

**Questions for the Record**  
**Chairman Charles E. Grassley of Iowa**  
**The Nomination of Todd Blanche**  
**to be Deputy Attorney General of the United States**  
**February 12, 2025**

1. In 1986, President Reagan signed into law important amendments to the False Claims Act. I led my colleagues on those amendments, which empower whistleblowers to help the government identify and fight frauds on the taxpayer. Since the enactment of those amendments, the government has recovered more than \$78 billion in taxpayer money and saved countless more by deterring would-be fraudsters. Most of that's because of patriotic whistleblowers who found the fraud and brought the cases at their own risk.

The Supreme Court has long upheld the law's constitutionality, but I want to know your view: is the False Claims Act constitutional?

**RESPONSE:** Yes.

If confirmed, will you commit to continuing DOJ's defense of the constitutionality of the False Claims Act?

**RESPONSE:** Yes.

If confirmed, will you also ensure necessary staff and funding levels to properly support and prosecute False Claims Act cases?

**RESPONSE:** If confirmed, I welcome the opportunity to consult with relevant Department personnel to determine the resources necessary to support False Claim Act cases.

2. The Government Accountability Office reported in April 2024 that an estimated \$233 to \$521 billion in taxpayer dollars were 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:** If confirmed, I will ensure the Department makes dismissal decisions in False Claims Act cases only as appropriate and in accordance with the relevant facts and law.

3. 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 Government Accountability Office reported that PSOB officials have failed to make necessary improvements. PSOB is not sufficiently collecting data or publishing reports as required by law. They are not ensuring claims are processed consistently and in a timely manner. They are 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:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to familiarize myself with this program. If confirmed, I welcome the opportunity to discuss the matter further with appropriate officials within the Department of Justice.

4. 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 Justice Department personnel regarding the necessary resources to administer and enforce FARA.

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:** I will consult with relevant Justice Department personnel regarding countries requiring particular focus by the FARA Unit, and will ensure that any enforcement actions are undertaken in accordance with the law

5. Section 5(d) of the *Reforming Intelligence and Securing America Act (RISAA)* provides that the "chair and ranking minority member of each of the congressional intelligence committees, the chairs and ranking members of the Committees on the Judiciary of the House of Representatives and of the Senate, the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of

Representatives shall be entitled to attend any proceeding of the Foreign Intelligence Surveillance Court or any proceeding of the Foreign Intelligence Surveillance Court of Review.” The previous administration’s DOJ leadership has abrogated this requirement by insisting that congressional observers acquiesce to DOJ’s ability to unilaterally expel a listed member of Congress or their designated staff from a proceeding, and carry out a “bifurcated proceeding” and conceal what it deems “protected information.” The previous administration also infringed on Congress’s constitutional authority to request information and records relating to a FISC proceeding.

If confirmed, do you commit to follow the plain language of RISAA, respecting the constitutional separation of powers and Congress’s constitutional authority to perform oversight?

**RESPONSE:** I am not familiar with the situation raised in this question. If confirmed, I will review the situation, consult with appropriate Department personnel, and ensure the Department is fully complying with RISAA.

**Senator Dick Durbin**  
**Ranking Member, Senate Judiciary Committee**  
**Written Questions for Todd Wallace Blanche**  
**Nominee to be Deputy Attorney General of the United States**  
**February 13, 2025**

1. During our meeting last week, I asked you how you would characterize the events that took place at the Capitol on January 6<sup>th</sup>. You acknowledged it was a horrible day of events. I also asked you whether crimes had been committed and you said they had.

In a court filing, you wrote, “Not a shred of evidence suggests President Trump called for any violence...in fact President Trump clearly and repeatedly called for ‘peaceful and patriotic’ assembly.” But at the rally before the attack on the Capitol, President Trump also said, “if you don’t fight like hell, you’re not going to have a country anymore.”

- a. **Is it your personal belief that nothing President Trump said that day played a role in the violence we witnessed firsthand?**

**RESPONSE:** Yes.

- b. **Did President Trump lose the 2020 election?**

**RESPONSE:** Former President Joseph Biden was sworn in as our 46<sup>th</sup> President on January 20, 2021, and there was a peaceful transition of power on that day.

- c. **Do you believe that January 6 rioters who were convicted of violent assaults on police officers should have been given full and unconditional pardons?**

**RESPONSE:** I believe that our Constitution gives any and every President the power to pardon any individual without having to provide an explanation. I am also not aware that “rioters who were convicted of violent assaults on police officers” were given “full and unconditional pardons.”

2. You have served as President Trump’s personal lawyer in several cases. Those experiences must have forged a strong relationship between you two and certainly played a role in your nomination to serve as Deputy Attorney General.

- a. **How do you foresee this relationship affecting your work and decision-making process if confirmed as Deputy Attorney General?**

**RESPONSE:** I respect President Trump and consider my representation of President Trump to be the highlight of my professional life and an honor that I will cherish until the day I die. My relationship with President Trump will positively affect my work and decision-making because I strongly believe I share his views of how to restore the integrity of the Department of Justice and enforce the rule of law.

- b. During the course of your legal representation of President Trump, have you ever told him that he could not pursue a course of action or make a legal argument that he wanted to make?**

**RESPONSE:** Conversations you are asking me to comment on are necessarily protected by the attorney client privilege.

- c. If President Trump pressures you engage in unethical or illegal conduct, would you tell him, “No”?**

**RESPONSE:** As I stated in my hearing, I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I would follow the law.

- d. Would you resign if the President asks you to do something which is inconsistent with your oath to uphold and defend the Constitution?**

**RESPONSE:** Please see my response to question 2.c.

3. Following President Trump’s conviction on 37 counts related to falsification of business records, you did a series of media interviews to discuss the outcome of the case. When asked if you accepted that President Trump had his day in court and that a jury of his peers had made the decision to convict him, you said, “No. Not at all.” You expressed your belief that it was difficult to get a fair trial in that jurisdiction as well as your disagreement with various decisions made by Justice Juan Merchan in the case.

- a. Do you think President Trump would have been capable of receiving a fair trial in any jurisdiction?**

**RESPONSE:** Yes.

- b. Is President Trump above the law?**

**RESPONSE:** I am not aware of what it means to be “above the law” so I cannot answer that question.

4. In media interviews, you have used the word “lawfare” to describe the investigations and prosecutions of President Trump.

- a. Please define what “lawfare” means to you.**

**RESPONSE:** I am not aware of what “media interview” is being referred to in this question. My general view of “lawfare” can be described as follows: A former President announces his candidacy for Office. A private citizen is thereafter appointed as a special counsel to investigate him. This private citizen then hires on his staff career and former prosecutors who have a known improper

bias against the person they are investigating. In this case, a former President. This private citizen then indicts this former President twice in separate jurisdictions and then demands trials in a time-frame inconsistent with typical practices in the district where the indictment is filed, fails to produce discovery in a timely or complete manner and otherwise violates their oath in the manner in which they carry out the prosecutions. This conduct is carried out simultaneously to the following actions: 2 separate elected local democrat district attorneys file indictments against the same former President in totally separate jurisdictions than the 2 federal indictments. The charges in these state cases are inconsistent with the applicable laws and facts that would normally apply to such prosecutions. In addition to the 4 (not a typo) indictments in 4 separate jurisdictions proceeding simultaneously, a state attorney general who ran on a platform of “going after” the same exact former President has filed a civil suit that is a first of its kind before an incredibly biased judge where the goal of said civil suit is to destroy the former President’s business and financially ruin him and his children. During this same exact time, my definition of lawfare would have democrat state operatives in various states find friendly judges to try to keep the same former President off the ballot for blatantly illegal and unconstitutional reasons. While it would be hard to imagine these examples happening in this great country, this is the type of conduct that I would describe as “lawfare.”

**b. Would investigations and prosecutions of Department of Justice leaders, line prosecutors, FBI agents, and other personnel who worked on cases against President Trump also be considered a form of “lawfare?” Why or why not?**

**RESPONSE:** It depends on the nature of and reason for the investigation and/or prosecution. I cannot answer that question in the abstract or hypothetical.

5. In a conversation on the *For the Defense* podcast, you discussed the case against Paul Manafort. You said that under normal circumstances, this case wouldn’t have been pursued because Manafort was performing on the mortgage that was the basis for the indictment. The host concurred and said there should have been prosecutorial discretion exercised in the case. You agreed when the host stated, “If you’re performing on the mortgage, and if there is no harm and there is no victim, maybe that’s not the case that should be brought.”

Some prosecutors have been criticized by my colleagues on the other side of the aisle for their decision to exercise prosecutorial discretion in the context of non-violent, low-level offenses.

**a. Should prosecutorial discretion only be exercised in cases involving wealthy, elderly, or well-connected defendants charged with white-collar offenses?**

**RESPONSE:** No.

- b. Do you believe in the exercise of prosecutorial discretion at the Department of Justice? If so, under what circumstances?**

**RESPONSE:** Prosecutorial decisions by the Justice Department should be made consistent with Chapter 9 of the Justice Manual, in particular section 9-27.000 - Principles of Federal Prosecution.

- 6.** As we discussed when we met privately, I am very concerned about the personnel removals and reassignments that have taken place at the Justice Department in recent weeks. As many as 20 senior Department officials have been reassigned or removed, including veteran career deputy assistant attorneys general in the Department's National Security Division. Additionally, line attorneys and agents have been asked to retire, resign, or be fired simply for handling tasks linked to the two Special Counsel cases in which you defended President Trump. Acting Deputy Attorney General Emil Bove, your former law firm partner, has also targeted FBI personnel who worked on investigations related to the January 6 insurrection.

- a. Have you communicated with anyone about the removal or reassignment of career civil servants in the Department of Justice or its components or been made aware of these pending removals or reassignments? If yes, what was the extent of your involvement and when were you consulted about this course of action? If no, do you agree with the decision to remove or reassign career civil servants and line prosecutors and agents at the Department of Justice?**

**RESPONSE:** I did not communicate with anyone about the actions described above (and I do not know whether the actions, as described, actually took place). I cannot comment on decisions that were or were not made because I am not aware of the circumstances or reasoning behind decisions made at the Department of Justice.

- b. Do you believe it is appropriate to take personnel actions against prosecutors and investigators who were assigned to January 6 or Trump criminal cases simply because they did their job?**

**RESPONSE:** No.

- c. Under your leadership, would you only hire, promote, or retain employees that express loyalty to President Trump?**

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

7. At your hearing, I asked if you would stop any effort to disclose information that might jeopardize the safety of FBI agents. You committed to “never do anything to put the lives of the families or the agents of the Federal Bureau of Investigation in danger.”

**Do you believe the public disclosure of the names of FBI agents, line prosecutors, and other support staff who assisted in the investigation and prosecution of President Trump or January 6 defendants would put their lives or safety, or the lives or safety of their families, in danger? If not, please explain. If yes, will you commit to protecting their identities from those who may seek retribution?**

**RESPONSE:** As I stated in my hearing, I am unaware of any effort to disclose those names to the public. If I am confirmed and face a request to do so, I would consult with relevant Department personnel and only act according to the facts and the applicable law, while prioritizing concerns for the safety of those involved.

8. In response to Question 22 of the Senate Judiciary Questionnaire regarding conflicts of interest, you wrote: “I represent several individuals and entities that are either being investigated or prosecuted by a component of the Department of Justice.”

You then said you would consult with Justice Department ethics experts to assist you in determining the appropriate step forward to address any potential conflict of interest.

- a. Given your role in personally representing several individuals being investigated or prosecuted by the Justice Department, will you commit to actually following the advice of career DOJ ethics officials when addressing conflicts of interest?**

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

- b. Have you withdrawn from all of these representations?**

**RESPONSE:** I will withdraw from all of these representations prior to taking the oath of office, if I am confirmed.

- c. Will you pledge that if you are confirmed, you will recuse yourself from any cases involving any of your past or current clients?**



**RESPONSE:** Please see my response to question 8.a.

9. At your hearing, you repeatedly said that politics will play no role in your decisions at the Department of Justice.

**a. What systems will you implement to ensure DOJ remains free of personal and political interference?**

**RESPONSE:** If confirmed, I will consult with relevant personnel at the Justice Department to evaluate the current framework to protect against personal and political interference and determine whether additional systems are necessary. On February 5, 2025, the Attorney General issued a memorandum titled “Restoring the Integrity and Credibility of the Department of Justice,” which is also aimed at this issue, and I will comply with any applicable efforts in that memo.

10. At your hearing, Senator Schiff asked whether you supported the release of Volume II of the Jack Smith report on the Mar-a-Lago classified documents case. You said, “No.”

**a. Why don’t you support the report’s release?**

**RESPONSE:** The release of Volume II of Mr. Smith’s report is currently the subject of ongoing litigation involving the Department of Justice. On February 5, 2025, the Attorney General issued a memorandum titled “Restoring the Integrity and Credibility of the Department of Justice,” which created a Weaponization Working Group specifically tasked with examining Mr. Smith’s work. As a nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to the release of the report given the Department’s ongoing litigation and this Departmental review. Additionally, On July 15, 2024, Judge Cannon ruled that then-Attorney General Garland’s purported appointment of Jack Smith as Special Counsel was in fact unconstitutional, and that Mr. Smith’s prosecutorial actions under the guise of being a Special Counsel were legally invalid.

**b. Is the American public not entitled to review the full record of information related to this case?**

**RESPONSE:** Please see my response to question 10.a.

**c. If confirmed, will you ensure that the report itself is preserved and not destroyed?**

**RESPONSE:** If confirmed, I will work to ensure the Department's compliance with the Federal Records Act and all applicable preservation obligations across all cases.

- d. In light of the ongoing Freedom of Information Act (FOIA) litigation in federal court over the release of Volume II of the Smith report, if DOJ is directed by the district court to release the report under FOIA, will you commit to making the report public?**

**RESPONSE:** As the nominee to be the Deputy Attorney General, it would be inappropriate to me to make commitments regarding ongoing litigation regarding the Department. I will, of course, comply with legal obligations.

