

Congress of the United States
Washington, DC 20515

January 07, 2025

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Garland,

I am writing to inquire about the Department of Justice's (DOJ) recent selective pursuits of cases against foreign entities that could irreparably strain America's global alliances.

As our country enters a new period under President Trump, Americans are hopeful it will mark the revival of prosperity, growth, economic recovery, and political freedom. An important factor in our quest to revive our country's prosperity includes the ability and freedom of prospective investors to do business in America. In complete abeyance of public outcry about the rising violent crimes at home, the DOJ seems to be pursuing new expeditions to target businesses for alleged injustices abroad. One such example is the recent indictment of an Indian company's executives for alleged acts conducted in India in *United States v. Adani* (the Adani case) before the United States District Court for the Eastern District of New York.¹

The allegations in the Adani case, even if proven true, would still fail to make us the appropriate and final arbiter on the issue. These "bribes" were allegedly paid to Indian state government officials, in India, by Indian executives of an Indian company, with no concrete involvement of or injury to any American party. Conversely, Smartmatic, an American company responsible for conducting our elections, had executives who allegedly laundered money and paid bribes to foreign governments, according to the DOJ's indictment earlier.² However, despite numerous attempts by my colleagues and I to have our concerns addressed before the elections, we were never briefed by your department.

¹ *United States v. Adani, et al.*, Court Docket Number: 24-CR-433 <https://www.justice.gov/criminal/case/united-states-v-adani-et-al-court-docket-number-24-cr-433>

² <https://www.justice.gov/opa/pr/four-men-charged-philippine-bribery-and-money-laundering-scheme>

Considering the highly selective nature of these pursuits, I wish to understand the wisdom guiding some of the decisions surrounding the Adani case:

Q.1. Why has the DOJ not indicted a single American if the case involves a significant nexus with the United States? Were there no Americans involved in this alleged scheme?

Q.2. Why has the DOJ pursued this case against Gautam Adani when the alleged criminal act, and the parties allegedly involved are in India? Do you seek to enforce justice in India?

Q.3. Will the DOJ seek an extradition of the Indian executives involved in this case?

Q.4. What is the DOJ's contingency plan if India refuses to comply with an extradition request and claim sole authority over this case?

Q.5. Is the DOJ or the Biden administration willing to escalate this case into an international incident between the United States and ally like India?

These questions are also here to remind you of the probable consequences of these actions. India is one of the few reliable partners America has in the Asia-Pacific region, alongside being one of the fastest-growing and largest economies in the world. Such reckless acts of pursuit against its top industrialists could start a harmful narrative against India's growth. Not respecting India's authority over this matter could strain and even permanently damage our international relations with a strategically important and key economic and political ally. At this juncture, letting the Indian authorities investigate, determine any injury, and adjudicate on the matter instead of jumping to premature conclusions would be the best and only appropriate course of action. It would also be wise to pursue cases where the department is certain we have appropriate and conclusive jurisdiction, aside from a serious shot at winning.

Targeting entities who invest tens of billions of dollars and create tens of thousands of jobs for Americans only harms us in the long run. When we forego real threats from violent crime, economic espionage, and CCP influence and go after those who contribute to our economic growth, it discourages valuable new investors hopeful of investing in our country. An unwelcome and politically charged atmosphere for investors will only stall efforts to revitalize America's industrial base and economic growth, directly undermine President Trump's commitment to revive the economy with increased investments. Given the timing of these decisions coincides with the end of the Biden administration, concerns arise that the only true goal here is disruption for President Trump.

Instead of expending valuable taxpayer resources on opening lengthy, and perhaps politically motivated pursuits in foreign countries thousands of miles away, the Department should co-operate with the incoming administration on better serving the American people. As a cog in the outgoing administration, it is your duty to the public in being mindful of not creating further complications that could compromise America's geopolitical eminence.

In addition to the above questions, please also report if there has been any communication or negotiation regarding the Adani case between the Department of Justice (including any of its agents, subsidiaries, instrumentalities, or authorized representatives) and any third-party or agent representing any third party that works closely, for, or in conjunction with any entity partly owned or controlled by George Soros.

I ask for your complete and thorough cooperation in this matter and request the DOJ promptly and properly responds to this letter no later than January 31, 2025.

Sincerely,

A handwritten signature in black ink, reading "Lance Gooden". The signature is written in a cursive, flowing style with a large initial "L" and "G".

Lance Gooden,
Member of Congress