



FOR IMMEDIATE RELEASE

July 22, 2024

DOJ OIG Releases Preliminary Review of Allegations Concerning the Antitrust Division's Handling of the Automakers Investigation

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today [the release of a report](#) summarizing the DOJ Office of the Inspector General's (OIG) preliminary review concerning the DOJ Antitrust Division's handling of a preliminary investigation in August 2019 into four auto manufacturers that entered into an agreement with the State of California and the California Air Resources Board (CARB) to abide by vehicle emissions standards that were more stringent than proposed federal standards, but less stringent than existing state standards. The OIG received information from Members of Congress and at least one whistleblower alleging that senior officials in the Antitrust Division may have exercised improper political influence when they opened the preliminary investigation. The information received by the OIG alleged that circumstantial evidence, including a series of tweets by then President Trump the day before senior Antitrust Division officials decided to open the preliminary investigation, suggested that the Antitrust Division may have acted for political reasons.

The DOJ OIG's preliminary review included interviewing key witnesses, among them the then Assistant Attorney General for the Antitrust Division, and examining thousands of documents, emails, text messages, phone records, and meeting notes for officials in the Antitrust Division and the Office of the Deputy Attorney General. We did not identify evidence of improper political influence in the Antitrust Division's decision to initiate the preliminary investigation of the four automakers that was sufficient to warrant further review. The substantial documentary and testimonial evidence that the OIG obtained and reviewed demonstrated that the Antitrust Division began its internal preliminary assessment of the automakers' agreement and whether it potentially violated federal antitrust law in July 2019, weeks before then President Trump's tweets. Additionally, the OIG: did not find evidence of any interactions between Antitrust Division officials and the White House concerning the automakers matter; did not find evidence that Antitrust Division officials met with officials from other federal agencies concerning the automakers investigation; and did not find evidence that the decision to open an investigation was part of a broader effort by the Department against California. Further, the OIG determined that career Antitrust Division attorneys were responsible for preparing a draft preliminary research memorandum, prior to President Trump's tweets, that concluded that the automakers' agreement was potentially unlawful. While the timing of the Antitrust Division's opening of a preliminary investigation gave us pause because it occurred one day after then President Trump's tweets, we did not identify information in the materials that we reviewed to suggest it reflected impropriety.

The OIG also determined that the investigative steps taken by the Antitrust Division—meetings with each of the companies and a single-question Civil Investigative Demand asking them to attest that there had been no collusion—were limited and quickly resolved. After receiving this information, the Antitrust Division closed the preliminary investigation in January 2020 and did not impose burdensome document requests on

the automakers. The OIG did not identify evidence that the Antitrust Division sought to misuse the enforcement process based on political considerations.

Report: Today's report is available [on the OIG's website](#).

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