

**Senator Grassley, Chairman
Questions for the Record
The Honorable Pamela Jo Bondi
Nominee to be Attorney General of the United States
January 16, 2025**

1. As you probably know, I've been extremely concerned about increased agribusiness concentration, reduced market opportunities, fewer competitors, and the inability of family farmers and independent producers to obtain fair prices for their products. I've been concerned about the possibility of anti-competitive business practices in the agriculture industry. Moreover, there are a number of significant mergers and acquisitions in the agriculture sector that are currently under Antitrust Division review. Do I have your commitment that the Justice Department will pay close attention to agribusiness competition matters and carefully scrutinize proposed agribusiness mergers and acquisitions, as well as deceptive and unfair practices in the industry? Can you assure me that agriculture antitrust issues will be a priority for the Justice Department if you are confirmed to be U.S. Attorney General?

RESPONSE: I look forward to working with the Antitrust Division on these issues and I appreciate and share your interest. Like you, I am concerned that anti-competitive behavior has negative and deleterious effects on small and independent businesses including in agriculture. Regarding mergers and acquisitions currently under review by the Antitrust Division, I believe it would be inappropriate for me to comment on these reviews.

2. I've long supported the Freedom of Information Act (FOIA) and the public disclosure of government records. Transparency yields accountability, no matter who is in the White House. As Chairman of this Committee, I helped steer the FOIA Improvement Act—led by Senators Cornyn and Leahy—into law, which creates a “presumption of openness” standard. The Justice Department oversees the federal government’s compliance with FOIA.

a. Do you agree that FOIA is a critically important tool for holding the government accountable? If confirmed, will you commit to making FOIA—and the faithful and timely implementation of the 2016 amendments—a top priority at the Department?

RESPONSE: Yes, I believe FOIA is an important tool for government accountability. Regarding the implementation of the 2016 amendments, I have not previously considered that issue, but I would consult with officials from the Department’s Office of Information Policy to address the amendments’ timely implementation.

b. If confirmed, will you commit to helping advocate for more proactive disclosure of government records—not just by the Justice Department, but by the federal government overall?

RESPONSE: I have not previously considered the Department’s current policies and procedures regarding proactive disclosures. If confirmed, I will consult with personnel within the Department regarding its proactive disclosure policies to determine whether changes are appropriate within the Department and across the federal government.

3. The last two Republican-appointed Attorneys General showed an unwavering commitment to seeking justice for vulnerable populations such as the elderly. Both encouraged the prosecution of financial fraud and scams that targeted seniors. They championed training, research, victim services, and public awareness initiatives to combat elder abuse through the Justice Department's "Elder Justice Initiative."

a. Will you also commit to continue the previous administration's Elder Justice Initiative and devote adequate resources to its implementation?

RESPONSE: In my time as a state prosecutor and Florida's Attorney General, I prioritized serving the needs of vulnerable and disadvantaged victims. If confirmed, I will seek to ensure that the Department effectively implements the programs Congress has charged us with, particularly those protecting victims.

b. And will you ensure that there continues to be a prosecutor dedicated to elder abuse cases in each federal judicial district (as required under the bipartisan Elder Abuse Prevention and Prosecution Act, which I championed in 2017 with Senator Blumenthal)?

RESPONSE: If confirmed, I will ensure that the Department of Justice vigorously enforces the laws that seek to protect vulnerable Americans.

4. The Human Trafficking Prosecution Unit in DOJ's Civil Rights Division works closely with federal prosecutors and law enforcement personnel to streamline human trafficking investigations, ensure consistent enforcement of trafficking statutes, and identify multijurisdictional trafficking networks. The FBI's Crimes Against Children and Human Trafficking program also focuses on detection and investigation of human trafficking crimes. If confirmed, will you ensure that the investigation and prosecution of human trafficking offenses remains a top priority for the Department?

RESPONSE: As I stated in my hearing, and as evidenced by my tenure as Florida's Attorney General, fighting human trafficking is an issue to which I bring considerable experience. If I am confirmed, I can assure you that combatting trafficking will be a top priority of the Department of Justice.

5. Under the Obama administration, the Justice Department arranged for settling defendants to donate money to non-victim third-parties, including politically favored groups. This was simply another tool by which the Obama Justice Department would pick winners and losers based on a politically-driven agenda. Payments ordered by settlements with the Department of Justice should only be used to punish the defendant and to make actual victims whole again, not to benefit favored groups. The Obama Justice Department also abused its settlement authority by signing off on settlements and consent decrees with interest groups that committed agencies to fast-track new regulations. This practice, known as sue-and-settle, undermines transparency and accountability in the rulemaking process and offends the intent of Congress. The Biden administration continued this practice. As Attorney General, will you commit to working with Congress and this Committee to ensure that settlements entered into by the Department, and any payments derived from them,

are used appropriately for the punishment of defendants and redress of actual victims? Will you likewise commit to working with Congress and this Committee to end abusive sue-and-settle tactics?

RESPONSE: While I am not familiar with the particular policies and guidance currently in place at the Department of Justice regarding this issue, if confirmed, I will work to review all Department policies to ensure that the laws of the United States are faithfully enforced and upheld.

6. As you know, the high cost of prescription drugs is an increasing concern for American consumers. I have introduced legislation that would address deceptive and unfair practices by PBMs, as well as consolidation within the healthcare market that drives up prices. President-Elect Trump agrees and has pledged to “bring down drug prices.” Do you believe that the Antitrust Division at the Justice Department has a role to play with respect to these concerns? Can you assure me that drug competition issues will be a priority for the Justice Department if you are confirmed to be U.S. Attorney General?

RESPONSE: If I am confirmed, I would welcome the opportunity to discuss these concerns with you and work with the Antitrust Division to address the needs of Americans regarding pharmaceutical drug pricing.

7. A significant number of girls in the juvenile justice system are actually victims of human trafficking. What efforts will you make to promote the identification of these victims and help ensure their needs are better met?

RESPONSE: As Florida’s Attorney General, I saw firsthand the devastating consequences of human trafficking, particularly on young women and girls who were trafficking victims. If confirmed, I assure that combatting human trafficking and serving those who have been victims of human trafficking will be a top priority of the Department of Justice.

8. The Department of Justice, and specifically the Civil Rights Division, is supposed to enforce laws against racial discrimination. Under the Biden administration, however, the Justice Department has actually promoted discrimination and turned a blind eye to discriminatory practices in the name of “diversity, equity, and inclusion.” I’d like a commitment from you that this unacceptable state of affairs will change.

a. Do you agree that race discrimination by employers is illegal, even if the discrimination is disguised as “diversity,” “equity,” or “inclusion”?

RESPONSE: Yes. Discrimination based on race is unlawful. If confirmed, I will fully and fairly enforce antidiscrimination and civil rights laws.

b. Will you commit to aggressively enforce civil rights laws, including Title VII, against companies that discriminate on the basis of race—even if the discrimination is labeled “diversity,” “equity,” or “inclusion”?

RESPONSE: Please see my response to Question 8(a) above.

c. Will you commit to aggressively enforce civil rights laws, including Title VI, against programs and organizations (including universities) that receive federal funds but who discriminate on the basis of race—even if the discrimination is labeled “diversity,” “equity,” or “inclusion”?

RESPONSE: Please see my response to Question 8(a) above.

d. Will you commit to aggressively enforce civil rights laws against state and local governments that discriminate on the basis of race—even if the discrimination is labeled “diversity,” “equity,” or “inclusion”?

RESPONSE: Please see my response to Question 8(a) above.

9. The Government Accountability Office reported in April 2024 that an estimated \$233 to \$521 billion in taxpayer dollars was lost to fraud each year between 2018 and 2022.

Last Congress, I wrote to DOJ about their dismissals of False Claims Act whistleblower cases. In some instances, those dismissals occurred after DOJ initially declined to intervene.

It’s important to let whistleblowers pursue cases even when the Department doesn’t. As the GAO has shown, there’s a lot of taxpayer money at stake.

In circumstances where DOJ doesn’t initially intervene in a False Claims Act case, if confirmed, will you commit to ensuring the DOJ doesn’t unnecessarily dismiss cases?

RESPONSE: In addressing False Claims Act cases, I will ensure the Department makes dismissal decisions only as appropriate and in accordance with the relevant facts and law.

10. Project Thor was a federal effort led by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to disrupt and dismantle criminal networks trafficking firearms from the U.S. to Mexico. My oversight has revealed that Project Thor successfully identified and helped prosecute criminal networks directing the purchasing and smuggling of firearms from the U.S. to cartels in Mexico, including the infamous Jalisco New Generation Cartel (CJNG). Project Thor received public and private accolades for its work; however, the Biden Justice Department reportedly defunded the program beginning in 2022. I’ve repeatedly asked the Justice Department and its components to provide a full account of Project Thor’s work and why the Justice Department defunded the operation, but it has failed to provide a sufficient explanation.

If confirmed, will you commit to fully responding to my requests for a complete account of Project Thor’s work and why the Justice Department defunded the operation?

RESPONSE: If confirmed, I will consult with officials in the Department’s Office of Legislative Affairs and the ATF to ensure the Department responds to your requests, consistent with the Department’s policies and principles.

11. In May 2024, the DOJ Inspector General (OIG) issued a Management Advisory Memorandum reporting that the Justice Department failed to comply with law and Security Executive Agency Directive 9 which requires federal agencies to provide protections for federal employees who allege their security clearance was suspended, revoked, or denied in retaliation for making legally protected whistleblower disclosures.

The DOJ OIG found that the Justice Department's failure to follow the law "creates the risk that the security process could be misused, as part of an inappropriate effort to encourage an employee to resign." According to the DOJ OIG Management Advisory Memorandum, the Justice Department concurred with the OIG's recommendations. On May 9, 2024, I wrote the Justice Department requesting an update on the implementation status. On June 12, 2024, the Justice Department responded that on June 7, 2024, it issued interim guidance to the Department and its components about complying with the law and that DOJ policy is being updated to address the issues identified by the DOJ OIG.

If confirmed, will you commit to ensuring that the Justice Department updates its internal policies to address the issues identified in the DOJ OIG Management Advisory Memorandum within a timely manner?

RESPONSE: I am not aware of the details surrounding this memorandum, but if confirmed I will consult with appropriate Department personnel about the interim guidance and the status of the policy updates to address the issues identified by the Inspector General.

12. Since 1984, the Crime Victims Fund (CVF) has provided critical resources to support victims and survivors of crime through grants for programs such as domestic violence shelters, victim advocacy centers, victim legal assistance, and children advocacy centers. The CVF is unique because Congress established the fund to be self-sustaining through Justice Department prosecutions of criminals by requiring "all fines that are collected from persons convicted of offenses against the United States" be deposited into the CVF, with very limited exceptions. However, my ongoing oversight revealed the Justice Department has redirected portions of these funds elsewhere or not collected them for the CVF. Since my ongoing oversight has revealed these issues, the Government Accountability Office and the DOJ Inspector General have initiated their own reviews and audits of DOJ's management and administration of the CVF.

If confirmed, will you commit to ensuring that the Justice Department deposits all criminal fines and penalties into the CVF as required by law?

RESPONSE: If confirmed, I will seek to ensure that all Department of Justice programs are administered in accordance with parameters set by Congress. I would welcome any input your office would have on this issue.

13. For over a decade, I've investigated allegations of child trafficking and exploitation, including through the HHS Office of Refugee Resettlement (ORR) program for placing unaccompanied alien children (UAC) with sponsors. Last year, I referred information on potentially criminal activity and trafficking in the ORR UAC program to FBI and DHS showing children likely placed in harm's way.

If confirmed, do you commit to thoroughly reviewing and investigating these referrals?

RESPONSE: If confirmed, I will review the referrals you have submitted. In any situation, I am committed that the Department will conduct investigations as appropriate and in accordance with the relevant facts and law.

14. I have a long history conducting oversight of the Justice Department's implementation of the Foreign Agents Registration Act (FARA) including its, at-times, lax and selective enforcement. FARA is an important statute that was designed not to prohibit activity but rather to require individuals to register with the DOJ if they are acting as an agent of a foreign government or enterprise to influence U.S. policy or public opinion. This helps ensure transparency and accountability in the public policy arena. In that sense, FARA is a content-neutral regulatory scheme that would not require any entity or individual to refrain from certain types of speech.

If confirmed, will you commit to ensuring that the Justice Department's FARA Unit has the necessary resources and tools to equally and consistently administer and enforce FARA?

RESPONSE: If confirmed, I will consult with relevant Department personnel about the resources necessary for the Department's FARA Unit to perform its duties.

Which countries would you request for the FARA Unit to focus on as DOJ works to respond to malign foreign actors' increasing efforts to interfere in U.S. public discourse and policymaking?

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider that issue. If confirmed, I will consult with relevant Department personnel about the FARA Unit's operations, and will ensure that any enforcement actions are undertaken in accordance with the relevant facts and law.

15. On July 16, 2024, I wrote to Attorney General Garland and FBI Director Wray about the July 13, 2024, assassination attempt against now President-elect Trump in Butler, Pennsylvania and the subsequent investigation into the incident. DOJ has failed to respond.

If confirmed, will you commit to providing complete responses to my past and future written requests? Will you also commit to providing me with rolling updates and briefings on the status of DOJ and FBI's investigation into the July 13 assassination attempt?

RESPONSE: As indicated at my hearing, if confirmed, either I or my top staff will personally review the letters and do everything we can to respond to you.

16. I've made multiple requests to Attorney General Garland and FBI Director Wray to produce records and answers concerning allegations of rampant workplace sexual misconduct occurring within the FBI. Despite multiple public commitments to provide me this information, the FBI—under Director Wray—failed to provide full and complete responses.

If confirmed, will you commit to providing full and complete responses to my requests? Will you also commit to ensuring all allegations of workplace sexual misconduct at the FBI and across DOJ are fully investigated and to hold those employees accountable for engaging in this misconduct?

RESPONSE: Either I or my top staff will personally review the letters and do everything we can to respond to you. If confirmed, I will ensure that the workplace sexual misconduct is investigated consistent with the policies and procedures of the Department and in accordance with the relevant facts and law.

17. On October 10, 2024, I wrote to Attorney General Garland and FBI Director Wray concerning, among other things, legally protected whistleblower disclosures alleging that the FBI hasn't sufficiently prioritized investigating exploited and sexually abused children through its Violent Crimes Against Children Program. According to these legally protected disclosures, the politicization of the FBI has threatened these investigations because agents have been reassigned from investigating child exploitation and human trafficking cases to investigating January 6 cases, where there was little work to be done. DOJ and the FBI have failed to provide an adequate response, including producing responsive records.

If confirmed, will you commit to providing a complete response to my letter? Will you also commit to ensuring the FBI's Violent Crimes Against Children program has the necessary resources to investigate child exploitation, sexual abuse, and human trafficking cases?

RESPONSE: As I stated during my hearing, I am committed to doing everything the Department can to respond to your letters. If confirmed, I will consult with the relevant Department official regarding the resources necessary for the FBI's Violent Crimes Against Children program to pursue its mission.

18. On August 6, 2020, Senator Johnson and I received a briefing from the FBI which, according to the FBI, was done in conjunction with the Intelligence Community. This briefing was done because of political pressure from Democratic Leadership. The contents of the briefing were later leaked, even though the FBI promised confidentiality. The briefing was used to try and falsely connect our Biden family investigation to Russian disinformation, even though our investigation was based on Obama/Biden administration records. To this day, over four years later, we have not been provided the intelligence basis for the briefing.

If confirmed, will you work with me and Senator Johnson to obtain that information?

RESPONSE: As I stated in my hearing, if confirmed I will fight every day to restore confidence and integrity to the Department and its components, including the FBI, and to end weaponization that has previously occurred. I am not familiar with the details of the briefing you've mentioned. However, if confirmed I will discuss the matter further with appropriate officials within the Department of Justice to see what can be done to address your concerns, consistent with the policies and principles of the Department and any applicable laws.

19. The Public Safety Officers' Benefits (PSOB) program provides benefits to first responders and their families who are disabled or killed in the line of duty.

At my request, the GAO reported that PSOB officials have failed to make necessary improvements. PSOB isn't sufficiently collecting data or publishing reports as required by law. They're not ensuring claims are processed consistently and in a timely manner. They're not sufficiently keeping applicants updated on the status of their claims and applications.

If confirmed, will you commit to conducting a thorough review of the PSOB program and to hold management accountable for their failures?

RESPONSE: I am not familiar with the details of this program, but if confirmed I welcome the opportunity to discuss the matter further with appropriate officials within the Department of Justice.

20. In 1986, the Controlled Substances Act imposed a sentencing disparity between crack and powder cocaine of 100-to-1. In 2010, the Fair Sentencing Act reduced that disparity to 18-to-1, and in 2018, the First Step Act made that revision retroactive. I introduced the SMART Cocaine Sentencing Act, which would reduce the disparity even further to 2.5-to-1. Critically, the SMART Cocaine Sentencing Act also requires a prosecutor review and certification process for any retroactive sentencing adjustments. In January 2022, the United States Sentencing Commission found "Crack cocaine trafficking offenders ... were rearrested at a higher rate (57.8%) than any other drug type." While legislative negotiations were ongoing to correct the disparity, Attorney General Garland issued a December 16, 2022 memorandum instructing prosecutors to treat crack cocaine as if it were powder cocaine when making charging and sentencing decisions. This memorandum hindered congressional negotiations. If confirmed, will you commit to tackling this issue with Congress, instead of instructing prosecutors to disregard existing law?

RESPONSE: As I stated in my hearing, I will look into this issue if confirmed as Attorney General. I appreciate your concerns, and I would be happy to meet with you and other members of this Committee to discuss how best to move forward together.

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Pamela Jo Bondi
Nominee to be Attorney General of the United States
January 16, 2025

1. As recently as June 2024, President-elect Trump suggested that former Secretary of State Hillary Clinton should be jailed. At your 2016 speech at the Republican National Convention, as the crowd chanted “lock her up,” you replied, “‘Lock her up,’ I love that.”

a. What did you mean by, “‘Lock her up,’ I love that”?

RESPONSE: My comment was an extemporaneous reaction to a crowd at a political convention.

b. Do you agree with President-elect Trump that Secretary Clinton should be prosecuted?

RESPONSE: I have not had occasion to consider the question.

2. In March 2024, the President-elect mused that Cassidy Hutchinson, a former White House aide who testified before the January 6 Committee, should be prosecuted. In June 2022, you appeared on *Fox News* and publicly questioned whether Ms. Hutchinson had “been promised something for [her] testimony, a job, money?”

a. Do you agree with President-elect Trump that Cassidy Hutchinson should face criminal investigation or prosecution?

RESPONSE: I have not had the opportunity to consider the question.

b. Do you have any evidence that Cassidy Hutchinson was promised financial compensation or immunity in exchange for her testimony? If not, why did you say this?

RESPONSE: As your question indicates, I was not making a statement or asserting a declaration for which evidence would be expected, I was asking a question.

3. Fewer than ten percent of First Step Act beneficiaries have been rearrested or returned to custody. This is significantly smaller than the Bureau of Prisons’ overall recidivism rate of about 45 percent.

a. If confirmed, will you commit to working on a bipartisan basis to build upon the success of the First Step Act—including by helping to hire more First Step Act program instructors and staff?

RESPONSE: If confirmed, I will work with relevant Department components to study the issue of recidivism and explore areas for further program development.

4. In 2017, when then-President Trump attempted to end the DACA program, you stated that the decision “demonstrate[d] respect for the rule of law and compassion for children brought to our country illegally.” There are over 500,000 individuals with DACA today, and hundreds of thousands of Dreamers who would be eligible if new applications could be accepted.

a. If you are confirmed, what will you do to protect these Dreamers from deportation and ensure they can continue to live and work in the United States?

RESPONSE: President Trump has stated that he would like to work with Congress to address the situation of the Dreamers. If confirmed as Attorney General, I would carefully review the relevant statutes and regulations and ensure that the Department operates evenhandedly and in the best interest of the country with respect to all individuals.

5. In 2018, then-U.S. Attorney General Jeff Sessions implemented his zero-tolerance policy to separate families from children, including young babies, at the border. That policy had devastating impacts on families and the young children who were torn from their parents. The last Trump Administration did not develop any system to reunite these families. When some children were finally reunited with their parents, they did not recognize them. Others remain separated today.

a. Will you commit that, if confirmed, you will not reinstate the zero-tolerance policy?

RESPONSE: I do not have personal familiarity with the impact of the “Zero Tolerance” policy, which President Trump ended by executive order during his first Term. Of course, we should not have policies that encourage human traffickers to use and exploit children as a means of facilitating unlawful entry. To evaluate and render judgment on any policy, I would need to review the relevant information, including the policy, studies, data, information about its implementation, and any applicable law.

6. In 2011, attorneys from your office approved the removal of a two-year-old girl with unexplained bruises from her mother’s custody, believing the child had been abused by her mother’s boyfriend. On two occasions, Florida Department of Children and Families investigators asked your office for permission to remove the girl’s little brother, Ezekiel, from the home, and both times your office denied the request. On May 18, 2011, the boyfriend attacked Ezekiel, slinging him into a dresser and striking him on the back. Ezekiel died of his injuries at just 13 months old.

a. As the Attorney General of Florida at the time, do you assume responsibility for the devastating outcome of this case?

RESPONSE: On June 2, 2011, my office released a report I ordered setting forth the findings of an investigation by the Statewide Prosecutor and the Inspector General into this tragedy. I accepted the findings of that report.

7. On your personal account on X, formerly known as Twitter, you currently follow Jack Posobiec and you have previously reposted at least one post from Mr. Posobiec. Mr. Posobiec has a long history of posting antisemitic content. In 2017, after the ADL included Mr. Posobiec on a list of alt-right influencers, he responded by tweeting: “The [ADL] would be wise to remember what happened the last time people made lists of undesirables,” along with a picture of himself in front of the Auschwitz-Birkenau Memorial.

a. Why did you decide to follow Mr. Posobiec?

RESPONSE: I do not recall. I would further note that I do not agree with every statement made by any of the accounts I follow as I expect no one who follows my account agrees with every statement I have made.

b. To your knowledge, has Mr. Posobiec ever apologized for his past antisemitic comments?

RESPONSE: I have no such knowledge but I also do not pay attention to his public commentary.

8. After the Pulse nightclub shooting in June 2016, you commendably said that anyone who attacked the LGBTQ+ community would be pursued to the fullest extent of the law. In October 2017, you suggested you would support legislative efforts to enact employment protections for members of the LGBTQ community.

However, as Florida’s Attorney General, you actively fought against marriage equality. In one motion, you wrote that allowing same-sex couples in Florida to marry would impose “significant public harm.” In 2010, you pledged to defend Florida’s law banning gay adoption. In 2023, you praised the Florida law referred to as the “Don’t Say Gay” law, and you have compared children being transgender to children bringing a heroin needle to school. When asked about your personal beliefs in 2013, you said “I believe in traditional marriage.”

a. Are you an ally of the LGBTQ community?

RESPONSE: If confirmed, I will faithfully enforce and uphold the laws of the United States, including those that protect individuals against violence and discrimination. Whether that makes me an ally of the LGBTQ community is for others to decide.

b. If you are confirmed to serve as Attorney General, will you protect the civil rights of LGBTQ Americans, including transgender people?

RESPONSE: If confirmed, I will faithfully apply and uphold the laws of the United States, including those that prohibit discrimination against *all* Americans.

c. If you are confirmed to serve as the Attorney General of the United States, do you commit to defending the Respect for Marriage Act?

RESPONSE: Please see my response to Question 8(b).

9. Public reporting indicates that the President-elect's transition team has used private emails as part of its significantly privatized transition. That is in part due to the incoming Administration's delay or refusal in signing agreements with federal agencies—including the Department of Justice—regarding background checks and ethics and transparency requirements.

a. Are you communicating with the President-elect's transition team using private email or private devices?

If you are:

i. Do you believe this practice sufficiently protects you and other potential government officials from vulnerabilities and threats posed by other nations and hostile actors?

If you are not:

ii. Are you aware of any other nominees or incoming Administration officials who are using private emails or devices to conduct government business?

RESPONSE: It is my understanding the transition team has hired IT and information security personnel and has actively taken steps to safeguard and protect all confidential information. Unfortunately, as we have seen repeatedly over the last several years, government systems have been repeatedly hacked or compromised by insider threats and foreign adversaries. I appreciate your question and, if confirmed, look forward to working with you to better protect our nation's sensitive information.

10. On February 14, 2018, a 19-year-old shooter took the lives of 17 students and staff at Marjory Stoneman Douglas High School in Parkland, Florida. A few weeks after the shooting, the Florida Legislature passed a bill called the Marjory Stoneman Douglas High School Public Safety Act, and then-Governor Scott signed it into law. The Act raised the minimum age to purchase a firearm in Florida to 21, established waiting periods and background checks, banned bump stocks, barred some violent or mentally ill people arrested under certain laws from possessing firearms, and established a program to train certain school employees to be armed at school.

The National Rifle Association (NRA) sued you in your capacity as Attorney General and argued that Florida's age qualification for firearm purchases violated the Second Amendment and Equal Protection Clause of the United States Constitution. During litigation, the NRA asked the district judge to allow a 19-year-old plaintiff's request to proceed with the suit under a pseudonym (Jane Doe), a request you asked the court to deny. Former NRA President Marion Hammer later called your actions an "act of bullying."

Regarding the Act, you said: “This bill is not perfect, and sadly it will not bring back the 17 lives lost in the horrific school shooting, but the safety of our children is not a political issue, it’s simply the right thing to do.”

a. Then-Governor Scott did not support provisions of the law allowing certain school staff to be trained and armed on campus. Were you concerned about that as well? Please explain.

RESPONSE: I do not recall.

b. As far as the underlying case is concerned, the Eleventh Circuit initially sided with the Northern District of Florida in upholding the law. The NRA appealed and the Eleventh Circuit agreed to rehear it en banc. Now that you are not Florida’s Attorney General, how would you like to see this case resolved?

RESPONSE: I believe it is inappropriate for me to comment on ongoing litigation I brought as the Florida Attorney General.

c. Do you view your actions in this case as an “act of bullying”?

RESPONSE: As a career prosecutor for 18 years and Florida’s Attorney General for eight years, I have constantly strived to perform my duties with professionalism and civility.

i. If not, why do you think Ms. Hammer characterized your actions as such?

RESPONSE: I do not know why Ms. Hammer characterized the issue in such a manner.

d. If you are confirmed as Attorney General of the United States, what is your plan to address gun violence in schools?

RESPONSE: As I stated at my hearing, if confirmed as the next Attorney General of the United States, my principal priority will be to return the Department of Justice to its core mission of keeping Americans safe. I will enforce existing federal gun laws as appropriate and in accordance with the relevant facts and law. If confirmed, I will consult with appropriate officials within the Department regarding gun violence in schools

11. Ahead of Justice Jackson’s confirmation vote in April 2022, America First Policy Institute issued a press release entitled “Judge Ketanji Brown Jackson: Not Supremely Qualified.” The organization claimed that then-Judge Jackson was “WRONG on the law,” “WRONG for families and children,” and “WRONG for people of faith and who believe in the sanctity of life.”

You stated: “At a time when our Nation’s founding principles are constantly being challenged, Judge Jackson has failed to protect the safety of our Nation’s children and has failed to uphold American’s most basic Constitutional rights. If confirmed as a Supreme Court Justice, Judge Jackson will bring her long history of political activism and weak record of interpreting American’s First Amendment rights.”

a. Do you think Justice Ketanji Brown Jackson is unqualified to serve on the Supreme Court of the United States?

i.If so, why?

ii.If not, what has changed your perspective since you issued that statement in 2022?

RESPONSE: Since her nomination, Justice Jackson has been confirmed by the Senate and appointed by President Biden to the Supreme Court. I would hope and expect that she would give a fair hearing to all of the cases coming before her, including those involving the Department of Justice, and that she would issue her decisions based upon the best reading of the law.

b. Do you view all Supreme Court precedent as legitimate and respect it as the law of the land?

RESPONSE: As the highest court under the Constitution, the Supreme Court plays a critical role in our Nation’s system of government, and I would hope that all Americans would regard its decisions as legitimate and the law of the land.

c. Do you view opinions authored by Justice Jackson any differently than those authored by Chief Justice Roberts or Justices Thomas, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, or Barrett?

RESPONSE: No.

12. Following a November 2017 Florida Cabinet Meeting, you received questions by the press about sexual assault survivors and how your office could encourage them to come forward. You said: “As a career prosecutor, you have to come forward, you have the right to face your accuser. As a woman, I’d say please come forward...I think the ‘Me Too’ movement...says a whole lot about where we’re going and where we need to go forward in our culture and in our society now.” Later that same month, while serving as a guest commentator on *Fox News*, you reiterated your support for the “Me Too” movement when you said that the women who came forward with sexual misconduct allegations against Matt Lauer were “heroes.” You further stated, “it only takes one woman to come forward...that’s why the ‘Me Too’ movement is so important.”

However, in 2018, you appeared on *Fox News* several times in defense of Justice Kavanaugh

following the sexual assault allegations against him. You said, “This is a horrible and preposterous attempt to discredit a good man” and cited your personal experience with him as evidence of his good character. You further suggested the allegations against him did not warrant investigation. In January 2023, you also shared a link to the Conservative Political Action Conference’s statement regarding sexual assault allegations that a staffer for Herschel Walker’s U.S. Senate campaign made against now-American Conservative Union Chairman Matt Schlapp and wrote “Stand w Matt Schlapp. A great man” on Truth Social.

a. Should survivors of sexual assault be encouraged to come forward even if they are accusing public figures?

RESPONSE: Yes.

b. Do you believe that anyone you know to be “a good man” or “a great man” is incapable of engaging in misconduct with others behind closed doors?

RESPONSE: No.

13. On August 25, 2013, the New York Attorney General filed a lawsuit that accused Donald Trump and his for-profit trade school, Trump University, of engaging in fraudulent and deceptive conduct. Three days later, your then-campaign finance director, Deborah Aleksander, met with longtime Trump executive assistant Rhona Graff and later followed up via email to provide instructions on how to make a \$25,000 donation to your political action committee, And Justice for All. On August 29, 2013, your then-official communications director confirmed to the press that your office was “currently reviewing the allegations in the New York complaint.” On September 9, Mr. Trump signed the \$25,000 check.

a. Were you aware that your campaign finance director was meeting with representatives of Mr. Trump to arrange this donation while your office was reviewing the New York complaint?

RESPONSE: In 2017, the Florida Commission on Ethics followed the recommendation of the Commission’s Advocate and determined that there was no probable cause to believe that I violated Florida law in soliciting and accepting a donation from President Trump. I was not involved in the decision not to join the New York lawsuit.

b. Did you direct Ms. Aleksander to speak to Ms. Graff or with anyone affiliated with Mr. Trump during this period?

RESPONSE: Please see my response to Question 13(a).

c. At what point were you made aware that Mr. Trump was interested in donating to your campaign?

RESPONSE: Please see my response to Question 13(a).

d. Was Mr. Reichelderfer telling the truth about your interactions with Mr. Trump?

RESPONSE: Please see my response to Question 13(a).

i. If he was, did you discuss the Trump University case or any potential campaign contributions during this conversation?

RESPONSE: Please see my response to Question 13(a).

ii. If he was not, why do you believe Mr. Reichelderfer would misstate the facts?

RESPONSE: Please see my response to Question 13(a).

In June 2016, your spokesman told reporters that Assistant Attorney General Mark Hamilton reviewed the “few complaints” and concluded “no further action need[ed to] be taken” because New York’s lawsuit was on behalf of all consumers nationwide.

e. To your knowledge, did any Floridians receive compensation as part of the \$25 million settlement Mr. Trump agreed to in November 2016?

RESPONSE: Please see my response to Question 13(a).

f. To your knowledge, did any Floridians who filed complaints related to Trump University not receive compensation?

RESPONSE: Please see my response to Question 13(a).

14. While serving as Florida’s Attorney General, you oversaw the dismissal of two attorneys who had investigated fraudulent foreclosure practices in Florida. Notably, one of their ongoing cases was against a company that had made significant contributions to Republican candidates in Florida—including you.

a. Several major corporations are involved in ongoing litigation with the Justice Department. What steps would you take to ensure the Justice Department approaches litigation with the interests of the American people in mind, rather than the interests of major corporations or the President-elect?

RESPONSE: As an initial matter, it is important to emphasize that a report prepared by the Inspector General in the Office of Florida’s Chief Financial Officer concluded that “there is no indication that any state employee violated a law, rule, or policy related to the forced resignation/termination of June Clarkson or Theresa Edwards.” A copy of that report was provided to the Committee. With respect to your question, as was the case when I was Florida Attorney General, decisions I will make if I am confirmed will be made based solely on the relevant law and facts and only after appropriate consultation

with officials within the Department of Justice.

b. If you are confirmed as Attorney General and the President asks you to fire a Department of Justice employee for political reasons rather than professional reasons, will you do as he asks?

RESPONSE: As I repeatedly stated during my confirmation hearing, I would not have accepted this nomination if I was expected to do so.

