

**From:** Ramamurti, Arjun R. (OAG)  
**Subject:** Fwd: HJC Transcript  
**To:** Coley, Anthony D. (PAO)  
**Sent:** October 25, 2021 4:09 PM (UTC-04:00)  
**Attached:** HJC Transcript - By Topic.docx

See attached.

**From:** "Ramamurti, Arjun R. (OAG)" (b) (6)  
**Date:** October 22, 2021 at 1:49:00 PM EDT  
**To:** "Seidman, Ricki (OASG)" (b) (6) "Goodlander, Margaret V. (OAG)"  
(b) (6)  
**Subject:** RE: HJC Transcript

Reorganized version attached. Let me know if another organization is preferred. Questions included where relevant.

Arjun

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**From:** Seidman, Ricki (OASG) (b) (6)  
**Sent:** Friday, October 22, 2021 10:25 AM  
**To:** Goodlander, Margaret V. (OAG) (b) (6) Ramamurti, Arjun R. (OAG)  
(b) (6)  
**Subject:** FW: HJC Transcript

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**From:** Calce, Christina M. (OLA) (b) (6)  
**Sent:** Thursday, October 21, 2021 9:08 PM  
**To:** Seidman, Ricki (OASG) (b) (6)  
**Cc:** Greenfeld, Helaine A. (OLA) (b) (6)  
**Subject:** HJC Transcript

Hi Ricki,

I'm attaching the transcript from today's HJC hearing.

Thanks,  
Christina

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# Scoped Out per Agreement

## I. School Boards

**JIM JORDAN:**

Thank you, Mr. Chairman. The chairman just said the Trump DOJ was political and went after their opponents. Are you kidding me? Three weeks ago, the National School Boards Association writes President Biden asking him to involve the FBI and local school board matters. Five days later, the attorney general of the United States does just that, does exactly what a political organization asked to be done. . . . MS-13 can just waltz right across the border, but the Department of Justice, they're going to open up a snitch line on parents. . . . I don't think the good people of this great country are going to cower and hide. I think your memo, Mr. Attorney General, was the last straw. I think it was the catalyst for a great awakening that is just getting started.

**STEVE CHABOT:**

According to the Sarasota Herald-Tribune, one example of a so-called terrorist incident was apparent, merely questioning whether school board members had earned their high school diplomas. Now, that might have been rude, but does that seem like an act of domestic terrorism that you or your Justice Department ought to be investigating?

**MERRICK GARLAND:**

Absolutely not. And I want to be clear, the Justice Department supports and defends the First Amendment right of parents to complain as vociferously as they wish about the education of their children, about the curriculum taught in the schools. That is not what the memorandum is about at all, nor does it use the words domestic terrorism or Patriot Act. Like you, I can't imagine any circumstance in which the Patriot Act would be used in the circumstances of parents complaining about their children, nor can I imagine a circumstance where they would be labeled as domestic terrorism.

**MERRICK GARLAND:**

I do not believe that parents who testify, speak, argue with, complain about school boards and schools should be classified as domestic terrorists or any kind of criminals. Parents have been complaining about the education of their children and about school boards since there were such things as school boards and public education.

This is totally protected by the First Amendment. I take your point that true threats of violence are not protected by the First Amendment. Those are the things we're worried about here.

**MERRICK GARLAND:**

Just to say again, we are not investigating peaceful protest or parent involvement in school board meetings. There is no precedent for doing that, and we would never do that.

We are only concerned about violence, threats of violence against school administrators, teachers, staff, people like your mother, a teacher.

That is what we're worried about. . . . We are worried about that across the board. . . . We're worried about threats against members of Congress. We're worried about threats against police.

**MIKE JOHNSON:**

Published reports show that your son-in-law co-founded a company called Panorama Education. We now know that that company publishes and sells critical race theory and so-called antiracism materials to schools across the country and it works with school districts nationwide to obtain and analyze data on students often without parental consent. On its website, the company brags that it surveyed more than 13 million students in the US. It's raised \$76 million from powerful investors including people like Mark Zuckerberg just since 2017. My first question is this, are you familiar with Title 5 of the Code of Federal Regulations which addresses the rules of impartiality for executive branch employees and officials?

