June 9, 2025

Public Integrity Section
Department of Justice
950 Pennsylvania Ave
Washington, D.C. NW
20530-0001

Jamieson Greer, Acting Director
U.S. Office of Government Ethics
250 E Street, SW., Suite 750
Washington, D.C. 20024

Re: Request for Investigation into Potential Violations of 18 U.S.C. § 201

Dear Officers,

I respectfully request that your offices investigate whether President Donald J. Trump has violated 18 U.S.C. § 201, by pardoning Paul Walczak, after President Trump allegedly received gifts from Mr. Walczak's family.

Federal law strictly prohibits a public official from accepting anything of value in return for being influenced in the performance of any official act.[1] An official act includes any decision or action in a matter before any public official.[2] A pardon is an official act vested to the President by the Constitution.[3]

On April 11, 2025, Mr. Walczak was sentenced to 18 months in prison and ordered to pay more than $4.3 million in restitution for willfully failing to pay employment taxes and willfully failing to file income tax returns.[4] Rather than paying taxes to the Internal Revenue Service, Mr. Walczak lived a life of luxury – including buying a $2 million yacht.[5] At his sentencing, a U.S. District Court Judge emphasized that letting Mr. Walczak off the hook "reinforces the perception that the rich get away with it and the poor go to prison."[6]

Yet, less than two weeks after receiving his prison sentence, on April 23, 2025, President Trump pardoned Mr. Walczak.[7]

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[1] 18 U.S.C. § 201(b)(2)(A).
[2] *Id.* § 201(a)(3).
[3] *See* U.S. Const. Art. II, Section 2, Clause 1.
[4] Dep't. of Justice, Owner Of Florida Health Care Companies Sentenced for Employment Tax Crimes (Apr. 11, 2025), https://www.justice.gov/opa/pr/owner-florida-health-care-companies-sentenced-employment-tax-crimes.
[5] Hannah Phillips, *Trump pardons Palm Beach Gardens tax cheat two weeks after judge sentenced him to prison*, Palm Beach Post (Apr. 28, 2025), https://www.palmbeachpost.com/story/news/trump/2025/04/28/trump-pardons-wealthy-tax-cheat-paul-walczak-with-ties-to-ashley-biden-diary-scandal-betsy-fago/83323718007/.
[6] *Id.*
[7] Dep't. of Justice, Executive Grant of Clemency (Apr. 23, 2025), https://www.justice.gov/pardon/media/1397931/dl?inline.

This pardon did not happen in a vacuum. There was an escalating series of favors from Mr. Walczak's family to Mr. Trump and his campaigns.[8]

- Mr. Walczak's mother, Elizabeth Fago, raised millions of dollars for President Trump's campaign and for other Republicans.[9]
- Ms. Fago hosted at least three fundraisers for President Trump's campaigns.[10]
- Ms. Fago assisted in the effort to undermine the campaign of President Trump's political opponent, by publicizing the diary of former President Joseph R. Biden's daughter.[11]
    - Ms. Fago allegedly said that she thought publishing the diary would help President Trump win the election.[12]
    - Ms. Fago hosted a fundraiser attended by Donald Trump Jr. at her home in Florida, where representatives of President Trump's campaign viewed the diary[13] and pages of the diary were passed around to attendees.[14]
- Ms. Fago was invited to and attended a $1 million-a-person fundraising dinner that promised face-to-face access to President Trump at Mar-a-Lago.[15]

President Trump's recent pardons are out of sync with the apolitical guidelines established by the Department of Justice.[16] Indeed, this is not the first time that others have questioned whether President Trump pardoned individuals in exchange for favors or gifts.[17] During President Trump's first term, his administration was investigated by the Department of Justice for a "possible bribery-for-pardon scheme."[18]

In short, it appears that President Trump may be accepting political favors and gifts in exchange for grants of clemency, in violation of 18 U.S.C. § 201. I ask the Office of Government Ethics

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[8] Kenneth P. Vogel, *Trump Pardoned Tax Cheat After Mother Attended $1 Million Dinner*, N.Y. Times (May 27, 2025), https://www.nytimes.com/2025/05/27/us/politics/trump-pardon-paul-walczak-tax-crimes.html.
[9] *Id.*
[10] *Id.*
[11] Michael S. Schmidt and Adam Goldman, *Ashley Biden's Diary Was Shown at Trump Fund-Raiser. Weeks Later, Project Veritas Called Her*, N.Y. Times (Mar. 23, 2022), https://www.nytimes.com/2022/03/20/us/politics/project-veritas-ashley-biden-diary.html.
[12] *Id.*
[13] *Id.*
[14] Hannah Phillips, *Report: Trump pardoned tax cheat Paul Walczak after $1M donation from mother Betsy Fago*, Palm Beach Post (May 29, 2025), https://www.palmbeachpost.com/story/news/trump/2025/05/29/trump-pardon-paul-walczak-tied-gop-donations-biden-diary/83903747007/.
[15] Kenneth P. Vogel, *Trump Pardoned Tax Cheat After Mother Attended $1 Million Dinner*, N.Y. Times (May 27, 2025), https://www.nytimes.com/2025/05/27/us/politics/trump-pardon-paul-walczak-tax-crimes.html.
[16] *See* Dep't. of Justice, 9-140.112 - Standards for Considering Pardon Petitions, https://www.justice.gov/jm/jm-9-140000-pardon-attorney#9-140.112.
[17] Kenneth P. Vogel, *Trump Allies Seek Pardons From an Emboldened White House*, N.Y. Times (March 8, 2025), https://www.nytimes.com/2025/03/08/us/politics/trump-pardons-clemency.html; Kenneth P. Vogel and Andrew Duehren, *Trump Pardons Executive Whose Family Sought to Publicize Ashley Biden's Diary* (Apr. 25, 2025), https://www.nytimes.com/2025/04/25/us/politics/trump-pardon-walczak-ashley-biden-diary.html.
[18] Ryan Lucas, *Justice Department Investigating Possible Bribery-For-Pardon Scheme*, NPR (Dec. 1, 2020), https://www.npr.org/2020/12/01/940960089/justice-department-investigating-possible-bribery-for-pardon-scheme; Josh Gerstein, *Unsealed court ruling discloses bribe-for-pardon probe related to Trump White House*, Politico (Dec. 1, 2020), https://www.politico.com/news/2020/12/01/bribe-pardon-probe-trump-white-house-442128.

and the Department of Justice to investigate the circumstances surrounding Mr. Walczak's pardon.

I urge your offices to take action to prevent the improper influence of our public officials.

Sincerely,



Tiffany Muller
President, End Citizens United