- e. If there is a final order to release the report after all appeals have been exhausted, will you commit to releasing the report?**

**RESPONSE:** Please see my response to question 10.d.

11. You represented the President in the Mar-a-Lago classified documents case before Judge Aileen Cannon.

- a. Did you ever have any private communications with Judge Cannon about the case?**

**RESPONSE:** No.

- b. Did you ever have any ex-parte communications with Judge Cannon?**

**RESPONSE:** No.

- c. Did you ever have any communications with Judge Cannon about her decision to enjoin DOJ from releasing parts of Jack Smith's special counsel report?**

**RESPONSE:** President Trump's legal team, including me, filed a motion before Judge Cannon asking her to allow President Trump to intervene in the litigation surrounding the release of Jack Smith's special counsel report. Aside from this motion, I did not have any communications with Judge Cannon about her decision to enjoin DOJ from releasing parts of Jack Smith's special counsel report.

12. On Monday, January 27th, President Trump fired 17 Inspectors General across various federal agencies. Inspectors General are crucial, nonpartisan watchdogs who play a key role in government oversight. An amendment to the 2023 National Defense Authorization Act sponsored by Chairman Grassley requires that the President provide written, detailed communication informing Congress of the President's decision to dismiss an Inspector General at least 30 days before the dismissal.

At your hearing, Senator Coons asked you about the recent firing of the USAID IG and clearly explained the mathematical impossibility of President Trump's compliance with the 30-day statutory notice requirement. You said "he obviously did not" comply but refused to admit that he broke the law. Chairman Grassley acknowledged that President Trump had not followed the law in this instance and offered a way for him to cure the non-compliance, which he then admitted was a step the President had not taken.

- a. Now that you have had more time to think about this and familiarize yourself with the statute, will you acknowledge that President Trump broke the law when he fired these Inspectors General?**

**RESPONSE:** The termination of the Inspectors General is now the subject of litigation involving the Department of Justice. As the nominee to be the Deputy Attorney General, it would be inappropriate for me to comment on this pending litigation.

- b. Do you agree with the Chairman that the President violated the law by not providing a detailed explanation of the removal to Congress more than 30 days in advance?**

**RESPONSE:** Please see my response to question 12.a.

- c. Would you object to the removal of DOJ Inspector General Michael Horowitz?**

**RESPONSE:** It would be inappropriate for me to opine on hypothetical personnel actions involving Inspector General Horowitz. Moreover, as I understand it, it is not the Deputy Attorney General role to hire or fire the Inspector General.

13. As you know, whistleblowers play a critical role in calling out waste, fraud and abuse across government.

- a. How will you protect whistleblowers at the Department of Justice and hold those who retaliate against them accountable?**

**RESPONSE:** I agree about the critical role of whistleblowers throughout the government. If confirmed, I will work as appropriate with the Office of the Inspector General to ensure whistleblowers are protected from retaliation.

- b. What steps will you take to ensure DOJ employees who blow the whistle on waste, fraud, or abuse are safe from political retaliation?**

**RESPONSE:** Please see my response to questions 13.a.

14. On February 10, the Justice Department ordered federal prosecutors in New York to drop corruption charges against Mayor Eric Adams. The order came from your former law partner Emil Bove, who is the current Acting Deputy Attorney General and who will be your future Principal Associate Deputy Attorney General if you are confirmed. According to public reporting, Mr. Bove justified the dismissal by stating that the Mayor's indictment interfered with his ability to cooperate with President Trump's immigration directives. At your hearing, you declined to speculate about the reasoning for the dismissal, but said "I don't believe what the media says as a matter of practice."

**a. Why do you distrust the media to this extent and when did this distrust begin?**

**RESPONSE:** I don't know when my distrust began, but I have firsthand knowledge that many members of the media outright lie in the way they "report" facts.

**b. Do you distrust all media or are there certain outlets you do trust? Please list the media outlets you trust.**

**RESPONSE:** I make decisions in my life based upon facts as I understand them to be, not based on what the media tells me, no matter the outlet.

15. Mr. Bove's memorandum directing the dismissal of the Adams case notes that the "Justice Department has reached this conclusion without assessing the strength of the evidence or the legal theories on which this case are based." After suggesting that Mayor Adams's prosecution was politically motivated by the prior administration, Mr. Bove explained that dismissal was merited in part because the pending prosecution had unduly restricted Mayor Adams's ability to support President Trump's immigration directives in New York City. Notably, Mr. Bove's directive to federal prosecutors in New York was to dismiss the case without prejudice.

**Do you think it is appropriate for leaders at the Department of Justice to direct the dismissal of a case without assessing the strength of the evidence or legal theories on which the case is based?**

**RESPONSE:** As the pending nominee to be the Deputy Attorney General, it would be inappropriate for me to comment on pending litigation involving the Department.

16. Last month, interim U.S. Attorney for the District of Columbia Ed Martin requested that a judge drop charges against Joseph Padilla, who had been charged for conduct related to the January 6 attack on the Capitol. Notably, Mr. Martin was Padilla's defense attorney and had not officially withdrawn from his defense representation before he moved, as the

prosecutor, to dismiss the case. As Deputy Attorney General all U.S. Attorneys report to you.

- a. What authority is Mr. Martin operating under when he holds himself out as U.S. Attorney for the District of Columbia?**

**RESPONSE:** As I am not yet in the Department, I am unfamiliar with the internal personnel processes involving Mr. Martin.

- b. Do you agree that representing opposing parties in the same case is a clear violation of professional ethics?**

**RESPONSE:** As the pending nominee to be the Deputy Attorney General, it would be inappropriate for me to opine on Mr. Martin's actions.

- c. What steps will you take, if confirmed, to discipline Mr. Martin for violating Rule 1.7 of the Model Rules of Professional Conduct which prohibits lawyers from representing opposing parties in the same case?**

**RESPONSE:** As the pending nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to a Senator to take, or not to take, any disciplinary actions against particular Department employees. If confirmed, I will evaluate any personnel situation based on the facts and the applicable law.

17. On February 9th, Vice President Vance posted on X that “judges aren’t allowed to control the executive’s legitimate power.” This has raised concerns that the Trump administration may begin defying court orders, which could pose a Constitutional crisis.

- a. If confirmed as Deputy Attorney General, do you commit to doing everything in your power to comply with decisions made by federal judges?**

**RESPONSE:** If confirmed, I commit to working to ensure that the Department complies with its legal obligations and the Constitution.

- b. If you received instructions from the President or Vice President to either partially or fully ignore a court order, what would you do?**

**RESPONSE:** I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I would follow the law.

**Nomination of Todd Blanche  
To be Deputy Attorney General of the United States  
Questions for the Record  
Submitted February 13, 2025**

**QUESTIONS FROM SENATOR WHITEHOUSE**

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

1. If confirmed, will you recuse from any matters where you represented President Trump or his advisors?

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

2. If confirmed, will you follow the guidance of career officials at DOJ regarding potential conflicts of interest and recusals?

**RESPONSE:** Please see my response to question 1.

3. Acting Deputy Attorney General Emil Bove has demanded a list of all FBI employees who worked on a January 6 matter.

- a. Did you have any involvement with this? If so, please describe.

**RESPONSE:** No.

- b. If confirmed, will you ensure those FBI agents' names will not be publicly released?

**RESPONSE:** As I stated in my hearing, I am unaware of any effort to disclose those names to the public. If I am confirmed and face a request to do so, I would consult with relevant Department personnel and only act according to the facts and the applicable law.

4. Ranking Member Durbin received reports that Kash Patel is issuing directives to Emil Bove via Stephen Miller and members of the FBI's "Director's Advisory Team" to purge FBI leaders.

- a. Did you have any involvement with this? If so, please describe.

**RESPONSE:** No.

- b. Have you had any contact with Stephen Miller, Emil Bove, Ed Martin, or any other government employee about personnel matters at the FBI? At DOJ? If so,

please describe.

**RESPONSE:** I do not believe I have spoken with Ed Martin. I have never spoken with Stephen Miller about personnel matters. Prior to January 20, 2025, Mr. Bove and I spoke extensively about personnel matters at the FBI and at DOJ. These communications consisted of identifying the right individuals to fill politically appointed positions within the Department of Justice. Since January 20, 2025, I have not been part of any personnel matters at the FBI or DOJ.

- c. Are you aware of conversations between Kash Patel and Stephen Miller or any FBI employee about personnel matters? If so, please describe.

**RESPONSE:** No.

5. If confirmed, will you commit to not firing anyone from DOJ simply because they participated in an investigation of President Trump or members of the Trump Administration? Do you plan to investigate or fire Emil Bove for participating in a January 6-related investigation?

**RESPONSE:** If confirmed, any disciplinary actions toward Department personnel would be undertaken based on the facts of each situation in a manner consistent with Department policies, applicable law, and the Constitution.

6. The charges involving President Trump's co-defendants in the Mar-a-Lago classified documents case, Walt Nauta and Carlos de Olivera, have now been dismissed.
- a. If confirmed, will you release Volume Two of Special Counsel Jack Smith's report now that the only remaining criminal matter has ended?

**RESPONSE:** The release of Volume II of Mr. Smith's report is currently the subject of ongoing civil litigation involving the Department of Justice. On February 5, 2025, the Attorney General issued a memorandum titled "Restoring the Integrity and Credibility of the Department of Justice," which created a Weaponization Working Group specifically tasked with examining Mr. Smith's work. As a nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to the release of the report given the Department's ongoing litigation and this Departmental review.

- b. If confirmed, will you preserve all evidence related to this investigation?

**RESPONSE:** If confirmed, I will work to ensure the Department's compliance with the Federal Records Act and all applicable preservation obligations across all cases.

7. Since November 5, 2024, have you had conversations with anyone at DOJ about Special Counsel Jack Smith's investigations and prosecutions? If so, please describe.

**RESPONSE:** I had numerous conversations with members of Jack Smith’s team as well as senior DOJ officials regarding ongoing litigation in the two cases brought by Jack Smith. These conversations were all in my capacity as President Trump’s attorney. Aside from these individuals and topics, my answer is no.

8. On February 5, Attorney General Pam Bondi established a “Weaponization Working Group” that will be “supported by” the DAG’s office. What do you plan to do with this Working Group if you’re confirmed?

**RESPONSE:** I have not formed any plans for this working group yet. If I am confirmed, I will consult with Attorney General Bondi and others about the best way to execute the mission with respect to this working group.

9. Multiple career officials across DOJ have been reassigned or fired since January 20.

- a. Were you aware of any personnel moves before they occurred?

**RESPONSE:** No.

- b. Have you had any communications with the White House about these personnel moves? With DOJ officials?

**RESPONSE:** No.

10. Has President Trump or any member of his team ever asked about your willingness to pursue certain criminal investigations or prosecutions? If yes, please describe.

**RESPONSE:** No.

11. Has President Trump or any member of his team asked you to commit to pursue certain investigations or prosecutions? If yes, please describe.

**RESPONSE:** No.

12. Did Joe Biden win the 2020 Presidential Election?

**RESPONSE:** Former President Joseph Biden was sworn in as our 46<sup>th</sup> President on January 20, 2021, and there was a peaceful transition of power on that day.

13. Prosecutions against Trump allies for schemes to use fake electors to subvert the 2020 election remain pending in several states. If confirmed, will you ensure that DOJ will not interfere with any of these state cases as they proceed?

**RESPONSE:** As the pending nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to a Senator to take, or not to take, any particular actions relating to particular state prosecutions. As a general matter, if confirmed, I will ensure



any law enforcement activities by the Department are only undertaken where there is a proper basis under the facts and the law.

14. If confirmed, will you ensure DOJ continues to adhere to the longstanding policy limiting contacts between the White House and DOJ about ongoing matters?

**RESPONSE:** If confirmed, I will ensure that the Department complies with all applicable policy memoranda by the Attorney General, including any currently in force regarding contacts with the White House.

15. Your financial disclosure lists “Roadget Business Pte.” as a client of your law practice.

- a. Is that entity affiliated with the Chinese fashion company Shein?

**RESPONSE:** I cannot answer that question without violating the attorney client privilege

- b. What was the nature of the work you performed for that client?

**RESPONSE:** Please see my response to question 15.a.

- c. Were you aware that the FBI Director nominee, Kash Patel, consulted for and owns millions of dollars in stock in Elite Depot Ltd., the ultimate controlling party of Roadget Business Pte.?

**RESPONSE:** No.

16. In the past, OLC has issued secret opinions which were so shoddy that they had to be withdrawn when they came to light. If confirmed, will you commit that you will not countenance such OLC opinions?

**RESPONSE:** If confirmed, I will not rely on withdrawn OLC opinions.

17. During the Bush administration, DOJ fired U.S. Attorneys who were known to the administration as investigating Republican politicians or failing to initiate investigations that would damage Democratic politicians. If confirmed, will you commit that you will not countenance efforts to fire or discipline U.S. Attorneys based on their willingness to launch political prosecutions?

**RESPONSE:** Please see my response to question 5.

18. 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?”

**RESPONSE:** Yes.

- 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:** Yes.

19. 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:** Congressional subpoenas are serious and require compliance unless executive privilege is invoked. It is deeply concerning to many, including me, that subpoenas are another weaponization tool that have been inconsistently enforced along partisan lines.

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

**RESPONSE:** While I had not had occasion to consider the issue in depth, it is my understanding that 28 U.S.C. § 530D applies to situations in which the Department determines not to defend unconstitutional federal laws.

21. 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:** Yes.

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

**RESPONSE:** If confirmed, I will work to ensure the Department’s compliance with the recommendations.

22. 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:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to study this issue. If confirmed and the issue arose, I would consult with relevant officials within the Department, including the Office of Legal Counsel.

