

**QUESTIONS FOR THE RECORD**  
**ROD J. ROSENSTEIN**  
**NOMINEE TO BE DEPUTY ATTORNEY GENERAL**

**QUESTIONS FROM SENATOR COONS**

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

**RESPONSE:** Ensuring that the Department's resources are properly allocated requires regular review of our law enforcement priorities, the criminal and national security threats we face, and the available resources. My general approach is to consult with relevant stakeholders in making those determinations.

2. 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:** Charging decisions should be made carefully and with appropriate supervisory review based upon the facts of the case, with appropriate respect for Justice Department policies and federal law, and due consideration of the goal of avoiding undue disparities.

3. Public reports indicate that in targeting known violent offenders, you have at times charged offenders with low-level offenses that are easier to prove in order to secure convictions without the investment of time and resources necessary to prove a more serious charge. Why have you taken this approach, and why do you believe it is preferable to building cases and securing convictions for more serious felonies?

**RESPONSE:** The U.S. Attorney's Office for the District of Maryland prosecutes many serious felonies. You may be referring to my view, based in part on statements attributed to former Attorney General Robert Kennedy, that prosecutors should use any lawful tools available to prevent dangerous criminals from harming victims. In some cases, the best result for public safety is prosecuting the criminal for other crimes. This is not a new approach; consider the case of Al Capone. Although he allegedly perpetrated many violent crimes, federal agents and prosecutors sent Capone to prison for a more readily provable crime — tax evasion.

Some drug defendants are suspects in multiple shootings and murders. Unfortunately, many murders and shootings do not result in successful prosecutions because there are no living witnesses, no credible witnesses, or no witnesses who are willing to testify. If we wait for sufficient evidence to develop to justify a murder prosecution, some killers will kill again and again, and some will be killed themselves. But the federal government may be able to prosecute the suspects for other violations - such as conspiracy and drug crimes -

and successfully remove them from the street so they cannot intimidate witnesses and continue to inflict harm on the community. This strategy disrupts the cycle of violence and saves lives.

4. It is critical that police departments establish strong, trusting relationships with the communities they serve. Officers who abuse their authority, either through corruption, excessive force, or patterns of constitutional violations, erode these police-community relationships.

- a. **Recently, Attorney General Sessions indicated a shift away from the Department of Justice's use of consent decrees when working with local law enforcement to resolve pattern or practice investigations. When are consent decrees appropriate to achieve reforms?**

**RESPONSE:** The Justice Department has multiple tools to help improve police practices. The most effective and efficient remedy in any individual matter should be determined by the particular facts and circumstances. I believe this is consistent with the approach taken by the last Administration: pattern-and-practice investigations and consent decrees may be a useful tool when there is sufficient evidence of systemic constitutional violations and local officials are not capable of properly managing their police department and maintaining public order.

- b. **Do you believe the Department of Justice should continue to follow the provisions outlined in the Baltimore consent decree?**

**RESPONSE:** I cannot comment about any pending litigation.

- c. **In your view, should the Department of Justice continue to work with state and local law enforcement to enter into consent decrees?**

**RESPONSE:** See response to 4(a).

5. On March 10, 2017, President Trump requested the resignations of 46 U.S. Attorneys appointed by President Obama.
  - a. **Were you aware of the administration's intention to ask for these resignations before the request was formally issued to U.S. Attorneys?**

**RESPONSE:** No.

- b. **Did you provide your opinion regarding this decision to request resignations?**

**RESPONSE:** See response to 5(a).

- c. Do you agree with the President's decision to make these resignations effective immediately, rather than effective upon filling each position?**

**RESPONSE:** I respect an incoming constitutional President's authority to require resignations of political appointees of the outgoing President to be effective on Inauguration Day, or on any day thereafter.

- d. Public reports indicate that your resignation will not be accepted. If you have been informed that your resignation will not be accepted, when did you receive that information, what were you told, and who conveyed this message to you?**

**RESPONSE:** As a Justice Department's public affairs officer told the news media, I received a brief telephone call from the President on the evening of March 10, advising me that he wanted me to remain in my position as U.S. Attorney.