15. At the May 2014 meeting of the Florida Cabinet, you offered an honorary resolution to Chaim Shacham, who was then the Consul General of Israel to Florida and Puerto Rico. During your remarks, you noted that you and he had been “dear friends” for years. On your official and personal social media accounts, you frequently posted about events you attended with Mr. Shacam, including one event as recent as May 2015. Ten months later, the *Miami Herald* reported that the Israeli government suspended and replaced Mr. Shacham after Jerusalem prosecutors indicted him for physically abusing one of his young daughters and coercing her to give false testimony.

a. At what point were you made aware of the charges against Mr. Shacham?

RESPONSE: I do not recall.

b. Have you had any contact with Mr. Shacham since his suspension?

RESPONSE: I do not recall.

c. Knowing what you know now, would you still have put forward a resolution honoring Mr. Shacham by name?

RESPONSE: I have insufficient information regarding these allegations to state what I would do in this hypothetical.

16. Last month, *The New York Times* reported that applicants for positions within the second Trump Administration were asked questions not only about their allegiance to the President-elect, but also which candidate they had supported in the three most recent elections; what they thought about the events of January 6, 2021; and whether they believed the 2020 election was stolen. Applicants who gave “wrong” answers were not selected.

a. In your conversations with President-elect Trump or his transition team, were you asked to pledge an oath of loyalty to President-elect Trump?

RESPONSE: No.

b. Were you asked who you had supported in the three most recent national elections?

RESPONSE: No.

c. Were you asked to comment on the events of January 6?

RESPONSE: No.

d. Were you asked whether you believe the 2020 election was stolen?

RESPONSE: No.

17. You have praised “right-to-try” laws which allow for terminally ill patients to try experimental treatments, calling them a “great example of how we can get government out of the way of people making their own life and death decisions.” However, you have not supported a woman’s right to make her own decisions regarding reproductive care. In addition, in April of last year, you falsely claimed that “six out of 10 women who have had an abortion say they felt pressured into it.”

a. Do you believe all Americans should be allowed to make their own medical decisions without government interference?

RESPONSE: As you know, health care in the United States is heavily regulated at the federal and state levels. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

18. In 1965, the Supreme Court recognized a constitutional right to privacy allowing married couples to choose to use contraception in *Griswold v. Connecticut*. Despite that ruling, access to contraception has been inconsistent, and anti-abortion advocates have attempted to block or limit access. In his concurrence in *Dobbs v. Jackson Women’s Health Organization*, Justice Thomas urged the Supreme Court to reconsider substantive due process precedents, including *Griswold*.

a. If you are confirmed to be Attorney General, will you commit to upholding the Constitutional right to contraception and protecting access to contraception?

RESPONSE: *Griswold v. Connecticut* and the majority opinion in *Dobbs v. Jackson Women’s Health Organization* are Supreme Court precedent and due respect as such. If I am confirmed, I will follow the Constitution and laws of the United States of America.

19. Reproductive freedom has been a divisive issue. Sadly, some people have moved past rhetoric and have made threats and committed violence against reproductive health clinics. Since 1977, there have been at least 11 murders, 42 bombings, 200 arson attacks, 531 assaults, and thousands of incidents of criminal activities directed at providers, patients, and volunteers at reproductive health clinics.

There are laws on the books to address these attacks. One such law, the Freedom of Access to Clinic Entrances Act, or the FACE Act, was passed in 1994 and prohibits injuring, intimidating, or interfering with a person because they are obtaining or providing reproductive health services. Similarly, the law prohibits property damage to reproductive health services facilities.

In the years following the *Dobbs* decision, there has been an increase in incidents of violence and intimidation targeted at reproductive health clinics. In 2022, there was a 100 percent increase in arson attacks, a 231 percent increase in burglaries, a 229 percent increase in stalking incidents, and anthrax and bioterrorism threats against clinics for the first time in over a decade. This uptick in attacks disproportionately occurred in states that protect abortion access.

a. Do you acknowledge that violence, intimidation, and interference with the lawful exercise of rights has no place in American society?

RESPONSE: I am not familiar with the bases for the statements in this question. If confirmed, I will uphold the law. I hope to work with you to make America safe again.

b. Will you commit to fully enforcing the laws of the United States and seeking to justly hold those in violation accountable, including through enforcement of the FACE Act and other applicable laws against persons who threaten, interfere with, or commit violence against others based on reproductive health care activity?

RESPONSE: As with all matters, any decisions regarding whether to charge cases under any applicable laws will be based on a thorough analysis of the facts and the governing law.

20. As you may know, the Bureau of Prisons (BOP) is currently experiencing a nationwide staffing crisis, which is severely impacting the operations of nearly all of the Bureau's over 120 institutions. According to the National Council of Prison Locals, since 2016, BOP has lost approximately 9,000 staff positions, and the current staffing shortages are at a "critical level." The Judiciary Committee has conducted oversight hearings showing that understaffed prisons cannot ensure the safety and wellbeing of the incarcerated individuals in their care or adequately provide necessary services for them. As a result of staffing shortages, facilities are also mandating overtime and assigning noncustodial staff, such as teachers, case managers, and medical staff, to perform routine correctional officer duties. These practices hinder the successful implementation of the First Step Act and access to programming that is crucial for individuals' rehabilitation and successful reentry into society. They also undermine staff morale and performance, posing risks to institutional safety and security.

a. If you are confirmed to be Attorney General, will you commit to working with Congress to help address BOP officer pay and improve staffing levels across the Bureau?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of staffing at the Bureau of Prisons. If confirmed, I look forward to reviewing the Bureau's resource allocation, staffing needs, and practices

21. The nationwide BOP staffing crisis was exacerbated by a Presidential Memorandum issued by then-President Trump, which implemented a hiring freeze of federal civilian employees and froze the number of positions able to be filled within BOP as of January 22,

2017. This hiring freeze was made permanent a year later, and during that time frame, BOP eliminated 6,000 positions nationwide, a 14 percent staffing decrease from the 43,000 positions in the Bureau in both 2015 and 2016.

a. If you are confirmed to be Attorney General, will you commit to working to ensure that, at a minimum, BOP's workforce is not subject to a federal hiring freeze during the incoming Administration?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of staffing at the Bureau of Prisons. If confirmed, I look forward to closely reviewing this issue.

22. As Florida Attorney General, you were instrumental in creating a statewide council on human trafficking, to enhance the development and coordination of state and local law enforcement and social services responses to fight all forms of human trafficking and to support victims. Because combatting human trafficking demands a whole-of-government approach, the Justice Department supported the development of the interagency *National Action Plan to Combat Human Trafficking*, which was released by President Trump in October 2020 and re-released by President Biden in December 2021.

a. If confirmed as Attorney General, will you commit to combatting all forms of human trafficking—labor and sex trafficking, domestic and transnational sex trafficking, and the trafficking of adults and minors?

RESPONSE: Yes.

b. Will you also commit to building on proven victim-centered strategies, recognized by both of the last two administrations as the most effective approaches to countering human trafficking threats?

RESPONSE: Yes.

The Department of Justice has been committed to using every available resource to combat human trafficking and to support human trafficking survivors. Effective prosecution and protection have been closely tied to a victim-centered, trauma-informed, and culturally responsive approach. Victims should have access to appropriate financial remedies, including restitution. They should also have access to comprehensive services and legal protections, including protection from inappropriate arrest, detention, prosecution, or removal.

These actions are vital to DOJ's mission of protecting and vindicating the rights of vulnerable individuals. These actions are also critical to the ability of law enforcement officials to bring traffickers to justice, provide victim access to the justice system, and redress the crime's harm through restitution, immigration protections, and other remedies available to survivors.

Protecting victims is required under the Trafficking Victims Protection Act, the Crime Victims' Rights Act, the Victims' Rights and Restitution Act, and the Attorney General Guidelines for

Victim and Witness Assistance.

c. If confirmed as Attorney General, will you commit to using all available resources to protect victims of human trafficking?

RESPONSE: Yes.

23. Last fall, the Justice Department filed an antitrust lawsuit against Visa, accusing it of using anticompetitive practices to illegally monopolize the debit card payments market. According to the Justice Department, Visa's anticompetitive conduct allows it to maintain a market share greater than 60 percent of all debit card transactions and to charge businesses more than \$7 billion in fees each year.

Visa is alleged to have engaged in anticompetitive conduct to protect its market share from the effects of a regulation known as the Durbin Amendment—a bipartisan provision I authored that became law as part of the Dodd-Frank Wall Street Reform Act in 2010. In part, the Durbin Amendment requires debit card-issuing banks to enable at least two different payment networks to process transactions. In this way, merchants are offered a real choice.

According to the Justice Department, Visa leveraged its dominance in the debit market to secure agreements with merchants that lock in many debit transactions onto Visa's network, thus insulating Visa from the competition the Durbin Amendment requires.

a. If confirmed as Attorney General, will you commit to litigating this case to its conclusion, and to securing an adequate remedy that ensures that businesses have real and competitive options for processing debit card payments, as required by the Durbin Amendment?

RESPONSE: As your question indicates, the Department's lawsuit against Visa is ongoing. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States is party in interest.

24. Cigarette smoking rates among high schoolers have declined from 28 percent in 2000 to one percent today. However, this progress is being jeopardized by e-cigarettes. Today, nearly two million middle and high school students report vaping.

Under the law, a manufacturer has to prove to the Food and Drug Administration that its e-cigarette is "appropriate for the protection of public health" before it can enter the market. Unless this burden is met and the FDA authorizes the product, it is illegal for that e-cigarette to be sold in the U.S. Despite the FDA authorizing only 34 e-cigarettes to date, more than 6,000 distinct e-cigarette products can be found on store shelves nationwide—nearly all of which are sold in violation of federal law. Because the FDA does not have independent litigation authority, it is up to the Justice Department to institute injunction proceedings to get these illegal products off the market. But DOJ has pursued injunctions against only a handful of manufacturers thus far.

In June 2024, DOJ and the FDA announced the formation of an interagency task force, alongside the ATF, the U.S. Marshals Service, the U.S. Postal Inspection Service, and the FTC to coordinate criminal and civil enforcement activities against the illegal distribution and sale of e-cigarettes.

a. Will you commit to enforcing the law and continuing the new task force to ensure that illegal e-cigarette products are not left on the market where they can continue to target and addict our children?

RESPONSE: If I am confirmed as Attorney General, I will become familiar with the work of the joint task force on unauthorized e-cigarette products. I believe that it is important to enforce federal law vigorously, and I look forward to working with you to better understand the goals of this initiative.

25. Both the Trump and Biden Administrations emphasized the importance of structural remedies when reviewing mergers, which require changes to the structure of the merged entity. As the Justice Department explained in its 2020 merger remedy guidelines, “structural remedies are strongly preferred in horizontal and vertical merger cases because they are clean and certain, effective, and avoid ongoing government entanglement in the market.”

This preference was put into practice in the Justice Department’s online search case against Google, where the agency asked the court to require Google to divest its Chrome internet browser. But late last year, President-elect Trump suggested he may not be aligned with this long overdue shift in antitrust enforcement, claiming that a forced divestiture of Chrome would be “a very dangerous thing because we want to have great companies.”

a. Will a second Trump Administration continue to pursue structural remedies, like a divestiture of Chrome, to help ensure competition in our economy?

RESPONSE: As your question indicates, you are referring to an ongoing case at the Department of Justice. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States is party in interest.

26. For decades, there had been a near-total lack of antitrust enforcement against Big Tech. The Biden Administration has since brought multiple cases against Big Tech companies, including Google, Facebook, Apple, and Amazon—continuing a trend that began during the first Trump Administration.

In August 2024, the Justice Department secured a trial victory against Google in the online search market, with the judge declaring that the company “is a monopolist, and it has acted as one to maintain its monopoly.”

a. Do you commit to continuing this antitrust scrutiny against Big Tech platforms to help ensure competition in our economy?

RESPONSE: If I am confirmed, the Antitrust Division will continue its historic mission of enforcing the Nation’s antitrust laws to, among other things, ensure and promote competition. This mission extends to social media and technology companies.

27. With the advent and proliferation of publicly accessible generative AI products, the volume of deepfake content available online is exploding. The overwhelming majority of this material is sexually explicit and is produced and distributed without the consent of the person depicted. According to research, more nonconsensual, sexually-explicit deepfake videos were posted online in 2023 than every other year combined.

Sexually-explicit deepfake content is used to exploit, harass, and abuse not only celebrities and other public figures, but everyday Americans as well—including our children.

A bipartisan group of members of the Senate Judiciary Committee have introduced bills to address the issue.

a. If you are confirmed to be Attorney General, will you commit to both enforcing the laws on the books and working with members of the Senate Judiciary Committee to pass legislative changes to better combat the proliferation of deepfake child sexual abuse materials and other nonconsensual sexually-explicit content?

RESPONSE: With respect to current law, if confirmed, I will work to enforce these laws as appropriate to prevent abuse, harassment, and exploitation—particularly those targeting children. With respect to pending legislation, I look forward to working with officials within the Department of Justice including the Office of Legislative Affairs as well as you and all the members of this Committee to discuss how we can best move forward.

In 2022, there were over 87 million files of suspected child sexual abuse material (CSAM) reported. The intersection of child abuse and technology has created a public health crisis.

b. If confirmed as Attorney General, will you commit to combatting child exploitation, including by holding social media and other companies that aid/abet and facilitate child exploitation accountable?

RESPONSE: If confirmed, I will ensure that child exploitation crimes are appropriately investigated and prosecuted.

There is a mountain of evidence about the harm to children caused by social media. The tech industry wants to be trusted to handle child safety on its own, without transparency or accountability, but they have proven they are unwilling to protect the most vulnerable amongst us.

c. If confirmed as Attorney General, what will you do to protect children online and how will you hold the adults who are allowing this to happen accountable?

RESPONSE: If confirmed, I will ensure that child exploitation crimes are appropriately investigated and prosecuted.

28. In recent years, corporate concentration in the food and agriculture industries has led to concerns about impact on consumer choice, competition, and pricing. These concerns—including the effect on grocery prices—ultimately led to the recent termination of Kroger’s proposed acquisition of Albertson’s. Today, sectors such as fertilizer, meatpacking, farm chemicals, food processing, grocery stores, crop seeds, and farm equipment each are dominated by only a few companies. The companies tell the public that this consolidation helps them survive in increasingly competitive industries and will improve efficiencies to keep costs affordable for consumers. In reality, families and farmers continue to see their costs rise.

a. If confirmed, will you commit to vigorous enforcement of the antitrust laws in order to ensure competitive food and agriculture industries for our families and farmers?

RESPONSE: If I am confirmed, the Antitrust Division will continue its historic mission of enforcing the Nation’s antitrust laws to, among other things, ensure and promote competition in the food and agriculture industries.

29. The Immigration Court system is part of the Executive Office for Immigration Review within the Department of Justice. This administrative court system, like other court systems, is rooted in principles of justice and due process. Immigrants often face obstacles to fair hearings in immigration court because of inadequate translation services and the inability to access counsel. These due process concerns are particularly acute for detained immigrants who are detained in facilities in remote regions of the country, who cannot access counsel, and who experience difficulties navigating our complex immigration laws. The incoming Trump Administration has promised to rapidly expand immigration detention to prepare to deport millions of immigrants. The incoming “border czar,” Tom Homan, has stated that the Trump Administration will reinstate family detention and has threatened to deport undocumented adults with young U.S.-born children.

You have worked as a lobbyist on behalf of the private prison company, GEO group. As you know, the federal government relies heavily on GEO to detain immigrants.

a. If confirmed as Attorney General, how will you ensure that immigration courts will provide immigrants, including those in immigration detention, a fair day in court?

RESPONSE: If confirmed as Attorney General, I would carefully review any statutes, executive orders, and other applicable laws to ensure that the Department’s immigration proceedings fully comport with all federal laws.

The Attorney General has the authority to take immigration cases pending at the Board of Immigration Appeals and issue decisions. Through this “certification” process, the Attorney General directs the Board to refer immigration cases to the Attorney General who can then

advance new legal interpretations and overturn Board precedent (*see* 8 C.F.R. § 1003.1(h)(1)(i)). Former Attorney General Jeff Sessions repeatedly used this authority to overturn longstanding precedent, such as his decision in *Matter of Castro-Tum*, 27 I&N Dec. 271 (AG 2018), a case that allowed immigration judges to manage their case dockets by prioritizing certain cases over others, and *Matter of A-C-A-A-*, 28 I&N Dec. 84 (AG 2020), a case restricting the Board’s discretion to rely on stipulations by parties in immigration court.

b. Please share what types of immigration cases you might direct the Board to refer to you under this certification authority.

RESPONSE: As you note, Congress has vested the Attorney General with the authority to review the decisions of the Board of Immigration Appeals. If confirmed as Attorney General, I will examine this issue with the advice of other Department officials to determine which cases, if any, are appropriate for decision under this authority.

30. Kash Patel, President-elect Trump’s presumptive nominee to be Director of the Federal Bureau of Investigation, has repeatedly insinuated or argued that the FBI used its confidential human sources (CHSs) to instigate the January 6th attack on the U.S. Capitol. He has called for this conspiracy theory to be included in a “wider investigation of DOJ and FBI activity overall.” He has further claimed that January 6th is an example of the FBI’s “illegal use of confidential human sources for political gain.” In December, the DOJ’s Office of the Inspector General (OIG) released a report debunking Mr. Patel’s conspiracy theory. The OIG found that “none” of the FBI’s CHSs were “authorized to enter the Capitol or a restricted area, or to otherwise break the law on January 6, nor was any CHS directed by the FBI to encourage others to commit illegal acts on January 6.” The OIG found that the FBI tasked only three (3) CHSs with collecting information on domestic terrorism subjects on January 6th. The FBI worked with CHSs to gather information on domestic extremists who led the attack on the U.S. Capitol.

a. Do you have any reason to disagree with the Inspector General’s findings? Please provide a “Yes” or “No” answer.

RESPONSE: I have not read or reviewed the Inspector General’s findings and have no basis upon which to offer an informed opinion.

b. Do you have any reason to agree with Mr. Patel’s debunked claims blaming the FBI for the attack on the Capitol? Please provide a “Yes” or “No” answer.

RESPONSE: I have not previously considered Mr. Patel’s statement and I have no basis upon which to offer an informed opinion.

Mr. Patel was reportedly investigated for improperly disclosing classified information. In Apr. 2021, David Ignatius of the *Washington Post* reported that Patel was “facing Justice Department investigation for possible improper disclosure of classified information, according to two knowledgeable sources who requested anonymity because of the sensitivity of the probe.” The “sources said the investigation resulted from a complaint made this year by an intelligence agency, but wouldn’t provide additional details.”

c. Is it important that senior national security officials can be entrusted to handle sensitive and classified materials? Please provide a “Yes” or “No” answer.

RESPONSE: Yes.

i. Are you concerned that as Attorney General you would be working with an FBI Director who may have improperly disclosed classified material?

RESPONSE: My only insight into this question is the quote above relying on two anonymous sources that “wouldn’t provide additional details.” Without substantiation or further information, I have no basis upon which to offer an informed opinion.

d. Do you agree that the Chair and Ranking Member of the Senate Judiciary Committee or their designees should be fully briefed on any criminal investigations into Mr. Patel before he is possibly confirmed as FBI Director?

RESPONSE: The process this Committee uses to evaluate nominees is for the Committee to decide.

Mr. Patel reportedly received immunity for his testimony in the case regarding President-elect Trump’s handling of classified documents following his first term in office. On Nov. 2, 2022, *The Wall Street Journal* reported that Mr. Patel “appeared before the grand jury last month and refused to provide information by repeatedly invoking his Fifth Amendment right against self-incrimination.” A federal judge then ruled that Mr. Patel should receive “immunity for his information” and “the Justice Department couldn’t force Mr. Patel to testify without such protection against his statements being used against him in some future prosecution.”

e. Are you concerned that the presumptive nominee for Director of the FBI seemingly believed he faced criminal liability for his actions such that he required immunity for any testimony under oath?

RESPONSE: My only insight into this question is the above quoted news story, which I have not read in its entirety, citing proceedings before a grand jury, proceedings of which are generally entitled to the strictest secrecy. I have no other basis upon which to offer an informed opinion.

f. Mr. Patel was a witness in the Mar-a-Lago case, claiming that Trump declassified the documents recovered—a claim his former colleagues have disputed. Do you agree that the Chair and Ranking Member of the Senate Judiciary Committee or their designees should be able to review Mr. Patel’s witness testimony before a vote is conducted on his nomination so that the Committee may review the veracity of his claims and judge his fitness for office?

RESPONSE: The process this Committee uses to evaluate nominees is for the Committee to decide.

31. Volume Two of Special Counsel Jack Smith's report has not yet been publicly released.

a. Pending ongoing criminal proceedings, do you commit to releasing Volume Two of Special Counsel Smith's report to the Senate Judiciary Committee, including to the Chair and Ranking Member, or their designees?

RESPONSE: As your question indicates, and based only on publicly available reports, it is my understanding that Volume 2 of Mr. Smith's report relates to an ongoing investigation and prosecution. As a consequence, I believe it would be inappropriate for me to comment on this matter.

b. Do you commit to making available immediately for review Volume Two of Special Counsel Smith's report to the Chair and Ranking Member of the Senate Judiciary Committee, or their designees?

RESPONSE: Please see my response to Question 31(a).

32. According to the Department of Justice Supplement to the Standards of Conduct, 28 C.F.R. § 45.2(a), "no employee shall participate in a criminal investigation or prosecution if he has a personal or political relationship with" either "any person or organization substantially involved in the conduct that is the subject of the investigation or prosecution" or "any person or organization which he knows has a specific and substantial interest that would be directly affected by the outcome of the investigation."

a. Would you commit to enforcing this regulation, in consultation with appropriate advisors, should you be confirmed?

RESPONSE: I expect that if I am confirmed, all employees of the Department of Justice will comply with all applicable standards of conduct.

28 C.F.R. § 45.2(b) requires a supervisor to "relieve" such an employee from participating in a criminal investigation or prosecution" unless "after full consideration of all facts and circumstances" they determine that "the relationship will not have the effect of rendering the employee's service less than fully impartial and professional" and "the employee's participation would not create an appearance of a conflict of interest likely to affect the public perception of the integrity of the investigation or prosecution."

b. Would you commit to relieving employees with personal or political relationships as defined in 28 C.F.R. § 45.2(a) from participating in criminal investigation or prosecution where, after consulting with appropriate advisors, it is determined that the employee either cannot (a) impartially and professionally render their service, or (b) would create an appearance of a conflict of interest?

RESPONSE: I will take seriously my responsibilities as outlined in the appropriate regulations and will make any decision with respect to relieving employees from participation in any case only after an evaluation of the facts and the relevant law and after consultation with appropriate officials.

Kash Patel has a political relationship with President-elect Trump as defined by 28 C.F.R. § 45.2(c)(1). Mr. Patel is a fact witness in multiple investigations concerning President-elect Trump's conduct, including both the January 6 and classified documents investigations, and was called by President-elect Trump to serve as a character witness in *Trump v. Anderson*. Mr. Patel has served as a board member of Trump Media & Technology Group Corp., which runs President-elect Trump's Truth Social social media platform. Mr. Patel has published a list of 60 perceived political enemies of President-elect Trump in his book *Government Gangsters*. Mr. Patel also has a trilogy of children's books depicting President-elect Trump as a fairytale king that premises multiple stories on President-elect Trump's baseless accusations that he won the 2020 presidential election and other conspiracies. Given the nature of Mr. Patel's relationship with President-elect Trump, any participation by Mr. Patel in any criminal investigation or prosecution in which President-elect Trump would have a specific and substantial interest would inherently create a conflict of interest.

c. Would you commit to consulting with appropriate advisors regarding participation by Mr. Patel in any criminal investigation or prosecution in which President-elect Trump has a specific and substantial interest or which involves his conduct?

RESPONSE: This is a hypothetical question. In the event it was necessary to consider this question, if I am confirmed I would rely on the facts and the relevant law and would consult appropriate officials within the Department of Justice before making any decisions with respect to any employee of the Department and their participation in any criminal investigation or prosecution.

33. During your nomination hearing, I asked you if you had "heard the recording of President Trump on January 2, 2021, when he urged the Secretary of State of Georgia to 'find 11,780 votes' and declare him the winner of that state," to which you responded, "I've heard about it through clips, but no, Senator, I've not heard it." However, in August 2023—after Fulton County, Georgia District Attorney Fani Willis announced that her office had indicted President-elect Trump and 18 others on 41 charges related to their attempts to overturn Georgia's 2020 election results, including President-elect Trump's demand that Georgia Secretary of State Brad Raffensperger "find 11,780 votes"—you appeared on "Saturday Report" on *Newsmax* and told Rita Cosby that President-elect Trump's actions in the indictment were "not a crime" and were instead "free speech." You went on to tell Ms. Cosby that "none" of the specific charges President-elect Trump faced were "appropriate" and that they "will not hold up, and, if by some crazy, crazy chance she got a conviction, it will be appealed and it will be overturned."

a. If you had not heard President-elect Trump's call to Georgia Secretary of State Raffensperger, why did you feel comfortable making such authoritative statements about charges based on this call?

RESPONSE: I made those comments in a television interview. My statement was my opinion.

b. Do you think it was appropriate for you to publicly speak on the legal strength of a case when you did not review a major piece of evidence?

RESPONSE: I made those comments in a television interview. I did not make those statements in a court of law.

c. If you are confirmed, will you commit to reviewing the underlying evidence of a case before speaking publicly about it?

RESPONSE: I recognize that the responsibilities of the Attorney General are different than the responsibilities associated with appearing on a television news program.

34. The Foreign Intelligence Surveillance Act of 1978 (FISA) was intended to enable the collection of foreign intelligence inside the United States while safeguarding the privacy and civil liberties of Americans. However, FISA's protections have at times proven insufficient or have been outright violated. Section 702 of FISA in particular has been a valuable but controversial surveillance tool. While aimed at collecting the communications of foreigners located abroad, this authority ultimately enables warrantless searches of Americans' private communications.

This practice of searching Section 702 databases for Americans' communications without a warrant, often in violation of existing rules, has been the subject of bipartisan criticism and reform efforts. The most recent reauthorization of Section 702 contained reforms aimed at further reducing compliance violations, especially by the FBI, but failed to protect Americans' communications from warrantless searches.

a. If confirmed as Attorney General, will you do everything in your power to ensure that federal government surveillance complies with existing Constitutional, statutory, and executive branch requirements?

RESPONSE: Yes.

b. Will you commit to working with Congress on reforms that safeguard the Fourth Amendment rights of Americans when Section 702 is before Congress for reauthorization in 2026?

RESPONSE: I would always be happy to work with Congress on the best way to keep Americans safe and to protect their civil liberties. As I stated at my hearing, if I am confirmed, I will look closely at the current structure of Section 702, consult with appropriate officials within the Department of Justice and formulate my view with respect to congressional reauthorization and amendment.

35. Since the prosecution of Nazi war criminals at Nuremberg, the United States has been a leader in ensuring that the perpetrators of atrocities are held accountable for their crimes. At the Department of Justice, the Human Rights and Special Prosecutions Section (HRSP) of the Criminal Division is responsible for prosecuting human rights violators under federal criminal statutes proscribing torture, war crimes, genocide, female genital mutilation, and recruitment or use of child soldiers. The Section also prosecutes human rights violators under other statutes, including U.S. criminal and civil immigration and naturalization laws in order to revoke U.S. citizenship or other legal status and obtain criminal penalties as appropriate.

HRSP also includes the War Crimes Accountability Team, which centralizes and strengthens the Department's work to hold accountable those who have committed war crimes and other atrocities in Ukraine and elsewhere.

In December 2022, Congress enacted the bipartisan Justice for Victims of War Crimes Act, which expands federal jurisdiction over certain war crimes, and, in December 2023, the Department brought charges against four Russian nationals, marking the first prosecution under the War Crimes Act of 1996.

a. If confirmed, do you commit to continuing to prioritize the Department's vital efforts to hold the perpetrators of human rights violations and atrocity crimes accountable?

RESPONSE: If confirmed, I will be committed to the Department of Justice's work in holding accountable those who violate federal laws proscribing war crimes and other human rights violations, just as I worked as the Attorney General of Florida to target human traffickers, drug dealers, and other criminals who targeted the most vulnerable. I am not currently familiar with the work of the Human Rights and Special Prosecutions Section, but if confirmed, will get to know the work of this section.

36. While war powers under the Constitution are divided between the legislative and executive branches, it is Congress that is assigned the power to declare war and decide when to embroil the nation in armed conflict. Nevertheless, some executive branch lawyers, including in opinions authored by the Department of Justice's Office of Legal Counsel, have claimed that the President has vast powers under Article II to go to war without authorization from Congress.

a. Do you commit to ensuring that any legal opinions issued by the Department under your leadership respect Congress's constitutional role regarding the decision to go to war?

RESPONSE: If confirmed as Attorney General, I will work with the Assistant Attorney General for the Office of Legal Counsel to ensure that his or her advice reflects the best reading of the law and the separation of powers under our Constitution, including both the President's authority to direct the use of the U.S. armed forces under appropriate circumstances and Congress's power to Declare War.

37. Torture and cruel, inhuman, or degrading treatment or punishment (CIDT) of detainees are abhorrent practices that are banned under both international and domestic law. Nevertheless, in times of crisis or fear some have sought to justify their use.

a. Do you commit to upholding U.S. law prohibiting such practices and agree with former Attorneys General Sessions and Barr that torture is never lawful?

RESPONSE: Congress has barred torture and cruel and inhumane treatment under several federal laws. If confirmed as Attorney General, the Department will enforce those laws.

38. Under both the Constitution and longstanding Supreme Court precedent, international law is part of U.S. law and must be faithfully executed by the President. Nevertheless, some Office of Legal Counsel opinions have asserted that the executive branch can disregard binding international law, including the United Nations Charter, if Congress has not enacted implementing legislation.

a. Do you commit to ensuring that, if confirmed as Attorney General, the executive branch complies with international law that is binding on the United States?

b. Will you disavow the view that a President can unilaterally disregard international laws that bind the United States?

RESPONSE: The Supreme Court has made clear that some international agreements are self-executing and other agreements are non-self-executing as a matter of our domestic law. *Medellin v. Texas*, 552 U.S. 491 (2008). If confirmed as Attorney General, I will consult with the Assistant Attorney General for the Office of Legal Counsel and provide advice to the President that is consistent with the best understanding of domestic law and of international law.

39. In August 2017, following the “Unite the Right” rally in Charlottesville, you noted that as Florida Attorney General your office had prosecuted two men who plotted to kill a Black inmate and stated that, “[r]acism is alive and thriving in our state and country.”

a. Do you still acknowledge that racism exists in our country?

RESPONSE: Yes.

40. The Department of Justice’s Office for Victims of Crime administers *Victims of Crime Act* (VOCA) grants to support services for crime survivors in the form of compensation grants, which help cover medical costs and mental health counseling, and victim assistance grants that are distributed to organizations in each state to provide various services, including crisis intervention. VOCA grants are funded through the Crime Victims Fund (CVF), which is supported by the payment of criminal fines, penalties, forfeitures, and special assessments by individuals and organizations convicted of breaking federal law. However, revenues for the CVF

have declined, due in part to a steady decline in prosecutions against major corporations, leading to corresponding cuts in grants to victims and victim service providers.

In 2021, President Biden signed my *VOCA Fix to Sustain the Crime Victims Fund Act*, which directed monetary penalties from federal deferred prosecution and non-prosecution agreements into the CVF to increase funding for state victim compensation and assistance programs. And last Congress, I introduced the *Crime Victims Fund Stabilization Act* with Senator Murkowski, which would further strengthen the CVF by diverting to it surplus funds collected through the *False Claims Act* that currently go to the general Treasury.

a. Do you believe assisting victims through VOCA grants is a critical public policy for breaking cycles of violence? If you are confirmed, what will you do to ensure victims of crime have access to the resources and services and that the CVF remains solvent?

RESPONSE: As a state prosecutor and Florida's Attorney General, I prioritized serving the victims of crime and their families. That work was incredibly rewarding and stands as a highlight of my career. If confirmed, I will work to ensure that all programs administered by the Department of Justice are thoroughly assessed and effectively implemented.

SENATOR TED CRUZ
U.S. Senate Committee on the Judiciary

Questions for the Record for Pamela Jo Bondi
Nominated to Serve as Attorney General of the United States

I. Questions

1. As Attorney General of the United States, will you commit to establishing a task force to investigate the disappearance of over 300,000 unaccompanied children who were initially taken into custody by the Biden Administration after crossing the Southern border and at other ports of entry, and to take all necessary actions to locate them, including rescuing those who may be victims of human trafficking or abuse?

RESPONSE: I will make combating human trafficking a priority at the Department of Justice, just as I did as Attorney General of Florida. I am very concerned about the impact that our open border has had in attracting unaccompanied children who may be exploited and victimized.