**Senate Judiciary Committee**  
**Hearing on the Nomination of Todd Blanche**  
**to be Deputy Attorney General**  
**February 12, 2025**  
**Questions for the Record**  
**Senator Amy Klobuchar**

1. The Administration has already fired, reassigned or demoted career prosecutors and agents, including those who worked on the January 6th cases. And there are reports that Administration officials have been given the names and information of thousands of FBI agents who worked on these cases for further personnel actions. Many of these actions have been taken by the Acting Deputy Attorney General Emil Bove, who is a partner at your law firm.

- Did you participate in, or provide input into, personnel decisions that resulted in the termination of the employment, reassignment or demotion Justice Department employees who worked on the January 6th cases?

**RESPONSE:** No.

- To what extent were you involved in personnel decisions, including but not limited to the firing and reassignment of Justice Department employees, made by the Acting Deputy Attorney General or the Acting U.S. Attorney for the District of Columbia?

**RESPONSE:** I have not been involved in any personnel decisions made by the Acting DAG or acting DC United States Attorney.

- Do you believe asking career law enforcement officials who have worked apolitically on criminal, national security, and cybersecurity matters to resign or retire will enhance the rule of law and keep our country safe?

**RESPONSE:** I cannot answer that question without knowing the reason they are being reassigned or asked to retire.

- Does it advance public safety if dedicated and experienced prosecutors and agents who were assigned to work on January 6th cases, or any other case by their superiors, are fired or reassigned?

**RESPONSE:** Please see my previous response.

- Do you agree with the following statement from the FBI Agents Association, which represents over 14,000 active and former agents: “Dismissing potentially hundreds of agents would severely weaken the bureau’s ability to protect the country from national security and criminal threats.”

**RESPONSE:** I cannot answer that question without knowing the reason they are being dismissed.

- If you are confirmed as Deputy Attorney General what do you say to prosecutors and agents who today who fear losing of their job just for doing the duties they were assigned?

**RESPONSE:** They should have no such fear of losing their jobs, as the various memoranda issued by Department of Justice leadership have made clear, no agent or prosecutor will lose their job if they simply followed assigned duties.

2. I am very concerned about the impact the President’s spending freeze will have on local law enforcement and groups, like those who help victims of domestic violence, who rely on Justice Department grant programs. I heard from many in my state regarding the chaos and uncertainty that continues.

- If confirmed, how will you ensure that the funds that Congress appropriates for grant programs to state and local law enforcement gets to the law enforcement agencies that need them?

**RESPONSE:** If confirmed, I will consult with Department personnel regarding implementation of the spending freeze, as well as the grantmaking components of the Department, to evaluate the situation and determine what course of action is authorized and appropriate.

3. Chief Justice John Roberts wrote in his most recent end-of-year report that disregarding federal court rulings is “dangerous” and “must be soundly rejected.”
  - Do you agree with Chief Justice Roberts that any suggestion of disregarding a court’s ruling “must be soundly rejected”?

**RESPONSE:** If confirmed, I will work to ensure that the Department complies with its legal obligations and the Constitution.

4. The Department of Justice administers the Public Safety Officers’ Benefits (PSOB) Program which provides death and education benefits to survivors of fallen law enforcement officers, firefighters, and other first responders.

I have heard directly from my constituents in Minnesota who have experienced delays in getting their PSOB claims processed, which sometimes leaves families of first responders in a precarious financial situation.

- If confirmed as Deputy Attorney General, will you commit to working with me to ensure that claims are processed in a timely manner?

**RESPONSE:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to familiarize myself with this program. If confirmed, I welcome the opportunity to discuss the matter further with appropriate officials within the

Department of Justice and work with you regarding its timely implementation.

Additionally, I lead a bipartisan bill to ensure that service related cancers are covered under the PSOB Program called the *Honoring Our Fallen Heroes Act*. The Justice Department provided us with technical assistance in drafting the bill.

- If confirmed as Deputy Attorney General, will you work with me to ensure that first responders who pass away or become totally and permanently disabled as a result of service related cancers get the PSOB benefits they deserve?

**RESPONSE:** If confirmed, I will consult with the relevant Department officials and look forward to working with you to ensure the PSOB program is functioning properly.

5. Fighting human trafficking has been a priority for me. I have worked in a bipartisan manner with Senator Cornyn and Senator Blackburn to support survivors of trafficking and provide resources to federal, state, and local law enforcement officials on the front lines.

The U.S. Attorney's Office in Minnesota has prioritized this issue. Last year, prosecutors and agents in Minnesota won the Justice Department's highest award for dismantling a massive international sex trafficking criminal organization that forced hundreds of women to engage in commercial sex across the United States.

- Will you make combating human trafficking a priority if confirmed, and how do you believe you can strengthen enforcement of human trafficking laws?

**RESPONSE:** Human trafficking is one of the most insidious consequences of open border policies that have caused hundreds of thousands of women and children to be put into harm's way, raped

and murdered. We must unite in a bipartisan coalition to end this deadly scourge. Working with and through our US attorney's offices around the country, we will aggressively enforce our existing immigration laws and anti-trafficking laws, but will also work across the Executive branch, with our state and local law enforcement partners and with Congress to strengthen our ability to end this nightmare for good. You have my commitment, Senator, that we will do whatever we can to find common ground to end human trafficking.

6. At your nominations hearing, Ms. Slater spoke of the importance of fully funding the Antitrust Division to protect consumers against monopoly power and consolidation that raises prices, suppresses innovation, and hurts small businesses. I worked with Senator Grassley to pass a law that updates corporate merger fees for the first time in 20 years to give our antitrust agencies more resources to hire attorneys and economists. Before this law went into effect, there were more than 350 fewer employees working in the Antitrust Division than there were in 1979.
  - Will you work with me, Chairman Grassley, and Ms. Slater to ensure the Antitrust Division is well funded, fully staffed, and that all merger filing fees collected by the Antitrust Division are used for antitrust enforcement?

**RESPONSE:** If confirmed, I will consult with officials in the Department, including Ms. Slater, the Justice Management Division, and the Office of Legislative Affairs about the Antitrust Division's needs. I look forward to working with you and Chairman Grassley to ensure the Antitrust Division is properly functioning.

7. I have long championed efforts to ensure that Justice Department grant programs such as the COPS and the Byrne JAG programs have the funding they need to support their state and local partners. Just



last year, 235 law enforcement agencies used the COPS Hiring Program to hire nearly 1,200 new officers.

- Can I count on your help to reauthorize these important programs?

**RESPONSE:** If confirmed, I will consult with relevant personnel within the Department to determine the appropriate funding for these programs. I look forward to working with you on the issue.

8. 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.

I've worked to advance a bipartisan bill led by Senators Roger Marshall and Jeanne Shaheen to require social media companies to report fentanyl and other dangerous drug sales on their platforms to the DEA.

- Do you believe tech companies are doing enough to keep fentanyl out of the hands of our kids?

**RESPONSE:** If confirmed, I will study this issue with all relevant stakeholders—including FBI personnel and the men and women in our US Attorneys' offices—and take the steps necessary to address fentanyl-related issues.

- 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:** Please see my response to the first question in number 8.

9. I have pressed the Acting Director of the Bureau of Prisons (BOP) to reconsider the decision to close the prison camp in Duluth. This decision will cause significant harm to the people who work in the facility, their families, the regional economy, and the inmates who rely on the programs there.

- Will you review the Bureau's decision, including ensuring BOP works to ensure the employees there are taken care of?

**RESPONSE:** If confirmed, I welcome the opportunity to consult with relevant BOP officials to evaluate the situation.

**Nomination of Todd Blanche to be Deputy Attorney General**  
**U.S. Department of Justice**  
**Questions for the Record**  
**Submitted February 13, 2025**

**QUESTIONS FROM SENATOR COONS**

1. What specific matters have you worked on that have given you the experience required to be Deputy Attorney General? In your response, please refer to your involvement in specific cases, investigations, or decisions.

**RESPONSE:** It is impossible to refer to the specific cases, investigations or decisions that specifically give me the experience required to be Deputy Attorney General. I worked as a paralegal on hundreds of criminal investigations and prosecutions, including testifying at trial and in the grand jury on over 50 occasions. As a paralegal, I worked on dozens of trials ranging from low-level narcotics and fraud trials to RICO murder trials. As a law clerk, I assisted two federal judges in researching and drafting orders and opinions in criminal and civil cases, and assisted in research surrounding both criminal and civil trials. As a federal prosecutor, I prosecuted dozens of cases ranging from lower-level fraud and immigration-related cases to murder, robbery and RICO prosecutions. As a supervisor within the United States Attorney's Office, I supervised cases of all sorts, including general crimes, narcotics, health-care related crimes, fraud, cyber, securities, violent crime and public corruption. As a defense attorney, I have represented individuals and companies in civil matters, criminal investigations and prosecutions, and regulatory investigations and enforcement actions. My range of experience over the past decade includes serving as an independent monitor, representing a company under a federal monitorship, representing companies in internal investigations, representing individuals and companies in civil matters involving allegations of breach of contract and fraud, representing companies and individuals alleged to have violated the securities laws, and countless other matters ranging from small civil-related issues to complex criminal prosecutions. These cases, combined, along with the life I have lived outside of the law, give me the experience required to be Deputy Attorney General.

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

**RESPONSE:** As I stated in my hearing, I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I would follow the law.

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

**RESPONSE:** Please see my response to question 2.

3. As a Justice Department lawyer, when is it appropriate to refuse to follow a directive of the President?

**RESPONSE:** Justice Department lawyers should always uphold their oaths to support and defend the Constitution, and act in accordance with applicable laws, regulations, and Department policies.

4. How would you respond if your role at the Department of Justice required you to follow a policy directive that was unconstitutional?

**RESPONSE:** As I stated in my hearing, I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I would follow the law.

5. When is it appropriate for the Department of Justice to decide not to defend a federal law?

**RESPONSE:** While I had not had occasion to consider the issue in depth, it is my understanding that 28 U.S.C. § 530D applies to situations in which the Department determines not to defend unconstitutional federal laws.

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

**RESPONSE:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to consider this issue.

7. Do you agree that even in the areas of immigration and national security, the executive's exercise of prosecutorial discretion and other policies must be constitutional?

**RESPONSE:** Yes.

8. Do you agree that the Department of Justice has an independent obligation to evaluate the legality of the President's policy proposals?

**RESPONSE:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to consider this issue. If confirmed, I would consult with relevant Department personnel and ensure the Department is fulfilling applicable legal obligations.

9. How would you ensure that hirings and dismissals of Department of Justice employees are not politicized?

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

10. By law, the President must provide Congress with 30 days' notice before firing any inspector general. During his first week in office, President Trump fired 17 inspectors general. As of February 13, President Trump has only been in office for 24 days.

a. Is 24 more or less than 30?

**RESPONSE:** Less.

b. Is it possible for President Trump to give 30 days' notice in 24 days?

**RESPONSE:** The termination of the Inspectors General is now the subject of litigation involving the Department of Justice. As the nominee to be the Deputy Attorney General, it would be inappropriate for me to comment on pending litigation.

c. Do you agree that President Trump violated the law by firing inspectors general without providing 30 days' notice to Congress?

**RESPONSE:** Please see my response to question 10.b.

11. 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. Would you support legislation that would close this loophole?

**RESPONSE:** As a pending nominee, I believe it would be inappropriate to opine on pending 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.

a. 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:** If confirmed, I will ensure that Department personnel appropriately cooperate and coordinate with the Inspector General.

12. Do you believe that there are instances when a Department of Justice investigation should be turned over to an independent or special counsel?

**RESPONSE:** The decision of whether it is constitutional or appropriate for the Justice Department to use independent or special counsels would likely depend on the individual circumstances of a given investigation.

- a. What factors would you use to evaluate when an independent or special counsel is appropriate?

**RESPONSE:** If confirmed and required to evaluate whether an independent or special counsel is appropriate, I would consult with relevant officials in the Department, and look to the constitution, applicable laws and judicial opinions, and the Department's regulations and policies.

- b. Do you think either an independent counsel or a special counsel (or both) needs to be confirmed by the Senate before he or she can be appointed?

**RESPONSE:** Yes, as explained by Judge Cannon in her ruling on the unconstitutionality of then-Attorney General Garland's purported appointment of Mr. Smith as a Special Counsel.

- 13. What, in your view, are the circumstances when it is appropriate for the President or another White House official to contact the Department of Justice or the FBI with instructions on how to conduct an ongoing criminal investigation?

**RESPONSE:** It is my understanding that Attorneys General have issued memoranda governing Department officials' contacts with the White House. If confirmed as the Deputy Attorney General, I would comply with any applicable memoranda from the Attorneys General, as well as all applicable laws and the Constitution.

- a. What factors or criteria would you examine to determine if contacts were appropriate?

**RESPONSE:** Please see my response to question 13.a.

- b. What would you do if there were inappropriate communications between the White House and the Department of Justice regarding an investigation?

**RESPONSE:** Please see my response to question 13.a.

- c. Is it ever appropriate for the President or another White House official to contact the Department of Justice or the FBI to recommend or request that they open a new investigation?

**RESPONSE:** Please see my response to question 13.a.

- d. Is it ever appropriate for the President or another White House official to contact the Department of Justice or the FBI to recommend or request suspending or closing an ongoing investigation?

**RESPONSE:** Please see my response to question 13.a.

- e. Is it ever appropriate for the President or another White House official to ask the Department of Justice or the FBI about an ongoing investigation that potentially implicates the President and/or other White House officials?

**RESPONSE:** Please see my response to question 13.a.

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

**RESPONSE:** The President is bound by the terms of his oath, the Constitution, and applicable law.

14. The President 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?

**RESPONSE:** I have not had occasion to research whether people illegally voted in the 2020 election, and if so, how many. The President is, of course, entitled to his opinions like any other American citizen.