- 6. If confirmed, will you ensure that all investigations into Russian interference with the presidential election and the Trump administration are completed in a thorough and independent fashion?**

**RESPONSE:** Yes.

- 7. If confirmed, how will you ensure that there is not political interference with the intelligence agencies and U.S. Attorneys' offices, with regard to any investigation into Russian interference with the presidential election and the Trump administration or any other issue?**

**RESPONSE:** I will follow and enforce applicable policies and procedures prohibiting political interference.

- 8. During his confirmation hearing, Attorney General Sessions stated that he did not have communications with the Russians, even though he had met with the Russian Ambassador on at least two separate occasions.**
- a. Do you agree with Attorney General Sessions' decision to recuse himself from any current or future inquiry into the Trump campaign and administration's interaction with the Russian government?**

**RESPONSE:** I was not involved in the process, and I do not know the details.

- b. How will you ensure, to the best of your ability, that the Attorney General honors his recusal commitment and is not involved in investigations concerning the Trump campaign and administration's interaction with the**

**Russian government?**

**RESPONSE:** If I am confirmed, I will examine the procedures in place to effectuate the Attorney General's recusal to satisfy myself that they are sufficient. If officials handling any such investigations report to me as acting Attorney General, the Attorney General will not be involved.

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

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

**RESPONSE:** I believe that solitary confinement should be used only when officials make a good-faith determination that it is reasonably necessary to prevent disruption and protect correctional employees and other inmates.

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

**RESPONSE:** Solitary confinement for juveniles raises special concerns. I believe that solitary confinement should be used only when officials make a good-faith determination that it is reasonably necessary to prevent disruption and protect correctional employees and other inmates.

10. 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, will the Department of Justice work to help state and local municipalities end this practice?**

**RESPONSE:** If necessary, the Department may have resources to help state and local municipalities develop and ensure constitutional and appropriate procedures.

**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 believe that pretrial release conditions generally should be based on risk of flight and danger to the community, including civilian witnesses and law enforcement officers.

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

**RESPONSE:** I am not familiar with this issue. My office generally does not prosecute juvenile offenders.

**11.** 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:** It is important that we make sure that individuals are aware of and able to exercise their rights in our justice system. If I am confirmed as Deputy Attorney General, I will work to ensure that constitutional rights are protected.

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

**RESPONSE:** As one example, it is the constitutional responsibility of government at all levels to ensure that defendants facing criminal felony charges have counsel at government expense if they cannot afford one. As U.S. Attorney, I support efforts to maintain effective Federal Public Defenders and court-appointed counsel in our federal criminal justice system.

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

**RESPONSE:** I look forward, if I am confirmed, to meeting with leadership of the Office for Access to Justice to discuss these issues.

**12. How will you implement and enforce the Death in Custody Reporting Act and the FBI National Use of Force database?**

**RESPONSE:** I am not familiar with the details. If I am confirmed, I will review the issue and ensure that they are implemented appropriately.

**13.** President Trump claimed that millions of people voted illegally in the presidential election.

**a. Do you believe three to five million individuals illegally voted during the 2016 U.S. election?**

**RESPONSE:** I am not aware of the context or basis for the remarks and therefore am not in a position to comment.

**b. If so, what evidence are you relying upon?**

**RESPONSE:** See response to 13(a).

**c. Do you believe there should be an investigation into alleged instances of voter fraud in the 2016 presidential election?**

**RESPONSE:** We would look at the particular facts and circumstances of any specific and credible allegation and determine whether it merits further investigation based on traditional standards of the Department of Justice. The Department plays a key role in investigating and prosecuting election fraud that violates federal criminal statutes, as well as investigating and bringing civil lawsuits to prevent violations of federal voting rights laws.