**MERRICK GARLAND:**

I am very familiar with it. And I want to be clear, once again, that there is nothing in this memorandum which has any effect on the kinds of curriculums that are taught or the ability of parents to complain . . . .

**MIKE JOHNSON:**

Did you have the appropriate agency ethics official look into this? Did you seek guidance as the federal regulation requires?

**MERRICK GARLAND:**

This memorandum is aimed at violence and threats of violence.

**MIKE JOHNSON:**

I understand you're talking point, you're not answering my question, Mr. Attorney General. With all due respect, will you submit to an ethics review of this matter? Yes or no?

**MERRICK GARLAND:**

There's no company in America or, hopefully, no law-abiding citizen in America who believes that threats of violence should not be prevented. There are no conflicts of interest that anyone could have . . . . All I can say is I completely agree that the rule of law and respect for it is essential and I will always do everything possible to uphold that and to avoid any kind of conflict of interest.

**JIM JORDAN:**

Mr. Attorney General, was it just a coincidence that your memo came five days after the National School Boards Association letter went to the president?

**MERRICK GARLAND:**

So, we are concerned about violence and threats of violence across the board against school officials. . . . Obviously, the letter, which was public and asked for assistance from the Justice Department was brought to our attention and it's a relevant factor—

**JIM JORDAN:**

Who gave you the letter?

**MERRICK GARLAND:**

I read about the letter in the news. That's how I read about it. . . . No one in the White House spoke to me about the memo at all, but I am sure I was -- at least, I certainly would believe that White House communicated its concerns about the letter to the Justice Department, and that is perfectly appropriate.

**JIM JORDAN:**

Did you or anyone at the Justice Department discussed the memo with White House personnel or with anyone at the White House before the memo was sent?

**MERRICK GARLAND:**

I did not. I don't know whether anyone discussed the memo. I am sure that the communication from the National Association of School Boards was discussed between the White House and the Justice Department, and that's perfectly appropriate just as --

**JIM JORDAN:**

With those individuals, who at the White House talked with you at the Justice Department?

**MERRICK GARLAND:**

I don't know. I don't know. . . . I think I've answered. No one from the White House spoke to me. But the White House is perfectly appropriately concerned about violence just like they're concerned about violence in the streets, and they make a request to the Justice Department in that respect just like they're --

**JIM JORDAN:**

Did you or anyone at the Department of Justice communicate with the American Federation of Teachers, the National Education Association, the National School Boards Association prior to your memo?

**MERRICK GARLAND:**

I did not. I don't know. . . . I would be surprised if that happened, but I don't know.

**JIM JORDAN:**

Will FBI agents be attending local school board meetings?

**MERRICK GARLAND:**

No. FBI agents will not be attending local school board meetings. And there is nothing in this memo to suggest that. I want to, again, try to be clear, this memo is about violence and threats of violence.

**JIM JORDAN:**

Well, let me just point out, the same day you did the memo, the Justice Department sent out a press release. . . . You said there's no way you're going to be treating parents as domestic terrorist, but you got the National Security Division in a press release regarding your memo that day.

**MERRICK GARLAND:**

My memo does not mention the National Security Division. It's addressed to the criminal division.

**JIM JORDAN:**

When did you first review the data showing this so-called disturbing uptick?

**MERRICK GARLAND:**

So, I read the letter, and we have been seeing, over time, threats . . . . When the National School Boards Association, which represents thousands of school boards and school board members, says that there are these kind of threats, when we read in the newspapers reports of threats of violence, when that is in the context of threats of—

**MERRICK GARLAND:**

We are trying to prevent violence and threats of violence. It's not only about schools. We have similar concerns with respect to election workers, with respect to hate crime, with respect to judges and police officers. This is a rising problem, in the United States, of threats of violence, and we are trying to prevent the violence from occurring.

**MERRICK GARLAND:**

No, I do not think that parents getting angry at school boards, for whatever reason, constitute domestic terrorism. It's not even a close question.

**MERRICK GARLAND:**

Look, the Justice Department has no role, with respect to what curriculum is taught in the schools, this is a matter for local decision making and not for the Justice Department, and we are not in any way suggesting that we have any.

**TOM TIFFANY:**

Have states asked for help?