Senator Josh Hawley
Questions for the Record

Pamela Jo Bondi
Nominee, Attorney General of the United States

1. The Department of Justice is responsible for administering compensation under the Radiation Exposure Compensation Act (RECA). RECA expired in 2024. Do you support a reauthorization of RECA?

RESPONSE: As I stated in my hearing, I was horrified to learn of the problems your State is facing. While I have not had the chance to examine this issue closely, if confirmed, I welcome the opportunity to work with your office concerning this issue.

2. If you are confirmed, how do you plan to prioritize combating human trafficking?

RESPONSE: When I was Florida's Attorney General, I led many efforts to combat human trafficking including founding the Statewide Council on Human Trafficking to identify counseling and resources for trafficking survivors, working to pass comprehensive legislation to combine Florida's existing human trafficking statutes with an increase in penalties against human traffickers, and launching several educational initiatives aimed at conveying the dangers of human trafficking across the State. If confirmed, I hope to continue those efforts to combat human trafficking.

3. How do you plan, in particular, to combat the rise in labor trafficking of minors across the southern border?

RESPONSE: As I stated in my hearing, I have seen firsthand that the open border had led to horrific increases of human trafficking and abuse of minors. If confirmed, I will do everything in my power to support and defend President Trump's efforts to stop the lawlessness at the border and protect minors who have been trafficked.

4. In your view, do Americans have a First Amendment right to protest at abortion clinics?

RESPONSE: Yes.

5. In your view, should the Department of Justice prioritize investigating and prosecuting attacks on religious institutions?

RESPONSE: Yes.

6. In our meeting in my office, we discussed possible destruction of documents by Joe Biden's DOJ. Since that conversation, have you learned of further destruction of records?

RESPONSE: While I do not know whether there has been the further destruction of records, I am committed to ensuring the Department's compliance with the Federal Records Act and,

where justified by the facts and the law, enforcing violations of 18 U.S.C. § 2071 and any other applicable Federal records laws.

7. I sent a preservation letter to the DOJ after our conversation. Do you know if destruction of documents continued after DOJ received that letter?

RESPONSE: While I do not know whether individuals in the Department have destroyed documents after the Department received the letter, I am committed to ensuring the Department's compliance with the Federal Records Act and, where justified by the facts and the law, enforcing violations of 18 U.S.C. § 2071 and any other implicated Federal records law.

8. The case of *Murthy v. Biden*, which began as *Missouri v. Biden*, revealed that the Biden Administration, including the FBI, coerced social media companies to censor speech that Joe Biden didn't like. Do you believe it is appropriate for the Department of Justice to jawbone social media companies in this way?

RESPONSE: Without directly addressing any pending or potential litigation, I share the concern about censorship by social media companies. Addressing such concerns was an important priority for me as Attorney General of Florida, and it would be a priority for me if confirmed.

9. Do you intend to investigate any jawboning actions taken the Biden administration?

RESPONSE: As I indicated at the hearing, all investigations by the Department of Justice must be based strictly on the facts and the law. I am not in a position to address any specific potential investigations at this time.

10. Will you commit to responding in a timely way to document requests?

RESPONSE: If confirmed, I will consult with personnel at the Department's Office of Legislative Affairs to ensure timely and appropriate responses to oversight inquiries.

11. Will you commit to making Department of Justice employees available to testify at oversight hearings?

RESPONSE: If confirmed, I will consult with the relevant Department personnel and ensure that Department employees are available for hearings consistent with Department policies and practices, applicable laws and regulations, and recognized Executive Branch confidentiality interests.

Senator Thom Tillis
Questions for the Record
Senate Judiciary Committee Hearing
for the Nomination of the
Honorable Pamela Jo Bondi to be
Attorney General of the United States

1. Foreign adversaries threaten our country's economic and innovation dominance through intellectual property (IP) theft and abuse. The most notable threat is the Chinese Communist Party (CCP). And while the CCP is not the only foreign bad actor undermining U.S. IP, it is the one that poses the greatest threat.

a. Can I count on your commitment to actively confront the growing number of international IP crimes?

RESPONSE: The Department of Justice has identified intellectual property crime as a priority area due to the wide-ranging economic impact on U.S. businesses and the health and safety of the American public. If I am confirmed, the Department will continue to focus on prosecution of the most serious cases of trademark counterfeiting, trade secret theft, copyright piracy and the related criminal statutes protecting intellectual property.

b. Can I count on your commitment to have your office engage with my office on IP matters?

RESPONSE: Yes. If confirmed, I would welcome the opportunity to discuss these matters further with your office, other Members of Congress, and appropriate officials within the Department of Justice.

2. In 2019 the Department of Justice issued a joint statement with the U.S. Patent and Trademark Office and the National Institute of Standards and Technology. This statement clarified that all available patent remedies – including injunctive relief-should – be available to holders of standards-essential patents (SEPs) if they meet the legal requirements for such remedies. The Biden Administration unfortunately withdrew the 2019 joint statement, which I considered a principled and clear statement from the first Trump Administration. I wrote the DOJ regarding my concern on numerous occasions.

a. Will you commit to revisiting this issue and consider reestablishing the agency's support for principles that will further strengthen our strong innovation economy and ensure that the U.S. remains the innovation leader?

RESPONSE: This is an important question raising complex issues that I have not had the opportunity to study in detail, but if confirmed I would welcome the opportunity to discuss the matter further with Members of Congress and appropriate officials within the Department of Justice.

3. For over thirty years, military families at Camp Lejeune were tragically exposed to toxic chemicals while serving on base. But equally tragic is the fact that our government spent the next thirty years avoiding accountability.

This is why Congress passed the Camp Lejeune Justice Act in 2022 to provide a pathway to justice for military families in North Carolina exposed to toxic chemicals.

Over two years later, there are now 408,000 claims filed, but only about 2,300 cases have been settled in court. The current Administration's Elective Option has resulted in less than 230 offers. That's unacceptable when veterans are literally dying while waiting for justice.

Can I have your commitment that, once you are confirmed, you will work with me and my colleagues to explore every avenue to resolve claims and cases quickly, and to support the military families who were stationed in North Carolina at Camp Lejeune?

RESPONSE: If confirmed as Attorney General, I would welcome the opportunity to work with you, your office, or your colleagues regarding this issue.

4. Many are concerned about the rise of third-party litigation funding (TPLF). This relatively new industry has seen rapid growth. Nonetheless, very little is known about this segment of the financial sector because in most states TPLF firms are not required to disclose their activities, even in the very cases they are funding.

In addition to potentially driving up the cost of litigation, strategic legal decisions — for example, choosing whether to accept a settlement agreement — may be impaired by the profit motive of the financier. A funder may direct attorneys to reject reasonable settlement offers that may be in a plaintiff's best interest and hold out for a higher potential payment that maximizes investment return.

Given that the information we have about TPLF is anecdotal, increased disclosures could be beneficial. Will you commit to working with me on examining whether there needs to be increased transparency surrounding TPLF agreements in our courts?

RESPONSE: If I am confirmed as Attorney General, I will work with you concerning issues underlying third-party litigation funding, to the extent that such matters fall within the purview of the Department of Justice.

5. Lawsuit abuse often preys on the most vulnerable.

a. Will you commit to working with my office to identify safeguards to ensure these individuals are protected from predatory lawyers while still having access to legitimate legal recourse?

b. Will you commit to examining forum shopping and ways within your jurisdiction to ensure that our legal system operates fairly and consistently across state lines?

RESPONSE: During my eight years as Attorney General of Florida, we worked to protect the most vulnerable citizens of the State, including the elderly and the poor. If confirmed as U.S. Attorney General, I would look forward to discussing with you what measures the Department of Justice might take to protect citizens from predatory lawyers or from the lawsuit abuse through forum shopping or other means.

6. DOJ is a lead member of the federal multi-agency task force formed in June 2024 to combat the distribution and sale of illicit e-vapor products. Many on this Committee suspect the taskforce was formed as a response to the oversight hearing that we had about the lack of acceptable law enforcement response to the presence of these illegal products in the United States. These products are primarily from China and send significant proceeds back to the Chinese Communist Party. The task force promised to “bring together multiple law enforcement partners” to take swift action “using all of the enforcement tools available.” However, we have seen very little activity arising from the task force to fight the flood of illegal Chinese e-vapor products and punish those who facilitate their importation and distribution. Do you commit to continuing, and potentially strengthening, the work of the task force?

RESPONSE: If I am confirmed as Attorney General, I will become familiar with the work of the joint task force on unauthorized e-cigarette products. I believe that it is important to enforce federal law vigorously, and I look forward to consulting with Department officials to better understand the goals and value of this initiative.

**Nomination of Pamela Bondi
To be Attorney General of the United States
Questions for the Record
Submitted January 16, 2025**

QUESTIONS FROM SENATOR WHITEHOUSE

Please answer each question and sub-question individually and as specifically as possible.

1. In your Questionnaire, you said, “In the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.” Will you *follow* the advice of career DOJ ethics officials? If the answer is not “yes,” please explain.

RESPONSE: As you note, I stated I will consult with the appropriate Department of Justice ethics officials. However, I will own any recusal decision.

2. You are the Chair of the Center for Litigation at America First Policy Institute (AFPI), a 501(c)(3) organization. Over two years, AFPI paid you over \$500,000.

a. Who is funding AFPI?

RESPONSE: As your question indicates, I served as Chair of the Center for Litigation. I was not engaged in fundraising on behalf of AFPI. It is my understanding that AFPI has consistently complied with all relevant donor disclosure rules.

b. Have you ever participated in fundraising for AFPI?

RESPONSE: I have attended fundraising events organized by, and for the benefit of, AFPI, but I have not solicited funds on behalf of AFPI.

c. Will you disclose AFPI’s donor information to DOJ ethics officials who have a duty to screen for conflicts?

RESPONSE: I will provide information with respect to my former employers, including AFPI, consistent with governing laws, rules, and regulations covering the Department of Justice. In the event of a potential conflict of interest, including with respect to former clients, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

d. If no, how can DOJ recusal and conflict of interest policies be effective if you fail to disclose who is ultimately bankrolling your pay at AFPI?

RESPONSE: In the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

3. While you were the Florida Attorney General, several billionaires contributed large sums to your re-election campaign. For example, Manoj Bhargava, the founder of 5-Hour Energy, contributed at least \$10,000. Mr. Bhargava reportedly is now under a major federal criminal tax investigation.

a. As Attorney General, how will you handle major criminal investigations into former donors who contributed to your campaigns?

RESPONSE: As was the case when I was Florida Attorney General, decisions I will make if I am confirmed will not be influenced by former donors to my political campaigns or donors to political campaigns of others.

b. Will you pledge to recuse from any investigations involving former donors to your campaigns?

RESPONSE: In the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

4. Do you plan to shut down January 6 riot prosecutions currently under way?

RESPONSE: I have made no decisions with respect to *any* criminal cases currently being pursued by the Department of Justice, and I believe it would be inappropriate for me to do so. This includes, but is not limited to, criminal cases arising out of the events of January 6.

5. Have you discussed any January 6 cases with Mr. Trump or members of his team?

RESPONSE: No.

6. Prosecutions against Trump allies for schemes to use fake electors to subvert the 2020 election remain pending in several states, including Georgia, Arizona, Michigan, Nevada, and Wisconsin. Will you commit that DOJ will not interfere with any of these state cases as they proceed?

RESPONSE: As your question indicates, these are ongoing criminal cases. It would be inappropriate for me to comment on them.

7. DOJ plans to continue the case against Mr. Trump's two co-defendants, Walt Nauta and Carlos de Oliveira, in the Mar-a-Lago classified documents prosecution. Will you commit to ensuring that the prosecution of Nauta and de Oliveira can reach its conclusion without political interference?

RESPONSE: All prosecutions including those you reference in your question will be conducted on the basis of the facts and the law and in accordance with Department guidelines.

8. Will you commit to providing this Committee with a copy of Volume 2 of the Special Counsel's report when the Nauta and de Olivera cases are resolved?

RESPONSE: As your question indicates, and based only on publicly available reports, it is my understanding that Volume 2 of Mr. Smith's report relates to an ongoing investigation and prosecution. As a consequence, I believe it would be inappropriate for me to comment on this matter.

9. Will you commit to preserving records related to investigations of President Trump or members of the Trump Administration?

RESPONSE: If I am confirmed, the Department of Justice will abide by all relevant and applicable recordkeeping laws in all circumstances.

10. Will you commit to preserving records related to investigations of members of Congress?

RESPONSE: Please see my response to Question 9 above.

11. Will you commit to not firing anyone from Justice Department simply because they participated in an investigation of President Trump or members of the Trump Administration?

RESPONSE: As I stated in my hearing, if I am confirmed, no one—including political opponents of the President—will be prosecuted on the basis of their political views. At the same time, employees of the Department of Justice who abuse or misuse their office toward improper ends will have no future within the Department and will be subject to dismissal and where appropriate and after considering the facts of each case may be subject to criminal prosecution. All of that said, I have made no charging decisions with respect to any criminal prosecutions the Department may undertake if I am confirmed, and I believe it would be inappropriate for me to do so.

12. Why did you attend Mr. Trump's felony hush money trial in New York?

RESPONSE: I attended President Trump's trial in New York as a friend and a supporter. I was not there as a lawyer and I did not represent President Trump in that matter.

13. Would you characterize the storming of the Capitol by Trump supporters on January 6, 2021, as a "peaceful transition of power"?

RESPONSE: A smooth transition of power occurred between President Trump and President Biden on January 20, 2021.

14. In December 2024, the Department of Justice Office of the Inspector General published a report entitled, *Review of the Federal Bureau of Investigation's Handling of Its Confidential Human Sources and Intelligence Collection Efforts in the Lead Up to the January 6, 2021 Electoral Certification*.

a. Do you have any reason to doubt the Office of the Inspector General's conclusion that it "found no evidence . . . showing or suggesting that the FBI had undercover employees in the various protest crowds, or at the Capitol, on January 6?"

b. Do you have any reason to doubt the Office of the Inspector General's conclusion that none of the FBI's Confidential Human Sources in Washington on January 6, 2021, was "directed by the FBI to encourage others to commit illegal acts on January 6?"

RESPONSE: I have not reviewed the Inspector General's report and have no basis upon which to provide an informed opinion with respect to its contents.

15. On October 21, 2022, Steve Bannon was sentenced to four months in prison after the Department of Justice charged him with criminal contempt of Congress for defying a congressional subpoena. Do subjects of a lawfully issued congressional subpoena have a legal obligation to comply with such a subpoena?

RESPONSE: I cannot comment on any particular case, but the Supreme Court has recognized that both Houses of Congress have the right to compel the production of documents and testimony to further legitimate legislative interests.

16. Social welfare groups, organized under Section 501(c)(4) of the Tax Code, are required to report political spending to the Federal Election Commission (FEC) and to report political activity to the Internal Revenue Service (IRS).

a. If an organization files inconsistent sworn statements regarding its political activity with the FEC and the IRS, can the group be liable under 18 U.S.C. § 1001 or 26 U.S.C. § 7206?

RESPONSE: Enforcement of our tax laws and the laws protecting the integrity and transparency of our election process should be a priority for the Department of Justice. Determining whether there is criminal liability under specific statutes would require an individualized assessment of the facts presented in a specific case, consistent with the Principles of Federal Prosecution. As in all matters, if confirmed, I would look at the individualized facts and circumstances and follow the law and any policies of the Department.

b. Does that inconsistency provide predication for further investigation?

RESPONSE: If confirmed, I would evaluate any such situation based on actual facts and circumstances if and when presented.

17. If you catch Putin and his agents meddling in American elections, will you hold them accountable even if they are interfering to help Mr. Trump?

RESPONSE: Yes.

18. The Oklahoma Murraugh Building bomber was a white, right-wing American veteran. The Las Vegas Tesla bomber was a white, right-wing American veteran.

a. Will you fully and properly investigate domestic terror threats for domestic terrorists who are white and right-wing?

RESPONSE: Racist ideologies are abhorrent, and if I am confirmed, acts of racially or ethnically motivated violence will be appropriately investigated and prosecuted.

b. What if the right-wing group supports President Trump? What if President Trump supports the group?

RESPONSE: If I am confirmed, terrorists will be appropriately investigated and prosecuted, regardless of their ideology, political label, or supporters.

19. If you are confirmed, what steps would you take as Attorney General to combat the rise of hate crimes and right-wing extremism?

RESPONSE: Acts of racially, ethnically, or politically motivated violence should be appropriately investigated and prosecuted.

20. Will you commit to treating violent crimes that meet the definition of “domestic terrorism” as a top priority?

RESPONSE: If confirmed, appropriately investigating and prosecuting crimes of terrorism will be a priority for the Department.

21. In your testimony, you acknowledged the problems plaguing the Bureau of Prisons and the importance of fully implementing the First Step Act. If confirmed, will you commit to working with my office on solutions to the Bureau’s challenges on First Step Act implementation?

a. If confirmed, what steps will you take to ensure that Earned Time Credits are awarded to individuals on time and consistent with the law?

b. In addition to building new residential reentry centers where appropriate, what steps will you take to ensure that individuals are placed in prerelease custody or on supervised release in a timely fashion as required by law?

c. If confirmed, will you cooperate fully with, and implement to the fullest extent possible, any recommendations resulting from the Office of the Inspector General’s

ongoing evaluation of the Bureau's implementation and operation of First Step Act programming?

RESPONSE: Because I am not currently at the Department, I have not had the opportunity to study programming capacity in the Bureau of Prisons. I look forward to learning more about this issue and the bureau's programs to ensure compliance with the law.

22. In 2022, my and Senator Cornyn's Law Enforcement De-escalation Training Act became law.

a. If confirmed, will you support the COPS Office's efforts to fully implement the Law Enforcement De-escalation Training Act?

b. If confirmed, will you support full funding for the COPS Office' implementation of the Law Enforcement De-escalation Training Act?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the COPS Office's implementation of the Law Enforcement De-escalation Training Act. If confirmed, I look forward to reviewing the Office's resource allocation, needs, and practices.

23. Deposits into the Crime Victims Fund have fallen in recent years, resulting in cuts to state and local victims' services.

a. If confirmed, what steps will you take to identify the causes of the decrease in deposits to the Fund, to address decreases in deposits, and to increase transparency to enable Congress, the Department, and stakeholders to work together on this issue?

b. If confirmed, will you support legislative efforts to increase and stabilize deposits into the Crime Victims Fund?

RESPONSE: As a state prosecutor and Florida's Attorney General, I prioritized serving disadvantaged victims of crime. If confirmed, I will work to ensure that all programs administered by the Department of Justice are thoroughly assessed and would welcome input from both Congress and the public on these issues.

24. Last year, Chairman Grassley and I introduced the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2024. If confirmed, will you support my and Chairman Grassley's work to reauthorize the Juvenile Justice and Delinquency Prevention Act as soon as possible?

RESPONSE: Like you I appreciate the need for programs to prevent delinquency and improve juvenile justice systems. While I cannot commit at this time to support any particular legislation, I look forward to working with officials within the Department of Justice including the Office of Juvenile Justice and Delinquency Prevention and the Office of Legislative Affairs as well as you and Chairman Grassley to discuss how we can best move forward together.

25. Do you agree that allowing law enforcement to obtain the identities of the beneficial owners of shell companies would help law enforcement to uncover and dismantle criminal networks?

RESPONSE: The Corporate Transparency Act is currently the subject of litigation. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States is a party in interest.

26. DOJ has been defending the bipartisan Corporate Transparency Act, a national security law which requires corporations to report beneficial owners, in several ongoing lawsuits. The first Trump Administration supported this law's enactment. If you are confirmed, will DOJ continue to defend the Corporate Transparency Act?

RESPONSE: As your question indicates, the Corporate Transparency Act is subject to litigation where the United States is a party. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States is a party in interest.

27. Will you commit to providing DOJ's Task Force KleptoCapture with the resources and staffing necessary to continue pending litigation and robustly pursue new lines of investigation and litigation?

RESPONSE: I am not familiar with the work of Task Force KleptoCapture, but if I am confirmed as Attorney General, I will familiarize myself with its work and that will inform my decision concerning its pending cases and the resources to be provided to the initiative in the future.

28. If you are confirmed, how would you use DOJ to protect voters from discriminatory voting laws after *Shelby County v. Holder*? Can you provide an example of a case in which you believe Section 2 of the Voting Rights Act was used effectively?

RESPONSE: I have not had an opportunity to study this precise issue. However, if confirmed, I commit to enforcing the Voting Rights Act in a fair and impartial manner, and I will work protect the voting rights of all Americans.

29. Will you guarantee that, if you are confirmed, DOJ will not engage in or support efforts to interfere with the lawful tabulation and certification of election results?

RESPONSE: Please see my response to Question 28 above.

30. DOJ under Attorney General Sessions saw a 90% reduction in corporate penalties during the first year of the Trump Administration, from \$51.5 billion to \$4.9 billion. Will you commit to investigating this dramatic drop-off in corporate fines for violations of federal law and reversing these trends?

RESPONSE: I am not familiar with the facts underlying the reduction of corporate penalties that you describe or whether that was justified, but it would not be surprising to me to find that as the Obama Administration came to a close, senior Department of Justice officials worked to bring their pending cases to resolution, including through agreement on corporate penalties.

31. There is ample evidence that the fossil fuel industry may have violated federal law by fraudulently misrepresenting the dangers of fossil fuels and their impact on the climate. Will you commit to reviewing DOJ's tobacco victory and taking an honest look at whether there are grounds to bring a civil RICO case against the fossil fuel industry, modeled after the 1990s tobacco litigation?

RESPONSE: As with all laws under the Department of Justice's enforcement authority, if confirmed, I will enforce the Racketeer Influenced & Corrupt Organization Act as appropriate and in accordance with relevant facts and law.

32. Do you believe that so-called "First Amendment privilege" shields corporations from sharing information about internal communications requested by subpoenas or during discovery in civil litigation?

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider that issue.

33. Would the First Amendment protect a company that conspired to engage in illegal activity, under a theory that the conspiracy constituted "speech" or exercised a "right to associate"?

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider that issue.

34. If you are confirmed, will you defend the well-established constitutional right to cross state lines for health care, including for abortion?

RESPONSE: If I am confirmed, I will follow the Constitution and laws of the United States of America.

35. If you are confirmed, will you hold social medial platforms accountable for their roles in child exploitation, drug trafficking, and the spread of harmful misinformation and disinformation? Will you do so even if President-Elect Trump or big Trump donors like Elon Musk ask you not to?

RESPONSE: If confirmed, I will ensure that these crimes are appropriately investigated and prosecuted. That said, I have no reason to believe that President Trump or Mr. Musk would make any requests like the ones you suggest.

36. Under the first Trump administration, DOJ reversed its prior litigation positions in a number of high-profile cases, many in the civil rights and voting rights arena.

a. Are you concerned about the effect reversals might have on the DOJ's institutional credibility before the courts and the American people?

b. If confirmed, what process will you use to determine whether DOJ should reverse a prior litigation position?

RESPONSE: At the start of the Biden Administration, DOJ reversed its prior litigation positions in a number of high-profile cases, including one where the Supreme Court vindicated the Trump Administration's prior position by a vote of 9-0. *See Terry v. United States*, 141 S. Ct. 1858 (2021). If confirmed as Attorney General, I will consult with Department officials, including the Solicitor General, and ensure that the Department of Justice's litigation positions reflect my best judgment of the law.

37. When is it appropriate for DOJ to decline to defend an act of Congress?

RESPONSE: The Department of Justice has a longstanding practice of defending the constitutionality of Acts of Congress where reasonable arguments can be made in their defense. The Department has recognized exceptions to that rule where the Act of Congress intrudes on the prerogatives of the Executive Branch, or as in the case of President Obama's decision on the Defense of Marriage Act, where the President has concluded that the statute is unconstitutional and should not be defended.

38. If confirmed as Attorney General, will you provide the resources necessary to pursue complex criminal tax abuse investigations and prosecutions?

RESPONSE: If I am confirmed, I will make budgetary decisions in consultation with appropriate officials within the Department as well as with other relevant officials, including those in the Office of Management and Budget.

39. In December 2024, the Department of Justice Office of the Inspector General published a report summarizing its investigation into the Department's use of compulsory process to obtain communications records of Member of Congress, congressional staff, and members of the news media.

a. Do you agree with the Inspector General's conclusion that "[t]he use of compulsory process to obtain records of members of the news media and congressional personnel may implicate separate and important constitutional considerations?"

RESPONSE: I agree that there are important constitutional interests implicated by subpoenas directed at the records of members of the press and of Congress. There are, of course, important government interests in obtaining evidence relevant to criminal and national security investigations.

b. If confirmed, will you maintain the Department's revised News Media Policy and policy on congressional investigations, including that, "if a non-disclosure notice would delay notice to a Member of Congress, Congressional Office, or a Congressional Staffer, the prosecutor must disclose such information in the application to the Court?"

RESPONSE: If I am confirmed, I will familiarize myself with the Department's policies in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

c. If confirmed, will you ensure that each of the recommendations included in the Inspector General's report is fully implemented?

RESPONSE: I am not familiar with the recommendations in the Inspector General's report or the degree to which the Department has, or has not, implemented them.

40. Do you have any reason to disagree with the "long held" position of the Department's Office of Legal Counsel that "the suggestion that the President has a constitutional power to decline to spend appropriated funds . . . is supported by neither reason nor precedent"?

RESPONSE: I have not read the opinion of the Office of Legal Counsel to which you refer. If I am confirmed, and in the event the question comes before me, I will consult with appropriate officials including the Office of Legal Counsel and carefully evaluate the law before reaching a conclusion.

Senate Judiciary Committee
Hearing on The Nomination of the Honorable Pamela Jo Bondi
to be Attorney General of the United States
January 15, 2025
Questions for the Record
Senator Amy Klobuchar

1. At his nomination hearing Attorney General Mukasey said: “Hiring is going to be based solely on competence and ability and dedication and not based on whether somebody has got an ‘R’ or a ‘D’ next to their name.”

- Will you commit to doing the same?

RESPONSE: I am committed to hiring in a manner consistent with the applicable legal standards governing federal employment.

- Will you commit to keeping in place long standing protections for all employees at the Department of Justice, regardless of whether they work in the Criminal Division, as an agent at FBI, or as a voting rights lawyer?

RESPONSE: If confirmed, I will ensure that the Department complies with all applicable constitutional, statutory, and regulatory protections for all employees of the Department of Justice.

2. At your hearing when I asked you about the importance of the free press you said that “going after the media just because they are the media is wrong, of course” and committed that under your leadership the Justice Department will respect the importance of the free press. The Department of Justice traditionally follows its “News Media Policy” that carefully balances First Amendment rights of journalists with national security and other concerns. This policy has been integral in ensuring that journalists have the freedom to investigate and report the news to their communities, without fear of law enforcement improperly intruding on their work.

- Will you commit to preserving and following these policies?
- What steps will you take to ensure that the Department of Justice does not misuse subpoenas or surveillance to target journalists or their sources?

RESPONSE: I agree that there are important interests implicated by subpoenas directed at the records of members of the press. The Department’s policies seek to balance those interests against the important government interests in investigating criminal and national security matters. If confirmed, I will familiarize myself with the Department’s policies in these areas, consult with the appropriate officials, and make a determination as to the best course forward.

3. In addition to cracking down on the flow of fentanyl through our border, I believe we need to focus our attention on the online sale of this deadly drug. Recently, the DEA found that one-third of drug cases had direct ties to social media.

That's why I've worked hard to advance a bipartisan bill led by Senators Roger Marshall and Jeanne Shaheen, and Rep. Angie Craig in the House to require social media companies to report fentanyl and other dangerous drug sales on their platforms to the DEA.

Last year at a hearing with the Tech CEOs on online child exploitation, I asked the CEOs if they supported the bill. I was disappointed that only one CEO said they did.

- Do you believe tech companies are doing enough to keep fentanyl out of the hands of our kids?
- Will you prioritize stopping drug trafficking on social media platforms and will you commit to working with us to help get the bill signed into law?

RESPONSE: If confirmed, I will examine this issue closely with Department officials and ensure that the Department takes appropriate steps to address the various distribution methods for fentanyl.

4. An estimated 1 in 12 American adults has had explicit images distributed of them without their consent. These privacy violations often destroy victims' lives. The rise of AI-generated deepfakes — where you can't even tell if what you're seeing is real or not — is making these problems worse. Young women and girls are especially vulnerable. One recent study shows 96 percent of deepfakes are sexually explicit and feature women who didn't consent to their creation.

I am leading efforts, with Senator John Cornyn on the *SHIELD Act* and with Senator Ted Cruz on the *Take it Down Act*, which together would prohibit the nonconsensual online distribution of actual and deepfake explicit and intimate images, and will give the Justice Department the tools they need to hold perpetrators accountable.

- Do you agree that a federal criminal law prohibiting the nonconsensual distribution of intimate images would help protect victims?

RESPONSE: Like you, I am troubled by the rise of AI-generated deepfakes and agree that young women and girls are especially vulnerable. While I cannot commit at this time to supporting any particular legislation, I look forward to working with officials within the Department of Justice including the Office of Legislative Affairs as well as you and Senators Cruz and Cornyn to discuss how we can best move forward together.

- Both the *SHIELD Act* and *Take It Down Act* passed the Senate last year unanimously. Will you commit to working with me to get these bills signed into law?

RESPONSE: Please see my response immediately above.

5. Every year more than 750 American women are shot to death by intimate partners. That's one woman every 12 hours. And according to the Department of Justice, nearly half of women killed by intimate partners involve a dating partner.

For nearly a decade, I led the effort to close the so-called "boyfriend loophole" and prevent dating partners convicted of domestic violence from buying or owning a gun. We were able to include provisions to close the boyfriend loophole as part of the *Bipartisan Safer Communities Act*. I am committed to ensuring we have the strongest possible protections in place, which is why I will continue working to extend these protections to abusers subject to protective orders and to convicted stalkers.

- Will you commit to enforcing the boyfriend loophole provisions of the *Bipartisan Safer Communities Act*?

RESPONSE: If I am confirmed, the Department of Justice will faithfully enforce all federal law as appropriate based on the law and the facts of each case.

6. I am very concerned about the rise in hate crimes, including against members of both the Muslim and Jewish communities following the Hamas terrorist attack in Israel. This is unacceptable. Every person has the right to feel safe and secure in their home, in their community, and in their house of worship - no matter who they are or how they worship. All Americans must be able to practice their faith without fear.

Unfortunately, we have seen thousands of hate crimes motivated by antisemitism and anti-Muslim bias over the last decade, including at the Dar Al-Farooq Islamic Center in my home state of Minnesota, which was the target of a bombing in 2017.

Our country has witnessed members of our Muslim communities attacked, Jewish Community Centers threatened, and too many other public sites, such as the Hmong American community center in Minnesota, have been vandalized with racial slurs.

- Do you agree that federal law enforcement officials must work with state and local law enforcement to combat crimes against every community that is victimized by hate crimes, including the Muslim and Jewish communities?

RESPONSE: Yes.

7. The ODNI's 2024 Annual Threat Assessment warned that Russia continues to seek to "undermine the United States and the West" including through malign influence operations aimed at sowing "domestic discord" and cast doubt on elections.

- Will you commit that under your leadership the Justice Department will continue to combat Russian malign influence operations?

RESPONSE: If confirmed, I will ensure that the Department works to combat the various threats from foreign countries, including Russia and China.

8. After Putin's brutal and unprovoked invasion of Ukraine, the Justice Department stood up the War Crimes Accountability Team to hold accountable those who have committed war crimes and other atrocities during Russia's invasion of Ukraine.

- Will you commit to ensuring that the War Crimes Accountability Team has the funding and resources it needs to continue its important work?

RESPONSE: If I am confirmed, I will make budgetary decisions in consultation with appropriate officials within the Department as well as with other relevant officials, including those in the Office of Management and Budget.

Nomination of Pamela Jo Bondi to be Attorney General of the United States
Questions for the Record
Submitted January 16, 2025

QUESTIONS FROM SENATOR COONS

1. If President-elect Trump asked you to do something you judged to be illegal or unethical, would you resign? Please answer yes or no.

a. If you would not resign, what would you do?

RESPONSE: As I stated repeatedly, I would not have accepted the nomination to serve as Attorney General if I believed President Trump would ask me to do this.

2. If President-elect Trump directed the Federal Bureau of Investigation to stop investigating a member of his cabinet in order to hide alleged misconduct, is that illegal?

a. How would you respond to that directive?

RESPONSE: Please see my response to Question 1 above.

3. During your Senate Judiciary Committee nomination hearing on January 15, I asked you: “What would you do if your career [Department of Justice] DOJ prosecutors came to you with a case to prosecute, grounded in the facts and law, but the White House directs you to drop the case?” You responded: “Senator, if I thought that would happen, I would not be sitting here today. That will not happen—will not happen. Every case will be prosecuted based on the facts and the law that is applied in good faith, period.”

a. I understand your response to be a prediction that President-elect Trump would not direct you to abandon an otherwise meritorious prosecution, but how would you respond—your prediction aside—if the President-elect *did* ask you to abandon an otherwise meritorious prosecution?