- 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:** As the pending nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to taking, or not taking, particular investigative actions regarding any allegations. If confirmed, I will ensure any law enforcement activities by the Department are only undertaken where there is a proper basis under the facts and the law.

15. Evidence shows that solitary confinement has significant mental health consequences when used for extended periods of time. Do you believe solitary confinement should only be used as a last resort?

**RESPONSE:** I have not had occasion to study this particular issue. If confirmed, I look forward to reviewing it, including existing law and policies and the evidence you reference.

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

**RESPONSE:** Please see my response to question 15.

16. Individuals are being jailed throughout the country when they are unable to pay a variety of court fines and fees. There is often little or no attempt to learn whether these individuals can afford to pay the imposed fines and fees or to work out alternatives to incarceration.

- a. Under your leadership, would the Department of Justice work to end this practice?

**RESPONSE:** If confirmed, I am prepared to consult with relevant Department personnel to review and understand this issue, and ensure that applicable laws are being applied justly.

- b. What is your position on the practice of imposing unaffordable money bail, which results in the pretrial incarceration of the poor who cannot afford to pay?

**RESPONSE:** I would need to consult with relevant Department personnel and know the facts of a particular case to ensure that the law is being applied appropriately.

- c. Should parents pay the cost of housing their child if that child has been detained in a juvenile detention facility?

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

17. The Department of Justice established the Office for Access to Justice (ATJ) in March 2010 to address the access-to-justice crisis in the criminal and civil justice system. ATJ's mission is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status.

- a. How will you improve access to justice for indigent criminal and civil defendants?

**RESPONSE:** I will consult with relevant Department personnel to ensure that the laws are being applied fairly and justly.

- b. What affirmative steps will you take to improve access to justice?

**RESPONSE:** Please see my response to question 17.a.

- c. How will you support the work of the Department of Justice Office for Access to Justice?



**RESPONSE:** I am prepared to consult with relevant Department personnel to review and understand ATJ's work and ensure that laws are being applied fairly and justly.

18. How will you prioritize both the prevention and prosecution of hate crimes?

**RESPONSE:** If confirmed, I will enforce federal hate crime laws, and work with state, local and tribal law enforcement to protect all Americans from intimidation and violence.

19. The total volume of worldwide piracy in counterfeit products is estimated 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 would you use Department of Justice resources to address this growing threat?

**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.

- a. The Department of Justice has made substantial efforts to combat trade secret theft by foreign nationals. In 2009, only 45 percent of federal trade secret cases were against foreign companies; this number increased to over 83 percent by 2015.
- b. Would you prioritize enforcement actions to combat trade secret theft by foreign nationals?

**RESPONSE:** If I am confirmed, the Department will continue to focus on prosecution of the most serious cases of trade secret theft, including those by foreign nationals.

- c. How do you plan to continue the Department of Justice's efforts to successfully target criminal trade secret theft?

**RESPONSE:** If I am confirmed, the Department will continue to focus on prosecution of the most serious cases of trade secret theft.

20. Deaths caused by opioid overdoses have reached epidemic levels in the United States, including in Delaware, with devastating consequences for communities and families.

- a. What actions do you believe are most effective in the Department's efforts to combat the opioid epidemic?

**RESPONSE:** There are numerous effective means by which we can address the opioid epidemic in America. That said—and as I referenced throughout my testimony—federal law enforcement should be ready to work with, and empower, our state and local partners.

- b. How do you think the Justice Department can help to break the cycle of addiction?

**RESPONSE:** While I have not studied the most effective means to treat addiction, if I am confirmed I will work to ensure that the Department is equipped with the tools necessary to review, understand, and help treat addiction.

- c. Do you support the use of specialized courts, such as drug courts and veterans' treatment courts?

**RESPONSE:** I have not had occasion to study this particular issue; however, if confirmed, I am prepared to review and discuss the matter with the necessary and appropriate stakeholders.

- 21. My home community of Wilmington, Delaware is working to reduce gun violence, and I want to identify ways that the federal government can help state and local law enforcement confront this challenge.

- a. Do you agree that it would help state and local law enforcement to know when a prohibited person tried to buy a gun?

**RESPONSE:** Yes, I agree.

- b. What additional actions do you think the Justice Department should take to address gun violence?

**RESPONSE:** As I stated during my testimony, the safety of Americans is of paramount importance. If confirmed, I will consult with appropriate personnel within the Department to study and implement measures in order to reduce violence in all communities.

- 22. How will you work to prevent guns from being funneled from the United States into Mexico?

**RESPONSE:** I have not had occasion to study this issue. As I stated in my hearing, if confirmed, I will review this issue, including the measures currently being taken to address the issue. I will also consult with the appropriate officials at the Department.

- 23. During the last Trump Administration, the Justice Department implemented a zero-tolerance immigration enforcement policy, which resulted in the separation of thousands of children from their parents. This was a government-created humanitarian crisis. Will

you commit that if confirmed to be the United States Deputy Attorney General, you will not advocate for any policy that would have the effect of separating migrant children from their parents, even if family separation is not the goal of the policy?

**RESPONSE:** Tragically, the prior Administration's open-border policies failed to keep women and children safe, leaving them vulnerable to trafficking, abuse, forced labor, and other horrors. I commit to rigorously enforce our nation's immigration laws and to advocate for policies that protect alien women and children from trafficking and exploitation at the border.

24. Do you believe climate change poses a threat to the United States?

**RESPONSE:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to research the issue of the extent to which climate change poses a threat to the United States.

- a. If confirmed, what steps will you take to ensure that the Justice Department prosecutes companies that violate environmental regulations?

**RESPONSE:** If confirmed, 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 the Department's Environment and Natural Resources Division.

25. What is your general approach to deciding how to focus prosecutorial resources?

**RESPONSE:** The Department of Justice must be prepared to respond to any expected or unexpected incident or circumstance, civil or criminal, while focusing on the priorities of the Attorney General, the administration, and President Trump.

26. Is it ever appropriate, in the interest of justice or to avoid a mandatory minimum, to charge a criminal defendant with a lesser offense than the one you believe the facts support?

**RESPONSE:** If confirmed, I will review each case that comes before me on its own merits.

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

**RESPONSE:** As with all laws under the Department of Justice's enforcement authority, if confirmed, I will enforce the Ethics in Government Act, bribery and honest services laws, and anti-nepotism laws as appropriate and in accordance with relevant facts and law.

28. 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?

**RESPONSE:** If confirmed, I will consult with relevant personnel within the FBI to assess their compliance with the reforms mandated by law.

- b. Section 702 comes up for reauthorization next year—do you support reauthorizing Section 702 and for how long?

**RESPONSE:** I understand Section 702 to be an important national security tool. The Department also needs to protect the civil liberties of Americans. If confirmed, I will consult with appropriate officials within the Department to learn more about how 702 is currently operating and formulate an opinion with respect to congressional reauthorization and any potential changes.

- c. What reforms, if any, do you think Congress should include in a Section 702 reauthorization bill?

**RESPONSE:** Please see my response to question 28.b.

- d. Would you support a legislative reform to Section 702 that would require the FBI to obtain a warrant before searching an American's private data?

**RESPONSE:** Please see my response to question 28.b.

**Nomination of Todd Blanche to be the Deputy Attorney General of the United States  
Questions for the Record  
Submitted February 13, 2025**

**QUESTIONS FROM SENATOR CORY A. BOOKER**

1. Do you believe that involvement in the federal criminal investigations and prosecutions of President Trump alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, is grounds for the demotion, reassignment, or termination of Department of Justice (DOJ) personnel?

**RESPONSE:** No.

- a. If you are confirmed as Deputy Attorney General, will you reverse the demotion, reassignment, or termination of any DOJ personnel made under such circumstances since President Trump's inauguration?

**RESPONSE:** I am unaware of any such personnel actions. Moreover, as the nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to a Senator to take, or not take, particular personnel decisions. Without the opportunity to review on a case-by-case basis, I cannot commit to supporting or reversing any personnel decision. As a general matter, personnel decisions should be based on performance and adherence to the law.

2. Do you believe that involvement in investigations or prosecutions of individuals related to the January 6 Capitol riot alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, is grounds for the demotion, reassignment, or termination of DOJ personnel?

**RESPONSE:** No.

- a. If you are confirmed as Deputy Attorney General, will you reverse the demotion, reassignment, or termination of any DOJ personnel made under such circumstances since President Trump's inauguration?

**RESPONSE:** Please see my response to question 1.a.

3. Do you believe that political affiliation alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, is grounds for the demotion, reassignment, or termination of DOJ personnel?

**RESPONSE:** No.

- a. If you are confirmed as Deputy Attorney General, will you reverse the demotion, reassignment, or termination of any DOJ personnel made under such circumstances since President Trump's inauguration?

**RESPONSE:** Please see my response to question 1.a.

4. On January 31, 2025, dozens of career DOJ employees who worked on criminal cases stemming from the January 6 Capitol riot were fired.<sup>1</sup>
  - a. Who was involved in the decision to remove these officials? Please provide the names of the individuals involved.

**RESPONSE:** I do not know.

- b. Has anyone within DOJ ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes? If yes, please provide the names of the individuals involved and the content of those discussions. Please also provide the dates on which those discussions occurred.

**RESPONSE:** No.

- c. Has anyone on the presidential transition team ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes? If yes, please provide the names of the individuals involved and the content of those discussions. Please also provide the dates on which those discussions occurred.

**RESPONSE:** No.

- d. Has anyone in the White House ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes? If yes, please provide the names of the individuals involved and the content of those discussions. Please also provide the dates on which those discussions occurred.

**RESPONSE:** No.

5. On January 30, 2025, during and after Kash Patel's nomination hearing before the Senate Judiciary Committee, numerous senior FBI officials were ordered to retire, resign, or face termination.<sup>2</sup>
  - a. Who was involved in the decision to remove these officials? Please provide the names of the individuals involved.

**RESPONSE:** I do not know.

- b. Has anyone within DOJ, including the FBI, ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel

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<sup>1</sup> Kyle Cheney & Josh Gerstein, *DOJ Fires Dozens of Prosecutors who Handled Jan. 6 Cases*, POLITICO (Jan. 31, 2025), <https://www.politico.com/news/2025/01/31/doj-purges-prosecutors-january-6-cases-00201904>.

<sup>2</sup> Evan Perez & Zachary Cohen, *Senior FBI leaders ordered to retire, resign or be fired by Monday*, CNN (Jan. 30, 2025), <https://www.cnn.com/2025/01/30/politics/senior-fbi-leaders-demoted-wray/index.html>.

changes? If yes, please provide the names of the individuals involved and the content of those discussions.

**RESPONSE:** No.

- c. Has anyone on the presidential transition team ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes? If yes, please provide the names of the individuals involved and the content of those discussions.

**RESPONSE:** No.

- d. Has anyone in the White House ever spoken to you about, or mentioned, these terminations, forced resignations, or other adverse personnel changes? If yes, please provide the names of the individuals involved and the content of those discussions.

**RESPONSE:** No.

6. On February 5, 2025, Acting Deputy Attorney General Emil Bove reportedly sent an email to FBI workforce accusing FBI leadership of “insubordination,” and indicating that FBI leadership’s refusal to submit a list of FBI agents involved in the January 6 Capitol riot investigations caused him to expand his demand for a list of all FBI employees involved in any January 6 riot-related matter.<sup>3</sup>
  - a. Since President Trump announced he planned to nominate you to be Deputy Attorney General on November 14, 2024, have you communicated in any way with Emil Bove? Please describe the mode and content of your communications. Please also provide the dates of the communications.

**RESPONSE:** Mr. Bove was my law partner, and he is my close personal friend. We were together when we were simultaneously nominated by President Trump to our respective positions. I believe I spoke with Mr. Bove every day between November 14, 2024 and January 20, 2025. I have spoken with Mr. Bove infrequently since January 20, 2025, and not about the business of the Department. The mode of our communications is in person, on the telephone, and electronically at time. We talked about everything going on in our respective lives, including our law practice, our families, and our future.

- b. Since President Trump announced he planned to nominate you to be Deputy Attorney General on November 14, 2024, have you communicated in any way with Chad Mizelle? Please describe the mode and content of your communications. Please also provide the dates of the communications.

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<sup>3</sup> Josh Gerstein, *Justice Department Official Defends Demand for FBI Agent Names, Cites ‘Insubordination’*, POLITICO (Feb. 5, 2025), <https://www.politico.com/news/2025/02/05/justice-department-memo-fbi-insubordination-00202655>.

**RESPONSE:** I have communicated with Mr. Mizelle on a handful of occasions, but none since January 20, 2025. I have met in person with Mr. Mizelle on two three occasions, and spoken on the phone with him fewer than five times. I have also communicated with him electronically infrequently. During these communications, we discussed potential personnel to work within the Department of Justice.

- c. Have you ever discussed with Emil Bove, Chad Mizelle, or anyone else, FBI personnel involved in investigations related to the January 6 Capitol riot? Please describe the mode and content of these discussions. Please also provide the dates of the communications.

**RESPONSE:** I have no recollection of talking with Mr. Bove or Mr. Mizelle about these topics. I have spoken with friends and family on several occasions, the dates of which I have no record, about the general concept of the fact that the FBI investigated the events that took place on January 6. I have never discussed a particular FBI agent or even title who may or may not have been part of such investigation.

7. On January 21, 2025, Acting Deputy Attorney General Bove sent a memo to all DOJ employees indicating that DOJ would prosecute state and local actors who “do not comply with the Executive Branch’s immigration enforcement initiatives.”<sup>4</sup> The memo also announced the creation of the so-called “Sanctuary Cities Working Group,” tasked with identifying “state and local laws, policies, and activities that are inconsistent with Executive Branch immigration initiatives and, where appropriate, to take legal action to challenge such laws.”<sup>5</sup>
  - a. Did you participate in the drafting of this memo? If yes, please describe your involvement in its drafting. Please provide the names of the other individuals who participated in its drafting.

