

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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April 6, 2026

The Honorable Todd W. Blanche
Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Acting Attorney General Blanche:

Your Department of Justice (DOJ) is poised to pay out more than a million dollars to Michael Flynn, a man who was fired as Donald Trump’s National Security Adviser after lying to the Federal Bureau of Investigation (FBI) about conversations he had engaged in with the Russian ambassador. As President Trump himself explained in 2017, “I had to fire General Flynn because he lied to the Vice President and the FBI. He has pled guilty to those lies.”¹ Fifteen months ago, a federal judge dismissed Mr. Flynn’s claim that he was the victim of malicious prosecution. Yet amazingly, your DOJ recently decided to give Mr. Flynn \$1.25 million in taxpayer money. Why? That payment is no settlement—it is an outrageous, and completely unjustifiable, handout to a Trump ally and sycophant, likely illegal under the “collusive lawsuit doctrine.”

In December 2017, during the first Trump Administration, Michael Flynn pleaded guilty to making false statements to the FBI.² In a subsequent plea hearing, he repeatedly affirmed under oath that he was actually guilty, that he was voluntarily and knowingly pleading guilty, and that he had not been coerced in any way into doing so. He also declined to challenge the circumstances of his FBI interview or argue entrapment.³ At Mr. Flynn’s sentencing hearing, his counsel told the court that “General Flynn has been, I think, clear from the beginning and will be clear again to you today that he fully accepts responsibility, stands by his guilty plea, which was made based on knowing and willful conduct.”⁴ And when the court asked Mr. Flynn whether he knew that lying to FBI investigators was a federal crime at the time of his interview, Mr. Flynn

¹ Donald J. Trump (@realDonaldTrump), X (Dec. 2, 2017, 12:14 PM), <https://x.com/realDonaldTrump/status/937007006526959618>.

² Plea Agreement, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 3 (filed Dec. 1, 2017).

³ Transcript of Dec. 1, 2017, Plea Hearing, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 16 (filed Jan. 16, 2018).

⁴ Transcript of Dec. 18, 2018, Sentencing Hearing, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 103 (filed Aug. 20, 2019).

answered: “I was aware.”⁵ Mr. Flynn explicitly reaffirmed his guilty plea and did not seek to withdraw it.⁶

In December 2019, Judge Emmet Sullivan issued a 92-page opinion rejecting Mr. Flynn’s subsequent attempts, raised by new counsel, to allege FBI entrapment and prosecutorial misconduct. The court found that Mr. Flynn “failed to establish a single ... violation” and concluded that “[t]he sworn statements of Mr. Flynn and his former counsel belie his new claims of innocence and his new assertions that he was pressured into pleading guilty to making materially false statements to the FBI.”⁷ Mr. Flynn then for the first time moved to withdraw his guilty plea in January 2020, after DOJ recommended a sentence of up to six months’ incarceration based on Mr. Flynn’s failure to cooperate as he had promised to do.⁸

Then-Attorney General William Barr later intervened and moved to dismiss Mr. Flynn’s criminal charges in May 2020 based on a novel and widely criticized theory that Mr. Flynn’s false statements about his conversations with the Russian ambassador were not “material” to the investigation into attempted Russian interference in the 2016 election.⁹ But even as Attorney General Barr was acting to try to dismiss the charges, he emphasized that Mr. Flynn’s allegations of prosecutorial misconduct were “unfounded and provide no basis for impugning the prosecutors from the D.C. United States Attorney’s Office.”¹⁰ Then while the government’s motion to dismiss the charges was under review by the court, President Trump pardoned Mr. Flynn in November 2020 and mooted out the proceedings.¹¹

Then, during the Biden Administration, Mr. Flynn decided to go on offense against the government. In 2023, he filed a complaint in the Middle District of Florida seeking \$50 million in damages under the Federal Tort Claims Act (FTCA), alleging that he had been the victim of a “malicious prosecution” for making false statements to the FBI.¹² A federal district judge dismissed Mr. Flynn’s complaint in its entirety, concluding that he had completely failed to

⁵ *Id.*

⁶ *Id.*

⁷ Memorandum Opinion, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 144 (Dec. 16, 2019).

⁸ Motion to Withdraw Plea of Guilty, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 151 (filed Jan. 14, 2020).