RESPONSE: Please see my response to Question 1 above.

b. Would you resign? If not, why not?

RESPONSE: Please see my response to Question 1 above.

4. Does the President have the authority to order the FBI to initiate an investigation into a specific individual?

RESPONSE: The President is the chief law enforcement officer of the United States and all criminal investigations must comply with the Constitution and all relevant statutes.

5. Does the President have the authority to order the Department of Justice to initiate a prosecution of a specific individual?

RESPONSE: The President is the chief law enforcement officer of the United States and all prosecutions must comply with the Constitution and all relevant statutes.

6. What is the remedy if the President violates his constitutional duty to faithfully execute the laws?

RESPONSE: The remedy would depend upon the facts and circumstances of a particular violation. The remedy could arise in a court of law, or in Congress, or from the People.

7. During your Senate Judiciary Committee nomination hearing on January 15, I appreciated your comments on, and interest in, criminal justice reform.

a. Please elaborate on your support of the *First Step Act* and your commitment to supporting legislation and administrative action to fully implement the *First Step Act*.

b. What do you see as the opportunities to better support individuals leaving prison to ensure that they do not engage in recidivism?

RESPONSE: If confirmed, I will study and thoroughly review the Department's policies related to recidivism. I look forward to working with you on policies to address this issue.

8. Please describe your priorities and interests in reforming the Federal Bureau of Prisons.

RESPONSE: Because I am not currently at the Department, I am not familiar with the all aspects of the Federal Bureau of Prisons' current operations. If confirmed, I look forward to reviewing the Bureau's operations and needs and considering appropriate reforms.

9. Evidence shows that solitary confinement has significant mental health consequences when used for extended periods of time.

a. Do you believe solitary confinement should only be used as a last resort?

b. Do you believe solitary confinement should ever be used for juveniles?

RESPONSE: I have not had the opportunity to study this issue. If confirmed, I look forward to reviewing it, including the facts of the situation and existing law and policies.

10. What factors would you consider when advising the President on whether to exercise his clemency power?

RESPONSE: As a general matter, Article II, Section 2 of the Constitution grants the President the unqualified power to "grant Reprieves and Pardons for Offences against the United States,

except in Cases of Impeachment.” I would advise on clemency decisions, if asked, after reviewing the relevant facts and circumstances of each case.

11. The President-elect has claimed that millions of people voted illegally in the 2020 presidential election.

- a. Do you agree, and if so, on what evidence do you rest your claim?
- b. How—if at all—do you plan on using the resources of the Department of Justice to investigate alleged instances of voter fraud in the 2020 presidential election?

RESPONSE: I am not familiar with the statements in question. As I explained at the hearing, I traveled to Pennsylvania as an advocate to the campaign, and during that period, saw and heard a number of things that gave me serious concerns about whether local officials were complying with the Commonwealth’s election laws. Many Americans continue to share concerns about the integrity of the 2020 election. If confirmed as Attorney General, I will work to restore Americans’ confidence in our electoral processes, including by ensuring that the Department of Justice appropriately investigating and enforcing federal laws concerning voter fraud. I am not, however, in a position to comment upon whether the Department would investigate any particular matter.

12. What will you do to ensure vigorous enforcement of the *Ethics in Government Act*, bribery and honest services laws, and anti-nepotism laws?

RESPONSE: I will enforce the Ethics in Government Act, bribery and honest services laws, and anti-nepotism laws as appropriate and in accordance with the relevant facts and law.

13. Senators Durbin, Lee, Grassley, Klobuchar, Cruz, Blumenthal, Hawley, Rubio, Hirono, Welch, and I introduced a bill last year called the *Bipartisan Inspector General Access Act*. The bill would expand the jurisdiction of the DOJ’s Office of the Inspector General to include alleged DOJ attorney misconduct. Currently, the DOJ Inspector General has no authority to investigate professional misconduct by DOJ lawyers. DOJ is the only agency whose Inspector General has such a jurisdictional carve-out.

- a. Would you support legislation that would close this loophole?

RESPONSE: I believe it would be inappropriate to commit at this time to a position with respect to any proposed federal legislation. If I am confirmed and called upon to provide my position, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

- b. More generally, how would you ensure that the DOJ’s Inspector General is permitted to carry out his or her mission of objective, independent oversight of the Department of Justice?

RESPONSE: I recognize the importance of the Inspector General in furthering the Department of Justice’s mission and would—where possible and appropriate—strive to facilitate cooperation within the Department to enable the Inspector General to carry out his work.

14. What is your interpretation of the effect of the Emoluments Clause on the ability of President-elect Trump or his family members to continue doing business with foreign governments after inauguration?

RESPONSE: In my eighteen years as a state prosecutor and my eight years as Florida’s Attorney General, I have not had the occasion to consider this question. In the event such a question was to come before the Department of Justice, I would evaluate it based on the specific facts and relevant law and in consultation with appropriate officials within the Department including the Office of Legal Counsel.

15. The United States’ scientific and technological leadership is a prime reason for our economic advancement over many decades. Our innovation ecosystem is driven by the rewards of scientific innovation made possible by a vibrant capitalist economy. It relies on generous funding of scientific research and an educational system that is broad-based at the bottom and unparalleled in availability and quality at the top. It further relies on immigration, a commitment to sustained investment, and certainty provided by the rule of law. How will the Department of Justice, under your leadership, work to support components of the Executive Branch with missions focused on promoting scientific and technological progress, such as the National Institutes of Health, the National Institutes of Standards and Technology, the National Oceanic and Atmospheric Administration, and the United States Patent and Trademark Office (USPTO)?

RESPONSE: I share your assessment that the United States’ scientific and technological leadership is a prime reason for our economic advancement. If confirmed, I will work closely with components across the Department of Justice and other agencies across the government on these important priorities.

16. Research by the USPTO has found that intellectual property (IP)-intensive industries account for more than 40% of U.S. economic activity and support 44% of the U.S. workforce, or 63 million jobs. IP drives the U.S. economy and strong IP protections inspire confidence in the U.S. market. Can you provide assurances that the Department of Justice will prioritize the investigation and prosecution of IP theft in the United States?

RESPONSE: I share your concern in this important area. I understand that the Department of Justice has identified intellectual property crime as a priority area due to the wide-ranging economic impact on U.S. businesses and, in some situations, the health, safety, and security of the American public. If confirmed, I will ensure the Department continues to combat these significant harms.

17. In its “Made in China 2025” plan as well as its “China Standards 2035” plan, China makes clear its intention to supplant the United States as the global technology leader, particularly in critical and emerging technologies like artificial intelligence, 5G/6G,

semiconductors, quantum computing, and biotechnology. One think tank has reported that China is currently leading the United States in the development of 37 of 44 critical and emerging technologies. China has also shown that it will use its legal system to benefit domestic industries and gain an unfair advantage over U.S. innovators.

a. Will you stand up to China and other countries that use their legal systems to gain unfair advantage over U.S. innovators? If so, how?

RESPONSE: I understand that the Department of Justice works with law enforcement counterparts across the globe to ensure they are prepared to address crimes involving intellectual property, cyber intrusions, and digital evidence. In addition, prosecutors in the Criminal, Civil and National Security Divisions work closely with U.S. Attorneys' Offices throughout the country on a wide range of cases involving foreign theft of intellectual property. If confirmed, I will examine these and other efforts to ensure that the Department is effectively building relationships with foreign partners to counter foreign threats to our intellectual property.

18. The total volume of worldwide piracy in counterfeit products was estimated in 2019 to be 2.5% of world trade (USD \$464 billion). Counterfeit products such as fake pharmaceutical drugs or faulty electronics can cause direct physical harm to Americans, and the profits from these illicit sales often go directly to the coffers of organized crime. How will you use Department of Justice resources to address this growing threat?

RESPONSE: I share your concerns in this area. The Department of Justice has identified intellectual property crime as a priority area due to the wide-ranging economic impact on U.S. businesses and the health and safety of the American public. If I am confirmed, the Department will continue to focus on prosecution of the most serious cases of trademark counterfeiting, trade secret theft, copyright piracy and the related criminal statutes protecting intellectual property.

19. The U.S. Chamber of Commerce estimates that digital piracy costs the American economy between \$29.2 billion and \$70.1 billion and between 230,000 and 560,000 jobs every year. According to the International Intellectual Property Alliance, the core copyright industries—which include film and television, music, publishing, and video games—employ 9.6 million American workers.

a. How would you fight to protect American IP in the face of increasing digital piracy?

RESPONSE: If I am confirmed, the Department will continue to focus on prosecution of the most serious cases of trademark counterfeiting, trade secret theft, copyright piracy and the related criminal statutes protecting intellectual property.

b. Numerous foreign websites illicitly stream U.S. copyrighted material. Is there a role for the Department of Justice to play in ensuring that U.S. copyrighted materials retain U.S. copyright protection?

RESPONSE: Yes. If I am confirmed, the Department will continue to focus on prosecution of the most serious cases of trademark counterfeiting, trade secret theft, copyright piracy and the related criminal statutes protecting intellectual property.

20. Our peer nations have sought to combat digital piracy by foreign websites through the use of no-fault injunctions, which mandate that U.S. internet service providers block access to the infringing foreign website until the copyright dispute is resolved. Some peer nations are going further by using dynamic injunctions to protect against mirror websites that launch after the initial offending website is taken down.

a. Do you think the United States would benefit by emulating these peer nations and enacting laws that provide for the availability of no-fault injunctions?

RESPONSE: This is an important question raising complex issues that I have not had the opportunity to study in detail, but if confirmed I would welcome the opportunity to discuss the matter further with Members of Congress and appropriate officials within the Department of Justice.

b. Do you think no-fault injunctions engender due process concerns? Why or why not?

RESPONSE: This is an important question raising complex issues that I have not had the opportunity to study, but if confirmed I would welcome the opportunity to discuss the matter further with Members of Congress and appropriate officials within the Department of Justice.

21. Do you support the revocation or modification of the 14th Amendment's constitutional guarantee of birthright citizenship?

RESPONSE: The Fourteenth Amendment defines the category of persons who are entitled to birthright citizenship. If I am confirmed as Attorney General and asked to provide an opinion as to the appropriate interpretation of the Fourteenth Amendment, I would examine the law and facts, consult with appropriate Department of Justice officials, and advise the President.

22. The *Victims of Child Abuse Act* authorizes funds to directly support the establishment and operation of local and regional Children's Advocacy Centers (CACs), as well as training and technical assistance related to improving the investigation and prosecution of child abuse and neglect. These centers are intended to coordinate a multidisciplinary response to child abuse (e.g., law enforcement, child protection/social services, medical services, mental health) in a manner that ensures child abuse victims receive the support services they need and do not experience the investigation of child abuse as an added trauma. Nearly 400,000 children were served at CACs in 2022. Will you include full funding for the *Victims of Child Abuse Act* in the Department of Justice's proposed budget?

RESPONSE: I appreciate the need to provide support services for child abuse victims. If I am confirmed, I will make budgetary decisions and recommendations in consultation with

appropriate officials within the Department as well as with other relevant officials, including those in the Office of Management and Budget.

23. Studies show that 5% of gun dealers sell 90% of guns that are subsequently used in criminal activity. How will you direct the Department of Justice to instruct the Bureau of Alcohol, Tobacco, Firearms and Explosives to crack down on dealers that funnel thousands of guns to city streets?

RESPONSE: As I said in my opening statement, if confirmed as the next Attorney General of the United States, my overriding objective will be to return the Department of Justice to its core mission of keeping Americans safe and vigorously prosecuting criminals, and that includes getting back to basics: gangs, drugs, terrorists, cartels, our border, and our foreign adversaries.

24. Last year, President Biden signed the *Recruit and Retain Act*, a bill I led with Senator Fischer. The bill improves the Department of Justice's Community Oriented Policing Services (COPS) grants by making them more responsive to onboarding costs and hiring challenges, particularly for small and under-resourced law enforcement agencies.

a. Do you commit to fully implementing the provisions of the *Recruit and Retain Act*?

RESPONSE: If confirmed, I will implement in good faith all federal laws as they apply to the Department of Justice.

b. Do you commit to including a recommendation to fully fund the COPS program in the Department of Justice's proposed budget?

RESPONSE: If I am confirmed, I will make budgetary decisions in consultation with appropriate officials within the Department as well as with other relevant officials, including those in the Office of Management and Budget.

c. Under your leadership, what strategies will the Department of Justice employ to ensure that small and under-resourced law enforcement agencies have access to COPS grants?

RESPONSE: As a former state prosecutor and Florida's Attorney General I appreciate the vital role of, and challenges posed to, smaller law enforcement agencies. If I am confirmed, I would look forward to meeting with members of COPS to discuss how they can best serve the priorities of the Department of Justice including supporting local law enforcement.

25. Last year, Congress reauthorized Section 702 of the *Foreign Intelligence Surveillance Act*. The bill included the codification of several internal FBI measures that the agency had adopted to prevent the unauthorized, warrantless searches of Americans' private data.

- a. If confirmed, how will you ensure that the FBI is actually implementing these reforms?
- b. Section 702 comes up for reauthorization next year—do you support reauthorizing Section 702 and for how long?
- c. What reforms, if any, do you think Congress should include in a Section 702 reauthorization bill?

RESPONSE: As a career prosecutor for 18 years and Florida’s Attorney General for eight years, I have not had occasion to consider those issues. As I stated in my hearing, if confirmed, I will review these procedures, consult with appropriate officials at the Department, and formulate my views with respect to these issues.

Senator Richard Blumenthal
Member, Senate Committee on the Judiciary
Written Questions for Pamela Jo Bondi
Nominee to be Attorney General of the United States
January 16, 2025

1. In 2008, then Attorney General Michael Mukasey promulgated the Attorney General Guidelines for Domestic FBI Operations. These Guidelines established the framework that governs when an agent may conduct certain inquiries and engage in certain investigatory activities. Notably, to open a predicated investigation, which affords nearly the full range of investigatory tactics, an agent must possess information about or an allegation of criminal activity or a connection to foreign intelligence needs.

These predication requirements serve as an important check on the possibility that FBI agents could engage in unwarranted investigative activities. Indeed, one of the chief complaints that President Trump and many of his supporters made about the Russian investigation in 2016-17 is that it was not properly predicated, though the DOJ Inspector General concluded to the contrary.

In light of President-elect Trump's and Mr. Patel's threats to use the power of DOJ and the FBI to pursue investigation and prosecution of those perceived to have wronged the President-elect in some way, shape, or form, I am concerned that these guidelines will be watered down or outright ignored.

a. If confirmed, do you commit to following and enforcing the predication guidelines as drafted currently?

RESPONSE: I have not had occasion to review these guidelines. If I am confirmed I will do so and consult with appropriate officials within the Department as to their application.

b. If confirmed, do you have any plans to change the Attorney General Guidelines for Domestic FBI Operations with respect to predication requirements?

RESPONSE: Please see my response to Question 1(a) above.

c. If you do, if confirmed, make any changes to these requirements, will you commit to making those changes public?

RESPONSE: I will consult with appropriate officials within the Department of Justice before making any decision with respect to whether changes are necessary and whether such changes should be made public.

2. President-elect Trump has declared that he has the absolute right to do whatever he wants with the Justice Department. He has also repeatedly attacked the Special Counsel investigations as politically motivated and illegitimate. I am concerned that President Trump will seek to have incriminating or embarrassing records and evidence from these investigations destroyed and will

direct you to take actions to achieve that outcome. Federal law, however, requires the preservation of these records and criminalizes concealment or destruction of records.

- a. If confirmed, will you commit today to follow the applicable laws and protect and preserve these records?

RESPONSE: If I am confirmed, the Department of Justice will abide by all relevant and applicable recordkeeping laws in all circumstances.

- b. If President Trump or anyone affiliated with him directs the destruction of these records, do you, if confirmed, commit to not follow that order and to notify this Committee?

RESPONSE: Please see my response to Question 2(a) above.

3. In your hearing testimony, and in our sit-down meeting, you stated that the only work you did for Qatar involved a single meeting on anti-human trafficking efforts leading up to the 2022 World Cup.

- a. Is that a complete description of your lobbying work for Qatar – a single meeting?

RESPONSE: This is not accurate. I do not recall stating in my testimony or when I met with you in your office that my work consisted of a single meeting. Moreover, a review of the transcript of the hearing supports my recollection. I believe the confusion may be that I represented Qatar with respect to a single *issue* – human trafficking.

- b. Please identify the other people who attended that meeting and describe the role you played at the meeting?

RESPONSE: Please see my response to Question 3(a) above.

4. Abuses against migrant workers leading up to and during the 2022 World Cup in Qatar are well documented, including deaths, injuries, unpaid wages, crippling debt that was made to be paid back, and a visa system that prevented workers from leaving the country if they wanted to.

- a. Were you aware of Qatar's mistreatment of workers during your employment by Qatar as a lobbyist?

RESPONSE: I was aware that Qatar's track record with respect to this issue was not satisfactory but that Qatar was taking positive steps for change.

- i. If so: What did you do to put a stop to this mistreatment? Why wasn't it effective?

- ii. If not: What steps did you take at the time to understand the true facts on the ground regarding Qatar's treatment of workers before you agreed to become their lobbyist?

RESPONSE: Please see my response to Question 4(a) above.

5. Your Senate Judicial Questionnaire indicates that you were retained by a law firm to work with 9/11 families regarding their case against Saudi Arabia, including participating in a meeting with President Trump in 2019, at which he promised to release documents then being withheld by the FBI. Those documents were ultimately withheld, however, after the Department of Justice invoked the State Secrets Privilege shortly thereafter, purportedly to protect national security.

Since that time, we have made strides to declassify additional 9/11 documents. That declassification, however, raises significant questions about the legitimacy of DOJ's initial invocation of the State Secrets Privilege.

- a. If confirmed, will you commit to supporting the declassification and release of 9/11-related materials, subject to withholding only for legitimate national security concerns?

RESPONSE: I believe it would be inappropriate for me to make any commitment with respect to the declassification of any government records without having first consulted with appropriate officials within the Department of Justice as well as with other relevant authorities in other affected agencies.

6. It has been widely reported that the Trump Administration plans to continue the Biden Administration's efforts to secure a normalization agreement between Israel and Saudi Arabia. I have advocated that any such agreement that garners support from the United States should include a resolution to the 9/11 families claims against the Kingdom.

- a. If confirmed, will you commit to working with me to advocate for such a resolution in the course of these negotiations?

RESPONSE: I believe that the families of the victims of the attacks on September 11 deserve justice. I would welcome the opportunity to meet with you to discuss how this can best be achieved.

7. The Ending Forced Arbitration for Sexual Assault and Sexual Harassment Act was recently enacted into law in order to restore the rights of sexual assault and harassment survivors to file their cases in court rather than be subject to forced arbitration clauses. I was heartened to see that you led a letter of support on behalf of the National Association of Attorneys General for this legislation.

Sen. Hawley and I lead a new bill to expand the scope of that law to also restore rights for human trafficking victims. In reviewing your letter on the sexual assault and harassment issue, I was struck by how each and every argument you made in applies with equal force to the claims of

trafficking victims. In my view, restoring the rights of trafficking victims to have their day in court is a logical and worthwhile next step.

- a. Do you support the Senate Judiciary Committee acting this Congress to enact legislation to bar forced arbitration of human trafficking claims?

RESPONSE: As I stated in my hearing, and as evidenced by my tenure as Florida's Attorney General, fighting human trafficking is an issue to which I bring considerable experience. If confirmed, I would welcome the chance to work with the Committee further on this issue.

8. In 2022, the Department of Justice secured the surrender of more than 4,000 neglected and mistreated beagles from a breeding facility, Envigo, and subsequently \$35 million in payments for violations of the Animal Welfare Act (AWA) – the largest fine in history for an AWA case. Before DOJ stepped in, the United States Department of Agriculture (USDA) repeatedly recorded animal suffering at the facility but failed to act. These repeated instances of failure to fully enforce the Animal Welfare Act are troubling.

- a. Will you commit that the DOJ will use its authority under the Animal Welfare Act to hold violators accountable?

RESPONSE: I will fully and faithfully enforce the provisions of the Animal Welfare Act.

- b. Will you ensure that the DOJ Environmental and Natural Resources Division (ENRD) has sufficient resources, including staff, to effectively follow through with these cases and hold animal abusers accountable for their crimes?

RESPONSE: If confirmed, I will consult with ENRD officials regarding the Division's resources and staffing needs in order to enforce the laws under its purview.

- c. Will you review my bipartisan bill with Senator Kennedy, the Better CARE for Animals Act, designed to provide DOJ with more enforcement tools under the Animal Welfare Act?

RESPONSE: I look forward to, and welcome, the opportunity to review all legislative initiatives to combat animal abuse and cruelty.

9. For more than four years, the U.S. Department of Justice (DOJ) has been criminally prosecuting The Boeing Company for lying to the FAA about the safety of the 737 MAX aircraft. In December, the federal district judge presiding over the criminal prosecution brought by the DOJ against Boeing rejected the proposed plea agreement, citing concerns raised by the family members representing the victims of the crashes. The judge asked the DOJ to respond by February 16 to give the incoming administration to consider the case.

a. Four years ago, Attorney General Garland met with the victims' families about the case. If confirmed, will you commit to meet with the victims' families about how to best handle this prosecution as it moves forward?

RESPONSE: While it would be inappropriate for me to comment on pending litigation or on any particular case, my time as a prosecutor and as Florida's Attorney General has been marked by a commitment to serving victims. If confirmed, I will actively seek justice for those harmed by those who would violate the laws of the United States.

b. If confirmed, do you commit to directing the DOJ to seek the maximum appropriate punishment permitted by law against Boeing for the 737 MAX crashes and subsequent safety incidents, including the January 2024 blowout of a door plug on a 737 MAX operated by Alaska Airlines?

RESPONSE: It would be inappropriate for me to comment on a prospective prosecution.

10. Machine gun conversion devices, also known as "Glock switches" and "auto sears," are devices about the size of a quarter that can be easily fitted onto handguns to convert them into fully automatic machine guns. When converted, the resulting weapons are capable of firing up to 1,200 rounds per minute.

These devices are already illegal under federal law but they are increasingly prevalent and are wreaking havoc in communities across the country. According to ATF, 5,454 guns with conversion devices were seized at crime scenes between 2017 and 2021, a 570% increase over the prior five-year period. And, a University of Chicago study last year identified conversion devices as a key factor in driving a significant increase in the lethality of shootings in Chicago—leading to more than 180 additional fatalities that would have otherwise occurred had lethality remained constant.

In September 2024, the Department identified and seized over 350 website domains that were being used to illegally import conversion devices from China. While an important step, absent continued focus and enforcement activity, new websites will pop up and the pipeline of these deadly devices will reopen.

a. If confirmed, will you commit to continuing to prioritize this kind of enforcement activity to keep these illegal devices off our streets?

RESPONSE: If I am confirmed, I will consult with appropriate officials within the Department to discuss the matter further. I will enforce the laws regarding automatic weapons in accordance with the facts and the law.

11. Bump stocks are attachments that enable semi-automatic weapons to fire at the same rate as machine guns—between 400 and 800 rounds per minute. After one of these devices was used to commit the senseless and tragic attack in Las Vegas in 2017, the Trump Administration directed the ATF to develop a rule to ban bump stocks. This rule went into effect in March 2019, but the Supreme Court has since ruled that the rule exceeded the ATF's statutory authority.

a. If confirmed, will you support legislation to codify the Trump Administration rule that would have removed bump stocks from our streets?

RESPONSE: I believe it would be inappropriate to commit at this time to a position with respect to proposed legislation to ban bump stocks. If I am confirmed and called upon to provide my position, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

12. Federal law requires licensed importers and manufacturers of firearms to “identify by means of a serial number engraved or cast on the receiver or frame of the weapon . . . each firearm imported or manufactured by such importer or manufacturer.” Federal, state, and local law enforcement use these serial numbers to trace firearms recovered at crime scenes. Firearms that lack serial numbers, which can be constructed out of parts, from kits, or even 3D-printed, are considered to be untraceable.

Between 2017 and 2023, law enforcement recovered 92,702 untraceable firearms, with a 44% increase in recoveries in 2022 and 2023 over the prior five years.

a. Please describe your familiarity and/or experience with untraceable firearms.

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have experience with cases involving gun crimes, including ones involving untraceable firearms.

b. Do you agree that untraceable firearms constitute a threat to public safety?

i. If so, please describe the steps the Department of Justice will take under your leadership, if confirmed, to address this threat, and how the Department will support ongoing state and local law enforcement efforts to do the same.

ii. If not, please explain why not.

RESPONSE: The ATF's 2022 Frame and Receiver Rule is currently before the Supreme Court in *VanDerStock v. Garland* (23-852). As the nominee for the Attorney General, it would be inappropriate for me to comment on matters implicated in ongoing litigation involving the Department of Justice.

13. In 2024, the Department of Justice issued a guide to the safe storage of firearms. The National Rifle Association and National Shooting Sports Federation both support safe storage of firearms. Twenty-six states, including Florida and Connecticut have enacted laws related to the storage of firearms in order to prevent unauthorized access by children and, in some cases, prohibited persons, as well as gun theft.

a. Please describe your familiarity and/or experience safely and securely storing firearms.

RESPONSE: I have attended a gun safety course.

b. Do you agree that firearms should be stored safely and securely to prevent unauthorized access by children and prohibited persons, as well as gun theft?

RESPONSE: Yes.

i. If so, will you commit, if you are confirmed, to continue the Department's work to promote the safe and secure storage of firearms in order to prevent unauthorized access and theft?

ii. If not, please explain why not.

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider the issue of the Justice Department's work regarding firearm storage. If confirmed, I will consult with relevant Justice Department personnel to learn more.

14. According to the intelligence community, Russia, China, and Iran engaged in sophisticated and brazen hacking and influence campaigns to interfere in the Presidential election. One Chinese hacking group – dubbed 'Salt Typhoon' – broke into several American phone companies to spy on political and government targets. The Wall Street Journal has reported that those targets include Vice President-elect Vance, Senate staff, and members of the Harris campaign. Similarly, Iranian hackers targeted both the Trump and Harris campaigns, and then sought to weaponize stolen campaign material against President-elect Trump.

By all accounts, our foreign adversaries believe that they can wiretap Presidential campaigns and interfere with our elections without repercussions.

a. If confirmed, how do you plan to respond to the Salt Typhoon attacks, and address this escalating threat of foreign interference and hacking in our elections?

RESPONSE: As I indicated at the hearing, I view such attacks as an existential threat. If confirmed I would welcome the opportunity to discuss the matter further with Members of Congress and appropriate officials within the Department of Justice so that we can fully address this danger.

15. Last May, the Justice Department, along with 30 state Attorneys General, filed an antitrust lawsuit against Live Nation/Ticketmaster. The DOJ has sought the breakup of Ticketmaster over its abuse of monopolistic power over performers, venues, and independent promoters in ways that harm competition. Fans, artists, venues, small promoters and many others will enjoy enormous benefits if the DOJ succeeds.

a. If confirmed, will you commit to ensuring that the DOJ vigorously pursues its antitrust lawsuit against Ticketmaster and any other issues it finds in the live events market?

RESPONSE: As your question indicates, the Department's lawsuit against Ticketmaster is ongoing. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States is party in interest.

16. In 2015, Congress established the U.S. Victims of State Sponsored Terrorism Fund, administered by the Department of Justice, to provide U.S. victims of state-sponsored terror with a means of collecting on the judgements they had been awarded in court cases against countries that provided support for terrorist actions that impacted U.S. citizens. Unfortunately, while the Fund initially provided some meaningful disbursements, subsequent compensation has become less frequent and generally much smaller in scale.

a. While it is encouraging that the Department is putting out a disbursement this year, can you commit, if confirmed, to working to ensure that the Fund is working in an optimal fashion in the future?

RESPONSE: When I was state prosecutor and Florida's Attorney General, I prioritized opportunities to serve the needs of vulnerable and disadvantaged victims. If confirmed, I will seek to ensure that the Department effectively administers the programs Congress has charged us with, particularly those protecting victims.

17. Since the enactment of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in 2009 and the Jabara-Heyer NO HATE Act in 2021, the federal government has provided crucial support to state and local efforts to raise community awareness about hate crimes, improve law enforcement reporting of hate crimes data, provide robust and culturally-appropriate training for law enforcement, and ensure appropriate investigations and prosecutions of hate crimes. During this time of historically high rates of hate crimes – particularly those targeting the Jewish, Muslim, and Asian-American communities, as well as other minority and marginalized communities – this support remains vital to local efforts to effectively prevent and respond to bias and hate motivated attacks. The current funding, while important, is insufficient to address the rise in hate crimes in this country.

Organizations that track extremism in America, such as the Anti-Defamation League, have called for a fourfold increase in funding for grants to State, local, and tribal law enforcement agencies to conduct educational outreach and training on hate crimes and to investigate and prosecute hate crimes.

a. Given the rise in hate crimes in recent years, do you believe the current funding is adequate to address the increasing incidences of hate?

RESPONSE: I have not had occasion to study the particular issue of these funding levels. If I am confirmed, I will make all budgetary decisions and recommendations in

consultation with appropriate officials within the Department as well as with other relevant officials including the Office of Management and Budget.

b. Under your leadership if confirmed, how will the Department of Justice work with State, local, and tribal law enforcement agencies to update their training programs to reflect and address the surge in hate crimes?

RESPONSE: If I am confirmed, I would welcome the opportunity to meet with appropriate Department of Justice employees and discuss what steps, if any, the Department can take to update training programs to prevent and respond to hate crimes.

c. Historically, the Department has also conducted research on hate crime prevention to better understand the causes of hate crimes and needs of victims. If confirmed, will you continue and support this research?

RESPONSE: I am not specifically familiar with the Department's hate crime prevention research. I will note that the Office of the Florida Attorney General publishes (and did so when I was Florida's Attorney General) an annual "Report on Hate Crimes in Florida." Copies of these reports from 2010 to 2017 were supplied to the Committee in response to the Public Questionnaire.

18. After serving as Florida's Attorney General, you joined Ballard Partners as a registered lobbyist and chaired the firm's Corporate Regulatory Compliance practice. During that time, you were registered to lobby for Amazon and Uber.

a. Please describe the matters that you lobbied or consulted for Amazon and Uber regarding.

RESPONSE: I served as an advocate for Amazon and Uber with respect to matters of public concern and potential government action.

b. Did you advise Amazon or its outside counsel on any matters related to antitrust legislation, litigation, compliance, oversight, or investigations, including the House of Representative's investigation into competition in tech markets?

RESPONSE: No, I did not.

c. Did you advise Amazon or its outside counsel on any matters related to the Federal Trade Commission's investigation and enforcement actions against Amazon over unpaid tips to Amazon Flex Drivers, potential violations of the Children's Online Privacy Protection Act, or consumer protection issues related to registration and cancelation of Amazon Prime subscriptions?

RESPONSE: No, I did not.

19. Ballard Partners is also registered to lobby for Google and its affiliates.

a. Did you advise Google or its outside counsel on any matters related to about legislation, litigation, compliance, oversight, or investigations? If so, please describe your role in such matters.

RESPONSE: I did not represent Google or its affiliates.

b. Did you advise Google or its outside counsel on any matters related to antitrust investigations or enforcement actions by the Department of Justice or state Attorneys General? If so, please describe your role in such matters.

RESPONSE: I did not represent Google or its affiliates.

20. Were you given a partnership stake or any financial stake in Ballard Partners? Do you still maintain any ownership or profit stake in the firm?

RESPONSE: During my employment with Ballard Partners, I was listed as a “partner” of the firm. I was not, however, a partner in the sense that I was an owner of the firm and I did not have a “partnership stake” in the firm. As set forth in materials submitted to this Committee in support of my nomination I participated in the firm’s profit-sharing plan.

21. Under the first Trump Administration and under the Biden Administration, the Antitrust Division has undertaken historic and overdue monopolization cases with respect to tech firms, in particular Google and Apple.

a. Under your leadership if confirmed, how will the Department of Justice oversee and continue those cases and, more generally, enforcement of our antitrust laws with respect to the abuse of market power by tech firms?

RESPONSE: As your question indicates, you are referring to ongoing cases at the Department of Justice. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States is party in interest.

22. After the Presidential election, executives from several Big Tech firms facing antitrust enforcement actions, consumer protection investigations, or other regulatory actions — including matters involving the Department of Justice — have donated significant money to the incoming President’s inaugural fund and taken other steps to win favor with the incoming Administration.

a. What steps will you take, if confirmed, to insulate the Department of Justice from attempts by Big Tech to curtail or influence enforcement of the law?

RESPONSE: The Department’s investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000), and Department officials

should make these decisions free of bias or political influence. As I stated in my hearing, the Justice Department's number one job is to enforce the law fairly and evenhandedly.

23. There has been significant public and Congressional attention to the rapid growth of Artificial Intelligence technologies, including emerging issues related to consumer protection, public safety, civil rights, child exploitation, and competition.

a. If confirmed, what issues related to Artificial Intelligence will you prioritize at the Department of Justice?