**14. A 2014 report by Justin Levitt published in the *Washington Post* (available at [https://www.washingtonpost.com/news/wonk/wp/2014/08/06/a-comprehensive-investigation-of-voter-impersonation-finds-31-credible-incidents-out-of-one-billion-ballots-cast/?utm\\_term=.dc645a28fb6b](https://www.washingtonpost.com/news/wonk/wp/2014/08/06/a-comprehensive-investigation-of-voter-impersonation-finds-31-credible-incidents-out-of-one-billion-ballots-cast/?utm_term=.dc645a28fb6b)) found that since 2000, there were only 31 credible allegations of voter impersonation, during a period in which there were 1 billion ballots cast. In light of this report, do you think it is justifiable for the Department of Justice to spend resources on combatting in-person voter fraud?**

**RESPONSE:** See response to 13(c).

**15. Do you agree that certain photo ID laws can disenfranchise otherwise eligible voters and disproportionately and unreasonably burden African-American and Latino voters?**

**RESPONSE:** The voting rights of Americans are protected by federal law, including under the Voting Rights Act. I understand that in *Crawford v. Marion County Election Board*, the Supreme Court held that voter identification laws are not per se unconstitutional and do not necessarily violate the Voting Rights Act. Any analysis of a particular voter identification law is necessarily fact- and jurisdiction-specific, and requires consideration of a wide range of factors that Congress has identified as relevant in determining whether a particular voting practice comports with the Voting Rights Act. I am committed to fairly enforcing all of the federal laws within the Department's jurisdiction, and particularly the laws regarding voting, if I am confirmed as Deputy Attorney General.

**16. Do you agree with the Department's recent motion for voluntary dismissal of the discriminatory purpose claim asserted in the ongoing *Veasey v. Abbott* litigation over Texas Senate Bill 14?**

**RESPONSE:** I have not had an opportunity to review this case, and it is not appropriate to comment about a pending matter.

**17. The FBI reported that hate crimes targeting Muslims increased by 67% in 2015. How do you believe the Department of Justice should use its resources to address rapid, documented increases in crimes such as this one?**

**RESPONSE:** If I am confirmed as Deputy Attorney General, I will ensure that the Department is vigilant about enforcing all federal laws consistent with Departmental priorities and resources, and I will accept responsibility for protecting all Americans. I will endeavor to direct and utilize the resources of the Department appropriately. The specific steps I will take to ensure the enforcement of any particular law will be decided after careful evaluation of any current practices of the Department and the effectiveness of those practices.

**18. Do you believe internment of American citizens or residents is lawful?**

**RESPONSE:** If this question refers to “internment” similar to the internment of law-abiding U.S. citizens of Japanese descent during World War II, such a proposal would be unacceptable as a policy matter even if Supreme Court precedent may support a claim of legality.

**19. Would you ever rely on *Korematsu v. United States*, 323 U.S. 214 (1944), as precedent?**

**RESPONSE:** No.

**20. Last year, without debate or congressional action, Rule 41 of the Federal Rules of Criminal Procedure was amended to expand the government’s ability to obtain a warrant and remotely access electronic devices. The rules now allow federal prosecutors to seek a warrant in any district “where activities related to a crime may have occurred.” Will you instruct the Department of Justice to issue guidance on how this should be interpreted?**

**RESPONSE:** I will consult with appropriate Department officials and determine whether additional guidance is necessary.

**21. Do you believe that religious institutions, including mosques, should be targeted for warrantless surveillance?**

**RESPONSE:** I do not believe that a religious institution should be targeted for surveillance solely because it is a religious institution.

**22. Do you believe that a religious institution should be targeted because it is of a particular faith, *i.e.*, should a religious institution be targeted because it is a Muslim institution?**

**RESPONSE:** No.

**23. Will you commit to instructing the FBI that the agency should not surveil a house of worship unless there is probable cause of criminal activity?**

**RESPONSE:** The Attorney General's Guidelines for Domestic FBI Operations contain standards that govern investigations or surveillance of individual organizations. I would expect Department of Justice employees to follow those Guidelines.

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

**RESPONSE:** If I am confirmed as Deputy Attorney General, I will faithfully enforce those laws and review any concerns about Department policies.