**RESPONSE:** I did not.

- b. Did you have any knowledge that DOJ was drafting this memo before it was sent to DOJ employees on January 1, 2025? If yes, please describe what you knew about the memo and how you learned of it. Please include the names of any individuals from whom you learned this information.

**RESPONSE:** I did not.

- c. If confirmed, will you prosecute state or local officials in jurisdictions that have either enacted statutes or implemented policies barring those jurisdictions from

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<sup>4</sup> Mem. from Acting Dep. Att’y Gen. Emil Bove to all Dep’t of Justice Employees, *Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement* (Jan. 21, 2015), <https://www.documentcloud.org/documents/25501154-doj-all-staff-memo-jan-21/>.

<sup>5</sup> *Id.*



honoring immigration detainers? If yes, please provide the legal basis for prosecuting those officials.

**RESPONSE:** If confirmed, I will follow the law. I will not speculate on a hypothetical investigation and/or prosecution, which will necessarily turn on the applicable facts and law.

- d. If confirmed, will you prosecute state or local officials in jurisdictions that have either enacted statutes or implemented policies that prohibit officials from sharing information about a noncitizen's release date, next court date, or address with federal immigration authorities? If yes, please provide the legal basis for prosecuting those officials.

**RESPONSE:** Please see my response to question 7.c.

- e. If confirmed, will you prosecute state or local officials in jurisdictions that have either enacted statutes or implemented policies that prohibit federal immigration officers from accessing state or local law enforcement resources, including equipment, office space, databases, or property? If yes, please provide the legal basis for prosecuting those officials.

**RESPONSE:** Please see my response to question 7.c.

- f. In jurisdictions where such laws or policies have already been unsuccessfully challenged in federal courts, will DOJ bring additional and costly frivolous litigation? If yes, please provide the legal basis for prosecuting those officials.

**RESPONSE:** If confirmed, I will follow the law. I will not speculate on a hypothetical investigation and/or prosecution, which will necessarily turn on the applicable facts and law.

- 8. The January 21, 2025 memo sent by Acting Deputy Attorney General Bove also directed the Organized Crime Drug Enforcement Task Force (OCDETF) to “prioritize the investigation and prosecution of immigration offenses, including by requiring OCDETF-funded [Assistant United States Attorneys] to devote significant time and attention to the investigation and prosecution of these crimes.”<sup>6</sup> This was a Departmental decision to remove federal law enforcement resources from fighting organized crime and drug trafficking and reassigned them to immigration enforcement.

- a. What process will you undertake when making decisions on Departmental priorities such as the decision to remove resources from the OCDETF?

**RESPONSE:** I am not aware of any efforts to, as you say, “remove federal law enforcement resources from fighting organized crime and drug trafficking and reassign[] them to immigration enforcement.” If confirmed, I will discuss this

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<sup>6</sup> *Id.*

memo and its directives and priorities with all relevant stakeholders, including Department personnel.

- b. Is it your understanding that Acting Deputy Attorney General Bove or any other person with decision making authority reviewed any data or information related to ongoing investigations and prosecutions by OCDETF to assess whether they had adequate resources to maintain their cases with the removal of resources? Did Acting Deputy Attorney General Bove or any other person with decision making authority consult with OCDETF personnel before removing their resources?

**RESPONSE:** I do not know.

- c. Would you make prioritization and resource allocation decisions without reviewing any data or information related to ongoing investigations and prosecutions? Would you consult with OCDETF personnel before removing their resources?

**RESPONSE:** I will follow the law and Department policies in connection with any decision making. I am not going to commit to any decision that will be made before consulting with the necessary personnel.

- d. In your opinion, has the incidence of organized crime and drug trafficking decreased to a level whereby a reduction of resources from those investigations and prosecutions will not adversely affect public safety?

**RESPONSE:** I am not aware of that, nor am I aware of “a reduction of resources” that may “adversely affect public safety.”

9. On February 10, 2025, Acting Deputy Attorney General Bove sent a memo directing the Acting United States Attorney for the Southern District of New York to dismiss pending charges against New York City Mayor Eric Adams in part because of “concerns about the impact of the prosecution on Mayor Adams’ ability to support critical, ongoing federal efforts ‘to protect the American people from the disastrous effects of unlawful mass migration and resettlement,’ as described in Executive Order 14165.”<sup>7</sup>

- a. Were you aware of, or did you participate in, the drafting of this memo? If so, please describe your involvement in its drafting.

**RESPONSE:** No.

- b. Have you ever communicated with Mayor Adams? If yes, please describe the mode and content of your communications. Please provide the dates of those communications.

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<sup>7</sup> Mem. from Acting Dep. Att’y Gen. Emil Bove to Acting U.S. Att’y, SDNY, Dismissal Without Prejudice of Prosecution of Mayor Eric Adams (Feb. 10, 2025), <https://www.documentcloud.org/documents/25517976-doj-eric-adams-memo/>.

**RESPONSE:** No.

- c. Do you know whether Mayor Adams communicated, at any point since his indictment on September 25, 2024, with President Trump or any individual associated with him or his administration? If yes, please names the individuals and the dates of the communications? Please also provide the mode and content of the communication.

**RESPONSE:** I do not know.

- d. Do you know whether Mayor Adams has made, to President Trump or any individual associated with him or his administration, any promises or representations to implement, promote, execute, or otherwise advance President Trump's policies, executive orders, or requests?

**RESPONSE:** I do not know.

- e. Are you aware of any other investigations or prosecutions that DOJ is considering ending so that the person facing pending charges could more effectively implement an executive order issued by the President?

**RESPONSE:** No.

- f. Are you aware of any past decisions to halt investigations or prosecutions so that the person facing pending charges could more effectively implement an executive order issued by the President?

**RESPONSE:** I am aware of numerous instances in which the prerogatives of past Presidents reportedly determined the outcome of investigations, prosecutions, and sentences.

- g. Why were the charges in Mayor Adams' case dismissed?

**RESPONSE:** I do not know.

- h. Under your leadership, will DOJ consider prosecuting Mayor Adams or the City of New York should he not cooperate with or implement President Trump's executive order?

**RESPONSE:** I will not speculate on what considerations the DOJ will or will not take.

10. If President Trump directs you to take an illegal action, how would you respond?

**RESPONSE:** As I stated in my hearing, I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I would follow the law.

11. Since your nomination in November 2024, have you had access to, or reviewed, DOJ investigation materials, information, or other potential evidence about specific individuals or investigations? If yes, please provide the date on which you accessed or reviewed those items. Have you discussed any of this information with current or former DOJ personnel, or anyone not associated with DOJ?

**RESPONSE:** No.

12. Have you spoken or corresponded with Elon Musk since your nomination in November 2024?

**RESPONSE:** Yes.

- a. If yes, what was the nature of those conversations?

**RESPONSE:** I have met Mr. Musk on one occasion and we spoke about the importance of Making America Great Again.

- b. If yes, at any point, did you discuss DOJ or matters related to DOJ, including personnel matters? Did you ever discuss demotions, reassignments, or terminations of personnel, whether specific individuals or generally? Did you ever discuss potential personnel to be hired or appointed in any capacity at the DOJ? If yes to any of these questions, please provide the date and mode of the communication.

**RESPONSE:** No.

13. President Trump has said, “I have absolute right to do what I want to do with the Justice Department.”<sup>8</sup> As a former Assistant United States Attorney, do you agree that a sitting president has absolute power? 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.

14. As a former Assistant United States Attorney, please describe your experience of U.S. Attorneys’ Offices’ adherence to direction from a sitting president?

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<sup>8</sup> 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>.

**RESPONSE:** In my experience as an AUSA, I had ZERO discretion about whether to follow a lawful order or directive from my superiors. Ultimately, the President of the United States, under Article II of the United States Constitution, is in charge of the United States Department of Justice.

15. Did any president during your time at the U.S. Attorneys' Office direct or influence prosecutorial decisions or limit prosecutorial discretion? If yes, please describe the incident(s).

**RESPONSE:** Yes. While I was at the U.S. Attorney's Office, President Clinton pardoned Marc Rich, who had been indicted by the SDNY. That pardon ended any prosecutorial discretion involved in that prosecution. There were several other actions by Presidents Clinton, Bush, and Obama that influenced our discretion, including actions to prioritize certain initiatives involving corporate crime or narcotics that influenced and limited my discretion. To be sure, during my time at the U.S. Attorneys' Office, every case I prosecuted or investigated was influenced by the President and his policies and priorities.

16. If you are confirmed as Deputy 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:** If confirmed, I will supervise all my subordinates in keeping with Department policies and applicable laws.

17. Do you believe that there was any basis for the Department of Justice's investigations and prosecutions of President Trump?

**RESPONSE:** No.

18. Please provide your understanding of the Hatch Act. Do you believe that asking DOJ personnel their views about investigations or prosecutions to assess their political leaning would be a violation of the Hatch Act?

**RESPONSE:** In general, I understand that the Hatch Act prohibits government employees from engaging in certain types of political activities. In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to consider the specific scenario you have raised. If confirmed, I would consult with relevant Department personnel and ensure the Department is complying with applicable legal obligations, including the Hatch Act.

19. Will you commit to consulting with career officials at DOJ regarding your potential conflicts of interest?

**RESPONSE:** In the event of any potential conflict of interest, I will consult with the

appropriate Department of Justice ethics officials and act consistent with governing regulations.

20. Will you follow the guidance of career officials at DOJ regarding your potential conflicts of interest and recusals?

**RESPONSE:** Please see my response to question 19.

21. During your tenure in private practice as the Founding Partner of Blanche Law PLLC, you represented President Trump in his personal capacity.

- a. How did President Trump retain you as his counsel?

**RESPONSE:** He called me and asked me to be his lawyer. My wife and I had dinner with him, and I had multiple communications with him in advance of being formally retained to be his attorney.

- b. How many total hours did you spend on each matter related to President Trump?

**RESPONSE:** I did not distinguish among separate matters for President Trump, and I also did not keep track of every hour that I worked on matters for President Trump. I estimate that I worked on average 70 hours per week on matters for President Trump from the time I started my representation until early January, 2025.

- c. How many hours did you spend on each matter related to President Trump last year?

**RESPONSE:** Please see my response to question 21.b.

- d. As a firm client, did President Trump pay your standard billing rate?

**RESPONSE:** I started my law firm by engaging President Trump. While I never had an exact standard billing rate, President Trump paid me an hourly rate that was appropriate for the work that I was performing.

- e. As a firm client, did anyone other than President Trump, whether an individual or other entity, pay for your legal services on his behalf? If yes, please provide the amount, the name of the individual or entity, and matter for the payment.

**RESPONSE:** My fees were paid by the Save America PAC. My law firm was paid approximately \$10.2 million dollars in total, although that amount includes expenses and payments to investigators and other consultants who assisted in defending President Trump.

- f. Have you received any payments from President Trump unrelated to your work for him as client? If yes, please provide the amount and the reason for the payment?

**RESPONSE:** No.

- g. Does President Trump, or any affiliated individual or entity, owe your firm for any unpaid bills? If yes, please provide the amount owing and the matter of the unpaid bill.

**RESPONSE:** No.

22. At any point during your representation of President Trump, did you discuss a role in his administration with him or any person associated with him? Please describe the nature of the discussion, the name of the individual, and the date of the discussion.

**RESPONSE:** I continue to represent President Trump today in connection with any outstanding work associated with the lawfare over the past several years. Obviously, I have had conversations with individuals, including President Trump, about working within the administration. Prior to November 5, 2024, I spoke with Howard Lutnick on one occasion about working for President Trump in any capacity offered. I also spoke with one or two other individuals about possibly working in President Trump's administration in or about October 2024. I do not have any records or recall the exact date or specific nature of these communications.

23. As part of your work with President Trump, you represented him in matters where the DOJ was an adverse party.

- a. Will you commit to consulting with career officials at DOJ regarding matters where you previously represented an adverse party, including President Trump?

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

- b. Do you commit to recusing yourself on any matters where you represented President Trump?

**RESPONSE:** Please see my response to question 23.a.

- c. Do you commit to recusing yourself on any matters involving President Trump?

**RESPONSE:** Please see my response to question 23.a.

- d. Do you commit to recusing yourself on any matters involving a person involved in the investigations or prosecutions of President Trump, even if the matter is unrelated to those investigations or prosecutions or President Trump?

**RESPONSE:** Please see my response to question 23.a.

24. Since your nomination in November 2024, have you had conversations with anyone at DOJ about investigations involving President Trump? If yes, please provide the names of the individuals involved and the content of those discussions. Please also provide the date and mode of the communication.

**RESPONSE:** I have had multiple conversations with members of the Jack Smith's team between the time of my nomination and early January 2025 about the ongoing litigation against President Trump. I spoke with Bradley Weinsheimer at the Department of Justice, and communicated with him over email, in connection with the final report submitted by Jack Smith. I spoke with on one occasion and emailed on two or three occasions then-PADAG Marshall Miller in December about whether the Department of Justice would submit a brief in support of President Trump's argument in Manhattan that, as President-elect, he was entitled to immunity from prosecution. I spoke with Matthew Klapper on one occasion about Jack Smith's final report. I do not have exact dates of these communications, but they all took place in late December 2024 and early January 2025.

25. Since your nomination in November 2024, have you had communications with anyone at DOJ or the administration, including the transition team, about the Jack Smith investigations? Had you had communications prior to your nomination? If yes, please provide the names of the individuals involved and the content of those discussions. Please also provide the mode and date of the communication.

