

Questions for the Record from Mr. Mike Johnson for Attorney General Merrick Garland
Hearing on Oversight of the U.S. Department of Justice
September 20, 2023

DOJ Authority to Stop Unauthorized Sports Wagering Activity Clarifications

1. Attorney General Garland, Louisiana is among the states that in recent years has authorized legal, regulated channels to place wagers on sporting events. Despite the legalization of this activity, a significant amount of unregulated offshore, online platforms continue to target Louisianans in obvious violation of both state and multiple federal laws. Our state's chief Gaming Regulator – Ronnie Johns – raised this issue with the Department in April along with gaming regulators from 6 other states. While I appreciated the Department's response acknowledging this is a problem it takes seriously, it's clear that more focus is required on the most popular platforms that are laundering billions of dollars a year and putting millions of Americans at risk – in Louisiana and other states across the country. Does the Department have the necessary legal authorities under current law to bring action to shut down these operations? If not, please describe the additional tools the department requires to make meaningful progress in addressing this problem.

Questions for the Record from Mr. Lance Gooden for Attorney General Merrick Garland
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Settlement Slush Funds:

1. The Justice Department published a policy memo to allow redirection of settlements to third parties such as NGOs and social justice organizations. While this policy was scrapped by Attorney General Jeff Sessions in 2017, the current administration revived it. Please elaborate on the general implementation of this policy by answering the following questions.
 - a) Since its revival, has the Justice Department implemented this donation policy in all cases? Please specify the cases in which this has been implemented.
 - b) Has the Justice Department ever reduced or offered to reduce a penalty or fine in any case in exchange for the charged entity paying a donation to a third party or NGO of your choosing?
 - i) Has the Justice Department ever made settlement offers mandating a donation to third-party organizations?
 - ii) Has the Justice Department ever made a settlement offer contingent on mandatory donations to a third-party organization?
 - c) What is the exact amount that the Justice Department has settled in cases since 2021? How much of this has been redirected as donations or grants to third parties and NGOs?
 - d) How many third parties that have received donations due to settlements have been involved in accommodating, processing, or assisting immigrants?
 - e) Have any settlement amounts gone to NGOs or entities dealing with immigrants or accommodating and assisting immigrants?
 - f) Since the revival of this policy, has there been any communication, dialogue, exchange, or negotiation between the Justice Department and any third-party entities for any settlements made, offered, or negotiated since January 2021? Please provide copies of all such communications, dialogues, exchanges, or negotiations.
 - g) How many of these cases settled by the Justice Department has the settlement amount reached the Treasury and/or the victims of the settled case? Please provide a dollar value along with a percentage value in relation to the total amount settled.
2. The Justice Department has been reported to have made settlement agreements on several cases related to the Jeffrey Epstein case. Please provide details regarding the settling party, the settlement amount, and the rationale behind settling the case, along with answers to the following questions:
 - a) How many cases related to the Epstein Case/Scandal has the Justice Department settled?
 - b) Is the Justice Department implementing this settlement and donation policy in all cases? How many cases has this occurred in?

- c) What was the rationale for reaching settlements in these cases and the settlement amount? How did the Justice Department arrive at these figures and deem it was fair? Please provide details of all settlement offers or negotiations made.
- d) Please provide the details of where these settlement amounts have been or are planned to be deposited and the list of all recipients of these settlements.
- e) If any donations, contributions, or payments have been made to third parties as part of the settlement agreement or arising from negotiations since 2021, please provide the rationale for this decision and the justification for selecting said third parties as ideal recipients of these contributions, payments, or donations.
- f) If there have been any other donations or contributions made or planned to be made by the settling party as part of or related to the offense they are settling, please provide all details, including the recipient, the amount, and the date of such contributions (if already made).
- g) Have any funds from the settlement or any donations, contributions or payments from these settled cases been made to non-governmental organizations?
 - i) If so, please provide details including but not limited to the recipient entity's name, the amount, and the purpose of the donation.
 - ii) Are any of these recipient entities involved in accommodating or assisting immigrants, refugees, or asylum seekers or working with organizations involved in accommodating immigrants, refugees, or asylum seekers?
 - iii) Are any of these recipient entities involved in promoting, supporting, propagating, or providing assistance for sexual choice, sexual preference, multi-gender identities, gender re-assignment, or gender transitioning in minors or non-adults?

Specific Settlements

JP Morgan:

- 3. The Justice Department recently reached a settlement with JP Morgan for \$75 million for their involvement in the Epstein Case. Please provide answers to the following questions:
 - a) What was the rationale for reaching a settlement with JP Morgan instead of pursuing a proper prosecution?
 - b) What was the rationale behind the settlement amount? How did the Justice Department arrive at a figure of \$75 million and deem it was a fair settlement amount? Please provide details of all settlement offers or negotiations made.
 - c) There have been reports of a large chunk of the settlement being donated to third parties. Please provide the details of where the settlement amount has been or is planned to be deposited and the list of all recipients of the settlement amount.
 - d) If any donations, contributions, or payments have been made to third parties as part of the settlement agreement or arising from negotiations related to this case, please provide the rationale for this decision and the rationale behind selecting said third parties as ideal recipients of these contributions, payments, or donations.

