

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

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judiciary.house.gov

November 14, 2024

The Honorable Jonathan Kanter
Assistant Attorney General
Antitrust Division
Department of Justice
Washington, DC 20530

Dear Assistant Attorney General Kanter:

The Committee on the Judiciary is conducting oversight of the Department of Justice (DOJ) Antitrust Division. According to information available to the Committee, the Antitrust Division aggressively moved to escalate its regulation of American businesses shortly following the election of President Trump. Specifically, we have received allegations that the Division sent demand letters to numerous businesses indicating an intention to start enforcement actions in the final days of the Biden-Harris Administration. With the American people clearly rejecting the failed policies of the Biden-Harris Administration, the Division's actions are inappropriate and inconsistent with the will of the American people. Accordingly, we write to request documents and information about the Antitrust Division's enforcement actions in the final days of the Biden-Harris Administration.

To help the Committee understand the full extent of the politicization of the Antitrust Division, we ask that you produce all documents and communications between or among the Antitrust Division and all third parties since November 5, 2024, until January 20, 2025, referring or relating to enforcement or potential enforcement actions. The Committee expects rolling productions for these documents to begin as soon as possible but no later than November 29, 2024.

Further, this letter serves as a formal request to preserve all existing and future records and materials responsive to any request for documents and information related to the Committee's oversight of the DOJ Antitrust Division. The Committee requests that you preserve all existing and future external communications regarding this effort. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using official and

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personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Pursuant to Rule X of the Rules of the House of Representatives, the Committee is authorized to conduct oversight of and legislate on matters relating to “[p]rotection of trade and commerce against unlawful restraints and monopolies.”¹ If you have any questions about this request, please contact Committee staff at 202-225-6906. Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized and cursive.

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

¹ Rules of the House of Representatives R. X (2023).