**RESPONSE:** I have spoken extensively with current members of DOJ, including AG Bondi, Acting DAG Bove, AG COS Mizelle, and potentially others about Jack Smith and his investigations. The investigations were ongoing until early January 2025. Moreover, I spoke with Acting DAG Bove about Jack Smith nearly every day since he started working with me defending President Trump. It would be impossible to list every date and/or mode of these communications. I have also talked about Jack Smith to anyone who would listen, which would necessarily include members of President Trump's transition team, including, but not limited to Susie Wiles, Stan Woodward, Stephen Miller, Dave Warrington, Jason Miller, Margo Martin, Chamberlain Harris, and countless others.

26. You represented President Trump in the criminal prosecution before Judge Aileen Cannon in the U.S. District Court for the Southern District of Florida.
- a. Did you ever have any ex-parte communications with Judge Cannon about the criminal case? If yes, please describe the content of these communications. Please also provide the date and mode of the communications.

**RESPONSE:** No.

- b. Did you ever have any ex-parte communications with Judge Cannon about her decision to enjoin DOJ from releasing parts of Jack Smith's special counsel



report? Please describe the content of these communications. Please also provide the date and mode of the communications.

**RESPONSE:** No.

27. Since your nomination in November 2024, have you had any communications with anyone at DOJ, President Trump or anyone associated with him, anyone in the administration or transition team, about the release of Volume 2 of Jack Smith's report? If yes, please provide the names of the individuals involved and the content of those discussions. Please also provide the mode and date of the communication.

**RESPONSE:** I have communicated extensively when acting as President Trump's attorney with individuals about my objections to the release of Volume 2 of Jack Smith's report. Among others, I communicated with the then-PADAG, an ADAG, the then-Attorney General's Chief of Staff, members of the Special Counsel's Office, members of my legal team, members of the co-defendants legal team, and others. I do not know the exact dates of these communications, which were in writing and oral. The content of these discussions varied, but my view then, and now, is that Volume 2 of Jack Smith's report should not be released to the public for the reasons stated in various public letters and filings by me in December 2024 and January 2025.

28. Have you been involved in any way in the decision not to make public Volume 2 of Jack Smith's report? Please provide the nature of your involvement.

**RESPONSE:** As President Trump's attorney, I was actively involved in the litigation around protecting President Trump and the co-defendants from the highly inappropriate, false, and prejudicial content contained in Volume 2 of Jack Smith's report. I have not been involved in any discussions or decisions regarding Volume 2 outside of my role as President Trump's attorney.

29. Have you ever communicated with Kash Patel about Volume 2 of Jack Smith's report? Please describe the content of those discussions. Please also provide the mode and date of the communication.

**RESPONSE:** No.

30. Have you ever communicated with Kash Patel about his grand jury testimony in the prosecution against President Trump for the handling of classified documents? Please describe the content of those discussions. Please also provide the mode and date of the communication.

**RESPONSE:** No.

31. Have you ever had communications with Kash Patel related to his grand jury testimony in the prosecution against President Trump for the handling of classified documents or

Volume 2 of Jack Smith's report? Have you ever advised him about matters? If yes to either question, please provide the date and content of those communications.

**RESPONSE:** No.

32. The Eleventh Circuit Court of Appeals recently granted DOJ's request to drop obstruction of justice and false statement charges brought against Walt Nauta and Carlos De Oliveira.<sup>9</sup>

- a. If you are confirmed, will you commit to releasing Volume 2 of Special Counsel Jack Smith's report?

**RESPONSE:** The release of Volume II of Mr. Smith's report is currently the subject of ongoing litigation involving the Department of Justice. On February 5, 2025, the Attorney General issued a memorandum titled "Restoring the Integrity and Credibility of the Department of Justice," which created a Weaponization Working Group specifically tasked with examining Mr. Smith's work. As a nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to the release of the report given the Department's ongoing litigation and this Departmental review.

- b. Former Attorney General Garland said that releasing Special Counsel Jack Smith's report was in the public interest. Do you disagree with his assessment?

**RESPONSE:** On July 15, 2024, Judge Cannon ruled that then-Attorney General Garland's purported appointment of Jack Smith as Special Counsel was in fact unconstitutional, and that Mr. Smith's prosecutorial actions under the guise of being a Special Counsel were legally invalid. If confirmed and instructed to assess a potential release of Volume II, I would consult with appropriate Department personnel regarding whether the Department's Special Counsel regulations, such as 28 CFR § 600.8(c) or § 600.9(c), apply to any documents Mr. Smith created, given the constitutional invalidity of his appointment.

- c. The prior DOJ supported making the report available to Members of the Senate Judiciary Committee. If you are confirmed, will you make the report available to Members of this Committee?

**RESPONSE:** Please see my response to question 32.b.

33. There is currently FOIA litigation in federal court over release of Volume 2 of Special Counsel Jack Smith's report on President Donald Trump's refusal to return classified documents after he left office.<sup>10</sup>

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<sup>9</sup> See Melissa Quinn & Robert Legare, *Court formally dismisses case against Trump's co-defendants in Mar-a-Lago documents probe*, CBS (Feb. 11, 2025), <https://www.cbsnews.com/news/trump-documents-case-walt-nauta-carlos-de-oliveira-case-dismissed/>.

<sup>10</sup> See *N.Y. Times Co. et al. v. U.S. Dep't of Just.*, No. 1:25-cv-00562 (S.D.N.Y.).

- a. If DOJ is directed by a federal District Court to release the report under FOIA, will you commit to making the report public?

**RESPONSE:** As the nominee to be the Deputy Attorney General, it would be inappropriate to me to make commitments regarding ongoing litigation regarding the Department. I will, of course, comply with legal obligations.

- b. What if there is a final order from the court – after all appeals have been exhausted – will you commit to releasing the report?

**RESPONSE:** Please see my response to question 33.a.

**Questions for the Record from Senator Alex Padilla**

**Senate Judiciary Committee**

**“Nominations” of Todd Blanche for Deputy Attorney General and  
Abigail Slater for Assistant Attorney General for the Antitrust Division**

**February 12, 2025**

1. The *Securing Inspector General Independence Act of 2022* requires that the President of the United States is required to provide Congress notice at least 30 days before any dismissal and provide “substantive rationale, including detailed and case-specific” reasoning for the dismissal or transfer.

- a. **Did the President violate the law by firing the Inspectors General without notifying Congress 30 days prior and with detailed, case-specific reasonings for their firings?**

**RESPONSE:** The termination of the Inspectors General is now the subject of litigation involving the Department of Justice. As the nominee to be the Deputy Attorney General, it would be inappropriate for me to comment on pending litigation.

2. Attorney General Bondi issued memoranda immediately after she took office. One in particular requires “zealous advocacy” from all Department of Justice (DOJ) attorneys representing the United States. In this memo, Attorney General Bondi references Justice Department Attorneys as the President’s lawyers.

- a. **If you are confirmed, would you serve as an attorney for the President or as an attorney for the American people?**

**RESPONSE:** The Deputy Attorney General ultimately serves the American people. In some litigation, the Department does represent the President of the United States in his official capacity.

- b. **In the instance where those two sets of interests are not aligned, for example, if the President were to direct you to cover up evidence of a crime committed by him or on his behalf, will you commit today to act in the interest of the American people?**

**RESPONSE:** I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I will follow the law.

3. The Supreme Court's decision in *Bruen* significantly altered the framework for evaluating gun laws. President Trump recently issued an executive order directing federal agencies to review and eliminate any regulations that could be seen as infringing on the Second Amendment. This directive may lead to conflicts with existing statutory gun laws.

- a. If confirmed, how would you approach potential conflicts between public safety concerns, the legal landscape after *Bruen*, and the Trump Administration's position on gun policy when defending federal gun laws in court?**

**RESPONSE:** As stated during my testimony, I will fully and fairly enforce the law. I will work with the appropriate Department personnel to ensure that the Department complies with the law.

4. Special Counsels must have a reputation for integrity and unbiased decision making. President Trump has publicly called for a special prosecutor to investigate President Biden and his family, and all others involved in the 2020 elections whom he perceives went against him.

- a. If you were confirmed, how do you see the role of special counsel in this event?**

**RESPONSE:** As the nominee to be the Deputy Attorney General, it would be inappropriate for me to speculate on hypothetical investigations.

- b. How will you ensure the independence of special counsel investigations?**

**RESPONSE:** If confirmed, I will work to ensure that all the Department of Justice's investigations, whatever their nature, are conducted in accordance with applicable laws and the Constitution.

- c. How would you respond if President Trump asked you to appoint a special counsel to investigate his political enemies?**

**RESPONSE:** I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I would follow the law.

- d. Will you commit to recusing yourself from investigations if the President requests you to investigate his political enemies?**

**RESPONSE:** I respectfully reject that premise. If confirmed, I will ensure any law enforcement activities by the Department are only undertaken where there is a proper basis under the facts and the law. In the event of any potential conflict of

interest, I will consult with the appropriate Department of Justice ethics officials and act consistent with governing regulations.

5. In *Morrison v. Olson*, the U.S. Supreme Court held that independent counsels appointed under the Ethics in Government Act of 1978 are considered "inferior officers" and can be appointed by the courts without Senate confirmation.

- a. **As President Trump's attorney you argued that special prosecutors needed to be Senate confirmed. If confirmed, would you continue to ascribe to that interpretation of the requirements for appointment of a special prosecutor?**

**RESPONSE:** Yes.

6. In 2021, the Department of Justice established the Election Threats Task Force to address rising violence and threats against election workers, to ensure they can perform their duties free from intimidation.

- a. **Will you commit to continuing the work of the Election Threats Task Force?**

**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 Department officials to discuss how best to ensure election integrity.

- b. **Will you commit to rejecting pressure from the White House to pursue politically motivated actions against election officials doing their jobs?**

**RESPONSE:** I respectfully reject that premise. If confirmed, I will ensure any law enforcement activities by the Department are only undertaken where there is a proper basis under the facts and the law.

- c. **How do you respond to concerns from election workers who express fear for their safety?**

**RESPONSE:** Election workers should be free to conduct their work without threats. If confirmed, the Department will appropriately respond to any illegal actions toward election workers, in keeping with the facts and applicable law in each situation.

- d. **How do you respond to concerns from election officials who certified the 2020 election who express fear for their safety?**

**RESPONSE:** Please see my response to 6.c.

- e. **Will you commit to regularly updating the committee and my office on the status and activities of the Election Threats Task Force?**

**RESPONSE:** I am currently unfamiliar with the Congressional reporting procedures of the Election Threats Task Force. If confirmed, I welcome the opportunity to discuss the matter with relevant Department officials and determine whether changes are warranted.

7. At President Trump's direction, the DOJ has begun to shut down the Environmental and Natural Resources Division and reassign attorneys leading prosecutions of environmental crimes.

- a. **Do you believe that all people deserve access to a healthy and resilient environment?**

**RESPONSE:** Yes.

- b. **What is DOJ's role in ensuring that?**

**RESPONSE:** If confirmed, I will fully and faithfully enforce the Nation's laws protecting and preserving the environment.

- c. **How can the DOJ possibly fulfill its mission to keep our country safe and protect civil rights if you are eliminating programs and staff who work hard to hold polluters accountable for their environmental crimes?**

**RESPONSE:** I was not involved in, nor am I personally familiar with, the purported changes you allege have occurred. From the press reports I have seen, I do not believe your claim that the DOJ "has begun to shut down the Environmental and Natural Resources Division" is correct.

- d. **If confirmed, how do you plan to hold companies who violate our environmental laws accountable, especially given that the DOJ is firing all staff who have expertise in these matters?**

**RESPONSE:** While I have not been involved with personnel changes in the Environmental and Natural Resources Division, I believe your claim that DOJ is "firing all staff who have expertise" is incorrect. If confirmed, I will fully and faithfully enforce the Nation's laws protecting and preserving the environment.

8. Will you follow an order from a federal judge, even when it does not align with the President's wishes?

**RESPONSE:** If confirmed, I commit to working to ensure that the Department complies with its legal obligations and the Constitution.

- a. If ordered to disregard a court order, will you resign and inform this committee as such?**

**RESPONSE:** Please see my response to question 2.b.

9. Did you review any memos issued by Acting Deputy Attorney General Bove, before they were made public or sent to DOJ or FBI staff?

**RESPONSE:** No.

10. Do you believe that the events on January 6th, 2021, constituted an insurrection intended to undermine the peaceful transfer of power and the legitimate results of the 2020 election?

**RESPONSE:** I do not believe it is appropriate to describe “the events” in the way this question is framed.

11. Will you recuse yourself from any investigations related to January 6<sup>th</sup>, 2021?

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

12. The Executive Office for Immigration Review’s immigration judges review cases regarding noncitizens in removal proceedings.

- a. Do you believe that immigration judges should be able to manage their own court dockets?**

**RESPONSE:** While I have not been involved with personnel changes in the Environmental and Natural Resources Division, I believe your claim that DOJ is “firing all staff who have expertise” is incorrect. If confirmed, I will fully and faithfully enforce the Nation’s laws protecting and preserving the environment.

- b. Do you believe that immigration judges should be able to issue independent opinions based on the individual facts before them?**

**RESPONSE:** Please see my response to question 12.a.

- c. Will you commit to directing the DOJ to allow immigration judges to manage their own cases?**

**RESPONSE:** Please see my response to question 12.a.

- d. What is your plan to ensure that immigration judges are able to adjudicate their case fairly and accurately?**



**RESPONSE:** Please see my response to question 12.a.

13. During the first Trump Administration, then-Attorney General Sessions announced a quota policy, requiring immigration judges to complete a minimum of 700 cases per fiscal year and instituting thresholds for the percentage of cases that an IJ may have overturned on appeal.