RESPONSE: Artificial intelligence is an important and rapidly evolving issue. If confirmed I would welcome the opportunity to discuss the matter further with Members of Congress, appropriate officials within the Department of Justice, and experts in the scientific and technology community to help developed an informed set of priorities in this area.

Senator Mazie K. Hirono
Senate Judiciary Committee

Nominations Hearing | January 15, 2025
Questions for the Record for Pamela Jo Bondi

1. In *Korematsu v. United States*, 323 U.S. 214 (1944), the Supreme Court upheld the internment of Japanese Americans during World War II.

a. **Is *Korematsu* still good law?**

RESPONSE: No.

b. **If the answer to part a of this question is anything other than “Yes” or “No,” please explain your understanding of the effect of the opinion in *Trump v. Hawaii*, 585 U.S. 667 (2018), on the continuing force of *Korematsu*.**

c. **If President Trump ordered you as Attorney General to detain a group of American citizens based on their race, would you do it?**

(Note that the Supreme Court has explained that “[t]he forcible relocation of U.S. citizens to concentration camps, solely and explicitly on the basis of race, is objectively unlawful and outside the scope of Presidential authority.” *Hawaii*, 585 U.S. at 710. Thus, an order to that effect from any president would be illegal. Any answer by you that does not include a statement that you would refuse such an order will be construed as an admission that you would follow an illegal order.)

RESPONSE: I do not expect that President Trump would issue such an order.

d. **If your answer to part c of this question is anything other than “Yes” or “No,” please explain your view of how Attorney General Francis Biddle should have responded when President Roosevelt asked him for his legal opinion on interning Japanese Americans.**

RESPONSE: Please see my response to Question 1(c) above.

2. **Do you agree that America is a country built by immigrants?**

Since the time of the Founding, immigrants have played an important role in building our country. We also of course need to enforce our immigration laws, including those precluding unlawful entry.

3. **Do you believe women are discriminated against in the United States?**

RESPONSE: As with other Americans, women can be subject to discrimination.

4. What is your view of the “Me Too” movement?

RESPONSE: No one should be subjected to predatory sexual behavior or unwanted sexual advances. As a prosecutor, I worked to protect all people from this type of behavior.

5. What do you think the role of the Department of Justice should be in ensuring equal opportunity for women and harassment-free workplaces?

RESPONSE: The Civil Rights Division of the Department of Justice has the primary responsibility within the Department of Justice for enforcing federal laws that support equal opportunity for women and harassment-free workplaces. If I am confirmed, the Department will enforce the law.

Moreover, though not directly contemplated by your question, if I am confirmed, I will not tolerate harassment within the Department. Incidents of harassment will be taken seriously, and harassers will be subject to discipline including, where appropriate, dismissal.

6. The Department of Justice is responsible for enforcing the Americans with Disabilities Act (ADA).

a. Do you support any restrictions on the ADA’s protections?

RESPONSE: I am not aware of any proposed amendments to the ADA (including limits or restrictions on its protections) and I have never suggested any.

b. Do you believe the ADA goes too far in protecting the rights of people with disabilities?

RESPONSE: If confirmed, I will vigorously enforce all federal civil rights laws enacted by Congress, including the ADA.

c. If confirmed as Attorney General, will you permit and encourage the Disability Rights Section of the Civil Rights Division to robustly enforce the ADA?

RESPONSE: Please see my response to Question 6(b) above.

7. Is there a constitutional right to interstate travel?

RESPONSE: In *Saenz v. Roe*, 526 U.S. 489 (1999), the Supreme Court held that “the right to go from one place to another, including the right to cross state borders while en route . . . was vindicated in *Edwards v. California*, 314 U.S. 160 (1941) . . . [and] reaffirmed . . . in *United States v. Guest*, 383 U.S. 745 (1966).”

8. If congress or a state legislature passed a law which unconstitutionally interfered with a right to interstate travel, would the Department of Justice take action to protect the right to interstate travel? If not, why not?

RESPONSE: In every case when determining whether the Department of Justice would defend the constitutionality of a federal law or challenge the constitutionality of a state law, I would consult with appropriate officials within the Department including the Solicitor General, evaluate the text of the law at issue, and consider the relevant precedents of the Supreme Court.

9. Is the Comstock Act still good law?

RESPONSE: I have not had occasion to study the Comstock Act or related case law. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

a. If so, which portions of the Act remain in effect?

RESPONSE: Please see my response to Question 9.

b. Please explain the legal basis for your answer(s) to part a of this question.

RESPONSE: Please see my response to Question 9.

c. Please explain the effect, if any, of the Supreme Court's decisions in *Roth v. United States*, 354 U.S. 476 (1957), and *Griswold v. Connecticut*, 381 U.S. 479 (1965), on the continuing validity of the Comstock Act.

RESPONSE: Please see my response to Question 9.

10. In your brief for the State of Florida in *United States v. Secretary, Florida Department of Corrections*, 778 F.3d 1223 (11th Cir. 2015), you suggested that financial costs should be considered when determining whether the administration of a state program runs afoul of the Religious Land Use and Institutionalized Persons Act, which ensures that states and localities respect the First Amendment. **Please list all other constitutional rights which you believe can be restricted based on cost.**

RESPONSE: In the case that you cite, in my capacity as Attorney General, I represented the Florida Department of Corrections in defending a prison policy that was justified in part by the costs that a religious accommodation might impose on the State of Florida. That argument, which concerned a federal statute that Congress adopted to sweep beyond the First Amendment, did not concern the requirements of the U.S. Constitution itself.

11. You told Senator Padilla at your confirmation hearing that you would look further into the question of birthright citizenship and the Fourteenth Amendment. **Now that you have had sufficient time to locate a copy of the Fourteenth Amendment for review, in your view, is birthright citizenship guaranteed by the Fourteenth Amendment to the Constitution?**

RESPONSE: As I explained to Senator Padilla, I will this consider this question as necessary and appropriate and in consultation with officials within the Department of Justice.

12. What are the limits on the President’s power to make recess appointments?

RESPONSE: The Supreme Court last addressed the scope of the recess appointment power in *NLRB v. Canning*, 573 U.S. 513 (2014). If I am confirmed as Attorney General, I may have occasion to provide advice to the President with respect to the scope of that power, and I would consult with appropriate officials at the Department of Justice, including the Solicitor General and the Assistant Attorney General for the Office of Legal Counsel.

13. Should government policies that promote equal access to government contracts be treated the same as those which discriminate against certain racial groups?

RESPONSE: Without reference to the details of any particular policy, I am able to provide an informed answer. That said, discrimination on the basis of race is personally abhorrent and if I am confirmed, the Department will continue to enforce laws related to racial discrimination.

14. As Attorney General of Florida, you defended the state's ban on same-sex marriage, arguing that it was in the state’s interest to maintain the traditional definition of marriage. During your May 5, 2022, appearance on Fox News, you praised Florida’s H.B. 1557, the Parental Rights in Education Act, commonly known as the “Don’t Say Gay” law.

a. If confirmed as Attorney General, will you adhere to the Supreme Court’s holding in *Bostock v. Clayton County*, 590 U.S. 644 (2020)?

RESPONSE: *Bostock v. Clayton County* is binding precedent of the Supreme Court entitled to respect as such.

b. Under existing law, do transgender persons enjoy the same protection against discrimination in employment based on sex as all other persons?

RESPONSE: Transgender persons are entitled to against discrimination in employment consistent with the Supreme Court’s decision in *Bostock v. Clayton County*.

c. If your answer to part b of this question is anything other than “Yes,” please explain your view of the differences between the protection against discrimination in employment on the basis of sex enjoyed by transgender persons and all other persons.

RESPONSE: Please see my response to Question 14(b).

15. Police officers and other members of law enforcement play a vital role in keeping our communities safe. Unfortunately, some law enforcement agencies have been found to commit a pattern or practice of unlawful conduct. In some such cases, the Department of Justice has entered into a consent decree with the law enforcement agency at issue.

a. What is the purpose of a consent decree between the Department of Justice and a law enforcement agency?

RESPONSE: In any case, including cases involving the Department of Justice and law enforcement agencies, a consent decree is a mechanism whereby parties agree to a negotiated resolution of a case. In most cases, a consent decree involves supervision by the court, or a person appointed by the court, of certain prospective conditions set forth in the terms of the decree.

b. In what cases are such law enforcement consent decrees typically sought?

RESPONSE: Consent decrees involving law enforcement agencies are typically sought where the parties seek to set prospective conditions on the law enforcement agency.

c. What is your opinion about the use of consent decrees as an approach to resolving unlawful conduct by law enforcement?

RESPONSE: Consent decrees, as with other negotiated settlement arrangements, can be valuable.

d. Do you believe consent decrees with law enforcement agencies are an effective tool for preventing misconduct and improving public safety?

RESPONSE: Yes.

e. In light of substantial empirical evidence showing that consent decrees have been an effective tool in addressing unlawful conduct by law enforcement, will you continue the Civil Rights Division's use of consent decrees as a remedy in pattern or practice investigations?

RESPONSE: I have not reviewed the empirical evidence to which you are referring.

f. Absent a clear showing that a law enforcement agency has actually achieved full compliance with specific provisions of a consent decree, will the Department of Justice under your leadership maintain and enforce its existing consent decree?

RESPONSE: If I am confirmed, I look forward to meeting with members of the Civil Rights Division and discussing how the Division can most effectively carry out its mission to protect and enforce the civil rights of all Americans, including through the use of consent decrees.

g. What criteria will you use to determine whether to maintain and enforce existing law enforcement consent decrees?

RESPONSE: Please see my response to Question 15(f).

h. Under what circumstances would you oppose entering into a consent decree after concluding that there had been a pattern or practice of unlawful conduct by a law enforcement agency?

RESPONSE: Please see my response to Question 15(f).

16. President Trump has called for the release of the felons convicted of attacking the U.S. Capitol on January 6, 2021, including those who harmed law enforcement officers. During the hearing, you said you would evaluate these issues on a “case-by-case basis.” Please outline what criteria could weigh in favor of recommending a pardon during this case-by-case review.

RESPONSE: In any case, including but not limited to cases arising out of the events of January 6, 2021, the decision to issue a pardon is a highly individualized determination that takes into account myriad factors. Depending on the facts and circumstances, the decision can take into account the seriousness of the crime, remorse expressed by the individual, any mitigating factors involved in the crime, harm to victims, evidence of rehabilitation, the nature and severity of the sentence imposed, and countless other factors.

17. As a result of the COVID-19 pandemic, our country saw a dramatic increase in hate crimes and hate incidents against Asian American and Pacific Islander communities. In response to this increase, I sponsored the COVID-19 Hate Crimes Act, which congress passed and pursuant to which the Department of Justice issued a guidance document to raise awareness of hate crimes. Critically, the guidance also noted the increase in hate incidents: acts of hate that do not meet the statutory definition of a hate crime but may be illegal (for example, discrimination) or, even if not illegal, nevertheless target a person or entire community’s race, religion, or other aspect of their identity. The guidance recognized the unique harms caused by all forms of hate, especially in a diverse and pluralistic country like ours, and the importance of raising awareness to report and respond to hate when it happens.

a. As a nominee to lead a department whose mission it is to keep our country safe and protect civil rights, do you agree with a definition of hate that encompasses both hate crimes and hate incidents? Why or why not?

RESPONSE: I agree that not all acts of hate, while abhorrent, are crimes.

b. What steps should the Department of Justice take to increase awareness of hate crimes and illegal discrimination and improve reporting of these acts, especially for communities facing cultural or language barriers to reporting?

RESPONSE: If I am confirmed, I would welcome the opportunity to meet with appropriate officials within the Department of Justice and discuss what steps, if any, the Department can take to increase awareness of hate crimes and illegal discrimination and improve reporting of these acts.

c. Should the Department of Justice work to improve the reporting of hate crimes and illegal discrimination among communities that are especially vulnerable to hate, such as communities of color and immigrant communities? If so, how should it do so? If not, why not?

RESPONSE: Please see my response to Question 17(b).

18. If confirmed as Attorney General, will you do anything to address increased hate incidents, in addition to hate crimes? If so, what? If not, why not?

RESPONSE: If I am confirmed, I would welcome the opportunity to meet with appropriate officials within the Department of Justice and discuss what steps, if any, the Department can take to address hate incidents.

19. The Language Access Coordinator at the Department of Justice leads DOJ's Language Access Program, chairs the Department's Language Access Working Group, and ensures the Department's adherence to language access obligations.

a. If confirmed as Attorney General, will you maintain the Language Access Coordinator position? If not, why not?

b. If confirmed as Attorney General, will you maintain the Language Access Working Group? If not, why not?

c. If confirmed as Attorney General, will you maintain the roles and responsibilities of both the Language Access Coordinator position and the Language Access Working Group? If not, why not?

RESPONSE: I am not familiar with the Language Access Coordinator, the Language Access Program, or the Language Access Working Group. If I am confirmed, I would welcome the opportunity to learn more about their role within the Department of Justice.

20. Some states have a record of failing to submit sufficient hate crime data to the federal government. If confirmed as Attorney General, will you do anything to encourage these states to submit timely and complete data to the Department in order to better address these crimes? If so, what will you do? If not, why not?

RESPONSE: I have not had occasion to study the issue. I will note that the Office of the Florida Attorney General publishes (and did so when I was Florida's Attorney General) an annual "Report on Hate Crimes in Florida." Copies of these reports from 2010 to 2017 were supplied to the Committee in response to the Public Questionnaire.

21. Do you agree that credible hate crime reporting by large law enforcement agencies, or significant community prevention initiatives, should be a consideration in determining

which agencies receive Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) funding? If not, why not?

RESPONSE: I have not had occasion to study the issue.

22. So far, the Department of Justice’s United Against Hate initiative (in which the 94 U.S. Attorneys conduct community-based public awareness programs and encouraged police agencies in their jurisdictions to participate in the FBI’s hate crime data collection program) has been successful in educating the public on hate crimes. **If confirmed as Attorney General, will you continue the important leadership role U.S. Attorneys play in preventing and responding to hate violence in their communities? If not, why not?**

RESPONSE: I have not had occasion to study the specific issue you reference, but I agree that U.S. Attorneys can, and will if I am confirmed, play an important role in combating violent crime, including hate crimes.

23. The Native Hawaiian community is disproportionately impacted by sex trafficking. Native Hawaiian women and girls represent 67 percent of sex trafficking victims in Hawaii. **If confirmed as Attorney General, will you increase the number of federal prosecutors focused on this issue for communities that experience high levels of sex trafficking? If not, why not?**

RESPONSE: As I stated in my hearing, and as evidenced by my tenure as Florida’s Attorney General, human trafficking, including sex trafficking is an issue to which I bring considerable experience. If I am confirmed, I can assure you that combatting trafficking in Hawaii and nationwide will be a top priority of the Department of Justice.

24. Native peoples, including Native Hawaiians and Alaska Natives, face disproportionately high rates of violence. **If confirmed as Attorney General, will you do anything to address the ongoing problem of missing and murdered indigenous people and the persistent violence endured by Native American families across the country? If so, what will you do? If not, why not?**

RESPONSE: Prior to my confirmation I met with Senator Lisa Murkowski and discussed this issue in depth. If I am confirmed, I would welcome the opportunity for the same conversation with you. I can further assure you that if I am confirmed, violent crime, including violent crime directed at Native Hawaiians will be a top priority of the Department of Justice.

25. Hawaii is one of only two states without a federal Residential Reentry Center (RRC, a/k/a, a halfway house). I am gravely concerned that the Federal Bureau of Prisons has yet to reopen an RRC in Hawaii since it closed its former facility in 2019. The lack of an RRC means that Hawaii residents who are in custody on the continental United States, and who may qualify for a reentry program, cannot come home and begin the reintegration process. It was encouraging to hear your support for halfway houses during your confirmation hearing.

a. If confirmed as Attorney General, will you do everything in your power to reopen an RRC in Hawaii? If not, why not?

b. If confirmed as Attorney General, what will you do to encourage the Bureau of Prisons to reopen an RRC in Hawaii?

RESPONSE: As you note, I spoke at length in my hearing on the critical need to reexamine and place greater emphasis on reentry programs. If I am confirmed, I would welcome the opportunity to discuss with you reopening a RRC in Hawaii.

26. During the first Trump Administration, then-Attorney General Sessions sought to condition receipt of federal funds under the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Program—which provides hundreds of millions of dollars in vital funding annually to state and local law enforcement agencies—on cooperation with federal immigration enforcement.

As a legal matter, there was a circuit split on the legality of this move pending before the Supreme Court before it was mooted by the Biden Administration’s rescission of the policy. As a policy matter, conflating local law enforcement and federal immigration enforcement makes communities less, not more, safe by damaging community trust and making it less likely for immigrants to report crimes, even when they are here legally.

a. If you are confirmed as Attorney General, will federal grant applicants be required to cooperate with immigration enforcement as a condition of receiving funds under the Byrne JAG program?

RESPONSE: As President Trump has repeatedly stated, immigration is one of the foremost priorities for this administration, because we need to fix our broken border and the problems that communities across the country face because of the recent introduction into the country millions of migrants. When I was Attorney General of the third largest state in the nation, I saw firsthand that a partnership between federal, state, and local law enforcement is important to the enforcement of criminal laws. I believe that Americans expect state and local governments to cooperate with the federal government in seeking to address the problems within their communities, and the Department of Justice will follow the law in administering its grant program for federal funds.

b. If you are confirmed as Attorney General, will federal grant applicants for other grant programs administered by the Department of Justice be required to cooperate with immigration enforcement as a condition of receiving funds under those programs?

RESPONSE: Please see my response to Question 26(a) above.

c. If the answer to part b of this question is anything other than “No,” please list the other programs you plan to condition or are considering conditioning on such cooperation.

RESPONSE: Please see my response to Question 26(a) above.

d. Does any empirical evidence support the notion that requiring local law enforcement to cooperate with federal immigration enforcement as a condition of receiving critical public safety funds will make communities more, not less safe? If so, please provide citations to that evidence.

RESPONSE: It seems self-evident to me that local law enforcement has an important role to play in making their communities safe from crime. As I explained at the hearing, it is imperative to make America safe again. Part of this includes through federal immigration enforcement, so that American communities do not continue to be ravaged by drugs such as fentanyl being trafficked across the border, and not terrorized by cartel and gang members who have walked into our country freely through the open border.

e. If the answer to parts a of this question is yes, please provide your basis for concluding that imposing such conditions on Byrne JAG funds is legal.

RESPONSE: If confirmed as Attorney General, I will review the Department's legal authorities and will follow the law in administering its grant program for federal funds.

f. If the answer to part b of this question is anything other than no, please provide your basis for concluding that imposing such conditions on each of the programs listed in part c of this question is legal.

RESPONSE: Please see my response to Question 26(a) above.

27. During the first Trump Administration, then-Attorney General Sessions launched the China Initiative, which purported to target economic espionage and intellectual property theft but ultimately failed to produce any significant convictions along these lines. Instead, the investigations under the initiative targeted Asian American researchers on the basis of their race and ancestry and accused them of unrelated issues like grant fraud. Ultimately, the China Initiative failed to make any real impact in reducing the very real threat of spying by the Chinese government and instead wasted critical national security resources. The racial profiling of Asian American researchers undermined the Asian American community's trust in the Department of Justice and resulted in a chilling effect on the U.S. scientific community. **If confirmed as Attorney General, will you ensure that the Department of Justice's national security efforts do not result in the biased treatment of individuals based on their race, ethnicity, familial ties, or national origin?**

RESPONSE: I have not had occasion to study the China Initiative. If confirmed, I commit to upholding the law and respecting the rights of all individuals.

28. If confirmed as Attorney General, will you take any steps to support and promote community-oriented policing? If so, what steps will you take? If not, why not?

RESPONSE: If I am confirmed, I look forward to meeting with members of the Office of Community Oriented Policing Services to discuss how they can best serve the priorities of the Department of Justice including supporting local law enforcement.

29. The Department of Justice includes the Office on Violence Against Women (OVW), which administers grants authorized by the Violence Against Women Act (VAWA). VAWA protects and provides services to survivors of dating violence, domestic violence, sexual violence, and stalking—four issues that impact people of all genders and sexual orientations. The law also prohibits discrimination on the “basis of actual or perceived race, color, religion, national origin, sex, gender identity..., sexual orientation, or disability” for “any program or activity” funded under the statute.

a. Do you believe that VAWA’s protections should support LGBTQ survivors of dating, domestic, and sexual violence; and stalking, to the same extent that they support all other survivors? If not, why not?

RESPONSE: It is my understanding that the grant programs administered by the Office on Violence Against Women aim to protect all victims of violence. If confirmed, I look forward to learning more about this issue, the needs of victims, and the work of the Department to faithfully implement these programs.

b. If confirmed as Attorney General, will you ensure that LGBTQ survivors of domestic violence are included and represented in the services of OVW? If so, how? If not, why not?

RESPONSE: If I am confirmed as Attorney General, I will ensure that all programs administered by the Department, including those at OVW, are administered effectively and in accordance with their missions as enacted by Congress.

30. Surveys of law enforcement officials, court officials, legal service providers, and victim advocates have found that fear of immigration enforcement is a significant barrier for immigrant survivors of sexual assault and domestic violence to seek help from law enforcement and the legal system. The immigration provisions of the Violence Against Women Act address how the immigration process can be misused by bad actors to perpetrate abuse and maintain control over their victims. **If confirmed as Attorney General, will you take any steps to support access by non-citizen victims of domestic violence to VAWA’s protections? If so, what steps will you take? If not, why not?**

RESPONSE: As I explained at the hearing, I went to the border in Yuma, Arizona, a few months ago, and visited a rape crisis center. What I saw during my visit was horrible. An open border fuels these situations. If confirmed, I will use my experience as a prosecutor and state Attorney General to fight international cartels and to combat human trafficking.

31. On March 12, 2018, the Trump White House announced that “President Trump supports legislation and reforms to strengthen background checks and law enforcement operations.”

a. If confirmed as Attorney General, will you work to ensure that the records in the FBI’s National Instant Criminal Background Check System (NICS) are as complete, accurate, and up-to-date as possible? If not, why not?

RESPONSE: If I am confirmed, I will consult with appropriate officials within the Department of Justice to discuss how best to utilize NICS and other recordkeeping systems to aid law enforcement operations.

b. If confirmed as Attorney General, will you ensure that the Department of Justice’s budget requests do not seek to reduce the number of FBI NICS Section personnel below current levels? If not, why not?

RESPONSE: If I am confirmed, I will make budgetary decisions and recommendations in consultation with appropriate officials within the Department as well as with other relevant officials, including those in the Office of Management and Budget.

32. What is the purpose of Section 2 of the Voting Rights Act?

RESPONSE: As the Supreme Court recently explained, “Section 2 of the Voting Rights Act provides vital protection against discriminatory voting rules.” *Brnovich v. DNC*, 594 U.S. 647, 678 (2021).

33. If confirmed as Attorney General, will you do anything to ensure that Americans’ voting rights are not denied or abridged on account of race? If so, what? If not, why not?

RESPONSE: If confirmed, I commit to enforcing the Voting Rights Act in a fair and impartial manner in order to protect the voting rights of all Americans.

34. If confirmed as Attorney General, will you investigate, evaluate, and review state laws that tend to hinder voter turnout in order to determine if they are, in fact, discriminatory?

a. If you will conduct such an investigation, evaluation, and review, will you bring Section 2 claims under the Voting Rights Act for any state laws that are determined to have a discriminatory impact or purpose? If not, why not?

RESPONSE: Please see my response to Question 33 above.

b. If you will not conduct such an investigation, evaluation, and review, why not?

RESPONSE: Please see my response to Question 33 above.

35. If confirmed as Attorney General, will you ask the Voting Rights Section of the Civil Rights Division to present to you all instances in which the Department of Justice has been asked to initiate Section 2 claims under the Voting Rights Act? If not, why not?

RESPONSE: Please see my response to Question 33 above.

36. If confirmed as Attorney General, will you work with congress to provide technical assistance on how to re-draft portions of the Voting Rights Act that have been struck down or undermined by the Supreme Court? If not, why not?

37. In *Adams v. Fulton County Board of Registration and Elections*, the America First Policy Institute (AFPI) sued on behalf of a local election official in Georgia to unilaterally delay or deny the certification of federal election results if she determined they contained irregularities.

a. What was your level of involvement in the *Adams* case?

RESPONSE: At the time the lawsuit was filed I served as Chair of the AFPI's Center for Litigation and Co-Chair of Center for Law and Justice. As a consequence, oversight of this litigation, as generally with other cases in which the AFPI was involved, would have fallen under my purview.

b. Why did AFPI, under your direction, bring this case given the clear precedent against it?

RESPONSE: Without accepting your characterization, while I served as Chair of the AFPI's Center for Litigation and Co-Chair of Center for Law and Justice, the AFPI brought lawsuits, including the one you reference for several reasons and only after consultation with our client or clients. Decisions in every case were made after a careful evaluation of the relevant facts and applicable law.

38. In 2010, you contributed \$500 to Bill McCollum's campaign for Florida Governor. As Florida Attorney General, Mr. McCollum defended Florida's ban on adoptions by same-sex couples, stating "I don't believe that the people who do this should be raising our children."

a. Were you aware of Mr. McCollum's views on the morality of same-sex adoption when you donated to his campaign?

RESPONSE: I do not recall.

b. At the time, did you agree with Mr. McCollum's position on the morality of same-sex couples adopting children?

RESPONSE: No.

39. If confirmed as Attorney General, will you do anything to ensure that non-English-speaking individuals appearing in immigration court can fully understand the proceedings in which they are participating? If so, what? If not, why not?

RESPONSE: It is my understanding that the Immigration and Nationality Act and immigration regulations provide respondents in immigration court proceedings appropriate due process protections, and those procedures have been reviewed by the federal courts.

40. If confirmed as Attorney General, will you subject immigration judges to quotas? If so, how will you ensure that these quotas do not prevent these judges from reviewing cases fully and fairly?

RESPONSE: If confirmed as Attorney General, I will review existing procedures, consult with appropriate officials at the Department of Justice, and determine how to make the system fairer and more efficient. Immigration judges should decide particular cases before them on the facts and the law, not based on any other metric.

41. If confirmed as Attorney General, will you, consistent with 5 C.F.R. 2635.502(c), follow the guidance of ethics officials on whether or not you should recuse yourself from matters in which you have an actual or perceived conflict of interest?

RESPONSE: For matters that raise conflict of interest concerns, I will consult with the appropriate officials at the Department of Justice, including career ethics officials, and then make the appropriate decision.

42. In your view, is it appropriate for the Attorney General to intervene in immigration cases in order to set policies that narrow the statutory asylum protections established by Congress?

RESPONSE: Congress has vested in the Attorney General the authority to review the decisions of the Board of Immigration Appeals and to issue regulations implementing the Immigration and Nationality Act. If confirmed as Attorney General, I will ensure that the Department of Justice conducts its immigration responsibilities consistent with the laws established by Congress.

43. If confirmed as Attorney General, if President Trump declares a national emergency based on a “crisis” at the southern border:

- a. Will you defend such a declaration?**
- b. What would be the legal implications of such a declaration?**
- c. What would be the practical implications of such a declaration?**

RESPONSE: I think that we can all agree that there is a crisis at the southern border. During his first term, President Trump declared a national emergency that allowed his Administration to mobilize additional resources to building a wall at the southern border and directing additional resources and personnel. If I am confirmed as Attorney General, and the President seeks my opinion on whether to renew the national declaration of emergency, I would examine the law and the facts, consult with the appropriate Department of Justice officials, and advise the President of my recommendation.

44. Section 702 of the Foreign Intelligence Surveillance Act (FISA) authorizes broad surveillance of foreigners outside the United States. Because Americans communicate with foreigners, this surveillance inevitably sweeps in large amounts of Americans' communications. To prevent Section 702 from being used as an end-run around the Fourth Amendment, congress required the government to minimize the retention and use of these "incidentally" collected communications and to certify annually that it is not using Section 702 to spy on Americans. Despite these mandates, the FBI routinely searches through the communications acquired under Section 702 for the express purpose of finding and accessing Americans' phone calls, text messages, and emails. It conducts tens of thousands of these "backdoor searches" each year.

a. What is your understanding of the Fourth Amendment's application to these "incidentally" collected communications?

b. Regardless of whether the Fourth Amendment applies, do you agree that a statutory or administrative probable cause requirement could be placed on these "backdoor searches?"

c. If confirmed as Attorney General, would you support reforming Section 702 to require some sort of probable cause finding in order to review Americans' communications?

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider those issues. As I stated in my hearing, if confirmed, I will review these procedures, consult with appropriate officials at the Department, and formulate my views with respect to these issues.

45. If confirmed as Attorney General and facing a conflict between your duties to the Constitution and a request from the President, how will you resolve that conflict?

**Questions for the Record from Senator Alex Padilla
Senate Judiciary Committee
“Nomination of the Honorable Pamela Jo Bondi to be Attorney General of the United
States”**

January 15, 2025

Questions for Ms. Pamela Bondi:

1. On January 13, you sent a letter to this Committee amending the information that you submitted in your Senate Judiciary Questionnaire (“SJQ”). Specifically, you noted that you had previously relied on information that your former lobbying firm, Ballard Partners, provided regarding your prior LDA and FARA registered work. Your letter noted that you did not, in fact, act as a foreign agent on behalf of the Foreign Minister of Zimbabwe or the Republic of Kosovo as you had previously reported.

a. Did you take steps to verify the information that you submitted to this Committee in your SJQ, and, if the answer is yes, what steps did you take?

RESPONSE: Yes. My SJQ was more than 200 pages long and included more than 3,000 attachments totaling more than 14,000 pages, and links to several hundred hours of video and audio recordings. I, and others acting on my behalf, reviewed my personal records, the records of others including former employers, commercially available electronic databases, and the Internet to provide this Committee with as comprehensive as possible as record of my career since graduating from college.

b. In reviewing your SJQ in the days leading up to your confirmation hearing, did you discover any other inaccuracies? If so, what are they?

RESPONSE: I placed great emphasis on making sure the answers to my SJQ were accurate and comprehensive and provided this Committee with the necessary information to carry out its responsibilities. I made corrections or added additional information as I became aware that such corrections or additional information were necessary. My understanding is that it is not uncommon for nominees, including nominees from the present Administration, to supplement or amend their SJQ. At every step of this process, I have been diligent in addressing questions regarding the SJQ raised by committee staff representing the Chairman and the Ranking Member.

c. Can you now verify that the information that you have provided to this Committee in your SJQ is accurate and comprehensive?

RESPONSE: I believe that the SJQ is accurate and comprehensive. I am confident that my SJQ provides this Committee with the necessary information to carry out its responsibilities with respect to my nomination.

d. Did you complete your SJQ by yourself? If not, who assisted you and in what manner did they assist you?

RESPONSE: At every step in this process, including the preparation of the SJQ, I have received invaluable assistance of individuals acting on my behalf who reviewed my personal records, the records of others including former employers, commercially available electronic databases, and the Internet, and also provided assistance with technical editing and other responsibilities.

2. As recently as October 2024, you were a registered lobbyist with Ballard Partners. You have also previously registered as a foreign agent while at Ballard Partners. In the course of this work, you have been paid hundreds of thousands of dollars to represent the interests of corporations, associations, and foreign entities to influence United States policy and the United States public. As Attorney General, you would serve a key role in setting this policy that you were once paid to influence.

a. Will you commit to recusing yourself from all matters related to your lobbying work on behalf of the Florida Sheriffs Association and the Florida Sheriffs Risk Management Fund, including issues related to juvenile justice and officer wellness, as required by federal law?

RESPONSE: In the event of a potential conflict of interest, including with respect to former clients, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

b. In matters where you are required to recuse yourself, who will take on your role with respect to crafting Department of Justice policy and overseeing Department of Justice staff?

RESPONSE: Generally speaking, the Deputy Attorney General is responsible in matters in which the Attorney General recuses herself.

c. You reported that the State of Qatar paid you \$115,000 a month to work on issues related to human trafficking. What work did you do?

RESPONSE: This statement is inaccurate. As I explained at my hearing, media reporting on my compensation suggested I received \$115,000 per month. To the extent that figure is accurate at all, it refers to compensation received by Ballard Partners and not by individuals within the firm. I was only one of several individuals within Ballard that represented the Government of Qatar.

i. Which government actors, if any, did you meet with on behalf of the Qatari government?

RESPONSE: I met with the Ambassador of Qatar to the United States. Beyond that, I have not retained personal records that would permit me to answer this question

ii. What materials did you prepare and to whom did you disseminate them?

RESPONSE: Please see my response to Question 2(c)(i) above.

3. As a former lobbyist, it will be incumbent upon you, working alongside the Department and the Office of Government Ethics, to ensure that you function free from any conflict of interest.

a. Will you commit to recuse yourself from particular matters related to your former clients?

RESPONSE: In the event of a potential conflict of interest, including with respect to former clients, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

b. If yes, who will take your position with respect to matters from which you are recused?

RESPONSE: As explained above with respect to Question 2(b), generally speaking, the Deputy Attorney General is responsible in matters in which the Attorney General recuses herself.

c. If no, what steps will you take to ensure your impartiality on these matters, including ethical standards by which you will abide, protocols you will follow, and outside advice and guidance you will seek?