**MERRICK GARLAND:**

So, we have state and local partners for all of our matters. This is an assessment of whether there is a problem. And there are federal statutes involved, and there are state statutes involved. And we are trying to prevent violence and threats of violence against public officials across a broad spectrum of kinds of public officials.

**DAN BISHOP:**

Are these meetings occurring?

**MERRICK GARLAND:**

So, let me just be clear one more -- again here. This memo is expressly directed against threats of violence and violence. . . . I don't know whether they're ongoing, but I expect and hope that they are going, yes, because I did ask that they take place. . . . I doubt there have been meetings in every jurisdiction. I expect there have been some -- in some jurisdictions, and I hope so because that's the purpose of the meeting -- of the memo, to have meetings to discuss whether there's a problem, to discuss strategies, to discuss whether local law enforcement needs assistance or doesn't need assistance.

**JIM JORDAN:**

How many meetings have taken place?

**MERRICK GARLAND:**

I don't know the answer. I'm sure that there have been meetings, I'm -- but I am sure that they have not --

**MERRICK GARLAND:**

Prosecutors are well aware of where the First Amendment line is. This is addressed to prosecutors and members of law enforcement. They -- these are the kinds of statutes that we deal with every single day. They know the line.

**MERRICK GARLAND:**

I hope you can assure your constituents that we are not trying, the Justice Department is not trying, to chill there or whatever objections they want to make to school boards. Our only concern is violence and threats of violence. So, if you could make that clear to your constituents, perhaps that would help on that question.

**MERRICK GARLAND:**

Well, the Supreme Court is quite clear that the First Amendment protects spirited, vigorous, argumentative, even vituperative speech, perfectly acceptable for people to complain about what their school boards are doing or what their teachers are doing in the most aggressive terms. What they're not allowed to do is threaten people with death or serious bodily injury, the so-called truth that -- true threats line of cases.

**MERRICK GARLAND:**

Well, the courts have been quite clear that threats, that of an intent to commit an unlawful act of death or threat of serious bodily injury are not protected by the First Amendment. Anger, getting up in your face, those things are protected unless there are some local provisions, one way or the other.

**MERRICK GARLAND:**

Yes, people can argue with you, people can say vile things to you, people can insult you. I'm sorry to say this, doesn't mean I like that idea, it doesn't mean that that's where we should be in a civil society, but the First Amendment protects vigorous argument. I -- with respect to self-protection, I'm going to have to leave that to the Capitol Police and their protective organization to give those -- that kind of advice to you. If you think you have a threat, if you've received a threat of violence or threat of serious bodily injury, you should report it. Many other members of Congress have done that. We just arrested somebody in Alaska for threatening the two Alaskan senators.

**GREG STUEBE:**

Mr. Garland, do you believe that these environmental extremists who forced their way into the Department of Interior are also domestic terrorists?

**MERRICK GARLAND:**

This particular example, it doesn't mean the Justice Department doesn't know about it, but I personally haven't heard about it before what you're saying right now. But I want to be clear, we don't care whether the violence comes from the left or from the right or from the middle or from up or from down. We will prosecute violations of the law according to the statutes and facts that we have. This is a nonpartisan determination of how to do that.



# Senate Judiciary Committee Holds Hearing on Violence Against Women Act

## LIST OF PANEL MEMBERS AND WITNESSES

DICK DURBIN:

Will come to order. Today, the Senate Judiciary Committee is holding a hearing on the reauthorization of the Violence Against Women Act, a game-changing bipartisan piece of legislation that has provided life-saving assistance to women across America for nearly three decades. I'd like to start things off with a video that provides an overview of the legacy of this law.

[Begin videotape]

LYNN ROSENTHAL:

I was a shelter director in North Florida in 1993 when Congress was debating the Violence Against Women Act, and I remember standing in this shelter and thinking to myself, after the Violence Against Women Act passes, this will all change and indeed it has.

UNKNOWN:

The original 1994 law provided grants for legal aid and transitional housing for victims of domestic violence. It also created funding for law enforcement training and assistance hotlines. First, passed in 1994 after intense lobbying from women who had few legal protections and few resources against domestic and sexual violence, the bill is said to have decreased domestic violence for women by 70 percent and it's bipartisan.