**a. Do you support implementing case quotas for immigration judges? Why or why not?**

**RESPONSE:** Please see my response to question 12.a.

**b. Do you agree that setting quotas for judges can reduce judicial independence?**

**RESPONSE:** Please see my response to question 12.a.

**c. Do you agree that requiring immigration judges to complete more than one case per day can reduce the amount of time and attention an immigration judge can devote to each case before the judge?**

**RESPONSE:** Please see my response to question 12.a.

**d. Do you believe that this will negatively impact persons with meritorious claims before IJs, as IJs may be more focused on meeting quotas as opposed to fully exploring the merits of each case?**

**RESPONSE:** Please see my response to question 12.a.

**e. How do you plan to evaluate the performance of immigration judges?**

**RESPONSE:** Please see my response to question 12.a.

**f. Will you advise this Administration to impose “quotas” on immigration judges, forcing them to complete cases more quickly and jeopardize their fairness to the matters?**

**RESPONSE:** Please see my response to question 12.a.

14. As an attorney, you’ve commented on the importance of having counsel in trial matters.

**a. Do you believe immigration judges should issue continuances in their cases for respondents to seek the advice of counsel?**

**RESPONSE:** Please see my response to question 12.a.

- b. Do you believe that it is important for individuals appearing in immigration court to have competent legal representation?**

**RESPONSE:** Please see my response to question 12.a

- c. Do you believe that legal representation and orientation can help improve immigration court efficiency?**

**RESPONSE:** Please see my response to question 12.a.

15. The DOJ 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?**

**RESPONSE:** If confirmed, I will uphold my oath to support and defend the Constitution, including the First Amendment. I will also consult with relevant Department personnel to ensure that Department policies properly and fully protect First Amendment rights.

- b. If amendments to the policy are proposed, what principles would guide your decision-making?**

**RESPONSE:** Please see my response to question 15.a.

16. Do you believe that journalism and freedom of the press are critical facets of our democracy and must be protected?

**RESPONSE:** Yes.

17. During the Nominations hearing February 12, 2025, you stated that you continue to legally represent President Trump as you have an ongoing attorney-client relationship.

- a. How would you handle a situation in which your duties as Deputy Attorney General conflict with your duties to President Trump?**

**RESPONSE:** Please see my response to question 11.

**b. Do you believe it is ethical for you to supervise any work related to matters in which you acted as President Trump's lawyer?**

**RESPONSE:** Please see my response to question 11.

**Senator Peter Welch**  
**Senate Judiciary Committee**  
**Written Questions for Todd Blanche**  
**Hearing on “Nominations”**  
**Wednesday, February 12, 2025**

On January 27, 2025, Acting Attorney General James McHenry fired about a dozen career Department of Justice employees who worked for Special Counsel Jack Smith.

1. Did anyone consult you regarding these terminations?

**RESPONSE:** No.

- a. If so, please provide the names of each individual and when they contacted you.

**RESPONSE:** N/A.

2. Have you interacted with any of the terminated prosecutors in any capacity?

**RESPONSE:** No.

- b. If so, please describe your interaction.

**RESPONSE:** N/A.

On January 31, 2025, the Acting Deputy Attorney General Emil Bove ordered the removal of eight senior FBI executives, stating in his memo “I do not believe the current leadership of the Justice Department can trust these FBI employees to assist in implementing the President’s agenda faithfully.” Mr. Bove also cited President Donald Trump’s executive order regarding “weaponization” of law enforcement as a basis for the removals.

3. Did you know of these removals prior to testifying before our committee?

**RESPONSE:** I only know what I have read in the news about these personnel decisions, and have not independently verified the accuracy of these reports.

4. Were you consulted about these removals in any way?

**RESPONSE:** No.

5. Do you support these removals?

**RESPONSE:** If these removals in fact took place, I cannot say whether I support the removals without knowing the reasoning behind the decisions or the facts that led to the decisions to remove.

Also on January 31, 2025, interim U.S. Attorney Ed Martin dismissed 30 prosecutors, around 8 percent of the office, spanning the civil, appellate, Superior Court, and violent crime divisions, pursuant to the same order from Mr. Bove. He described their hiring as a “subversive” action by the Biden administration.

6. Do you consider these dismissals appropriate?

**RESPONSE:** I do not know anything about these removals except what I have read in the news. Without knowing the reasoning behind the decision that was made to dismiss these prosecutors or the full underlying facts, it would be wrong of me to form or state an opinion.

7. Do you believe that it is appropriate to dismiss employees on the basis that they were given an assignment and subsequently carried out the duties required by that assignment?

**RESPONSE:** An employee should not be dismissed if they simply followed assigned duties in good faith.

Along with the removals at the Department of Justice and FBI, top Justice Department officials have also demanded the Bureau turn over a detailed list of every agent involved in investigating the cases of the 1,500 charged in connection with the Jan. 6<sup>th</sup> Capitol riots, including a breakdown of their role in the investigation.

8. Do you think it is appropriate to disclose this information and expose these agents to potential retaliation?

**RESPONSE:** As I stated in my hearing, I am unaware of any effort to disclose those names to the public. If I am confirmed and face a request to do so, I would consult with relevant Department personnel and only act according to the facts and the applicable law, while prioritizing concerns for the safety of those involved.

9. Will you commit to barring the release of these names in order to protect agent safety?

**RESPONSE:** Please see my response to question 8.

Regarding the Department of Justice’s request for a breakdown of FBI agents involved in January 6<sup>th</sup> investigations, at your hearing you stated, “the memos that I’ve read that have now become public — it’s to better understand what went wrong, because in President Trump’s view, something went wrong in that investigation”.

10. What do you believe “went wrong” at the Department or Bureau on January 6<sup>th</sup>?

**RESPONSE:** I have not researched or investigated all of the conduct by the FBI and the DOJ associated with this investigation and these prosecutions, so it would be inappropriate for me to form an opinion at this time as to what went wrong.

As Deputy Attorney General, you would oversee the U.S. Attorneys and have the opportunity to provide input on the selection of interim appointments to these positions.

11. How will you evaluate the performance of current U.S. Attorneys?

**RESPONSE:** If confirmed, I would evaluate U.S. Attorneys based on their past performance, adherence to Department policies, and the enforcement priorities of the new administration.

12. What criteria will you use to determine when and how to remove U.S. Attorneys from their positions?

**RESPONSE:** Please see my response to question 11.

13. How will you evaluate potential interim U.S. Attorneys?

**RESPONSE:** Potential interim U.S. Attorneys will be evaluated by their past performance and compatibility with current enforcement priorities.

On Wednesday, February 12, 2025, after you testified before our committee earlier in the day, multiple U.S. attorneys were fired by the White House.

14. Did you know of these firings prior to testifying before our committee?

**RESPONSE:** No.

15. Were you consulted about these firings in any way?

**RESPONSE:** No.

16. Do you support these firings?

**RESPONSE:** I do not know why any United States Attorney was fired, and without knowing the reasoning behind the decision that was made to dismiss them or the full underlying facts, it would be wrong of me to form or state an opinion. That said, U.S. Attorneys serve at the pleasure of the President.

During the first Trump Administration, U.S. Attorneys were offered the option of resigning by the Attorney General.

17. Do you believe it is appropriate for the White House to be directly involved in the termination of U.S. Attorneys, or should the requests originate from the Department of Justice?

**RESPONSE:** My understanding is that it is appropriate under the Constitution for either the White House or the Department of Justice to terminate U.S. Attorneys.

It has been reported that your firms were paid nearly \$10 million by the Save America PAC.

18. Please detail what services your firms provided to the Save America PAC.

**RESPONSE:** The Save America PAC paid the fees and associated costs my law firm incurred in our representation of President Trump in the various matters we worked on for the past several years. As is common in third-party payee relationships, my duty of loyalty was to President Trump alone, and not to the Save America PAC. I did not separately provide service to Save America PAC.

19. Were you compensated by any other entities for your representation of President Trump?

**RESPONSE:** No.

You stated in your hearing that you do not support the release of Volume Two of Special Counsel Jack Smith's report. The Justice Department previously determined that the release would be withheld due to its potential to prejudice the cases against President Trump's co-defendants. Those cases have now been dismissed.

20. Why do you not support release of the full report?

**RESPONSE:** On July 15, 2024, Judge Cannon ruled that then-Attorney General Garland's purported appointment of Jack Smith as Special Counsel was in fact unconstitutional, and that Mr. Smith's prosecutorial actions under the guise of being a Special Counsel were legally invalid. If confirmed and instructed to assess a potential release of Volume II, I would consult with appropriate Department personnel regarding whether the Department's Special Counsel regulations, such as 28 CFR § 600.8(c) or § 600.9(c), apply to any documents Mr. Smith created, given the constitutional invalidity of his appointment.

21. Do you support transparency for the Department of Justice?

**RESPONSE:** Yes, subject to the Privacy Act and other applicable legal and constitutional factors.

Attorney General Bondi repeatedly stated during her confirmation process that she would "ensure that the laws of the United States are faithfully enforced and upheld." Nonetheless, since taking office she has disbanded the FBI's Foreign Influence Task Force, created during the first Trump administration, and limited enforcement of the Foreign Agents Registration Act.

22. How will you ensure equal enforcement of the laws and ensure there is not prioritization of some laws over others?

**RESPONSE:** We will not tolerate foreign influence in our elections. Period. But like so many parts of the previous administration’s Justice Department, this task force, too, was corrupted by partisan lawfare. The DOJ has other means to ensure that bad actors abroad have no way to interfere in our free and fair elections in the United States. Americans can rest assured that foreigners will not be able to affect the outcome of any election in our nation.

You explained in your hearing that you maintain an attorney-client relationship with President Trump.

23. Will you recuse yourself from cases involving President Trump, associates of his, or members of his family?

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

24. Will you recuse yourself from investigations of such cases?

**RESPONSE:** Please see my response to question 23.

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.

25. Do you support reauthorization of Section 702 of FISA as currently structured?

**RESPONSE:** I understand Section 702 to be an important national security tool. The Department also needs to protect the civil liberties of Americans. If confirmed, I will consult with appropriate officials within the Department to learn more about how 702 is currently operating and formulate an opinion with respect to congressional reauthorization and any potential changes.

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.

26. Do you support placing marijuana on Schedule III?



**RESPONSE:** If confirmed, I will give the matter careful consideration after conferring with all relevant stakeholders, including DEA personnel.

- a. If so, will you work to finalize rescheduling?

**RESPONSE:** Please see my response to the first question in number 26.

- b. If not, please explain.

**RESPONSE:** Please see my response to the first question in number 26.

- c. Do you support efforts to align federal and state marijuana laws?

**RESPONSE:** As I stated during my testimony, coordination between federal and state authorities is critically important. However, I have not had the opportunity to study this particular issue. If confirmed, I will consult with the necessary stakeholders and give this matter careful consideration.

27. In what is known as the Cole memo, the Department have allowed 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:** As an initial matter, I believe the Cole memo was rescinded in 2018. That said, I have not had occasion to study this particular issue. If confirmed, and as I referenced during my testimony, I think it is important to empower our U.S. Attorneys, who we trust to follow the law and to follow Department rules.

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.

28. If confirmed, will you commit to not prosecute physicians that perform life-saving abortions protected under EMTALA?

**RESPONSE:** As a husband and a father, and now a grandfather, I know and understand that there are deeply held beliefs on this topic. I take the responsibilities of the Deputy Attorney General extraordinarily seriously to protect the rights of every American under our laws. If confirmed, I will enforce our laws with fairness and impartiality.

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.

29. Do you believe the Comstock Act applies to these materials and/or medications?

**RESPONSE:** President Trump has said that he will not use the Comstock Act to criminalize them. However, many Members of Congress – including some on this Committee – have asked for further discussion. Absent an official Administration policy position, and given the pending litigation, I am not going to comment today, but you have my commitment that I will carefully review the issues in consultation with attorneys at DOJ and other government agencies.

30. 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 will follow the law and the rulings of our Courts.

31. 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:** The OLC opinion notes that “[b]ecause there are manifold ways in which recipients in every state may lawfully use such drugs, including to produce an abortion, the mere mailing of such drugs to a particular jurisdiction is an insufficient basis for concluding that the sender intends them to be used unlawfully.”

In January 2023, Vice President Vance and many other Members of Congress – including many members of this Committee - joined a letter to AG Garland urging DOJ to rescind or, at a minimum, redraft the December 2022 OLC opinion to “articulate an accurate application of the law.” Given that members of Congress have ongoing concerns about the OLC opinion, I am not going to get ahead of the President and Attorney General in weighing in at this time.

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.

32. Do you agree with these decisions? If not, please explain.

**RESPONSE:** In my career as a federal prosecutor and an attorney in private practice, I have not had occasion to familiarize myself in detail with these cases. If confirmed and a situation came before me implicating them, I would consult with relevant Department personnel to learn more. As with any situation, I would be guided by the facts, the law, and the Constitution.

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.

33. If confirmed, will you continue to enforce the protections provided under the FACE Act?

**RESPONSE:** I am committed to ensuring there is even-handed enforcement of the law; and, if confirmed, I have a responsibility to enforce our nation's federal criminal laws, including FACE Act. I am deeply concerned by the possibility that there has been uneven enforcement of the FACE Act against pro-life activists. President Trump's Executive Order Ending the Weaponization of Government calls for a review all law enforcement activities over the last four years, including criminal law enforcement by the Department of Justice, to identify any instances of weaponization. This should include a review of the FACE Act cases prosecuted by the Department during the previous administration.

**Questions for the Record**  
**Todd Blanche – Nominee to be Deputy Attorney General**  
Sen. Adam Schiff (CA)

1. Your former colleague, Emil Bove, is currently serving as the acting Deputy Attorney General. Like you, Mr. Bove served on President Trump’s personal legal defense team and President Trump hand-picked Mr. Bove to serve at DOJ as Principal Associate Deputy Attorney General, which would make him your top deputy at the Department. During his tenure so far as acting Deputy Attorney General, Mr. Bove has ordered the FBI to fire eight senior officials and compile a list of potentially thousands of other employees involved in investigations stemming from the January 6 United States Capitol attack. On February 5, Mr. Bove accused FBI leaders of “insubordination” for refusing to identify Washington, D.C.-based agents who had overseen the January 6 investigation. If confirmed as Deputy Attorney General:

- a. Will you ever order DOJ or the FBI to fire any officials without cause or due to their work on or support for authorized investigations?