⁹ See United States’ Motion to Dismiss, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 198 (filed May 7, 2020); Mary B. McCord, Opinion, *Bill Barr Twisted My Words in Dropping the Flynn Case. Here’s the Truth.*, N.Y. TIMES (May 10, 2020), <https://www.nytimes.com/2020/05/10/opinion/bill-barr-michael-flynn.html>; Brief of Court-Appointed Amicus Curiae, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 225 (filed June 10, 2020) (former federal Judge John Gleeson concluding the government’s motion was “pretextual” and “riddled with inexplicable and elementary errors of law and fact,” *id.* at 2).

¹⁰ Josh Gerstein & Kyle Cheney, *Justice Department Defends Prosecutors in Flynn Case*, POLITICO (June 17, 2020), <https://www.politico.com/news/2020/06/17/michael-flynn-prosecutors-justice-department-326240>.

¹¹ Memorandum Opinion, *United States v. Flynn*, No. 17-cr-232 (D.D.C.), Dkt. No. 311 (filed Dec. 8, 2020) (rejecting the Government’s argument that Mr. Flynn’s statements were not “material” but holding that the President’s “political decision” to pardon Mr. Flynn rendered the case moot, *id.* at 42).

¹² Complaint, *Flynn v. United States*, No. 8:23-cv-485 (M.D. Fla.) (filed Mar. 2, 2023).

establish the elements of such a claim and stopping just short of sanctioning him for bringing frivolous arguments before the court.¹³

That dismissal should have been the end of it. But when Donald Trump returned to office and Mr. Flynn refiled his amended complaint, your DOJ entirely reversed its position. Suddenly, the Department decided to give Mr. Flynn \$1.25 million—to settle a case it had *already won*.¹⁴ The Department out of nowhere chose to fork over substantial amounts in taxpayer dollars for having the audacity to investigate, prosecute, and convict a Trump ally who had admitted to committing a serious felony by lying to the FBI about his contacts with Russian officials.

Your Department's eagerness to give a payday to Mr. Flynn contrasts sharply with the way you have treated Americans who have experienced genuine and devastating injuries caused by government failure but who lack inside political connections. In Flint, Michigan, for example, approximately 7,500 residents have been fighting the government for nearly a decade, seeking recovery after being poisoned by toxic drinking water that the Environmental Protection Agency (EPA) failed to warn the public about.¹⁵ The government has vigorously fought their claims, even trying to stay the case during last October's government shutdown.¹⁶ No recovery for the citizens of Flint, but an immediate concession and payout to Michael Flynn for a claim that a federal court had already twice thrown out.

The Flynn settlement is an ominous test case as the President and his political allies are all lining up for their free-government-money payouts. The President himself has demanded \$230 million from this Department through FTCA claims and has sued the Internal Revenue Service (IRS) for a staggering \$10 billion—a figure around two-thirds the size of the IRS's total annual budget.¹⁷ Roughly 400 pardoned January 6th defendants have likewise filed FTCA claims with your Department seeking between \$1 million and \$10 million each; DOJ has conspicuously failed to reject those claims, even though most appear to be well past the FTCA's two-year statute of limitations and are nothing but a brazen attempt at highway robbery.¹⁸ Another group of rioters has filed a class action lawsuit in Florida, claiming that the officers who defended the

¹³ *Flynn v. United States*, No. 8:23-485, 2024 WL 5057537, at *8 (M.D. Fla. Dec. 10, 2024).

¹⁴ Eric Tucker & Alanna Durkin Richer, *Justice Department Settles Lawsuit from Trump Ally Michael Flynn for \$1.2 Million*, AP Source Says, ASSOC. PRESS (Mar. 25, 2026), <https://apnews.com/article/trump-michael-flynn-russia-justice-department-7b1d493300b5336900cb508c855fd59d>; see also Jeremy Roebuck, *DOJ Agrees to Pay Ex-Trump Adviser Michael Flynn to Settle Malicious Prosecution Suit*, WASH. POST (Mar. 25, 2026), <https://www.washingtonpost.com/national-security/2026/03/25/michael-flynn-doj-settlement-lawsuit/>.

¹⁵ See, generally, *Burgess v. United States*, No. 4:17-cv-11218 (E.D. Mich.).

¹⁶ Tanya Terry, *Two Lawsuits Against EPA Regarding Water Crisis Moving Forward Despite Shutdown*, FLINT COURIER NEWS (Oct. 22, 2025), <https://theflintcouriernews.com/two-lawsuits-against-epa-regarding-water-crisis-moving-forward-despite-shutdown/>.

