

Congress of the United States

Washington, DC 20515

June 13, 2024

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice 950
Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

The Honorable Xavier Becerra
Secretary U.S. Department of Health and
Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Attorney General Garland and Secretary Becerra:

I write to address my serious concerns about a recent sealed indictment involving a criminal investigation by the Department of Justice (DOJ), Department of Health and Human Services (HHS), and other federal agencies. Specifically, I'm alarmed by the conduct of this investigation against a whistleblower.

Dr. Eithan Haim has shared his story with the media. For background, in May 2023 he exposed that a hospital with a presence in my district was performing transgender medical procedures on minors. This hospital had previously claimed to have paused such interventions following a Texas Attorney General Opinion, which advised that these procedures could constitute criminal child abuse under Texas state law.

On June 23, 2023, Dr. Haim was approached by two agents from the HHS Office of Inspector General inquiring about "medical records." They informed him that he was a "potential target" in an unspecified criminal investigation and requested an interview. This came in a letter signed by Assistant U.S. Attorney Tina Ansari from the U.S. Attorney's Office for the Southern District of Texas.

A letter to Congress from Mr. Haim's lawyers reveals that the DOJ prosecutor later admitted she had never reviewed the supposed evidence against Dr. Haim before considering him a target. DOJ policy dictates that this must be done in advance.

The DOJ prosecutor talked about aggressively prosecuting Dr. Haim, including charging him with a felony and trying him by jury even on a technicality. It appears that the prosecutor has now followed through on those threats and charged Dr. Haim with multiple felonies.

This situation demands a thorough and transparent review to ensure that justice is served fairly and without political bias. Given these clear discrepancies, please produce the following material:

1. All documents and communications referring or relating to the investigation into Dr. Haim;

2. All documents and communications referring or relating to the decision to indict Dr. Haim;
3. All documents and communications referring or relating to the use of confidential human source(s) in connection with the investigation into Dr. Haim; and
4. All documents and communications between or among the Department of Justice, the Department of Health and Human Services, the Department of Homeland Security, or the Executive Office of the President about the investigation into Dr. Haim.

I look forward to your prompt action and attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'D.G.' followed by a long horizontal flourish.