**RESPONSE:** As the pending nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to take, or not to take, any personnel actions. As a general matter, personnel decisions should be based on performance and adherence to the law.

- b. Will you order the termination or demotion of additional DOJ or FBI officials because of their work on January 6-related cases?

**RESPONSE:** Please see my response to question 1.a.

- c. What do you plan to do with the results of the survey of FBI personnel who have worked on January 6-related cases?

**RESPONSE:** I was not involved with the FBI survey. The Attorney General has created a Weaponization Working Group tasked with examining “[t]he pursuit of improper investigative tactics and unethical prosecutions relating to events at or near the United States Capitol on January 6, 2021 – as distinct from good-faith actions by federal employees simply following orders from superiors[.]” As I stated in my hearing, we will investigate what happened and why it happened.

- i. Do you commit to keeping the names of FBI personnel who worked on these cases private?

**RESPONSE:** As I stated in my hearing, I am unaware of any effort to disclose those names to the public. If I am confirmed and face a request to do so, I would consult with relevant Department personnel and only act according to the facts and the applicable law, while prioritizing concerns for the safety of those involved.

- ii. Will you share the results of the survey, including any lists of FBI personnel, with the White House?

**RESPONSE:** I was not involved with the FBI survey. If confirmed and asked by the White House to provide the results of the survey, I am unaware of any lawful basis why I would not do so. The President is the head of the Executive Branch and these are Executive Branch employees.

- iii. Will you provide direction to terminate, demote, or otherwise reassign any FBI personnel because of the work they were assigned to undertake on January 6-related cases?

**RESPONSE:** As noted above, the Attorney General has created a Weaponization Working Group tasked with examining “[t]he pursuit of improper investigative tactics and unethical prosecutions relating to events at or near the United States Capitol on January 6, 2021 – as distinct from good-faith actions by federal employees simply following orders from superiors[.]” If confirmed, any actions I take as Deputy Attorney General will be consistent with the Attorney General’s distinction.

- d. Do you believe DOJ or FBI personnel who have or may in the future refuse to implement directives that they believe are politically motivated or unlawful are insubordinate and should be punished through adverse or other personnel actions?

**RESPONSE:** If confirmed, any disciplinary actions toward Department personnel would be undertaken based on the facts of each situation in a manner consistent with Department policies, applicable law, and the Constitution.

- 2. During your hearing, when I asked you if “you’d have a continuing duty of loyalty and confidentiality” to President Trump as his attorney, you replied: “Yes.” It is important that this Committee have a comprehensive understanding of your continuing and prior attorney-client relationship with the President.

- a. Before or since the 2025 inauguration, has President Trump or any another official at the White House ever asked, suggested, or implied that you should open or undertake a review or an investigation of anyone?

**RESPONSE:** No.

- b. Since November 5, 2024, have you ever had a conversation with anyone at DOJ or the FBI about investigations involving or related to President Trump or his associates?

**RESPONSE:** I had numerous conversations with members of Jack Smith’s team as well as senior DOJ officials regarding on-going litigation in the two cases brought by Jack Smith. These conversations were all in my capacity as President Trump’s attorney. Aside from these individuals and topics, my answer is no.

- c. Have you ever had a conversation with anyone at DOJ or the FBI about investigations involving or related to Special Counsel Smith’s investigation?

**RESPONSE:** Aside from public filings in both cases brought by Jack Smith against President Trump where I urged DOJ to investigate or stop Jack Smith and his team from violating DOJ policy or the law, I have not had any other conversations about “investigations involving or related to” Jack Smith.

- d. Are you aware of any communications, before or since the inauguration, between the President or individuals at the White House and personnel at DOJ, including U.S. Attorneys’ Offices, or the FBI asking, suggesting, or implying that DOJ or FBI should open or undertake a review or an investigation of anyone? If so, please explain in specific detail those communications.

**RESPONSE:** No.

- e. Have you ever had any conversations or other communications with anyone at the White House, DOJ, or the FBI about personnel actions at DOJ or FBI that have already taken place or will take place?

**RESPONSE:** I met with potential candidates to fill political positions at DOJ at various times between my nomination and early January 2025. Aside from these meetings and certain conversations before or after these meetings where these candidates were discussed, my answer to this question is no.

- f. Do you agree it would be improper for the President or the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should initiate or undertake a *review* of activities by current or former U.S. government officials or other private citizens?

**RESPONSE:** The President is bound by the terms of his oath, the Constitution, and applicable law.

- g. Do you agree it would be improper for the President or the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should initiate or undertake an *investigation* of current or former U.S. government officials or other private citizens?

**RESPONSE:** Please see my response to question 2.f.

- h. Do you agree it would be improper for the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should pursue criminal charges against current or former U.S. government officials or other private citizens?

**RESPONSE:** Please see my response to question 2.f.

- i. Do you commit that any and all investigative decisions taken by DOJ and the FBI during your tenure as Deputy Attorney General, if confirmed, will be free from any political, partisan, financial, or personal motive, including the desires or direction of President Trump, the White House, or any associates of President Trump?

**RESPONSE:** If confirmed, I commit that I will ensure any law enforcement activities by the Department are only undertaken where there is a proper basis under the facts and the law.

- j. Would you resign as Deputy Attorney General if asked or directed by Attorney General Bondi, the President, or the White House to take any actions that are unlawful or unconstitutional?

**RESPONSE:** I respectfully reject that premise. If confirmed, I will always uphold my oath to support and defend the Constitution and I will follow the law.

- 3. As part of your work with the President, you represented him in matters before the Department of Justice.

- a. If confirmed, will you recuse yourself from any actions related to investigations into the January 6 case, *United States v. Trump*, No. 23-cr-257 (D.D.C., Dec. 1., 2023)?

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

- b. If confirmed, will you recuse yourself from any actions related to the Mar-a-Lago case, *United States v. Trump*, No. 9:23-cr-80101 (S.D. Fla., June 8, 2023)?

**RESPONSE:** Please see my response to question 3.a.

- c. If confirmed, will you recuse yourself from any actions related to the falsifying business records case, *The People of the State of New York v. Donald J. Trump*, No. IND-71543/2023 (Supreme Court, New York County, New York)?

**RESPONSE:** Please see my response to question 3.a.

- d. Will you recuse yourself from any reviews or investigations involving or related to President Trump, his family, or business activity tied to President Trump or his family?

**RESPONSE:** Please see my response to question 3.a.

- e. Will you consult with and follow the advice of career DOJ or FBI ethics officials regarding whether to recuse yourself from any FBI activities or investigations, including any involving or relating to President Trump or his family?

**RESPONSE:** Please see my response to question 3.a.

- f. Will you inform this Committee of any and all recusal decisions you make?

**RESPONSE:** Please see my response to question 3.a.

- 4. On July 21, 2021, then-Attorney General Garland issued a memorandum on the “Department of Justice Communications with the White House,” more commonly referred to as the White House Contacts policy. This policy should govern all communications between Justice Department and White House personnel and is critical to safeguarding the DOJ’s criminal and civil law enforcement decisions and legal judgements from partisan influences. According to public reports, the White House has now updated its own guidance to permit the President and select others to initiate conversations with DOJ about specific criminal or civil cases or investigations. This goes beyond even the first Trump administration, and now blesses, for the first time, the President’s engagement with DOJ on specific types of cases, whether criminal or civil.

- a. Do you commit to upholding the Department’s longstanding policy, as outlined in the 2021 memo, *not* to “advise the White House concerning pending or contemplated criminal or civil law enforcement investigations or cases unless doing so is important for the performance of the President's duties and appropriate from a law enforcement perspective?”

**RESPONSE:** I commit to following all governing memoranda from the Attorney General, including any addressing White House contacts.



5. On October 26, 2022, DOJ announced significant revisions to its regulations regarding the Department’s news media policy in order to protect the press’ ability to investigate and report the news to the American public. At a Texas rally in 2022, President Trump suggested jailing reporters and in September 2024, he suggested stripping major television networks of their broadcast licenses as retribution for coverage with which he disagrees. In April 2023, he threatened to bring the Federal Communications Commission – an independent regulatory agency – under the full control of the White House to pull the broadcast licenses of outlets that produce coverage against his liking.

- a. Do you commit to upholding the Department’s 2022 regulations prohibiting the Justice Department from seeking compulsory legal processes such as subpoenas, court orders, or search warrants for the purpose of obtaining information from members of the news media acting within the scope of newsgathering, except in limited circumstances?

**RESPONSE:** If confirmed, I will familiarize myself with all memoranda and policies governing the Deputy Attorney General and will comply with their requirements.

6. On November 7, 2023, then-Deputy Attorney General Lisa Monaco issued a memorandum updating DOJ’s policies and procedures in criminal investigations involving members of Congress and their staff. This memorandum highlights the constitutional protections and privileges afforded to Members of Congress and instructs the Justice Department to consult with DOJ’s Public Integrity Section regarding any criminal investigations involving members of Congress and their staff.

- a. Do you commit to abiding by the restrictions set forth in Deputy Attorney General Monaco’s 2023 memorandum, even if directed by Attorney General Bondi to do otherwise – either directly or by the working group she has convened to go after President Trump’s perceived enemies?

**RESPONSE:** As I am not yet working for the Department of Justice, I am not currently aware of all memoranda in force that apply to the Deputy Attorney General. If confirmed, I will familiarize myself with all memoranda and policies governing the Deputy Attorney General and will comply with their requirements.

7. On February 9, 2025, Vice President Vance posted on X that “judges aren’t allowed to control the executive’s legitimate power.” This troubling statement raises concerns that the Trump administration will defy court orders, which could pose a Constitutional crisis.

- a. Do you commit as Deputy Attorney General, if confirmed, to do everything in your power to comply with decisions and orders by federal judges?

**RESPONSE:** If confirmed, I commit to working to ensure that the Department complies with its legal obligations and the Constitution.

- b. If you are instructed by the President, the Vice President, or any White House personnel – directly or indirectly – to either defy or ignore a court order, will you stand up to and object to such an instruction in order to preserve the constitution’s separation of powers?

**RESPONSE:** I respectfully reject your premise. As noted above, if confirmed, I commit to working to ensure that the Department complies with its legal obligations and the Constitution.

- 8. You represented the President in the criminal prosecution before Judge Aileen Cannon regarding the President’s mishandling of classified documents taken to his Mar-a-Lago estate.

- a. Did you have any communications with Judge Cannon about the case?

**RESPONSE:** Yes, in court and on the record I communicated with Judge Cannon about the case. I also communicated with Judge Cannon in publicly filed materials and some materials that were sealed under applicable law and rules. Aside from this, I have never communicated with Judge Cannon.

- b. Did you have any *ex-parte* communications with Judge Cannon – meaning without opposing counsel present – about the criminal prosecution?

**RESPONSE:** For certain CIPA-related litigation the rules allow, and indeed require, defense counsel to communicate *ex parte* with the assigned judge about various defenses and issues. Aside from statute-authorized *ex parte* communications, I have not communicated with Judge Cannon *ex parte*.

- c. Did you have any communications with Judge Cannon about her decision to enjoin DOJ from releasing parts of Jack Smith’s special counsel report?

**RESPONSE:** President Trump’s legal team, including me, filed a motion before Judge Cannon asking her to allow President Trump to intervene in the litigation surrounding the release of Jack Smith's special counsel report. Aside from this motion, I did not have any communications with Judge Cannon about her decision to enjoin DOJ from releasing parts of Jack Smith's special counsel report.

- 9. The U.S. Court of Appeals for the 11<sup>th</sup> Circuit has now formally dismissed DOJ’s appeal in the case involving President Trump’s retention of classified documents, which

removes any remaining barrier to releasing Volume Two of Special Counsel Jack Smith's report to Congress and the American people.

- a. Do you commit to releasing Volume Two of the Smith report to the Senate and House Judiciary Committees? If not, why?

**RESPONSE:** The release of Volume II of Mr. Smith's report is currently the subject of ongoing litigation involving the Department of Justice. On February 5, 2025, the Attorney General issued a memorandum titled "Restoring the Integrity and Credibility of the Department of Justice," which created a Weaponization Working Group specifically tasked with examining Mr. Smith's work. As a nominee to be the Deputy Attorney General, it would be inappropriate for me to commit to the release of the report given the Department's ongoing litigation and this Departmental review.

- b. Do you commit to releasing Volume Two of the Smith report to the public? If not, why?

**RESPONSE:** Please see my response to question 9.a.

10. There is currently FOIA litigation in federal court to release Volume Two of Special Counsel Jack Smith's report.

- a. If DOJ is directed by a court to release the report, do you commit to releasing the report publicly?

**RESPONSE:** As the nominee to be the Deputy Attorney General, it would be inappropriate to me to make commitments regarding ongoing litigation regarding the Department. I will, of course, comply with legal obligations.

11. The Senate Judiciary Committee has received highly credible information from multiple sources that Mr. Patel – Trump's nominee to lead the FBI but *still* a private citizen – provided acting officials at DOJ with the names of executives he wanted forced out of senior FBI posts. This is unconscionable and requires immediate investigation by the DOJ Inspector General.

- a. Mr. Blanche, should you be confirmed, will you commit to allowing the DOJ Inspector General to investigate these allegations expeditiously and to the fullest extent, and sharing those findings with the Committee?

**RESPONSE:** As the nominee to be the Deputy Attorney General, it would be inappropriate for me to comment on these allegations or any hypothetical actions

by the DOJ Inspector General. If confirmed, I will work cooperatively with the Inspector General in and appropriately support his work in all contexts.