do you face when combatting digital piracy, given the global nature of internet operations? Are there operators you are unable to reach because of jurisdictional limitations?