RESPONSE: Please see my response to Question 3(a) above.

4. The Department of Justice Civil Rights Division is responsible for enforcing federal voting and election administration legislation, including the Voting Rights Act and the National Voter Registration Act.

a. Will you commit to not disturbing the organizational structure of the Civil Rights Division and Voting Rights Section as they currently stand?

RESPONSE: If confirmed I will work to ensure that the Civil Rights Division continues its mission to fully and fairly enforce antidiscrimination and civil rights laws.

5. In 2021, the Department of Justice formed the Election Threats Task Force to “promptly and vigorously” prosecute offenders who threaten election workers. The Task Force opened over 100 investigations, charged 20 people, and secured 15 convictions.

a. Will you commit to maintaining, and continuing the work of, the Election Threats Task Force?

b. What steps will you take to facilitate the Task Force’s work with state and county election officials?

RESPONSE: I have not had occasion to study the Task Force’s work. If I am confirmed, I would welcome the opportunity to meet with appropriate interagency officials to discuss how best to ensure election integrity.

6. The Cybersecurity and Infrastructure Security Agency (“CISA”) provides crucial support to election offices across the country as they work to combat foreign threats to our election system. Election officials across my home state of California have had CISA conduct security reviews to boost their technical and physical security, particularly given the increase in threats against election offices that followed the 2020 election.

a. Will you commit to continuing to work with CISA to protect and defend our elections, election systems, and election workers from foreign and domestic threats?

RESPONSE: As I indicated at the hearing, I view foreign attacks on American institutions as an existential threat. If confirmed I would welcome the opportunity to discuss the matter further with Members of Congress and appropriate officials within the Department of Justice so that we can fully address this danger.

7. It’s important to support the DOJ’s Environmental and Natural Resources Division’s work advancing public health and reducing environmental harms in overburdened and underserved communities. Too often, polluters have escaped accountability and left communities alone to bear the brunt of clean-up efforts and remedying health problems. In May 2022, the Department of Justice created the Office of Environmental Justice to serve as a central hub at the DOJ to coordinate and implement the department’s work in the pursuit of environmental justice.

a. Will you commit to maintaining, and continuing the work of, DOJ’s Environmental and Natural Resource Division?

RESPONSE: I will fully and faithfully enforce the Nation’s laws protecting and preserving the environment and I look forward to meeting and working with officials within ENRD.

8. Most federal actions brought against businesses who commit environmental crimes end up resolved through settlement agreements, which can sometimes include something called Supplemental Environmental Projects, or SEPs. These SEPS are community projects that the violating company or individual would directly support the communities who were affected by their crimes. Examples of successful SEPs include things like new health clinics or expanding community air monitoring or school air filters.

a. Will you commit to protecting the use of SEPs in settlement agreements?

RESPONSE: I will fully and faithfully enforce the Nation’s laws protecting and preserving the environment including, as necessary and appropriate, through various compliance and remedial mechanisms.

9. President Trump frequently sought to influence DOJ operations during his first term, including by urging the prosecution of his political opponents.

a. How will you safeguard the Department from undue political influence to ensure public trust in its fairness?

RESPONSE: If confirmed, I will expect all employees to carry out their assigned responsibilities and report to appropriate ethics officials any interference with their responsibilities.

b. What specific mechanisms would you implement to protect prosecutorial independence?

RESPONSE: Please see my response to Question 9(a) above.

c. Can you describe instances in your career where you resisted political pressure?

RESPONSE: Throughout my tenure as Florida Attorney General, I based my decisions on the law and not whether the decision would advantage or disadvantage me. I have spoken at length on my decision to defend Florida's 2008 marriage referendum, despite political pressure to the contrary, because it was a law enacted by more than 60% of Florida's voters and those voters deserved to have their vote respected.

d. What would you do if asked to undertake illegal or unconstitutional actions?

RESPONSE: As I stated repeatedly during my hearing, I would not have accepted the nomination to serve as Attorney General if I believed President Trump would ask me to do this.

e. Will you commit to ensuring the DOJ does not engage in politically motivated investigations or prosecutions?

RESPONSE: As I stated repeatedly at my hearing, if I am confirmed, there will be one tier of justice for all Americans. No one will be prosecuted on the basis of their political ideology.

f. What criteria will guide your evaluation of DOJ employees, and under what circumstances would you consider terminations?

RESPONSE: If I am confirmed, Department of Justice employees will be evaluated according to their commitment to carry out the responsibilities of their office, their professionalism, integrity, and their willingness to enforce the law without fear or favor. I would also expect employees to conduct themselves according to all relevant workplace laws, rules, regulations, and policies. Employees can expect to be terminated, for among other reasons, if they abuse or misuse their office, commit malfeasance, or engage in criminal activities.

g. Given your prior representation of President Trump and campaign contributions from entities he controlled, will you recuse yourself from matters involving him in a personal capacity?

RESPONSE: In the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

10. The Department of Justice has long placed restrictions on the circumstances under which it can compel journalists engaged in newsgathering to disclose information about their activities. In 2022, the DOJ revised its policy memo to provide stronger protections for journalists. This policy aims to safeguard the press from law enforcement actions—whether criminal or civil—that could unduly hinder newsgathering. The DOJ recognizes “the important national interest in protecting journalists from compelled disclosure of information revealing their sources”—sources essential for informing the public about government operations.

a. Will you commit to upholding this policy and ensuring it is not weakened?

b. If amendments to the policy are proposed, what principles would guide your decision-making?

c. How do you plan to balance national security concerns with protecting press freedoms?

RESPONSE: I understand that there is an important balance to be struck between the freedom of the press and the government’s interests in protecting our national security, including state secrets. I do not have experience with the Department’s implementation of the policies in this area, but if I am confirmed as Attorney General, I will familiarize myself with the Department’s policies, consult with the appropriate officials on their experience, and come to a conclusion on the best way to balance these vitally important interests.

11. You previously worked as a lobbyist for Ballard Partners, representing a variety of domestic and foreign clients, including foreign governments such as Qatar and the Dominican Republic.

a. How will you manage conflicts of interest arising from your past lobbying work, particularly when recusal may be necessary?

RESPONSE: As an initial matter, I did not represent the Dominican Republic or any other foreign government other than the Government of Qatar. I provided to the Committee a letter from Ballard Partners explaining the inaccurate information provided to the Committee and I filed a corrected SJQ that addressed that issue. As the Government of Qatar or any other client, in the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

b. Can you outline any interactions you had with U.S. government officials on behalf of foreign clients?

RESPONSE: I, alongside others, provided limited advocacy of the Government of Qatar with respect to anti-human trafficking steps being taken by Qatar in advance of the Soccer World Cup that was held in that country in 2022.

c. What steps will you take to ensure transparency and avoid perceptions of bias in DOJ decision-making?

RESPONSE: In the event of a potential conflict of interest, including with respect to former clients, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

12. As Florida Attorney General, you took a strong stance against pill mills and synthetic drug use, but critics argued that your policies prioritized punitive measures over addressing the root causes of addiction.

a. How will you balance enforcement with expanding access to evidence-based treatment and rehabilitation programs?

b. What specific policies would you pursue to reduce overcriminalization in drug-related offenses?

c. How would you promote diversion programs as alternatives to incarceration?

RESPONSE: If I am confirmed, I will work with law enforcement partners to enforce the law, reduce the availability of illicit drugs that cause addiction, and support treatment and recovery efforts to help addicted individuals overcome their addiction. I strongly believe we must break the cycle of recidivism. Diversion programs, such as drug courts, have proven to be effective solutions for some offenders. Drug programs in prisons and halfway houses programs are also essential tools. I have been a strong supporter of these measures, and I look forward to continuing to study these issues and press for reforms.

13. The January 6 attack on the U.S. Capitol was a grave assault on democracy. Supporters of President Trump stormed the Capitol to disrupt the certification of the 2020 election results, resulting in deaths, injuries, and significant damage.

a. Do you unequivocally condemn the violence at the Capitol on January 6, 2021?

RESPONSE: I unequivocally condemn all violence.

b. How would you ensure impartiality in prosecuting those involved in the attack?

RESPONSE: In all cases brought by the Department of Justices, attorneys and others involved in criminal prosecutions will be expected to recuse themselves where a conflict of interest exists.

c. What measures would you implement to restore public trust in the DOJ's handling of politically sensitive cases?

RESPONSE: As I stated in my hearing, restoring public trust begins with a single tier of justice for all Americans and an end to the weaponization of the Department of Justice.

14. Gun violence remains a critical issue in the United States, with the DOJ playing a key role in enforcing federal gun laws and reducing firearm-related violence.

a. What specific actions would you take as Attorney General to address the epidemic of gun violence in the United States, including illegal gun trafficking?

RESPONSE: If confirmed, I am committed to enforcing federal gun laws as appropriate and in accordance with the relevant facts and law. As I stated at my hearing, if confirmed as the next Attorney General of the United States, my overriding objective will be to return the Department of Justice to its core mission of keeping Americans safe and vigorously prosecuting criminals.

b. In the wake of the Parkland shooting, you expressed support for certain gun control measures in Florida, including raising the minimum age for firearm purchases and implementing red flag laws. Do you still support these measures, and do you support similar federal initiatives?

RESPONSE: I believe it would be inappropriate to commit at this time to a position with respect to proposed federal legislation. If I am confirmed and called upon to provide my position, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

c. Do you support implementing universal background checks for all gun purchases?

RESPONSE: Please see my response to Question 14(b) above.

d. What actions will you take to close loopholes in federal gun laws and enforce universal background checks?

RESPONSE: I am committed to enforcing existing federal gun laws as appropriate and in accordance with the relevant facts and law. I believe it would be inappropriate to commit at this time to a position with respect to any proposed federal legislation. If I am confirmed and called upon to provide my position on proposed legislation, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

e. The ATF's Demand 2 Program has been instrumental in identifying gun dealers whose sales practices may contribute to the diversion of firearms into criminal activities. Do you commit to continuing this program, and if so, how will you ensure its effectiveness?

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider this ATF program. If I am confirmed, I will consult with appropriate officials within the Department regarding ATF's Demand 2 Program.

f. Do you support federal funding for community-based violence intervention programs, and how would you measure their effectiveness?

RESPONSE: I have not previously considered this question. If I am confirmed, I will consult with appropriate officials within the Department regarding federal funding for community-based violence intervention programs.

g. In light of recent Supreme Court rulings expanding Second Amendment protections, how would you balance constitutional rights with public safety concerns?

RESPONSE: It is the sworn duty of the Attorney General to support and defend the Constitution. I am committed to doing so and to enforcing existing federal gun laws in accordance with the relevant facts and law.

15. Organized retail crime threatens the safety of workers and consumers by funding other illicit activities. States like California have established task forces to address this issue.

a. How will you enhance collaboration and information sharing between the DOJ and state and local law enforcement investigating organized retail crime rings?

RESPONSE: It has been my long-held belief that collaboration between the Department of Justice and state and local law enforcement is absolutely essential to combatting crime, including organized retail crime rings. If I am confirmed, I look forward to discussing with appropriate officials within the Department of Justice how best to strengthen that collaboration and I welcome your input as well.

16. Congress requires accurate and up-to-date information before considering legislative action to schedule fentanyl-related substances or xylazine under the Controlled Substances Act.

a. Do you commit to releasing the number and names of fentanyl-related substances the Drug Enforcement Administration (DEA) has recognized as new analogues are identified?

b. Will you provide Congress with timely updates on the DEA's review and consideration of recommendations from the Department of Health and Human Services regarding the scheduling of xylazine?

c. What steps will you take to ensure a science-based approach to the scheduling of controlled substances, particularly with respect to emerging synthetic drugs like fentanyl analogues?

RESPONSE: As I said during my hearing, the fentanyl crisis has devastated families and communities all across our country. I strongly support tackling this issue, and I look forward to working with Congress on this critically important task.

17. Naloxone is a critical tool for reversing opioid overdoses. The Comprehensive Opioid, Stimulant, and Substance Abuse Program funds naloxone distribution and education initiatives.

a. Will you commit to supporting this program during your tenure as Attorney General?

b. What efforts will you undertake to distribute opioid antagonists like Naloxone to at-risk populations, including individuals recently released from incarceration?

c. How will you prioritize reducing overdose deaths in the United States?

RESPONSE: As I discussed during my hearing, I take the problem of opioid and fentanyl overdoses extremely seriously. I understand that these overdoses are now the leading cause of death for Americans between the age of 18 and 45. The Department must have a comprehensive approach to combatting this epidemic. If confirmed, I will explore opportunities to support drug users looking to turn their lives around, as well as first responders assisting in saving lives destroyed by addiction.

18. Private prisons have been criticized for prioritizing profit over justice, raising concerns about potential conflicts of interest given your past lobbying for private prison companies.

a. How will you ensure DOJ policies prioritize justice and public interest over private prison profitability?

b. Will you commit to recusing yourself from matters involving private prisons you previously represented?

c. How will you ensure transparency in DOJ contracts with private prison companies?

RESPONSE: If confirmed, I will consult as appropriate with Department officials to study the use and efficacy of private prisons in the federal system. Additionally, if a matter comes before me where I believe recusal might be warranted, I will review the facts, consult with career ethics officials at the Department, and will recuse myself whenever appropriate.

19. DOJ oversight mechanisms have faced scrutiny for failing to address abuses effectively. For example, the PREA audit at FCI Dublin failed to detect widespread sexual abuse.

a. How will you strengthen oversight agreements to ensure meaningful and sustained reforms?

b. What changes would you make to improve the DOJ's monitoring protocols and prevent abuse in facilities under its oversight?

c. How will you hold auditors accountable for failing to identify abuses?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of staffing and supervision at the Bureau of Prisons, including FCI Dublin. If confirmed, I consult with Bureau officials regarding any needed reforms.

20. The DOJ has a critical role in protecting civil rights and ensuring fair elections.

a. What steps will you take to combat voter suppression and ensure that all eligible citizens can vote securely?

RESPONSE: If confirmed, I will fully and fairly enforce federal laws prohibiting voter fraud and suppression.

b. How will you prioritize resources for the Voting Rights Section and the Election Threats Task Force?

RESPONSE: I have not had occasion to study this issue. If I am confirmed, I would welcome the opportunity to meet with appropriate Voting Rights Section and Task Force members and employees to discuss proper resource allocation.

21. The Cybersecurity and Infrastructure Security Agency (CISA) provides crucial support to election offices nationwide to protect against foreign and domestic threats. However, Project 2025 proposes significant cuts to CISA's role.

a. Will you commit to working with CISA to protect and defend elections, election systems, and election workers from cyber threats?

RESPONSE: If I am confirmed as Attorney General, I commit to working with all appropriate federal partners to ensure our Nation's election integrity.

b. How would you strengthen DOJ collaboration with CISA and other agencies to ensure election security?

RESPONSE: I have not had occasion to study this issue. If confirmed, I would welcome the opportunity to meet with appropriate interagency officials to discuss the Department of Justice's role in a whole-of-government approach to election integrity.

c. What steps would you take to address cyber threats targeting voter databases and other election infrastructure?

RESPONSE: Please see my response to Question 21(b) above.

22. As Florida Attorney General, you defended restrictive abortion laws, including mandatory waiting periods and parental consent requirements. You also supported stricter regulations on abortion clinics.

a. If confirmed, would you advocate for similar restrictions at the federal level?

RESPONSE: As Florida's Attorney General, I had a constitutional duty to defend the laws enacted by the representatives of the people of the State of Florida. If confirmed, I will enforce and defend the Constitution and laws of the United States.

b. How will you ensure your personal views do not affect DOJ decisions on reproductive rights?

RESPONSE: As I stated at my hearing, my personal beliefs will not influence my decisions if confirmed as Attorney General.

c. Will you uphold the DOJ memorandum interpreting the Comstock Act to allow mailing of abortion medication?

RESPONSE: I have not had the occasion to review any opinion on this subject. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

23. Digital surveillance has raised significant privacy concerns, especially in the context of individuals seeking reproductive health care.

a. What actions will you take to address digital surveillance issues impacting individuals accessing reproductive health services?

RESPONSE: I have not had occasion to study these issues, but if confirmed, I will work to understand the Department of Justice's role in combatting surveillance abuses and follow the laws of the United States.

b. How will you handle cases where state laws criminalizing reproductive health choices conflict with federal rights or protections?

RESPONSE: If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

c. What measures will you implement to safeguard healthcare providers and patients from legal and physical threats related to reproductive services?

RESPONSE: See my responses to Questions 23(a)-(c).

24. The Attorney General plays a central role in enforcing civil rights laws, including protections for same-sex marriage, non-discrimination statutes, and hate crime enforcement.

a. You once described overturning Florida’s same-sex marriage ban as a “public harm.” Do you still hold this view?

RESPONSE: As Florida’s Attorney General, I had a constitutional duty to defend the laws passed by the representatives of the people of the State of Florida. If confirmed, I pledge to uphold the Constitution and laws of the United States.

b. How will you reconcile your previous opposition to same-sex marriage with your obligation to uphold *Obergefell v. Hodges* as binding precedent?

RESPONSE: *Obergefell v. Hodges* is binding precedent of the Supreme Court entitled to respect as such.

c. Will you commit to not pursuing or supporting litigation aimed at undermining the *Obergefell* decision?

RESPONSE: See my answer to Question 24(b).

d. How would you approach conflicts between federal non-discrimination laws and state religious freedom statutes?

RESPONSE: If confirmed, I will faithfully apply and uphold the laws of the United States, including those that prohibit discrimination.

e. Do you support extending federal non-discrimination protections to include sexual orientation and gender identity?

RESPONSE: Congress sets the scope of federal laws, including the various protections provided by federal civil rights laws. If confirmed, I will faithfully enforce the laws as Congress has enacted them.

f. What measures would you take to ensure comprehensive enforcement of hate crime statutes and to address their underreporting?

RESPONSE: As a former prosecutor and as Florida’s Attorney General I am well aware of the needs of accurate crime reporting data for law enforcement. If confirmed, I will work with the relevant offices of the Department of Justice to assess and support their ongoing efforts in this area.

g. How will you balance respect for state sovereignty with the federal government’s responsibility to protect civil rights

RESPONSE: As a former state attorney general, I have the utmost respect for state sovereignty within its sphere. If confirmed as Attorney General, I will enforce and defend the laws of the United States.

25. Affirmative action has been a key tool in addressing racial disparities in education and employment, but recent Supreme Court decisions have curtailed its use.

a. How would you promote racial equity in education and employment without affirmative action?

RESPONSE: If confirmed, I will fully and fairly enforce the law, including antidiscrimination and civil rights laws in the areas of education and enforcement.

b. What specific programs or initiatives would you advocate to address systemic disparities?

RESPONSE: Please see my response to Question 25(a) above.

c. How will you measure the success of DOJ initiatives aimed at reducing discrimination?

RESPONSE: Please see my response to Question 25(a) above.

26. Former President Trump’s infamous “Zero Tolerance” family separation policy was implemented in part by then-Attorney General Jeff Sessions. He issued a memo in 2017 directing U.S. Attorneys’ Offices along the Southwest border to prioritize the criminal prosecutions of migrant parents, knowing that this Department of Justice (DOJ) directive would lead to the separation of children from their families. The American Academy of Pediatrics considers the harms caused by family separation to be “consistent with torture.” And Zero Tolerance family separation led to the separation of thousands of children, including infants – many of whom remain separated from their families to this day.

a. Do you agree that the Zero Tolerance family separation policy was cruel and harmful to children?

b. Will you commit to not reinstating any type of similar DOJ policy that would lead to the separation of families?

RESPONSE: I do not have personal familiarity with the impact of the “Zero Tolerance” policy, which President Trump ended by executive order during his first Term. Of course, we should not have policies that encourage human traffickers to use and exploit children as a means of facilitating unlawful entry. To evaluate and render judgment on any policy, I would need to review the relevant information, including the policy, studies, data, information about its implementation, and any applicable law.

27. Following litigation by the ACLU, in which a judge enjoined the previous Trump Administration's Zero Tolerance Policy and ordered families to be reunited, the Biden Administration entered into a settlement agreement with a class of separated families. The settlement prohibits certain future separations and provides support for separated families.

a. If confirmed as Attorney General, will you commit to honoring the terms of this settlement agreement?

b. If confirmed as Attorney General, will you pledge to continue to support the reunification efforts for families that remain separated?

RESPONSE: I am not familiar with this particular case. If a federal court has imposed a consent decree upon the Department of Justice, then the Department will be obliged to comply with that injunction, subject to its right to seek modification, if circumstances require.

28. As part of his mass deportation policies, President-elect Trump reportedly plans to rescind the current policy in which ICE does not generally conduct immigration enforcement in sensitive locations like churches, schools, or hospitals. But as you may know, churches and other religious places of worship have had a rich history in this country of providing sanctuary to anyone who needed it. Churches and other religious dwellings have practiced the principle of providing shelter and safety to those persecuted for thousands of years. And we've always viewed this practice as a cornerstone of religion.

a. Will the Department of Justice pursue prosecutions of church members, or members of other religious dwelling, if they permit a noncitizen to seek sanctuary within their religious dwelling?

RESPONSE: ICE falls within the Department of Homeland Security, and I am not familiar with the ICE policy you describe. It is important to our country that we enforce our immigration laws and that we have one tier of justice. To the extent Department of Justice equities are involved, I will review the applicable laws and facts and consult as appropriate with officials within the Department.

b. If confirmed as Attorney General, would you take steps to ensure that federal funding for jurisdictions is not withheld for states which seek to limit their cooperation in matters of immigration enforcement?

RESPONSE: I know firsthand from my experience as Attorney General of the third largest state in the nation that it is important to have a partnership between the federal government and the states. I believe that Americans expect state and local governments to cooperate with the federal government in seeking to address the problems within their communities, and the Department of Justice will follow the law in administering its grant program for federal funds.

29. As we discussed during your Confirmation hearing, former President Trump has pledged to eliminate birthright citizenship by executive order upon taking office.

a. What was the holding of the Supreme Court in *United States v. Wong Ark*?

RESPONSE: The Supreme Court held that Wong Kim Ark was a United States citizen under the Fourteenth Amendment.

b. Has that case been overturned?

RESPONSE: No.

c. What is the text of Citizenship Clause of the 14th Amendment to the Constitution?

RESPONSE: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”

d. Other than the children of diplomats, are there any children born in the United States that would not be citizens based on the Supreme Court’s interpretation of the Citizenship Clause?

RESPONSE: Yes. The Supreme Court identified other such categories in *Won Ark*.

30. In 1919 and 1920, the DOJ and FBI undertook an effort to deport and denaturalize suspected radicals and communists, which we now refer to as the “Palmer Raids.” During these raids, led in part by J. Edgar Hoover, the DOJ and FBI deported and denaturalized American citizens from the United States.

a. Do you believe that the Palmer Raid’s efforts to deport American citizens was an example of unlawful government overreach?

RESPONSE: I am not familiar with the litigation arising out of the Palmer Raids, but I believe that subsequent Supreme Court precedents also address the circumstances under which denaturalization is appropriate.

b. If ordered to engage in such efforts, how would you respond as the nation’s top law enforcement officer?

RESPONSE: As I stated during the hearing, if confirmed as Attorney General, I would ensure that the Department complies with the law, and I would not implement any policy that I believe to be unlawful.

31. **Do you believe that immigration courts are most efficient when judges are able to manage their own dockets and prioritize cases that should be continued or heard more expeditiously?**

RESPONSE: To evaluate and render judgment on efficiency, I would need to review the relevant information, such as the current operations and policies, studies, data, and any applicable law.

32. Representation rates in immigration court have been low for years. According to EOIR data, just 44% of the 5.6 million people who appeared in immigration court between 2002-2022 had an attorney. And currently, out of more than two million immigrants with cases pending before the immigration courts, fewer than half have representation. These rates are even lower for immigrants in detention. However, attorneys have a significant impact in every stage of removal proceedings, such that – represented individuals are more likely to show up for their court cases and are significantly more likely to be successful in obtaining relief in immigration court. In fact, since 2001, EOIR data shows that only 6% of immigrants who were unrepresented were successful in winning their cases. And having an attorney makes detained individuals more than 10 times more likely to prevail.

a. As a former prosecutor, can you please explain why it is important for individuals to have competent legal representation when appearing in court?

RESPONSE: In criminal prosecutions, defendants have the right to competent legal counsel to safeguard their liberty and ensure due process.

b. Do you believe that legal representation and orientation can help improve immigration court efficiency?

RESPONSE: Under federal law, 8 U.S.C. § 1362, all respondents in removal proceedings have the right to counsel at no expense to the government.

c. If confirmed as Attorney General, will you commit to maintaining the Legal Orientation and Immigration Court Help Desk Programs?

RESPONSE: If this question arises before me for consideration, I will review the relevant information and consult as appropriate with officials within the Department of Justice.

33. **If confirmed, will you commit to uphold the United States’ obligations under international and domestic law that prohibit the United States from returning refugees or asylum seekers to countries where they are substantially likely to suffer persecution and/or torture?**

RESPONSE: The Department of Justice will follow all applicable laws.

34. If confirmed as Attorney General, you will oversee the administration of the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the disbursement of the Youth Mentoring Grant.

- a. **Ms. Bondi, do you support the continued funding of the Youth Mentoring Grant at its current funding level?**
- b. **If confirmed, will you commit to preserving and supporting funding for the National Mentoring Programs?**
- c. **If confirmed, will you commit to preserving and supporting funding for the Multistate Mentoring Program Initiative?**
- d. **If confirmed, will you commit to preserving and supporting funding for the Mentoring for Youth Affected by Opioid and Other Substance Misuse Program?**
- e. **If confirmed, will you commit to preserving and supporting funding for the National Mentoring Resource Center Continuation Program?**
- f. **If confirmed, will you commit to preserving and supporting funding for the Mentoring for Children of Incarcerated Parents Program?**

RESPONSE: If I am confirmed, I will make budgetary decisions and recommendations in consultation with appropriate officials within the Department as well as with other relevant officials including those in the Office of Management and Budget.

35. In 2021, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) launched a comprehensive national initiative to prevent youth hate crimes and identity-based bullying. The initiative is a multipronged approach that seeks to increase awareness of youth hate crimes and bias-based bullying by looking into ways to identify best practices and evidence-based strategies to build protective factors in youth and help youth resist and disengage from extremist hate groups.

- a. **If confirmed, will you commit to preserving the Preventing Youth Hate Crimes & Bullying Initiative?**

RESPONSE: If I am confirmed, I look forward to learning more about OJJDP and that initiative and how OJJDP can best serve the Department of Justice’s priorities.

36. As head of the Department of Justice, you will oversee federal programs related to student civil rights, school safety, and funding for school police. Following the Parkland shooting in 2018, the Trump Administration’s Federal Commission on School Safety recommended rescinding the 2014 school discipline guidance designed to address disparities in how students of color are disciplined compared to their white peers. The commission claimed the guidance “endangers student safety,” despite a lack of evidence linking civil rights protections to school shootings.

- a. **Do you believe schools should continue to fulfill their legal obligation to administer discipline in a nondiscriminatory manner?**

RESPONSE: Yes.

b. How will you ensure that schools develop and implement effective alternatives to exclusionary discipline practices?

RESPONSE: I look forward to discussing federal programs related to student civil rights, school safety, and funding for school police with appropriate officials within the Department of Justice, and I would welcome the opportunity to discuss these vital issues with you as well.

37. Top intelligence experts identify domestic extremism, particularly attacks driven by racial or ethnic hatred, as one of the most pressing threats to the homeland. This includes the mass shootings in El Paso, Pittsburgh, and Buffalo, which were motivated by white nationalist and racially motivated ideologies.

a. How will you address the growing threat of domestic extremism, including attacks by white nationalists and other racially or ethnically motivated extremists, to protect the American people?

RESPONSE: Racist ideologies are abhorrent, and acts of racially or ethnically motivated violence should be appropriately investigated and prosecuted.

Nomination of Pamela Jo Bondi to be Attorney General of the United States
Questions for the Record
Submitted January 16, 2025

QUESTIONS FROM SENATOR CORY A. BOOKER

1. During the hearing on your nomination, I asked you about the following Department of Justice policies on prosecutorial and law enforcement practices, and you testified that you would read the policies and provide answers. Please read and review each of the memoranda and policies listed below and provide answers.

a. In May 2022, the Department issued a use of force policy¹ for its federal law enforcement components that was drafted in consultation with and approved by the heads of the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), and US Marshals Service (USMS). The policy was based on the 2020 *National Consensus Policy on Use of Force*, drafted by a coalition of eleven major law enforcement groups, including the Fraternal Order of Police (FOP) and the National Association of Police Organizations (NAPO). This policy is considered the best practice in law enforcement that protects law enforcement officers and citizens from dangerous interactions.

If you are confirmed as Attorney General, will you commit to continuing this Department policy to keep law enforcement officers and civilians safe?

RESPONSE: I believe it would be inappropriate for me to make any commitments with respect to this policy until I have had an opportunity, if I am confirmed, to discuss the policy with appropriate officials within the Department of Justice.

b. In September 2021, the Department issued a policy² to its law enforcement components that limited the use of chokeholds and carotid restraints to incidents when deadly force is authorized. At least 21 states, including Florida, and hundreds of law enforcement agencies have a similar policy. The Department policy also changed the standard for the use of no-knock entries during warrant executions to situations where there is an imminent threat of physical violence against an agent or another person, in large part because this practice is among the most dangerous for law enforcement officers. Many law enforcement agencies have adopted such a policy; Florida outlawed the use of non-knock entries in 1994.

If you are confirmed as Attorney General, will you commit to continuing this Department policy to keep law enforcement officers and civilians safe?

¹ *Memorandum: Department's Updated Use-of-Force Policy*, Off. of the Att'y Gen., U.S. Dep't of Justice (May 20, 2022), available at https://www.justice.gov/d9/pages/attachments/2022/05/23/departments_updated_use-of-force_policy.pdf.

² *Memorandum: Chokeholds & Carotid Restraints; Knock & Announce Requirement*, Off. of the Deputy Att'y Gen., U.S. Dep't of Justice (Sept. 13, 2021), available at https://www.justice.gov/d9/pages/attachments/2021/09/14/2021.09.13_chokehold_carotid_restraint_knock_and_announce_policy_final_0.pdf.

RESPONSE: I believe it would be inappropriate for me to make any commitments with respect to this policy until I have had an opportunity, if I am confirmed, to discuss the policy with appropriate officials within the Department of Justice.

2. The ATF, among other responsibilities, protects the public from crimes involving firearms. ATF is made up of more than 5,000 dedicated agents, inspectors, and other personnel, and has 25 field divisions across the United States. In recent years, there has been an increase in demand for ATF's expertise and resources, including support to ATF's state and local law enforcement partners. During the hearing on your nomination, you testified that you "will do everything in my power to prevent illegal gunrunners in our country."

a. If you are confirmed as Attorney General, how will you ensure that ATF has the funding, resources, and personnel needed to carry out its responsibilities and protect the public from "illegal gunrunning" and crimes involving firearms?

RESPONSE: As I stated at my hearing, if confirmed as the next Attorney General of the United States, my overriding objective will be to return the Department of Justice to its core mission of keeping Americans safe. With any resource and budgetary issues, I will consult with the relevant Department personnel.

3. The Community Violence Intervention and Prevention Initiative (CVIPI) within the Department of Justice invests in community violence intervention programs throughout the nation, implementing evidence-based public safety strategies. Studies have shown that some of these programs have reduced violent crime in cities by an average of 30 percent and helped improve relationships between law enforcement and the communities they serve.³

a. If you are confirmed as Attorney General, how will you ensure that the CVIPI receives continued funding to reduce rates of violence in our communities?

RESPONSE: If I am confirmed, I would welcome the opportunity to meet with appropriate employees within the Department of Justice to discuss the CVIPI and other efforts to help make communities across the country safer.

4. The Office for Access to Justice is a standalone agency within the Department that plans, develops, and coordinates implementation of access to justice policy initiatives. This Office works to ensure that the millions of people in the United States facing legal issues related to healthcare, housing, public benefits, employment, and more have access to the support they need to navigate a complex legal system. Last year, Chief Justice Nathan L. Hecht of the Supreme Court of Texas applauded the Office's work before the Senate Judiciary Committee, testifying

³ JOHN HOPKINS BLOOMBERG SCHOOL OF PUBLIC HEALTH, VIOLENCE REDUCTION COUNCILS: A COMMUNITY APPROACH TO SAVING LIVES 26 (2024), available at <https://americanhealth.jhu.edu/sites/default/files/2024-07/Violence-Reduction-Council-Toolkit-2024.pdf>.

that “[t]he U.S. Department of Justice, sometimes seen through partisan lenses, has established a distinctly nonpartisan and very effective Office for Access to Justice[.]”⁴

Just last week, the Office announced the launch of the Access to Justice Prize, a year-long competition that will support innovative ideas that focus on access to justice gaps faced by rural communities. This is essential, given that 77 percent of low-income rural households reported experiencing at least one civil legal issue in the previous year, but 94 percent reported receiving inadequate or no legal help with that issue.⁵

- a. If you are confirmed as Attorney General, how will you support and further develop the Office for Access to Justice’s important work?