**25. You have overseen many public corruption cases during your career.**

- a. Does the President of the United States have a duty to serve with integrity and always pursue the public interest, not personal profit?**
- b. Do you believe that President Trump has sufficiently distanced himself from his private, for-profit enterprises?**
- c. How do you intend to ensure that conflicts of interest of the President and administration officials will be eliminated?**

**RESPONSE:** The President swore an oath to uphold and defend the Constitution of the United States. He has legal duties as defined by the Constitution and laws of the United States. Whether the President has sufficiently distanced himself from his for-profit enterprises would depend on a number of facts and specific circumstances. If confirmed as Deputy Attorney General, I would provide legal advice on such matters only after examining the relevant facts and circumstances, and consulting with appropriate officials who have expertise in such matters.

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

**RESPONSE:** I have not studied this issue, and I am not prepared to offer an opinion on it.

27. The plan then-President-elect Trump outlined on January 11, 2017 to address his potential conflicts and violation of the Emoluments Clause did not require President Trump to relinquish ownership of his business or to establish a blind trust. The plan also did not indicate that President Trump would seek the consent of Congress to keep the benefits he receives from foreign entities through his businesses. The Director of the Office of Government Ethics has stated that this plan breaks with the practice of past presidents.

**a. Based on these facts, has President Trump, in your view, complied with the requirements of the Emoluments Clause?**

**RESPONSE:** I have not studied the Emoluments Clause. If I am confirmed as the Deputy Attorney General, I will consult with career professionals and discharge the responsibilities of my office based on my understanding of the requirements of the Constitution.

**b. If your answer is “yes,” what is the basis for your understanding that the President is not receiving monetary or other benefits from foreign entities through his continued ownership interests in the Trump Organization, even if he does not have day-to-day control?**

**RESPONSE:** See response to 27(a).

28. The Office of Legal Counsel (OLC) supports the Attorney General in fulfilling his responsibility to provide legal advice to the President, heads of executive departments, and heads of military departments.

**a. Do you agree that, as discussed in the Best Practices for OLC Legal Advice and Written Opinions (May 16, 2005 and July 16, 2010), the Attorney General and OLC should provide “candid, independent, and principled advice—even when that advice may be inconsistent with the desires of policymakers” including the President?**

**RESPONSE:** I agree with your question, although I have not reviewed the documents referenced.

**b. What standard do you believe must be met before an Attorney General or OLC opinion is overturned?**

**RESPONSE:** Such opinions should be overturned only if, after careful study and reflection, we determine in good faith that they are wrong.

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

**RESPONSE:** I would ensure that all hiring and dismissal decisions are made in compliance with federal law and Department regulations by making those policies known to employees involved in the hiring process, as is the Department's current practice, and by responding appropriately to any allegations of violations.

**30. Do you believe that there are clear instances when an investigation should be turned over to an independent or special counsel?**

**RESPONSE:** Decisions regarding whether to turn an investigation over to an independent or special counsel must be made on a case-by-case basis, after a thorough review of the facts and circumstances of the case, and the applicable law and regulations.

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

**RESPONSE:** Under current regulations, there are three factors for evaluating whether a special counsel is appropriate. First, a criminal investigation of a person or matter must be warranted. Second, there must be a conflict of interest for the Department to conduct that investigation, or other extraordinary circumstances. Third, the public interest must justify the appointment of a special counsel.

**32. In your hearing, I asked you if it is ever 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. You said that the presumption is that there should not be contacts but that there may be limited exceptions.**

**a. 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:** Any contacts from the President or the White House must comply with Department policies, including a 2009 memorandum by Attorney General Eric Holder. It would be my responsibility to ensure that investigations comply with Department policies, and that partisan considerations do not influence the handling of particular cases.

**b. What factors or criteria would you examine to determine if contacts were appropriate?**

**RESPONSE:** Under Department policy, including a 2009 memorandum by Attorney General Eric Holder, the appropriateness of the contacts depends on the nature of the case, the stage of the case, any equities involving national security or foreign affairs or

similar matters, and the nature of the contact.

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

**RESPONSE:** If that situation were to arise, I would review the applicable rules and regulations and consult with career Department officials to determine whether the communication violated Department policy, and if so, what the appropriate remedy would be. Most importantly, it would be my responsibility to ensure that partisan considerations do not influence the handling of particular cases.

