

July 11, 2024

Corey Amundson  
Chief, Public Integrity Section  
Department of Justice, Criminal Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

**Re: Request for Investigation into Drew Johnson**

Dear Mr. Amundson:

I am writing to request that you investigate Drew Johnson for his ongoing violation of federal law by failing to file a timely, complete, and accurate Financial Disclosure Report, as required by the amended Ethics in Government Act of 1978 (the “Act”).<sup>1</sup>

Johnson’s failure to disclose timely, accurate, and complete information regarding his finances is a breach of public trust and a violation of the law. The Act was designed to “preserve and promote the integrity of public officials and institutions” by ensuring that federal candidates are not able to conceal their financial interests, including those that may conflict with official duties, from voters and members of the public.<sup>2</sup> Johnson’s failure to timely file his Financial Disclosure Report (“FD Report”) is in blatant disregard for those important objectives. This disregard for the law is alarming for someone who is a candidate for federal office. Nevada voters must have the opportunity to review properly filed reports to assess Johnson’s fitness for elected office. I respectfully request that you promptly investigate this matter.

I. Factual Background

Drew Johnson is a candidate for Congress in Nevada’s 3<sup>rd</sup> Congressional district.<sup>3</sup> He became a candidate on May 4, 2023, and subsequently filed his first required personal FD Report on June 26, 2023.<sup>4</sup> However, Johnson has not yet filed an FD Report in 2024 – a blatant violation of the law.

II. Legal Background and Analysis

Candidates are subject to civil and criminal penalties for failing to properly file their Financial Disclosure Reports.<sup>5</sup> Specifically, the Act authorizes the Attorney General to bring a civil action against any individual who knowingly and willfully fails to file a required financial disclosure

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<sup>1</sup> 5 U.S.C. App. 4 §§ 101-111.

<sup>2</sup> *Id.*

<sup>3</sup> Drew Johnson, Statement of Candidacy, FEC Form 2 May 4, 2023, <https://docquery.fec.gov/cgi-bin/forms/H4NV03167/1703030/>.

<sup>4</sup> *Id.*; U.S. House of Representatives, Drew Johnson – Financial Disclosure Report June 26, 2023, [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2023/10055152.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2023/10055152.pdf).

<sup>5</sup> 5 U.S.C. App. 4 § 104(a).

report.<sup>6</sup> In addition, such a violation exposes the individual to criminal liability under Title 18 of the U.S. Code.<sup>7</sup>

The Act requires candidates to not only file their initial FD Report “within thirty days of becoming a candidate” or May 15 of that year – whichever is later – but it *also* requires them to file an FD Report “on or before May 15 *of each successive year*” that the filer continues to be a candidate.<sup>8</sup> Guidance by the House Ethics Committee reiterates this requirement by stating that individuals who qualify as a candidate during a non-election year (as Johnson did) “are .. required to file a **second FD Report on May 15 of the following year** if [they] are still a candidate on that date.”<sup>9</sup> Candidates are only exempt from filing the second FD Report if the candidate “takes action that is recognized under applicable state law as legally sufficient to withdraw as a candidate *before* the date on which their FD Report is due[.]”<sup>10</sup>

Johnson is unquestionably still a candidate for Congress in Nevada’s 3<sup>rd</sup> Congressional District, and is the Republican nominee. He was required to file an FD Report no later than May 15, 2024, or request an extension beyond this deadline. Yet, nearly two months after that deadline, Johnson has still not filed an FD Report nor requested an extension.<sup>11</sup>

This blatant failure to comply with the law and follow his responsibilities as a candidate for federal office puts Johnson in violation of the Ethics in Government Act. By refusing to file an FD Report, he is hiding important information regarding his personal wealth from Nevada voters – information that he is required to share so they can make informed choices about who is best to represent them in Congress.

Johnson’s lapse in responsibility is particularly troubling given Johnson’s previously stated commitments to transparency and accountability in government. He has publicly remarked, "If there's one thing I've learned after 20 years of working to improve government transparency and accountability, it's that if you oppose transparency laws it's because you're up to bad stuff, or you're trying to protect someone who is."<sup>12</sup> If you take Johnson’s view, it raises the obvious question of why he still hasn’t filed his required disclosure.

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<sup>6</sup> *Id.* § 104(a)(1).

<sup>7</sup> *Id.* § 104(a)(2).

<sup>8</sup> 5 U.S.C. App. 4 § 101(c) (emphasis added).

<sup>9</sup> U.S. House of Representatives Committee on Ethics, 2024 Instruction Guide - Financial Disclosure Reports For Calendar Year 2023 And Periodic Transaction Reports at 8 (2023), [https://ethics.house.gov/sites/ethics.house.gov/files/documents/FDInstructionGuide\\_current.pdf](https://ethics.house.gov/sites/ethics.house.gov/files/documents/FDInstructionGuide_current.pdf) (emphasis added).

<sup>10</sup> *Id.* at 9.

<sup>11</sup> U.S. House of Representatives, Office of the Clerk, Financial Disclosure Reports Database, <https://disclosures-clerk.house.gov/PublicDisclosure/FinancialDisclosure>.

<sup>12</sup> Drew Johnson, Twitter (Feb. 14, 2022), [https://web.archive.org/web/20220214165215/https://twitter.com/Drews\\_Views/status/1493266383706066944](https://web.archive.org/web/20220214165215/https://twitter.com/Drews_Views/status/1493266383706066944).

Congress has determined that the public interest in financial disclosure is strong enough to warrant civil penalties of up to \$73,627 for knowingly and willfully failing to file such a report.<sup>13</sup>

### III. Request for Action

I respectfully request that you commence an immediate investigation into this matter. Prompt action is necessary to ensure that Johnson complies with federal law and that the public is granted full disclosure of Johnson's finances as a candidate for the U.S. House of Representatives.

I understand that 18 U.S.C. § 1001 applies to the information I am providing. To the best of my knowledge and ability, all evidence submitted was not obtained in violation of any law, rule, or regulation.

Thank you for your attention to this matter.

Sincerely,



End Citizens United  
Tiffany Muller  
PO Box 66005  
Washington, DC 20035

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<sup>13</sup> 5 U.S.C. App. 4 § 104(a)(1); 2024 Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations, 89 FR 1439 (Jan. 10, 2024); *see also* U.S. House of Representatives Committee on Ethics, 2024 Instruction Guide - Financial Disclosure Reports For Calendar Year 2023 And Periodic Transaction Reports at 17 (2023), [https://ethics.house.gov/sites/ethics.house.gov/files/documents/FDInstructionGuide\\_current\\_0.pdf](https://ethics.house.gov/sites/ethics.house.gov/files/documents/FDInstructionGuide_current_0.pdf).