RESPONSE: If confirmed, I will welcome the opportunity to meet with employees in the Office for Access to Justice to discuss how best to ensure fair outcomes for all, including for Americans living in rural communities.

5. The Department of Justice’s Civil Rights Division (CRT) serves a critical role in enforcing federal laws that protect individuals from discrimination based on race, color, national origin, disability, sex (including pregnancy, sexual orientation, and gender identity), religion, familial status, and familial status. By enforcing the nation’s civil rights laws, educating the public on compliance, and working with other agencies to ensure uniform application of civil rights protections, CRT upholds the civil and constitutional rights of all people regardless of political affiliation in the United States.

- a. If you are confirmed as Attorney General, do you commit to protecting the rights of all Americans, even those whose political positions, lifestyles, identities, or beliefs you personally disagree with?

RESPONSE: Yes.

- b. In your view, how critical are the Civil Rights Division’s efforts in combating discrimination and upholding constitutional rights?

RESPONSE: The Civil Rights Division’s efforts in enforcing antidiscrimination and civil rights laws are a key part of the Department of Justice’s mission to uphold the rule of law.

- c. Are there particular initiatives or enforcement priorities that the Civil Rights Division has undertaken that you hope to further develop if confirmed?

⁴ *Closing the Justice Gap: How to Make the Civil Justice System Accessible to All Americans Before the S. Comm. On the Judiciary*, 118th Cong. (2024) (statement of Hon. Nathan L. Hecht, Chief Justice, The Supreme Court of Texas), available at <https://www.judiciary.senate.gov/imo/media/doc/2024-07-09 - testimony - hecht.pdf>.

⁵ Press Release, Dep’t of Justice, Justice Department Launches 2025 Access to Justice Prize to Address the Rural Justice Gap (Jan 7, 2025), available at <https://www.justice.gov/opa/pr/justice-department-launches-2025-access-justice-prize-address-rural-justice-gap>.

RESPONSE: If confirmed, I plan to enforce antidiscrimination and civil rights laws equally for all Americans.

d. Are there particular initiatives or enforcement priorities that you would like the Civil Rights Division to undertake if confirmed?

RESPONSE: Please see my response to Question 5(c) above.

e. If you are confirmed as Attorney General, how will you support and further develop the Civil Rights Division's important work?

RESPONSE: If confirmed, I would welcome the opportunity to meet with appropriate Civil Rights Division employees and discuss what developments, if any, would be appropriate to further the Division's work.

6. If you are confirmed as Attorney General, how do you intend to proceed with the Civil Rights Division's current ongoing investigations into police misconduct?

RESPONSE: Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing investigations.

7. During the hearing on your nomination, you assured the Committee that you would enforce the Voting Rights Act if confirmed.

a. What actions are you planning to take to enforce the Voting Rights Act?

RESPONSE: If I am confirmed, I would welcome the opportunity to meet with appropriate officials within the Department of Justice to discuss how to enforce the Voting Rights Act in a fair and impartial manner.

b. Would you pursue legal challenges to redistricting plans that deny voters an equal opportunity to participate in the political process even if the redistricting plans advantage Republican candidates?

RESPONSE: If I am confirmed, I would enforce the Voting Rights Act in a fair and impartial matter, without regard to political affiliation.

c. Do you believe enforcement of the voting laws, as you pledged you would do in your testimony, includes enforcement of Section 2 of the Voting Rights Act?

RESPONSE: If I am confirmed, I would enforce all sections of the Voting Rights Act in a fair and impartial manner.

8. Each year, federal data highlights thousands of hate crimes across the United States, reflecting individuals who are targeted through acts of violence or intimidation based on their race, religion, disability, ethnicity, gender, gender identity, or sexual orientation. The Department

of Justice is responsible for several important functions in preventing and addressing hate crimes: it prosecutes hate crimes; elevates hate crimes threat levels; expedites review of hate crimes; and enhances state, local, and tribal governments' law enforcement training.

a. If you are confirmed as Attorney General, how will you ensure that the Department of Justice continues to carry out its responsibilities in preventing and addressing hate crimes?

RESPONSE: If confirmed, I will enforce the Nation's federal hate crimes laws, and work with state, local, and tribal law enforcement to protect *all* Americans from intimidation and violence.

9. There is an ongoing epidemic of violence directed at transgender people, particularly Black transgender women. In 2024, there are reports of at least 30 transgender people have been killed in the United States. Since 2013, 83 percent of transgender people killed were transgender women and 61 percent were Black transgender women.⁶ Many of these murders are motivated by hate.

a. If you are confirmed as Attorney General, what will you do to investigate and address this ongoing epidemic of hate violence for all groups, including transgender people?

RESPONSE: If confirmed, I will faithfully enforce and uphold the laws of the United States, including those that protect individuals against discrimination.

10. As you once stated, "Racism is alive and thriving in our state and country."⁷ Studies have confirmed that Black people and other people of color fare worse when it comes to every metric: health, wealth, jobs, homeownership, and contacts with the criminal justice system.⁸ Simultaneously it has been widely recognized by the business community that diversity in the

⁶ See HUMAN RIGHTS CAMPAIGN FOUNDATION, THE EPIDEMIC OF VIOLENCE AGAINST THE TRANSGENDER & GENDER-EXPANSIVE COMMUNITY IN THE U.S., (Nov. 2024), <https://reports.hrc.org/an-epidemic-of-violence-2024#national-emergency>.

⁷ Jim Turner, *Pam Bondi: 'Racism will not be tolerated'*, DAILY COMMERCIAL (Aug. 16, 2017), <https://www.dailycommercial.com/story/news/state/2017/08/16/pam-bondi-racism-will-not-be-tolerated/19595004007/>.

⁸ See e.g., Mabinty Quarshie et al., *12 charts show how racial disparities persist across wealth, health, education and beyond*, USA TODAY (Jun. 18, 2020), <https://www.usatoday.com/in-depth/news/2020/06/18/12-charts-racial-disparities-persist-across-wealth-health-and-beyond/3201129001/>; Sofia Carratala & Connor Maxwell, *Health Disparities by Race and Ethnicity*, THE CENTER FOR AMERICAN PROGRESS (May 7, 2020), <https://www.americanprogress.org/article/health-disparities-race-ethnicity/>; Ricardo Mimbela & Katie Duarte, *Visualizing the Racial Wealth Gap*, ACLU (Aug. 10, 2023), <https://www.aclu.org/news/racial-justice/visualizing-the-racial-wealth-gap>; Valerie Wilson et al., *Racial representation in professional occupations*, ECONOMIC POLICY INSTITUTE (Jun. 8, 2021), <https://www.epi.org/publication/racial-representation-prof-occ/>; *Racial Differences in Economic Security: Housing*, U.S. DEP'T OF TREASURY (Nov. 4, 2022), <https://home.treasury.gov/news/featured-stories/racial-differences-in-economic-security-housing>; *Racial and Ethnic Disparities in the Criminal Justice System*, NCSL (May 24, 2022), <https://www.ncsl.org/civil-and-criminal-justice/racial-and-ethnic-disparities-in-the-criminal-justice-system>.

workplace brings about better outcomes.⁹ Accordingly, the business community has sought to recruit diverse applicants. Schools have also sought to replicate these efforts.

There have been calls for the Department of Justice’s Civil Rights Division to investigate and prosecute these efforts by suing colleges and universities and businesses for discrimination against men and against white individuals.

a. If you are confirmed as Attorney General, would the Department of Justice under your leadership spend resources investigating and prosecuting schools and businesses that seek to recruit talented and qualified applicants of diverse backgrounds, much like law enforcement and the military do?

RESPONSE: If confirmed, I will fully and fairly enforce the law, including antidiscrimination and civil rights laws. I look forward to meeting with officials within the Civil Rights Division to discuss how the Division can best carry out its mission.

11. The Department of Justice’s Antitrust Division, in collaboration with the Federal Trade Commission, is tasked with enforcing the nation’s antitrust laws. The Division has filed lawsuits, initiated investigations, and launched inquiries to promote competition and protect Americans.

a. If you are confirmed as Attorney General, how will you approach antitrust enforcement?

RESPONSE: If confirmed, I look forward to meeting with the Antitrust Division to make that determination.

b. What specific areas do you believe warrant enforcement of antitrust laws?

RESPONSE: Please see my response to Question 11(b).

12. Will you support the Antitrust Division in its mission to increase competition in the marketplace in order to reduce prices for Americans, protect our country’s workforce, and support small businesses?

RESPONSE: Yes.

13. What steps will you take as Attorney General to ensure that the Antitrust Division has the resources and support from the Department to remain effective in its mission?

RESPONSE: If confirmed, I look forward to tackling those questions.

⁹ See e.g., *Diversity matters even more: The case for holistic impact*, MCKINSEY & COMPANY (Dec 5, 2023), <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/diversity-matters-even-more-the-case-for-holistic-impact>.

14. In 2002, Attorney General John Ashcroft recused¹⁰ himself from the Department of Justice's criminal investigation of Enron Corporation because he had accepted more than \$50,000 from the company and its chairman for his 2000 Senate campaign. In 2008, Attorney General Michael Mukasey recused¹¹ himself from the investigation of Iranian ownership of a Midtown Manhattan office building because he had previously represented the Alavi Foundation, the majority owner of the building, while in private practice. In 2009, Attorney General Eric Holder recused¹² himself from any role in the Department of Justice's decision whether to charge Major League Baseball pitcher Roger Clemens with lying to Congress because he had worked at a law firm that had Clemens as a client.

As a Partner at Ballard Partners, you lobbied on behalf of several corporate clients. Ballard Partners itself has numerous corporate clients.

a. If you are confirmed as Attorney General, how will you handle recusal from current or future Department of Justice investigations or enforcement actions involving your former clients?

RESPONSE: In the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

b. If you are confirmed as Attorney General, how will you handle recusal from current or future Department of Justice investigation or enforcement actions involving former or current clients of Ballard Partners?

RESPONSE: In the event of a potential conflict of interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

c. You testified that, if confirmed, you would consult with career Ethics and Professional Responsibility staff in the Department of Justice when making recusal decisions. Will you commit to following the counsel and advice of such staff in making recusal decisions?

RESPONSE: As you note, I stated I will consult with the appropriate Department of Justice ethics officials. However, I will own any recusal decision.

d. If you are confirmed as Attorney General, would you recuse yourself from cases that raise the appearance of a conflict of interest, even if informed by ethics and professional responsibility advisors that recusal is not warranted?

¹⁰ David Johnston, *Enron's Collapse: The Investigation*, N.Y. TIMES (Jan. 16, 2002), <https://www.nytimes.com/2002/01/16/business/enron-s-collapse-investigation-justice-dept-s-inquiry-into-enron-beginning-take.html>.

¹¹ Glenn Kessler, *Mukasey Recuses Self in Probe of Building's Owner*, THE WASHINGTON POST (Dec. 19, 2008), <https://www.washingtonpost.com/wp-dyn/content/article/2008/12/18/AR2008121803549.html>.

¹² *Attorney General Recuses Himself in Clemens Probe*, THE WASHINGTON POST (March 12, 2009), <https://www.washingtonpost.com/wp-dyn/content/article/2009/03/11/AR2009031104310.html>.

RESPONSE: I will make all decisions with respect to potential recusal on a case-by-case basis. It may be that I decide recusal would be appropriate even where others advise me it is not necessary. As I state in response to Question 14 (c), I will own any recusal decision.

15. President Trump has said, “I have absolute right to do what I want to do with the Justice Department.”¹³ Do you agree? If not absolute, how much power do you believe the President has over the Department?

RESPONSE: The President is bound by the terms of his oath, the Constitution, and applicable law.

16. If you are confirmed as Attorney General, how would you supervise people in the Department of Justice who have called for the investigation and prosecution of President Trump’s political opponents?

RESPONSE: Officials and employees within the Department of Justice will be expect to carry out their responsibilities regardless of their personal political views. As I stated at my hearing, if I am confirmed, no one will be prosecuted because of their political views. This applies as much to political opponents of the President as it does to his supporters. There will be one tier of justice for all Americans.

17. Would you agree with me that political violence is toxic to democracy, whether such violence comes from the left or the right?

RESPONSE: Political violence is never acceptable regardless of its source.

a. If you are confirmed as Attorney General, what actions will you take to address political violence in our country?

RESPONSE: As I stated in my hearing, if I am confirmed, prosecution of violent crime will be a top priority of the Department of Justice.

b. What actions would you take as Attorney General to address the violence against federal law enforcement officers like that witnessed during the January 6 United States Capitol attack?

RESPONSE: As I stated in my hearing, violence directed toward law enforcement officers is never acceptable. Without reference to any particular acts, if I am confirmed, the Department of Justice will vigorously prosecute cases of violence against law enforcement consistent with all relevant facts and the law.

¹³ Michael S. Schmidt & Michael D. Shear, *Trump Says Russia Inquiry Makes U.S. ‘Look Very Bad,’* N.Y. TIMES (Dec. 28, 2017), <https://www.nytimes.com/2017/12/28/us/politics/trump-interview-mueller-russia-china-north-korea.html>.

18. Communities of color have lower rates of confidence in law enforcement. A poll from 2023 indicated that 74 percent of white Americans had confidence in police, but only 64 percent of Hispanic Americans and 56 percent of Black Americans felt the same way.¹⁴

a. If confirmed as Attorney General, what policies and practices will you implement to rebuild trust between law enforcement and communities of color?

RESPONSE: Trust between communities and law enforcement is critical to combating crime and keeping people safe. If confirmed, I will ensure that the Department continues to implement policies and programs intended to enhance the trust between the police and the communities they serve.

19. According to a Brookings Institution study, Black Americans and white Americans use drugs at similar rates, yet Black Americans are 3.6 times more likely to be arrested for selling drugs and 2.5 times more likely to be arrested for possessing drugs than their white peers.¹⁵ Notably, the same study found that whites are actually *more likely* than Black Americans to sell drugs.¹⁶ These statistics are reflected in our nation's prisons and jails. Black Americans are roughly five times more likely than white Americans to be incarcerated in state prisons.¹⁷ In my home state of New Jersey, "the rate of imprisonment among Black people is more than nine times" that of white Americans.¹⁸

a. What would you attribute the statistics above to?

RESPONSE: I am not familiar with the Brookings Institution study you cite and have not had an opportunity to study the specific matter.

b. As Attorney General, what would you do to address the disproportionate representation of people of color in our nation's jails and prisons?

RESPONSE: If I am confirmed, I will consult with appropriate officials within the Department of Justice regarding this issue.

20. In recent years, there has been an increased effort in the law enforcement profession to recruit and train diverse officers. The Fraternal Order of Police, the country's largest police organization of sworn officers, cites diversity as an important part of running a successful law

¹⁴ M.C. Brown II & Camille Lloyd, *Black Americans Less Confident, Satisfied With Local Police*, GALLUP (Sept. 18, 2023), <https://news.gallup.com/poll/511064/black-americans-less-confident-satisfied-local-police.aspx>.

¹⁵ Jonathan Rothwell, *How the War on Drugs Damages Black Social Mobility*, BROOKINGS INST. (Sept. 30, 2014), <https://www.brookings.edu/blog/social-mobility-memos/2014/09/30/how-the-war-on-drugs-damages-black-social-mobility>.

¹⁶ *Id.*

¹⁷ Ashley Nellis, *Executive Summary: The Color of Justice: Racial and Ethnic Disparity in State Prisons*, SENTENCING PROJECT (Oct. 13, 2021), <http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons>.

¹⁸ ASHLEY NELLIS, THE COLOR OF JUSTICE: RACIAL AND ETHNIC DISPARITY IN STATE PRISONS, SENTENCING PROJECT 9 (2021), <https://www.sentencingproject.org/app/uploads/2022/08/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>.

enforcement agency and that public confidence in law enforcement increases when their law enforcement agencies represent them.¹⁹

- a. Do you agree that it is an important goal for there to be demographic diversity among law enforcement personnel? Please explain your views.

RESPONSE: I believe diversity among law enforcement personnel can be positive and important. Efforts to achieve any diversity must be consistent with meritocracy, the Constitution, and other federal laws.

21. If you are confirmed as Attorney General, will you commit to fully implementing the requirements of the First Step Act?

- a. What actions would you take to fully implement the First Step Act?

RESPONSE: As I am not at the Department, I am not fully aware of the full set of actions the Department has taken to implement the First Step Act.

22. Central to the First Step Act is a system of earned time credits. This system allows people in prison to earn time out of prison by participating in rehabilitation programs that are designed to reduce recidivism. Concerningly, however, despite high demand, these programs are not widely available in the Bureau of Prisons. There are also reports that the Bureau of Prisons has been plagued with issues when calculating earned time credits, resulting in some people being incarcerated longer than their release date.

- a. If you are confirmed as Attorney General, what actions will you take to ensure that the Bureau of Prisons better implements this aspect of the First Step Act?
- b. If you are confirmed as Attorney General, what actions will you take to address resource issues, such as the unavailability of the Evidence-Based Recidivism Reduction (EBRR) programs required by the First Step Act?

RESPONSE: As I am not currently at the Department, I have not had the opportunity to study the operation of evidence-based recidivism reduction programs. If confirmed, I will carefully examine the issue and implement any appropriate reforms.

23. There is a well-documented staffing crisis²⁰ in the federal Bureau of Prisons that compounds challenges implementing the First Step Act and negatively affects correctional officers and incarcerated people alike.

¹⁹ Mark McDonald, *Leveraging Diversity to Overcome Adversity with Robert Gaddy*, FRATERNAL ORDER OF POLICE (Aug. 31, 2022), <https://fop.net/2022/08/episode-29-diversity-robert-gaddy/>.

²⁰ *The Nation's Correctional Staffing Crisis: Assessing the Toll on Correctional Officers and Incarcerated Persons Before the Subcomm. On Crim. Justice and Counterterrorism of S. Comm. On the Judiciary*, 118th Cong. (2024), available at <https://www.judiciary.senate.gov/committee-activity/hearings/the-nations-correctional-staffing-crisis-assessing-the-toll-on-correctional-officers-and-incarcerated-persons>.

- a. If you are confirmed as Attorney General, what actions will you take to ensure that correctional officers in the Bureau of Prisons have fair pay, safe working conditions, and that incarcerated people have a safe, rehabilitative environment?
- b. If you are confirmed as Attorney General, how will you ensure the Bureau of Prisons has strong leadership and the resources it needs?

RESPONSE: If I am confirmed, I will make budgetary decisions in consultation with appropriate official within the Department as well as with other relevant officials, including those in the Office of Management and Budget.

24. In 2020, Congress passed the bipartisan CARES Act, giving the Bureau of Prisons the ability to place low-risk individuals convicted of nonviolent offenses in home confinement during the “covered emergency period.” Attorney General Barr subsequently implemented this program. This marked the official inception of CARES Act home confinement, which would effectively serve as a large-scale experiment to test the feasibility of the expanded use of noncustodial sentences.

The CARES Act home confinement program has proven to be a successful, evidence-based, and cost-saving approach to safely reintegrate people into society without compromising public safety. The data collected since 2020 demonstrates its effectiveness. This program has not only saved taxpayers millions of dollars but has also alleviated the burden on correctional officers and prison staff. Moreover, it has enabled the reunification of thousands of families, empowered individuals serving sentences to actively pursue employment and education, and facilitated their meaningful contributions to our economy and community.

- a. Do you agree that the CARES Act home confinement program passed by Congress and signed by President Trump in 2020 has established the success of noncustodial sentences for low-risk individuals convicted of nonviolent offenses?
- b. If you are confirmed as Attorney General, would you support the extension of the CARES Act home confinement program?

RESPONSE: Because I am not currently at the Department, I am not familiar with the all aspects of the Department’s CARES Act implementation. If confirmed, I look forward to reviewing the CARES Act home confinement program and relevant data to assess possible reforms.

25. In October 2022, President Biden directed the Department of Justice and the Department of Health and Human Services (HHS) to launch a scientific review of how marijuana is scheduled under federal law. In May 2024, DOJ published a notice of proposed rulemaking to move cannabis from schedule I to schedule III under the Controlled Substances Act. That rulemaking process has been delayed and postponed to later this year.

- a. If you are confirmed as Attorney General, how will you work with the Drug Enforcement Administration to continue the rescheduling process and finalize a rule that

will reschedule cannabis from schedule I to schedule III under the Controlled Substances Act?

RESPONSE: If confirmed, I will give the matter careful consideration after consulting with appropriate Department officials.

26. In January 2018, former Attorney General Jeff Sessions revoked the President Obama-era Cole Memorandum, which had directed Department prosecutors to deprioritize enforcing federal cannabis laws concerning marijuana businesses in states that had legalized the drug for adult-use.

a. If you are confirmed as Attorney General, how will the Department of Justice under your leadership approach enforcement of federal cannabis laws? How would the independence of states to regulate marijuana factor into your decisions?

RESPONSE: If confirmed, I will give the matter careful consideration after consulting with appropriate Department officials.

27. Despite being illegal in every state, and despite a federal statute outlawing them even in the U.S. territories, cockfighting and dogfighting are still rampant.²¹ Cockfights are hubs of violence and other illegal activities. Cockfighting also spreads diseases like avian influenza and virulent Newcastle Disease.

Criminal enterprises such as cockfighting, dogfighting, and narcotics trafficking generate profits for those involved, but come at a larger cost to societal well-being.²² Gambling on cockfights is one of the ways cartels launder the money they make from narcotics trafficking and gunrunning, and it causes innocent people to get killed, including Americans.²³

I lead a bill with Senator Kennedy called the FIGHT Act that would curb animal fighting through strengthened enforcement, by banning gambling on animal fights, stopping the shipment of mature roosters through the U.S. mail, and by allowing for the forfeiture of real property if it was used in the commission of an animal fighting crime. Last Congress, the FIGHT Act had 760 endorsers, including the National Sheriffs' Association, National District Attorneys Association, and 20 state sheriffs' associations. A House companion bill had more bipartisan support than any other animal welfare bill in Congress.

a. As Attorney General, will you join these leading law enforcement associations, agriculture, and animal welfare groups and endorse the FIGHT Act so we can break up the underworld criminal networks of animal fighters?

²¹ Wayne Pacelle, *With a Moral Consensus Against Animal Fighting, Why Is It Still So Prevalent?*, Animal Wellness Action (Sept. 17, 2023), <https://animalwellnessaction.org/why-is-animal-fighting-still-so-prevalent>.

²² *The facts about cockfighting*, The Humane Society, <https://www.humanesociety.org/resources/facts-about-cockfighting> (last visited Jan. 16, 2025).

²³ Press Release, Animal Wellness Action, *Leader of Sinaloa Cartel Murdered at Cockfight in Mexico* (Dec. 18, 2024), <https://animalwellnessaction.org/leader-of-sinaloa-cartel-murdered-at-cockfight-in-mexico>; Jennifer Sinco Kelleher, *Argument at large Hawaii cockfight led to deadly shooting*, ASSOCIATED PRESS (Apr. 21, 2023), <https://apnews.com/article/hawaii-cockfighting-shooting-death-9dbdf0e8affe4ff4197d72858a2ac2b7>.

RESPONSE: While it would be inappropriate for me to endorse any particular legislation without consulting appropriate officials within the Department of Justice, I look forward to working with you and other members of the Committee to curb animal abuse and cruelty.

b. If you are confirmed as Attorney General, would you consider creating an Animal Cruelty Crimes section within the Environment and Natural Resources Division to allow for more robust and strategic interdictions of animal fighting networks and other forms of malicious animal cruelty?

RESPONSE: If I am confirmed, I will meet with the Environment and Natural Resources Division and I will discuss how best the Division can enforce laws related to animal abuse and cruelty.

Senator Peter Welch
Senate Judiciary Committee
Written Questions for Pamela Bondi
Hearing on “The Nomination of the Honorable Pamela Jo Bondi to be Attorney General of
the United States”
Wednesday, January 15, 2025

You reported on your Senate Judiciary Questionnaire that you worked as a consultant for CGI Merchant Group from 2021 to 2022.

1. What services did you provide to CGI Merchant?

RESPONSE: I provided consulting services.

2. Please detail any involvement you had with CGI Merchant’s purchase of the Trump International Hotel.

RESPONSE: I served as an advisor to CGI Merchant with respect to that transaction. I assisted with strategies for planning, executing, and finalizing the transaction.

According to your submitted materials and testimony, you lobbied on behalf of the Qatari Government in 2019 and 2020 ahead of the 2022 World Cup.

3. Please list your total compensation by the government of Qatar.

RESPONSE: As part of process for having my nomination considered by this Committee and the Senate, I provided the Committee a Statement of Net Worth and a completed OGE-278 form which provides considerable detail concerning my finances. Prior to submission of the OGE-278, I, and others acting on my behalf, discussed the contents of that form with the Director of the Department of Justice’s Departmental Ethics Office as well as staff of the Office of Government Ethics. I was also subject to a background investigation by the FBI and the report of its investigation was delivered to this Committee. Finally, I discussed in private my finances and other matters with staff for this Committee prior to my hearing. I refer you to the Statement of Net Worth, the OGE-278, and the FBI’s report on its background investigation with respect to my personal finances.

Further, I am not aware of a prior practice of this Committee that would require a nominee to a position within the Executive Branch to provide greater personal financial information than that discussed above particularly in response to a Question the answer to which will be made public as part of the record of my nomination.

I will note that media reporting on my compensation that suggest I received \$115,000 per month are grossly inaccurate. To the extent that figure is accurate at all, it refers to compensation received by Ballard Partners and not by individuals within the firm. I was only one of several individuals within Ballard that represented the Government of Qatar.

4. Please list all meetings with members of Congress or the Executive Branch you conducted on behalf of the government of Qatar and specific policies you advocated for, against, or to amend.

RESPONSE: I have not retained personal records related to my meetings on behalf of any client during my tenure with Ballard Partners. As I explained in my hearing, my work on behalf of the Government of Qatar related to anti-human trafficking efforts leading into the Soccer World Cup.

5. During your time lobbying on behalf of the government of Qatar, did the U.S. government alter any policy in any way regarding human trafficking or other matters for which you advocated?

RESPONSE: I lack sufficient information with respect to the present policies of the United States government necessary to answer this question.

You also reported you have provided lobbying services for, among other entities, Amazon, International Game Technology (IGT) Global Solutions, Uber, KGL Investment Company KSCC, and Geo Group.

6. Regarding Amazon:

a. Please list your total compensation by Amazon.

RESPONSE: Please see my response to Question 3 above.

b. Please list all meetings with members of Congress or the Executive Branch you conducted on behalf of Amazon and specific policies you advocated for, against, or to amend.

RESPONSE: Please see my response to Question 4 above.

c. During your time lobbying on behalf of Amazon, did the U.S. government alter any policy in any way regarding matters for which you advocated?

RESPONSE: Please see my response to Question 5 above.

d. Do you have an ongoing relationship with Amazon or its affiliates?

RESPONSE: No.

7. Regarding IGT Global Solutions:

a. Please list your total compensation by IGT Global Solutions.

RESPONSE: Please see my response to Question 3 above.

b. Please list all meetings with members of Congress or the Executive Branch you conducted on behalf of IGT Global Solutions and specific policies you advocated for, against, or to amend.

RESPONSE: Please see my response to Question 4 above.

c. During your time lobbying on behalf of IGT Global Solutions, did the U.S. government alter any policy in any way regarding matters for which you advocated?

RESPONSE: Please see my response to Question 5 above.

d. Do you have an ongoing relationship with IGT Global Solutions or its affiliates?

RESPONSE: No.

8. Regarding Uber:

a. Please list your total compensation by Uber.

RESPONSE: Please see my response to Question 3 above.

b. Please list all meetings with members of Congress or the Executive Branch you conducted on behalf of Uber and specific policies you advocated for, against, or to amend.

RESPONSE: Please see my response to Question 4 above.

c. During your time lobbying on behalf of Uber, did the U.S. government alter any policy in any way regarding matters for which you advocated?

RESPONSE: Please see my response to Question 5 above.

d. Do you have an ongoing relationship with Uber or its affiliates?

RESPONSE: No.

9. Regarding KGL Investment Company KSCC:

a. Please list your total compensation by KGL Investment Company KSCC.

RESPONSE: Please see my response to Question 3 above.

b. Please list all meetings with members of Congress or the Executive Branch you conducted on behalf of KGL Investment Company KSCC and specific policies you advocated for, against, or to amend.

RESPONSE: Please see my response to Question 4 above.

c. During your time lobbying on behalf of KGL Investment Company KSCC, did the U.S. government alter any policy in any way regarding matters for which you advocated?

RESPONSE: Please see my response to Question 5 above.

d. Do you have an ongoing relationship with KGL Investment Company KSCC or its affiliates?

RESPONSE: No.

10. Regarding Geo Group:

a. Please list your total compensation by Geo Group.

RESPONSE: Please see my response to Question 3 above.

b. Please list all meetings with members of Congress or the Executive Branch you conducted on behalf of Geo Group KSCC and specific policies you advocated for, against, or to amend.

RESPONSE: Please see my response to Question 4 above.

c. During your time lobbying on behalf of Geo Group, did the U.S. government alter any policy in any way regarding matters for which you advocated?

RESPONSE: Please see my response to Question 5 above.

d. Do you have an ongoing relationship with Geo Group or its affiliates?

RESPONSE: No.

When you were Attorney General of Florida, your office declined to join a lawsuit against Trump University following your solicitation and acceptance of a \$25,000 donation from the Donald J. Trump Foundation to your Political Action Committee. The Internal Revenue Service later fined the Foundation for this donation.

11. While serving as the Florida Attorney General, who in your office made the decision not to join the lawsuit against Trump University?

RESPONSE: In 2017, the Florida Commission on Ethics followed the recommendation of the Commission's Advocate and determined that there was no probable cause to believe that I violated Florida law in soliciting and accepting a donation from President Trump. As set forth in

the report prepared by the Advocate and adopted by the Commission, Mark Hamilton, Special Counsel to Consumer Protection Unit made the decision with respect to whether the State of Florida would join the New York litigation involving Trump University.

12. How was the decision made within your office to decline joining the Trump University lawsuit?

RESPONSE: As set forth in the report prepared by the Advocate and adopted by the Commission on Ethics, Mark Hamilton, Special Counsel to Consumer Protection Unit made the decision in the normal course. As Mr. Hamilton stated in the report prepared by the Advocate, “I reviewed those complaints and she [Bondi] had nothing to do with them. The buck stops here.”

13. What procedures did you undertake as Florida Attorney General to ensure that your office’s decisions were not influenced by political or financial conflicts of interest?

RESPONSE: Protecting the Office’s decision-making so that it was free from improper influence began with hiring only officials with demonstrated track records for integrity and professionalism. Once hired, officials were expected to take seriously their oaths as members of the office and (if lawyers) as members of the Florida bar and recuse from matters where appropriate and solicit ethics guidance and advice as necessary. Officials were also expected to complete all required continuing education courses related to ethics training. I also empowered our ethics professionals to provide guidance and support where questions arose. Finally, protecting decision-making requires a strong example from the top. I took my oath seriously to enforce the law and disregard improper considerations when making decisions and let it be known that I expected the same conduct from all employees in my office.

14. What procedures would you take as Attorney General to ensure that the Department’s decisions would not be influenced by political or financial conflicts of interest?

RESPONSE: If confirmed, I will be committed to ensuring that all covered Department officials comply with the requirements of the financial disclosure reporting program. The Department’s investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000), and Department officials should make these decisions free of bias or political influence. As I stated in my hearing, the Justice Department’s number one job is to enforce the law fairly and evenhandedly. Politics will not play a part in my decisions, as I demonstrated during my career as a prosecutor and as the Attorney General of Florida.

On November 4, 2020, you appeared at a press conference for the Trump campaign at which you stated that then-President Trump had “won Pennsylvania” when over a million mail-in ballots had yet to be counted. Once they started to be counted, you stated in a November 5, 2020, appearance on Fox & Friends that “we do have evidence of cheating,” that “we are not going anywhere until they declare that we won Pennsylvania,” and described “fake ballots coming in late.”

15. Were the results 2020 Presidential election legitimate?

RESPONSE: As I explained at the hearing, I traveled to Pennsylvania as an advocate for the campaign in the days after election day. During that period, I saw a number of things that gave me concern about whether certain local officials were complying with the Commonwealth's election laws. I expressed those concerns in several public appearances based upon what I saw and upon other information that I was receiving at that time. Many Americans continue to share concerns about the integrity of the 2020 election. If confirmed as Attorney General, I will work to restore Americans' confidence in our electoral processes, and I hope that we are able to work together to do that.

16. On what basis did you conclude that the Trump campaign had "won Pennsylvania"?

RESPONSE: Please see my response to Question 15 above.

17. When you initially asserted that there were "fake ballots coming in", what evidence did you have for that claim?

RESPONSE: Please see my response to Question 15 above.

