

Key Vote Alert

January 11, 2024

To the Members of the U.S. House of Representatives:

The U.S. Chamber of Commerce strongly supports H.R. 788, the “Stop Settlement Slush Funds Act of 2023,” and urges you to vote in favor of this legislation. **The Chamber will consider including votes on this legislation in our *How They Voted* Scorecard.**

H.R. 788 would prohibit the executive branch from using “enforcement slush funds” where funds paid under settlement agreements are sent to third party groups rather than to the federal government.

On May 5, 2022, Attorney General Merrick Garland issued a memorandum entitled, “Guidelines and Limitations for Settlement Agreements Involving Payments to Non-Governmental Third Parties,” which revoked a Department of Justice policy, in place since 2017, that generally prohibited DOJ from entering into settlement agreements that direct defendants to make payments to non-governmental third parties.

Merrick Garland’s DOJ policy circumvents Article I of the Constitution, which empowers Congress to direct how federal money is spent. Allowing unelected federal officials to use “enforcement slush funds” to provide funding to pet projects or special interest groups raises myriad [constitutional issues](#). H.R. 788 would put a stop to this troubling practice. Importantly, this bill would continue to allow payments that provide restitution or otherwise directly remedy actual harm, including to the environment, that is caused by the settling party.

The Chamber supports H.R. 788, and we urge you to vote for this important legislation.

Sincerely,



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