



**U.S. Department of Justice**

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

September 10, 2014

Senator Larry Tidemann  
Chair  
Government Operations and Audit Committee  
South Dakota Legislature  
State Capitol  
500 East Capitol Avenue  
Pierre, SD 57501

Dear Senator Tidemann:

This responds to your letter to Brendan Johnson, United States Attorney for the District of South Dakota, dated August 25, 2014, inviting him to appear before your Committee to provide information about "any EB-5 investigations being performed by your office." We understand from public accounts that your Committee is examining activities of the South Dakota Regional Center, Inc., and in particular that entity's administration of an Immigrant Investor or "EB-5" program. On behalf of Mr. Johnson and the Department of Justice (the Department), please be advised that the Department, including Mr. Johnson, is not able to appear before your Committee regarding this matter.

The Department does not generally comment on the status or existence of any ongoing or potential law enforcement investigations, including providing information about investigations regarding a particular subject matter or individual that does not result in public charges. This policy serves to protect the integrity of the criminal justice process, including the confidentiality and privacy interests that are important to our law enforcement efforts. Please be assured that the Department takes allegations of criminal conduct very seriously. Individuals who believe that they have personal knowledge of conduct that would violate federal law should be encouraged to contact their local Federal Bureau of Investigation office.

We hope that this information is helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter J. Kadzik".

Peter J. Kadzik  
Assistant Attorney General