18. What did you mean when you stated that "ballots have been dumped"? Was this intended as a description of unlawful activity and, if so, what laws did you believe were broken?

RESPONSE: Please see my response to Question 15 above.

19. What evidence did you have of voting by deceased individuals?

RESPONSE: Please see my response to Question 15 above.

20. Do you stand by the above claims?

RESPONSE: Please see my response to Question 15 above.

The Department of Justice is charged with enforcing the voting rights protections of the United States Constitution and federal law, including the Voting Rights Act. Section 2 of the Voting Rights Act prohibits states and localities from enacting laws or taking actions that have the result of denying or abridging the right to vote on the basis of race.

21. Do you believe Section 2 is constitutional? If not, please explain.

RESPONSE: As a career prosecutor in the State of Florida and as Florida's Attorney General, I have not had an occasion to consider the question. If I am confirmed and were the question to come before the Department of Justice, the question, as with all questions concerning the constitutionality of the federal statutes, will be addressed through multiple layers of review within the Department including, but not limited to, the Office of the Solicitor General. President Trump has stated that he will likely pardon "a large portion" of those who have been convicted of offenses related to the insurrection at the United States Capitol on January 6, 2021.

22. Do you recommend President Trump issue a blanket pardon for those convicted of offenses related to the insurrection at the United States Capitol on January 6, 2021?

RESPONSE: As I stated at my hearing, the pardon power belongs to the President. If I am asked to provide advice with respect to any potential pardons, I will do so on a case-by-case basis as I did as a member of the Florida Executive Clemency Board.

23. Do you support individual pardons if President Trump does not issue a blanket pardon?

RESPONSE: Please see my response to Question 22 above.

24. Would you support individual pardons of those who were convicted of assaulting law enforcement officers?

RESPONSE: Please see my response to Question 22 above.

Kash Patel described in his book that the next president should fire the top ranks of the FBI. Additionally, he included a list of 60 specific people he described as members of the “Executive Branch Deep State.” Mr. Patel also has said that he would “come after people in the media who lied about American citizens, who helped Joe Biden rig presidential elections.” President Trump nominated Mr. Patel to be Director of the FBI and he would report directly to you.

25. Do you believe that it would be appropriate for the incoming FBI Director to fire the top ranks of its leadership?

RESPONSE: I have not read Mr. Patel’s book and do not know the context for that statement.

26. Do you agree with Mr. Patel’s list of 60 members of the “Executive Branch Deep State”?

RESPONSE: I have not read Mr. Patel’s book and do not know the context for the list to which you refer.

27. Do you believe the FBI or the Department of Justice should go after “people in the media who lied about American citizens”?

RESPONSE: Please see my response to Question 25.

28. Do you believe people in the media lied to help Joe Biden rig the 2020 election?

RESPONSE: Please see my response to Question 25.

On October 23, 2023, you appeared on Newsmax’s *The Chris Salcedo Show* to discuss antisemitism. During that appearance, you called for deporting college students, regardless of whether they were a U.S. citizen, who protested against Israel.

29. How will you ensure that the Department of Justice under your leadership is not weaponized to infringe on the First Amendment rights of students and organizations engaged in pro-Palestinian human rights advocacy?

RESPONSE: As I stated during my confirmation hearing, if confirmed, I will fight every day to restore confidence and integrity to the Department of Justice and each of its components. There is no place for weaponization in the Department of Justice, an institution that was established to enforce the law and protect the constitutional rights of all Americans – including the rights set forth in the First Amendment.

On January 27, 2017, President Trump signed Executive Order 13769, which he described as a “Muslim ban.”

30. Would you advise the administration to impose or reinstate any form of a Muslim travel ban?

RESPONSE: President Trump did not impose a “Muslim travel ban” during his first term, but instead restricted travel to the United States from countries that would not, or could not, cooperate with our vetting procedures. The Supreme Court ultimately upheld the President’s authority in this area in *Trump v. Hawaii*, 585 U.S. 667 (2018). As I stated at my hearing before the Committee, if confirmed, my overriding objective will be to keep Americans safe. For any potential policy under consideration, I will review the applicable law and facts and consult as appropriate with officials within the Department of Justice and the Executive Branch.

31. Would you advise the administration to impose or reinstate any form of an Africa travel ban?

RESPONSE: Please see my response to Question 30 above.

32. How would you balance national security considerations with constitutional protections regarding any potential travel ban?

RESPONSE: Both national security considerations and Americans’ constitutional rights are vitally important, and I believe that those interests can be reconciled. In connection with any potential policies, I would follow the law as required, with consultation as appropriate with officials within the Department of Justice and the Executive Branch.

The American Muslim community has had longstanding concerns about the discriminatory and unconstitutional nature of the terrorism watchlist.

33. What specific reforms will you pursue to ensure the terrorism watchlist is not used as a tool of discriminatory profiling?

RESPONSE: Terrorism watchlists should not be tools of unlawful profiling. I have not previously considered what, if any, reforms are necessary. If you have any specific reforms in mind, and if I am confirmed, I would welcome the opportunity to discuss such reforms with you.

34. What specific reforms will you pursue to ensure that individuals unfairly added are afforded robust due process protections?

RESPONSE: Individuals should be included on terrorism watchlists only when appropriate and consistent with the law. I have not previously considered what, if any, reforms are necessary to ensure individuals wrongly listed can be removed from such lists. If you have any specific reforms in mind, and if I am confirmed, I would welcome the opportunity to discuss such reforms with you.

During the 2024 campaign, President Trump stated on Truth Social, "I believe it is time to end needless arrests and incarcerations of adults for small amounts of marijuana for personal use. We must also implement smart regulations, while providing access for adults, to safe, tested product." In April 2024, the Biden Administration commenced a rescheduling process after the Department of Health and Human Services and Food and Drug Administration determined marijuana has "currently accepted medical uses." It has proposed moving marijuana to Schedule III of the Controlled Substances Act.

35. Do you support placing marijuana on Schedule III?

- a. If so, will you work to finalize rescheduling?
- b. If not, please explain.
- c. Do you support efforts to align federal and state marijuana laws?

RESPONSE: If confirmed, I will give the matter careful consideration after consulting with appropriate Department officials.

36. In what is known as the Cole memo, your predecessors have used prosecutorial discretion urging U.S. Attorneys to not prosecute low-level marijuana crimes and only go after major marijuana trafficking cases. Will you use your prosecutorial discretion authority in a similar manner?

RESPONSE: If confirmed, I will give the matter careful consideration after consulting with appropriate Department officials.

As Florida Attorney General, you joined 25 states in a brief seeking to invalidate the Environmental Protection Agency's (EPA) Clean Power Plan. In 2022, the Supreme Court sided with the plaintiffs and restricted the EPA's authority under the Clean Air Act in *West Virginia v. EPA*. The EPA's most recent power plant emissions rules, finalized in April 2024, pursue a new regulatory framework to reduce air pollution within the constraints applied by the Supreme Court's ruling. This rule is projected to reduce emissions by 1.38 billion metric tons and result in up to \$370 billion in environmental and public health benefits over the next 20 years.

37. Will you commit to protecting Americans' public health and the environment from corporate polluters by preserving agencies' regulatory authority and our nation's bedrock environmental laws, including the National Environmental Policy Act, Clean Air Act, and Clean Water Act?

RESPONSE: I will fully and faithfully enforce the Nation's laws protecting and preserving the environment.

In September 2023, the Department of Energy (DOE) finalized a rule establishing energy conservation standards for consumer furnaces. Congress first established efficiency standards for these products and mandated their periodic review and revision under the Energy Policy and Conservation Act (EPCA). DOE determined that the amended standards would result in significant conservation of energy and are technologically feasible and economically justified. They are projected to save consumers \$1.5 billion annually and a cumulative \$24.8 billion on energy bills over 30 years. Several gas industry organizations and manufacturers have since challenged the final rule and presented oral arguments before the DC Circuit Court of Appeals in November 2024 (*AGA v. DOE*) seeking to overturn this rule.

38. Will you commit to defending DOE's factual findings regarding the technical feasibility and economic justification of the revised energy conservation standards for consumer furnaces and other products covered under EPCA?

RESPONSE: As your question indicates, the rule you are referring to is currently under consideration by the United States Court of Appeals for the D.C. Circuit. Consistent with the past practice of nominees to serve as Attorney General, I believe it would be inappropriate for me to comment on ongoing litigation where the United States government is a party in interest.

Section 702 of the Foreign Intelligence Surveillance Act (FISA) permits the government to collect communication of foreign persons located outside the United States. Agencies within the Intelligence Community can then query the collected communications. Communications of persons located in the United States, including U.S. citizens, are routinely incidentally collected as part of this process and queried by the Intelligence Community.

39. Do you support reauthorization of Section 702 of FISA as currently structured?

RESPONSE: Section 702 of FISA is an important tool that assists our national security professionals in keeping Americans safe. At the same time, it is important that the Department protect the civil liberties of Americans. As I stated at my hearing, if I am confirmed, I will look closely at the current structure of Section 702, consult with appropriate officials within the Department of Justice and formulate my view with respect to congressional reauthorization and amendment.

40. Would you support an amendment to Section 702 that requires the court to appoint at least one outside lawyer that has an expertise in privacy and civil liberties for every case, unless the Court finds that such qualifications are inappropriate in a particular case?

RESPONSE: Please see my response to Question 39 above.

41. Would you support the adoption of accuracy procedures by the Attorney General that would ensure that all FISA applications are accurate and complete?

RESPONSE: I have not previously had the occasion to consider the question. If I am confirmed, I will consult with appropriate officials within the Department on what procedures, if any, are necessary to ensure the accuracy and completeness of FISA applications.

42. Would you support a requirement that, for all applications targeting U.S. persons, the federal officer filing the FISA application must include certification that the information collected and reviewed includes supporting documentation for each factual assertion contained in the application?

RESPONSE: Please see my response to Question 39 above.

43. Would you support a warrant requirement before queries are performed for U.S. persons?

RESPONSE: Please see my response to Question 39 above.

In 1986 Congress passed the Emergency Medical Treatment and Labor Act (EMTALA) to address the crisis of patients being turned away from emergency rooms and denied emergency care. EMTALA provides straightforward protections—when any person experiencing an emergency medical condition seeks care at a Medicare-funded hospital, the hospital is required to offer necessary stabilizing treatment, regardless of the patient’s ability to pay. The reality is treatment sometimes includes emergency abortion care if that is the only treatment that can stabilize a pregnant patient.

44. If confirmed, will you commit to not prosecute physicians that perform life-saving abortions protected under EMTALA?

RESPONSE: If I am confirmed, any decisions regarding whether to charge cases under EMTALA will be based on a thorough analysis of the facts and the governing law.

Project 2025 has called for using the Comstock Act, an anti-vice law dating back to 1873, to criminalize the mailing of commonly used FDA-approved abortion-related materials and medications.

45. Do you believe the Comstock Act applies to these materials and/or medications?

RESPONSE: As an initial matter, I have not read or reviewed any materials published by, or on behalf of, Project 2025. With respect to your question, I have not previously considered the question. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

46. For more than a century, federal courts have interpreted the Comstock Act to only apply to mailing of abortion-related materials and medications that are intended to be used for illegal purposes. Do you agree to abide by these rulings?

RESPONSE: I have not had the occasion to review the rulings on this subject. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

47. In 2022, the Department of Justice released an opinion that the Comstock Act does not apply to the mailing of mifepristone or misoprostol when the sender lacks the requisite intent for the recipient to use the medications illegally. Do you agree with this opinion?

RESPONSE: I have not had the occasion to review any opinion on this subject. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

In *Griswold v. Connecticut*, the Supreme Court recognized the right to privacy encompasses the right for married couples to use contraception. And in *Eisenstadt v. Baird*, the Supreme Court extended *Griswold's* principle to unmarried couples.

48. Do you agree with these decisions? If not, please explain.

RESPONSE: *Griswold v. Connecticut* and *Eisenstadt v. Baird* are precedent of the Supreme Court and are entitled to respect as such.

In a March 2012 op-ed, you criticized HHS's contraceptive coverage mandate, writing, quote, "There is no ongoing attempt, by government or by anyone else, to deny women access to contraception. If there were such an effort, I would vigorously oppose it."

49. Do you still believe women have a right to contraception?

RESPONSE: I stand by the statement you quote.

50. If confirmed, would you vigorously oppose any effort to deny women access to contraception?

RESPONSE: Please see my response to Question 49.

The Freedom of Access to Clinic Entrances (FACE) Act makes it a federal crime to use force, the threat of force, or physical obstruction to prevent individuals from obtaining or providing reproductive health care services. The FACE Act is not about abortions. This law protects all patients, providers, and facilities that provide reproductive health services, including pregnancy counseling services and any other pregnancy support facility providing reproductive health care.

51. If confirmed, will you continue to enforce the protections provided under the FACE Act?

RESPONSE: As with all matters, any decisions regarding whether to charge cases under the FACE Act will be based on a thorough analysis of the facts and the governing law.

Questions for the Record
Sen. Adam Schiff (CA)

1. Thank you for your comments at the hearing about the scourge of looting, price gouging, and other crimes that often take place after natural disasters. If you are confirmed as Attorney General, will you commit to protecting consumers by using the full power of the Justice Department to go after fraudulent disaster relief claims and any other instances of fraud related to the California wildfires?

RESPONSE: As with all matters, any decisions regarding whether to charge cases will be based on a thorough analysis of the relevant facts and the governing law.

2. Your opening statement included that “The Department of Justice must also return to defending the foundational rights of all Americans, including free speech, free exercise of religion, and the right to bear arms.” I’m curious that you selected two of the fundamental freedoms of the First Amendment but not the others for your opening statement. Just so that the record is complete, can you comment on the importance of defending the other freedoms enshrined in the First Amendment as well?

RESPONSE: My remarks were not meant to diminish the importance of the freedom of the press, the right to peaceably assemble, or the right to petition for redress. The Department of Justice was established to enforce the law and protect the constitutional rights of all Americans including all of the rights set forth in the First Amendment.

3. Former special counsel Jack Smith recently submitted his report to the Attorney General. AG Garland released to Congress and the public the first volume of that report, which concerns the 2020 presidential election and alleged misconduct by Mr. Trump. He has withheld the second volume of that report, which relates to the alleged mishandling of government-owned documents by Mr. Trump and others, pending the ongoing investigation and prosecution of two people involved in that conduct. I won’t ask you what you will do concerning those prosecutions. But will you commit to retaining and not destroying volume 2 of the report, particularly since at least one Freedom of Information Act request was made for it prior to the end of the Biden administration? Will you commit to releasing volume 2 of the report after the conclusion of the investigation and prosecution of two people involved in that conduct?

RESPONSE: As your question indicates, and based only on publicly available reports, it is my understanding that Volume 2 of Mr. Smith’s report relates to an ongoing investigation and prosecution. As a consequence, I believe it would be inappropriate for me to comment on this matter.

4. There was discussion on this during the hearing, but do you believe the role of special counsel to be constitutional?

RESPONSE: The constitutionality of special counsel appointments is the subject of ongoing litigation involving the Department. It would not be appropriate for me to comment on legal disputes in pending litigation involving the Department.

5. If you are confirmed as Attorney General, will you commit to making public non-classified OLC opinions issued while in office?

RESPONSE: I cannot make any commitments about disclosure of any existing opinions or hypothetical future opinions until I have had the opportunity to review such opinions. As a general matter, I would expect the Department to make decisions about publicly releasing OLC opinions in accordance with its longstanding, established practices.

6. Will you commit to devoting resources necessary to reduce the backlog of FOIA requests at DOJ and implementing GAO's recommendations to do so?

RESPONSE: If confirmed, I will consult with personnel from the Department's Office of Information Policy regarding resources to address the Department's FOIA backlog and efforts relating to GAO's recommendations.

7. 18 U.S.C. § 241, also known as the conspiracy against rights statute, makes it unlawful for two or more persons to agree to injure, threaten, or intimidate a person in the United States in the free exercise or enjoyment of any right or privilege secured by the Constitution or laws of the United States or because of his or her having exercised such a right. I ask about this particular statute because some individuals associated with Donald Trump have called for you to open a criminal probe under this statute against lawyers and prosecutors who have investigated Donald Trump or brought cases against him. If you are confirmed, will the Justice Department under your leadership open a criminal probe under 18 U.S.C. § 241 or any other section of the criminal code against lawyers and prosecutors for their roles in investigations related to President Trump?

RESPONSE: As I stated in my hearing, if I am confirmed, no one—including political opponents of the President—will be prosecuted on the basis of their political views. At the same time, employees of the Department of Justice who abuse or misuse their office toward improper ends will have no future within the Department and will be subject to dismissal and where appropriate, and after considering the facts of each case, may be subject to criminal prosecution. All of that said, I have made no charging decisions with respect to any criminal prosecutions the Department may undertake if I am confirmed, and I believe it would be inappropriate for me to do so.

8. Will you commit to not firing anyone from the Justice Department solely because they participated in an investigation of Donald Trump or members of the Trump Administration?

RESPONSE: Please see my response to Question 7 above.

9. Do you believe any of the following are inappropriate topics in a conversation between the Attorney General and the President:

- a. Directing the AG to initiate an investigation or prosecution?
- b. Suggesting that "someone" should initiate an investigation or prosecution?

- c. Directing or suggesting a specific action in an ongoing investigation or prosecution?
- d. Selecting the timing of investigative steps or criminal charges of pending investigations?

RESPONSE: The hypotheticals above lack sufficient context for me to reach an informed opinion with respect to whether such conversations would be appropriate.

10. In 2017, during your tenure as Florida Attorney General, you urged University of Florida students to stay away from a campus speech planned by white nationalist Richard B. Spencer, warning specifically of his “horrible views.” Would you make the same comments about Spencer’s speech today?

RESPONSE: I stand by the statement you quote.

11. Do you believe that renters and home buyers face discrimination on the basis of race?

RESPONSE: Yes, any instances of discrimination on the basis of race are wrong and illegal, regardless of the race of the applicant or seller.

12. Would you direct the DOJ, if confirmed as Attorney General, to enforce anti-discrimination laws and investigate and prosecute violations of the Fair Housing Act?

RESPONSE: Yes.

13. In 2022, the Justice Department released a slip opinion making clear that the Comstock Act may not be used to prosecute the mailing of mifepristone or misoprostol, which are commonly used for medication abortion, when the sender lacks the intent for the recipient to use the medications illegally. Would you uphold legal precedent that the mere mailing of FDA-approved medications that may be used for medication abortion to a particular jurisdiction is an insufficient basis for concluding that the sender intends them to be used unlawfully?

RESPONSE: I have not had the occasion to review any opinion on this subject. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

14. In 2012, you stated that you would “vigorously oppose” any “ongoing attempt, by the government or by anyone else, to deny women access to contraception.” Would you as Attorney General still “vigorously oppose[s]” any attempt by the government to deny women access to contraception, as you previously stated? And given your previous statements, will you commit to using the power of the Office of the Attorney General, if confirmed, to protect and defend the right to contraception as established in the seminal case, *Griswold v. Connecticut*?

RESPONSE: I stand by the statement you quote. *Griswold v. Connecticut* is binding precedent of the Supreme Court entitled to respect as such. If I am confirmed, decisions with respect to the applicability of any federal law will be made only after careful consideration of the relevant facts and law.

15. During your campaign for Attorney General in Florida, you said that you would “vigorously defend Florida’s law banning gay adoption in our state.” This law disturbingly singled out and barred gay and lesbian prospective parents, regardless of whether they were in a same-sex relationship, from adopting children. Do you stand by your previous statement that a law that singles out LGBTQ individuals and denies them the same rights as others is constitutional?

RESPONSE: As Florida’s Attorney General, I had a constitutional duty to defend the laws passed by the representatives of the people of the State of Florida. If confirmed, I pledge to uphold the Constitution and laws of the United States of America.

16. You also defended Florida’s ban on marriage equality while state Attorney General, saying explicitly after one judicial decision finding the ban unconstitutional, that you were “just getting started” in defending the ban. Even after marriage equality was established as the law of the land by the Supreme Court’s decision in *Obergefell v. Hodges*, you opposed a summary judgment motion from plaintiffs who had been fighting for the right to marry for several years. In 2014, you even wrote that “disrupting Florida’s existing marriage laws would impose significant public harm.” Do you still believe that bans on same-sex marriage do not violate the U.S. Constitution?

RESPONSE: Please see my response to Question 15.

17. Do you agree with Justice Thomas’s concurrence in the *Dobbs* decision that the Court should reconsider *all* of its substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*?

RESPONSE: The majority opinion of *Dobbs v. Jackson Women’s Health Organization* is the binding precedent resulting from that decision and is entitled to due respect as such.

18. Would you advise, formally or informally, as Attorney General, if confirmed, the Solicitor General to argue in support of a state law attempting to limit rights on the basis of sexual orientation.

RESPONSE: To the extent this question asks about pending matters, it would be inappropriate for me to comment on ongoing litigation. If confirmed as Attorney General, any decisions will be based on a thorough analysis of the law and facts of any particular case.

19. Do you still believe that marriage equality can “impose significant public harm?”

RESPONSE: See my response to Question 15.

20. In April 2024, the Department of Education finalized changes to the Title IX rule that would restore critical protections for student survivors of sexual assault and other sex-based harassment, ensure schools treat sex-based harassment seriously, and clarify the rights of LGBTQ students and pregnant and parenting students. These rules are consistent with what the federal courts, including the Supreme Court in *Bostock v. Clayton County*, have held - that discrimination on the basis of sex includes discrimination based on gender identity and sexual orientation. Will you, if confirmed, enforce Title IX protections for all student survivors of sexual assault and other sex-based harassment?

RESPONSE: As Florida's Attorney General, I worked to increase resources and protections for victims of sexual assault. If confirmed, I will continue to fight for victims of sexual assault, and I will enforce and uphold the laws of the United States.

21. Section 922(a)(1) makes it a crime to engage in the business of dealing in firearms without a license. It's been the law since 1968. Unlicensed dealers are a top source for prohibited persons to purchase illegal guns and for gun traffickers to acquire them. Recent data from ATF shows that between 2017 and 2021, more than 40% of gun trafficking cases involved an unlicensed dealer. And, as I'm sure you know, this licensure requirement triggers other statutory requirements for dealers, like running background checks on customers, maintaining transaction records, and responding to trace requests from law enforcement. 18 U.S.C. 922(g)(8) and (9) make it a crime for certain domestic abusers to possess firearms—those subject to domestic violence restraining orders and those convicted of misdemeanor crimes of domestic violence. 18 U.S.C. 932 and 933 are newer additions to the federal criminal code that Congress created in 2022 in the Bipartisan Safer Communities Act. Section 932 makes it a crime to purchase firearms for prohibited persons—otherwise known as straw purchasing. And Section 933 makes it a crime to traffic firearms. As of September 2024, the Department of Justice had charged more than 600 defendants under these statutes. Will you commit to enforcing federal gun laws—like the ones described here?

RESPONSE: If confirmed, I am committed to enforcing federal gun laws as appropriate and in accordance with the relevant facts and law.

22. If confirmed as Attorney General, will you ensure that ATF has the resources, agents, and support from Main Justice to remain effective in its mission and protect Americans from gun violence?

RESPONSE: As I stated at my hearing, if confirmed as the next Attorney General of the United States, my overriding objective will be to return the Department of Justice to its core mission of keeping Americans safe.

23. I'm sure you and I can agree that the attacks in New Orleans and Las Vegas two weeks ago on New Year's Day were heinous acts of terrorism. Based on what is publicly known about the New Orleans case and anything you may have been briefed on during the transition, do you believe it was conducted by a U.S. citizen and Army veteran who was radicalized over time and inspired but not directed by ISIS, and not by someone who had crossed the Southern Border illegally?

RESPONSE: Because investigations into these attacks are ongoing and because I am not privy to all the facts uncovered by the investigations, it would be inappropriate for me to discuss these cases.

24. President-elect Trump claimed that the attack was a result of President Biden's border policies, including after the perpetrators citizenship and military record was known. In fact, the FBI and DHS repeatedly warn about the threats of ISIS-inspired attacks by people legally inside the United States. Do you agree that a significant, and perhaps the primary threat of terrorism inside the country is by domestic terrorism or those inspired by foreign terrorist groups?

RESPONSE: If confirmed, I look forward to reviewing relevant information from our law enforcement and intelligence communities to ensure that we appropriately address the various threats to our homeland.

25. Are you familiar with the 2001 and 2002 OLC opinions providing legal approval for warrantless wiretapping and the use of interrogation techniques such as waterboarding and sleep deprivation? In both the surveillance and the interrogation areas, those OLC opinions were rescinded when they came to light. Will you commit to sharing OLC opinions, including classified opinions, with Members and cleared staff of this Committee and the Intelligence Committee on matters within their jurisdiction?

RESPONSE: As a career prosecutor for 18 years and Florida's Attorney General for eight years, I have not had occasion to consider those OLC opinions. If confirmed, I will consult with OLC and OLA regarding Departmental standards about sharing opinions with Congress. As noted above, I cannot make any commitments about the disclosure of any existing opinions or future opinions until I have had the opportunity to review them.

26. I am very concerned with transnational repression, especially on U.S. soil. If confirmed, will you commit to using all resources of the Department of Justice needed to combat transnational repression, particularly efforts by countries like Iran, China, Russia, and India to intimidate, coerce, and attempt to physically harm people in the United States?

RESPONSE: If confirmed, I look forward to consulting with Department officials to ensure that we appropriately address the various threats, including threats for foreign countries.

27. After the abuses of the Watergate era, there was a national recognition that the decisions of the Justice Department should be free from politics and free from pressure from the president, the nation's most powerful politician. In 1978, attorney general Griffin Bell spoke publicly to DOJ lawyers about the importance of an independent Justice Department. He said:

[It] is improper for any Member of Congress, any member of the White House staff, or anyone else, to attempt to influence anyone in the Justice Department with respect to a particular litigation decision, except by legal argument or the provision of relevant facts. This principle is essential to our proper function.

In the same talk, he also said:

Our notions of fairness must not change from case to case; they must not be influenced by partisanship, or the privileged social, political or interest-group position of either the individuals involved in particular cases, or those who may seek to intervene against them or on their behalf.

He added:

[The] Department must be recognized by all citizens as a neutral zone, in which neither favor nor pressure nor politics is permitted to influence the administration of the law.

Do you agree that law enforcement decisions at the Justice Department should be based on justice, fairness, and the law?

RESPONSE: Yes.

Do you agree that law enforcement decisions should be fully insulated from pressure from the president? If so, what will you do if (when) the president applies pressure to initiate particular investigations/prosecutions, civil or criminal.

RESPONSE: The President is the chief law enforcement officer of the United States and all prosecutions must comply with the Constitution and all relevant statutes. As I stated repeatedly, I would not have accepted the nomination to serve as Attorney General if I believed President Trump would ask me to do this.

28. Do you think it is the DOJ's job to prosecute violence against U.S. government personnel and properties?

RESPONSE: Yes.

29. Was there violence against U.S. government personnel and properties on January 6, 2021?

RESPONSE: Yes.

30. Do you think individuals who used violence against U.S. government personnel and properties on January 6, 2021 should be able to pass background checks? Should they be permitted to be employed by the DOJ? Should they have access to classified information?

RESPONSE: Individuals convicted for crimes related the events of January 6, 2021, should be treated no different than others convicted of similar crimes with respect to background checks, employment, or access to classified information.

31. The Trump Campaign, for which you were a senior legal advisor, filed more than 60 lawsuits challenging the 2020 election results. These claims were roundly rejected by courts across the country, including by judges appointed by President Trump himself. And contrary to

what election deniers have continued to claim since 2020, several of those cases were heard and rejected on the merits. In fact, Former Attorney General Bill Barr wrote in his memoir that “The President and his legal team were peddling the narrative of widespread fraud and a stolen election” and that “[t]he available facts did not substantiate those claims, but the peddlers didn’t feel bound to any objective reality; what counted, to them, was whatever Trump wanted to hear.” You knew at the time there was no evidence to support claims of widespread voter fraud in the 2020 election, yet you persisted in making those claims in the media and to the public. Looking back on the outcomes of all the legal proceedings, will you say today that there was no evidence of widespread voter fraud in the 2020 election?

RESPONSE: I did not serve as a member of the President’s legal team in any of the cases litigated across that country. My experience with respect to the 2020 election was limited to my work for the campaign in Pennsylvania, and during that period, I saw and heard a number of things that gave me serious concerns about whether local officials were complying with the Commonwealth’s election laws. If confirmed as Attorney General, I will work to restore Americans’ confidence in our electoral processes, and I hope that we are able to work together to do that.

32. By this point, we all know about the controversies surrounding Rudy Giuliani’s actions after the 2020 election, for which he has been disbarred. But what many do not know is that in his testimony to the D.C. Board of Professional Responsibility, Mr. Giuliani stated that he went to Pennsylvania to challenge the election results at Ms. Bondi’s request.

a. Did you encourage Mr. Giuliani to go to Pennsylvania to assist in the Trump Campaign’s efforts to overturn the 2020 election?

RESPONSE: I did not ask Mr. Giuliani or anyone to go to Pennsylvania in an effort to “overturn the 2020 election” and to be clear, my role was not to “overturn the 2020 election.” In the days following election day, I traveled Pennsylvania myself and recounted irregularities that I witnessed firsthand.

i. Are you aware that Mr. Giuliani was disbarred in New York and Washington D.C. as a result of the “demonstrably false” statements he made in open court about the 2020 election in Pennsylvania?

RESPONSE: I am aware that Mr. Giuliani was disbarred.

b. You made similar public statements to those made by Mr. Giuliani that Donald Trump won the 2020 election in Pennsylvania. You also publicly claimed that there was mass “evidence of cheating” in the state, “fake ballots” being “dump[ed]” and that people who had “receiv[ed] ballots who were dead” and may have voted. Have you ever publicly recanted the false statements you made about the conduct of the 2020 election in Pennsylvania? Will you do so now?

RESPONSE: As I explained at the hearing, and in my prior response, I traveled to Pennsylvania as an advocate for the campaign in the days after election day. During that period, I saw a number of things that gave me concern about whether certain local

officials were complying with the Commonwealth's election laws. I expressed those concerns in several public appearances based upon what I saw and upon other information that I was receiving at that time. Many Americans continue to share concerns about the integrity of the 2020 election. If confirmed as Attorney General, I will work to restore Americans' confidence in our electoral processes, and I hope that we are able to work together to do that.

33. In litigation in Georgia, your organization, the America First Policy Institute (AFPI), took the position that a county election official should be permitted to ignore a clear constitutional and statutory obligation to certify the results of an election, effectively allowing these county-level administrators to refuse to count the validly cast votes of their constituents. However, federal law prohibits any person acting under color of law from “willfully fail[ing] or refus[ing] to tabulate, count and report” an eligible American's ballot. As Attorney General, it would be your responsibility to ensure that all Americans' civil rights are protected – including their right to vote and have their votes counted. Will you guarantee that under your leadership, the Department of Justice will not engage in or support efforts to interfere with the lawful tabulation and certification of election results?

RESPONSE: If confirmed, I will fully and fairly enforce all election-related laws so that Americans can have faith in their election results.

34. In *AFPI v. Biden*, your organization challenged Executive Order 14019, which President Biden issued in March 2021 to encourage federal agencies to integrate voter registration opportunities into their services — similar to the role played by departments of motor vehicles around the country.¹⁵ Although this EO was issued in March of 2021, AFPI waited to seek emergency relief in federal court until just weeks before the 2024 election, asking a federal court in Texas to block the Order by arguing that it was a “weaponize[d]” and “partisan” scheme to register ineligible non-U.S. citizens to vote to benefit Democratic candidates¹⁶—a dangerous conspiracy theory premised on racist rhetoric and entirely unsupported by facts or evidence. In support of this litigation, and in your capacity as AFPI's litigation chair, you sent a series of public letters to election officials in nine different states accusing them—again without any evidence—of failing in their legal duty to prevent ineligible individuals from voting.¹⁸ Thankfully, AFPI's emergency request was denied by well-known conservative Judge Matthew Kacsmaryk, who held that AFPI did not have standing and that its petition provided “no direct evidence to support its claim” that the Order was resulting in illegal voter registration.

a. You led this litigation and amplified baseless conspiracy theories alleging widespread illegal voting in US elections – statements that a conservative federal judge said were not supported by any “direct evidence.”

i. Do you think it is appropriate for an attorney to bring litigation without evidence to support their claims?

ii. Do you think that it is appropriate for the U.S. Attorney General to bring litigation on behalf of the United States without evidence?

RESPONSE: Attorneys, including attorneys representing the United States, should follow all applicable legal and ethical obligations when bringing litigation.

b. As the United States' chief law enforcement officer, the Attorney General has a unique platform to promote public confidence in our electoral system by sharing accurate and reliable information with the American people. What will you do as Attorney General to stop the spread of misinformation about American elections, including the lies about the integrity of our election system that proliferated during the 2024 election?

RESPONSE: If confirmed, I will instill trust in the Nation's election integrity by fully and fairly enforcing all election-related laws.