¹⁷ Devlin Barrett & Tyler Pager, *Trump Said to Demand Justice Dept. Pay Him \$230 Million for Past Cases*, N.Y. TIMES (Oct. 21, 2025), <https://www.nytimes.com/2025/10/21/us/politics/trump-justice-department-compensation.html>; Robert Maguire & Linnaea Honl-Stuenkel, *Trump Is Suing the IRS for \$10 Billion. Here's What That Actually Means.*, CREW (Feb. 17, 2026), <https://www.citizensforethics.org/news/analysis/trump-is-suing-the-irs-for-10-billion-heres-what-that-actually-means/>.

¹⁸ Press Release, Sen. Padilla, et al., *Senators Continue Pressing DOJ to Reject Taxpayer Payouts for January 6 Insurrectionists* (Jan. 15, 2026), <https://www.padilla.senate.gov/newsroom/press-releases/padilla-durbin-klobuchar-whitehouse-continue-pressing-doj-to-reject-taxpayer-payouts-for-january-6-insurrectionists/>.

Capitol from their onslaught caused them physical and emotional injuries.¹⁹ And five Proud Boys leaders convicted of seditious conspiracy have also filed a \$100 million lawsuit alleging malicious prosecution.²⁰ The Flynn settlement offers a road map for this epically corrupt President to keep paying out his political underlings and private militiamen with taxpayer money.

Beyond its plain corruption, the Flynn “settlement” is also likely unlawful. The “collusive lawsuit doctrine” prohibits parties from arranging litigation to achieve a result they both desire in the absence of genuine adversarial dispute. As the Supreme Court held in *United States v. Johnson*, 319 U.S. 302 (1943), Article III requires “an honest and actual antagonistic assertion of rights” for a court to have jurisdiction to adjudicate it, including to approve a settlement.²¹ And although Mr. Flynn’s lawsuit was adversarial at its inception, the Trump DOJ’s abrupt reversal from a winning litigating position offers powerful circumstantial evidence that the parties may not be genuinely adversarial and that the settlement may be collusive in essence. Moreover, if the settlement were reached without a good-faith assessment of the government’s liability, it may also implicate federal criminal statutes prohibiting conspiracy to defraud the United States and theft of public money.²²

The American people are watching this Department squander their tax dollars, handing over giant sums to the President’s friends for claims that multiple federal judges have rejected as having no legal merit. The American people deserve a full accounting of why our tax dollars are being used that way.

Accordingly, pursuant to the House Judiciary Committee’s oversight jurisdiction over the Department of Justice, I demand that you provide the following to the Committee no later than 5:00 p.m. on April 20, 2026:

1. All internal DOJ memoranda, legal analyses, or recommendations concerning the legal merits of Mr. Flynn’s FTCA claims, from January 20, 2025, through the present, including any assessment of the government’s likelihood of prevailing on the merits;
2. All documents identifying which DOJ officials authorized or approved the decision to enter into settlement negotiations with Mr. Flynn, and which officials approved the final settlement terms, including their names, titles, and positions;

¹⁹ Kyle Cheney, *Members of Jan. 6 Mob Sue Police Who Fended Off Capitol Attack*, POLITICO (Mar. 30, 2026), <https://www.politico.com/news/2026/03/30/jan-6-lawsuit-capitol-police-00850890>.

²⁰ Ellie Silverman, et al., *Five Proud Boys Leaders Sue Justice Department Over Jan. 6 Prosecutions*, WASH. POST (June 6, 2025), <https://www.washingtonpost.com/dc-md-va/2025/06/06/proud-boys-lawsuit-jan-6-cases-justice-department/>.

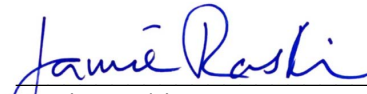
²¹ *United States v. Johnson*, 319 U.S. 302 (1943) at 305.

²² See 18 U.S.C. § 371 (conspiracy to defraud the United States, which broadly encompasses schemes “to cheat the government out of property or money”); 18 U.S.C. § 641 (theft or conversion of public money).

3. All communications between any DOJ official and Mr. Flynn or his legal representatives regarding settlement negotiations, from January 20, 2025, through the present;
4. All communications between any White House official and any DOJ official regarding Mr. Flynn's FTCA lawsuit or the settlement thereof; and
5. All recusal determinations, ethics opinions, or conflict-of-interest assessments prepared in connection with DOJ's handling of Mr. Flynn's claims, given Mr. Flynn's status as a close political ally of the President.

I look forward to your prompt compliance with this important and urgent oversight request.

Very truly yours,



Jamie Raskin
Ranking Member

cc: The Honorable Jim Jordan, Chairman