BRIAN FITZPATRICK:

VAWA has been instrumental in safeguarding women and children from abuse, anguish, violence and has resulted in the saving of millions of lives.

KAREN ADAM:

Nothing could be more related to the Administration of Justice than the Violence Against Women Act. Judges across the country are enlightened and prepared to deal with domestic violence.

UNKNOWN:

And you can directly connect that to this law?

CINDY SOUTHWORTH:

We've seen almost a 50 percent increase in reporting. More victims reaching out. They're calling the police. They know there are services available and they're getting help.

UNKNOWN:

Why now? Is there something you sense in this moment in the midst of the pandemic?

JACKIE SPEIER:

Laws have to evolve.

KIERSTEN STEWART:

We have made enormous progress in this country in addressing domestic violence. We have seen decreases of about two thirds in the last 25 to 30 years, but as you point out, we're starting to see an increase again.

UNKNOWN:

92 percent of women murdered in 2018 were killed by men they knew. COVID-19 has only made the issue worse. One in three women have experienced either physical and/or sexual

intimate partner violence or non-partner sexual violence. The bill is passed.

[End videotape]

DICK DURBIN:

For more than 30 years, October has been recognized as Domestic Violence Awareness Month. It's a reminder that all of us have an obligation to stand up and support survivors of sexual and domestic violence, many of whom had to nurse their wounds, both physical and emotional, in silence. And over the past 18 months, many survivors have been forced into the most vulnerable position of all, isolated at home with an abuser.

During this pandemic, nearly four in 10 rape crisis centers and nearly half of the YMCA's domestic violence programs have reported an increase in demand for services. Police departments throughout the country have also reported a spike in arrests and calls related to domestic violence. In my home state of Illinois, our domestic violence hotline experienced a 16 percent increase in calls in 2020, sometimes fielding 150 calls in a single day.

A friend of mine and vocal advocate for survivors of domestic violence, the late Sheila Wellstone used to say, and I quote her, "I find it absolutely intolerable to think that a woman's home can be the most violent, most dangerous and oftentimes the most deadly place she can be." This is an unacceptable reality for far too many women in America, and that's why the Senate must, must reauthorize and strengthen the law that for nearly 30 years has transformed the way we address sexual and domestic violence in America, the Violence Against Women Act. In the years since it was first signed into law, VAWA as it's often referred to, has changed and even saved countless lives.

It has opened up new avenues of support and relief for survivors, including domestic abuse hotlines. It has helped establish protocols for doctors, police officers, judges and others to spot the subtle signs of domestic violence and provide help once they observe those signs. And it has funded resources that allow victims to escape abusive environments.

Unfortunately, in the last Congress, the Senate failed to reauthorize the Violence Against Women Act. While appropriations to VAWA programs have continued, which is good news,

much needed efforts to improve the law stalled. Thankfully, in this Congress, there is a strong bipartisan commitment to join our colleagues in the House and pass VAWA of 2021. Today, the committee will have a chance to hear from the junior Senator from Iowa, Senator Ernst.

She's been working closely with Senator Feinstein and me to prepare the Senate's own version of the VAWA Authorization Act of 2021 for introduction. Senator Ernst, thank you so much. We'll also hear from Senators Leahy, Hyde-Smith and Capito. We're then going to have a chance to hear from the deputy attorney general Lisa Monaco, a law enforcement leader who has voiced strong support for this legislation as well.

Had a conversation on the phone last night with Lisa, and she mentioned that she started her career on the hill as an intern in this committee working on the original VAWA. It inspired her to go to law school and to embark on a career of public service, which has been remarkable. So Lisa, I'm glad you're back home again.

I want to personally thank Senators Ernst and Feinstein for their tireless efforts. Senator Feinstein, because of a serious illness in the family, could not join us this morning, but she is here in spirit and we salute all of her leadership. A number of our colleagues on this measure have included Senator Leahy, who we expect to be here momentarily and make a statement, and Senator Amy Klobuchar, who has also been an invaluable contributor to this effort.

I'm grateful for the shared commitment to produce a strong bipartisan bill. In March, the House once again passed a VAWA reauthorization with strong bipartisan support from the indomitable Congresswoman Sheila Jackson Lee, House Judiciary Committee Chair Nadler and Congressman Brian Fitzpatrick. Like the House passed bill, our legislation will modernize and improve this vital law and it won't roll back the progress that we've made.