- 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 that they open a new investigation?**

**RESPONSE:** Any contacts from the President or the White House must comply with Department policies, including a 2009 memorandum by Attorney General Eric Holder. Most importantly, it would be my responsibility to ensure that partisan considerations do not influence the handling of particular cases.

- e. 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:** See response to 32(a).

- f. 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:** Attorney General Eric Holder's 2009 memo provides this guidance: "the Justice Department will advise the White House concerning pending or contemplated criminal or civil investigations or cases when – but only when – it is important for the performance of the President's duties and appropriate from a law enforcement perspective."

- 33.** It was recently reported that FBI Director James Comey asked the Justice Department to publicly reject President Trump's March 4 assertion on Twitter in which he wrote, "Terrible! Just found out that Obama had my 'wires tapped' in Trump Tower just before the victory. Nothing found. This is McCarthyism!"

- a. Do you agree that if the President's statement is false, the Department of Justice should correct it?**  
**b. Why or why not?**

**RESPONSE:** Department of Justice officials generally should refrain from commenting about individual cases or participating in political debates. In a situation such as this one, I would consult with the FBI Director and career Department officials and consider all relevant information before determining whether it is appropriate to comment.

**34.** President Trump's recent tweets regarding the alleged tapping of his phone suggest he may not appreciate how provisions of Section 702 or Title III probable cause warrants function and are carried out.

- a. In your view, can President Trump direct the Department of Justice to target Americans for wire taps?**
- b. Can any President petition U.S. courts to obtain surveillance for political purposes?**

**RESPONSE:** Wiretaps and other surveillance should not be conducted at the direction of the President, or anyone in the government, for political purposes. They should be based on lawful, objective considerations.

**35. The total volume of worldwide piracy in counterfeit products is estimated to be 2.5% of world trade (USD \$461 billion). Counterfeit products such as fake pharmaceutical drugs or faulty electronics can cause direct physical harm to Americans, and the profits from these illicit sales often go directly to the coffers of organized crime. How will you use Department of Justice resources to address this growing threat?**

**RESPONSE:** I will work with the Department's Criminal Division, National Security Division, U.S. Attorneys, FBI, HSI and other federal components and agencies, as well as other stakeholders, to enforce intellectual property laws and combat counterfeit products.

**36.** 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.

- a. Will you prioritize enforcement actions to combat trade secret theft by foreign nationals?**
- b. How do you plan to continue the Department of Justice's efforts to successfully target criminal trade secret theft?**

**RESPONSE:** I plan to continue the Department's efforts by relying on agents and prosecutors to sustain the focus on trade secret theft by foreign nationals.

**37. In an op-ed commemorating World Intellectual Property Day, you wrote that “[i]ntellectual property fraud is theft,” and that “[t]he Internet greatly enhances opportunities for criminals to sell products that do not belong to them.” How do you plan on directing the resources of the Department of Justice to address this significant and growing problem?**

**RESPONSE:** The Department combats intellectual property theft through coordination among multiple domestic and foreign agencies. If confirmed, I will continue these efforts and ensure that the Department allocates resources appropriately to address the problem.

**38. The Victims of Child Abuse Act (VOCAA) authorizes funds to directly support establishment and operation of local and regional Children’s Advocacy Centers (CACs), as well as training and technical assistance related to improving the investigation and prosecution of child abuse and neglect. These centers are intended to coordinate a multidisciplinary response to child abuse (e.g., law enforcement, child protection/social services, medical services, mental health) in a manner that ensures child abuse victims receive the support services they need and do not experience the investigation of child abuse as an added trauma. Close to 312,000 children were served at CACs in 2015. Will you include full funding for the Victims of Child Abuse Act in the Department of Justice’s proposed budget?**

**RESPONSE:** Children’s Advocacy Centers are valuable in caring for child victims and assisting in law enforcement investigations. If confirmed, I will ensure that the Department utilizes its resources in the most effective manner to help protect children.