- e) If there have been any other donations or contributions made or planned to be made by the settling party as part of or related to their settlement, please provide all details, including the recipient, the amount, and the date of these contributions.
- f) Have any funds from the settlement or any donations, contributions, or payments arising from this case been made to any non-governmental organizations?
 - i) If so, please provide details including but not limited to the recipient entity's name, the amount, and the purpose of the donation.
 - ii) Are any of these recipient entities involved in accommodating or assisting immigrants, refugees, or asylum seekers or working with organizations involved in accommodating immigrants, refugees, or asylum seekers?
 - iii) Are any of these recipient entities involved in promoting, supporting, propagating, or providing assistance for sexual choice, sexual preference, multi-gender identities, gender re-assignment, or gender transitioning in minors or non-adults?

CHASE:

- 4. The Justice Department recently reached a settlement with Chase for \$300 million for their involvement in the Epstein Case. Please provide answers to the following questions:
 - a) What was the rationale for reaching a settlement with Chase instead of pursuing a proper prosecution?
 - b) What was the rationale behind the settlement amount? How did the Justice Department arrive at a figure of \$300 million and deem it was a fair settlement amount? Please provide details of all settlement offers or negotiations made.
 - c) There have been reports of a large chunk of the settlement being donated to third parties. Please provide the details of where the settlement amount has been or is planned to be deposited and the list of all recipients of the settlement amount.
 - d) If any donations, contributions, or payments have been made to third parties as part of the settlement agreement or arising from negotiations related to this case, please provide the rationale for this decision and the rationale behind selecting said third parties as ideal recipients of these contributions, payments, or donations.
 - e) If there have been any other donations or contributions made or planned to be made by the settling party as part of or related to their settlement, please provide all details, including the recipient, the amount, and the date of these contributions.
 - f) Have any funds from the settlement or any donations, contributions, or payments from this case been made to any non-governmental organizations?
 - i) If so, please provide details including but not limited to the recipient entity's name, the amount, and the purpose of the donation.
 - ii) Are any of these recipient entities involved in accommodating or assisting immigrants, refugees, or asylum seekers or working with organizations that are involved in accommodating immigrants, refugees, or asylum seekers?
 - iii) Are any of these recipient entities involved in promoting, supporting, propagating, or providing assistance for sexual choice, sexual preference, multi-gender identities, gender re-assignment, or gender transitioning in minors or non-adults?

CCP Questions:

Given the sharp rise in Chinese infiltration of our academia and intellectual property, many of our companies have come under threat here and abroad. This issue has also been highlighted by FBI Director Wray before the Judiciary Committee in July. To better understand the position and status of the Justice Department in dealing with this issue, please answer the following questions:

1. What specific steps has the Department of Justice taken to address this issue?
2. Have you received adequate support from the administration in terms of the availability of resources and funding?
3. If so, how much of the funds available to the Justice Department have been used to combat the rising threat of Chinese infiltration in these critical areas?

SpaceX Questions:

Earlier this year, it was reported that the Department of Justice was pursuing legal action against Elon Musk and his companies, particularly SpaceX, for not hiring foreign nationals. These companies handle critical government contracts with access to sensitive information, including national security and defense. Please answer the following questions to clarify your stance on the issue:

1. Is the Justice Department of the view that foreign nationals should be allowed to access sensitive defense information or that granting access to government data to foreigners is mandatory for all entities within the United States?
2. Please provide the rationale and appropriate legal authority behind pursuing legal action in this case.
3. How many foreign nationals have been employed by the Department of Justice that have access to sensitive information, including but not limited to national security, defense, and critical infrastructure and communications?

Questions for the Record from Ms. Harriet Hageman for Attorney General Merrick Garland
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1. One there is one specific issue that has arisen with respect to the pricing of aluminum. I have a very large Pepsi bottler in my state. They have informed me that suppliers and can makers of aluminum are charging their company and other customers an implied aluminum tariff on metal that should never be subject to any tariff. These fraudulent charges have added billions of dollars in cost to end users and in turn have increased the price of soda and beer cans, food containers, cars, planes, boats, campers, and other goods that utilize aluminum. Aluminum that is produced from recycled metal or is sourced domestically, or from exempted countries like Canada, should not be subject to any tariff. Moreover, the bulk of the duty collected is never paid to the government resulting in a windfall to the aluminum producers, can makers, and traders. We have a private party that has used the Federal Government as an unwitting accomplice/accessory to defraud another party. This may very well constitute a deceptive trade practice.
 - a. Will you pledge to investigate this issue and report back to my staff your findings?

Questions for the Record from Ms. Mary Gay Scanlon for Attorney General Merrick Garland
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1. Thank you for your efforts to increase enforcement against corporate crime and to establish the Corporate Crime Case Database on the DOJ website. Well-reported corporate crime data is necessary to inform prosecutors, courts, Congress, and the public about the nature and prevalence of these kinds of violations. While the Corporate Crime Case Database is a step in the right direction, more information is needed for the data to be useful. Regarding the Corporate Crime Case Database:
 - a. Do you plan to add cases before April 2023 to the database?
 - b. Do you plan to add entries on settlements, deferred prosecution agreements, and non-prosecution agreements?
 - c. Are you assessing the feasibility of including civil and administrative case data for corporate-related offenses from other federal agencies?
 - d. What additional authorities or resources would improve the usefulness of the database or improve the collection of case data?

2. While I am encouraged by DOJ's efforts to improve corporate crime enforcement and compliance by businesses, I am concerned with the well-documented decline in enforcement actions against corporate crime. Similarly, I am concerned with DOJ's continued reliance on settlements, non-prosecution agreements, and deferred prosecution agreements.
 - a. What additional authorities would aid in obtaining convictions against, or deterring offenses by, corporations and the individuals they employ?
 - b. Would an authority to impose targeted monetary penalties (civil or criminal) on company leadership responsible for the actions of a firm help deter corporate offenses?