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

**RESPONSE:** It would be appropriate to refuse to follow a directive of the President if the directive is unlawful.

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

**RESPONSE:** If I were ordered to implement a directive that clearly was unconstitutional, I would first attempt to persuade the President that it was unconstitutional and seek to understand whether there was a good-faith argument to the contrary. If I were required to implement an unconstitutional directive, I would have to resign.

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

**RESPONSE:** Yes.

**42. 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.

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

**RESPONSE:** The longstanding understanding is that the Department of Justice has an obligation to defend federal laws against constitutional challenges when there is a reasonable legal argument available. There are limited exceptions, such as when a statute infringes on the constitutional power of the Executive.

**44. The President issued a revised Executive Order banning the admission of travelers from six countries and halting the admission of refugees, with narrow exceptions. In your view, should the Department of Justice continue to defend this Executive Order?**

**RESPONSE:** It would not be appropriate for me to comment about a pending matter.

**45. Do you believe it was proper for the Obama administration to decide not to continue to defend the Defense of Marriage Act (DOMA)?**

**RESPONSE:** I am not privy to all the considerations that the Obama Administration took into account when making that decision. As I noted in response to Question 43, in general, the Department of Justice has a duty to defend acts of Congress and should decline only when there is no reasonable legal argument available.

**46. When the Justice Department decided not to defend DOMA, the Department “notif[ied] the courts of [the Department’s] interest in providing Congress a full and fair opportunity to participate in the litigation in [the DOMA] cases.” If the Department of Justice decides it cannot defend a law, will you take whatever steps are necessary to ensure that Congress or others can continue to defend the law?**

**RESPONSE:** Yes. The Department is required to notify the Congress whenever it declines to defend the constitutionality of a statute.

**47.** The Department of Justice established the Violence Reduction Network in 2014. VRN provides a comprehensive approach to reducing violent crime in communities around the country by deploying federal resources in a targeted, strategic, data-driven way to assist state and local law enforcement. Through its participation in the VRN, the Wilmington Police Department created a new homicide unit, and the homicide clearance rate rose from less than 10 percent to more than 50 percent on current-year cases.

- a. **How will you support the sustainability of the Violence Reduction Network improvements in cities that have participated in the program?**
- b. **Will you expand the VRN to work with additional cities?**

**RESPONSE:** Reducing violent crime has been one of my top priorities in Maryland, and it would be one of my top priorities as Deputy Attorney General. VRN and similar programs give us an opportunity to help identify areas of potential improvement and bring best practices to jurisdictions that might not otherwise adopt them. I look forward to reviewing the funding mechanisms and other available resources across the Department of Justice to support the important work of reducing violent crime and making our communities safer.

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

**RESPONSE:** I am not familiar with the referenced studies, but reducing violent crime in America is one of my top priorities, and enforcing gun laws is an effective tool. I will support prosecutions of criminals who obtain firearms illegally and gun dealers who violate the law.

**49.** The Justice Department has supported the Youth Mentoring Program, which provides much needed funding to organizations like Boys & Girls Clubs of America. In my state of Delaware, those mentoring funds support programming to 44,100 young people between the ages of 5-18 years old. As Deputy Attorney General, will you ensure that the Youth Mentoring Program will be fully funded?

**RESPONSE:** I have not had the opportunity to study the Youth Mentoring Program and how it may be supported by the Department of Justice. If confirmed as Deputy Attorney General, I look forward to the opportunity to review and analyze the funding mechanisms available through the Department.

**50.** The Antitrust Division of the Department of Justice is routinely tasked with reviewing many proposed merger transactions, which often involve consideration of complex economic and legal issues. While it is critical that these reviews are thorough in the interest of maintaining competitive markets, delays can create uncertainty for potentially merging parties and have associated negative economic impacts. Under

**your leadership, how will you work to ensure that the Antitrust Division is able to conduct merger reviews in a timely and thorough manner?**

**RESPONSE:** I believe it is important to conduct antitrust merger reviews in a fair and impartial way, and to be reasonably thorough while also being reasonably prompt. Enforcing antitrust laws is important to protect competition and help ensure that consumers are able to choose among services and products with the best balance of quality and price. If I am confirmed, I look forward to reviewing this issue further.