This new version of Violence Against Women Act will not only provide funding to organizations and resources that support survivors, it will invest in critical prevention and education, it will improve access to services for survivors in rural areas and those who require culturally specific services. It will enhance protections for Native American women and children.

It will help keep dangerous weapons out of the hands of abusers, and it will provide survivors with the support they need by expanding access to legal services and other crucial programs. And once we join the House in passing this legislation, we know we're going to send it to the desk of a leader who is sympathetic, not just sympathetic, but wildly supportive of this measure, the man who originally sponsored the first Violence Against Women Act President Joe Biden.

I can think of no better way for us to do our part in honoring Domestic Violence Awareness Month. Now I turn to Ranking Member Grassley.

CHARLES GRASSLEY:

Thank you, Mr. Chairman and I welcome all the witnesses and guests to our hearing on VAWA today. I supported enactment of the original VAWA Act. That was in 1994, and have voted to reauthorize the grant programs authorized by VAWA multiple times. When I wasn't able to support a Democrat-led effort to reauthorize, I introduced my own proposal that would have protected and enhanced the program.

This year, I again led my colleagues in sending a letter to the Senate appropriators, urging that Congress continue to prioritize funding of the VAWA programs. In previous years when I sent similar letters to appropriators, Senator Shelby and Leahy, leaders of the appropriators, were incredibly responsive to my requests and supportive of these programs, so I want to thank them for working with me to champion the funding.

As a member of this committee, I've made it a top priority to champion related measures to expand the rights and services for victims of intimate partner violence. This year for example, I joined a number of committee members in co-sponsoring legislation to ensure that the Crime Victims Fund will receive an additional \$1 billion in deposits each and every year.

Services to the victims and survivors of intimate partner violence, sexual assault and child abuse are accorded priority funding under the Victims of Crime Act, which created this important fund in 2016 and again this year. I also work closely with young sexual assault

survivor, Amanda Winn and the organization she founded on bills to enhance the right of sexual or violence survivors and criminal justice system.

In early 2018, I led this committee's effort to press the FBI for information in response to allegations of sexual abuse lodged against Olympic athletes against their former team doctor. I've been seeking justice for victims of Larry Nassar's abuse and I have some timely questions for DOJ who refused to attend our hearing last month about accountability for those who failed these victims.

As former chairman of the committee, I also worked closely with Senator Feinstein on legislation to impose mandatory reporting requirements on coaches and instructors who witness abuse when working with young athletes. I also sponsored and led this committee in approving legislation to renew and update the Trafficking Victims Protection Act, as many of the victims of sexual trafficking also are victims of intimate partner violence.

I worked with Senator Cornyn on the Justice of Victims of Trafficking Act, shepherding it through this committee in the Senate, and led our committee in approving a measure sponsored by former Senator Hatch to make more resources available for the victims of child pornography. Renewing and extending VAWA is our next priority, and that's why we've convened this hearing today.

Before we begin, I want to take this opportunity to mention now that it's Domestic Violence Awareness Month, that it's important that we adopt an extension of VAWA. A Senate-passed reauthorization could include the language on which we've reached consensus and meanwhile, we could continue to engage in negotiations on additional important reforms and updates of VAWA. I also want to recognize several of my Republican colleagues who are not members of our committee, but have joined us here to testify today.

Senators Ernst, Hyde-Smith, Capito, I thank you for being here. And I'd like to thank Ms. Monaco for attending today's hearing on behalf of the Department of Justice.

RICHARD DURBIN:

Thank you, Senator Grassley. Let me lay out the mechanics of the hearing. We'll begin with member panel and each Senator will have three minutes of opening statements. After that, Deputy Attorney General Monaco will testify and she will have five minutes. We will turn to questions from Senators, and each Senator will have five minutes for questioning.

Before we begin, I also want to note again that Senator Feinstein is unable to be here, but has submitted a statement from the record, which will be included without objection. And we are all on both sides of the aisle, grateful for her amazing leadership on this bill and hearing as chair of the Subcommittee on Human Rights and the Law. So we'll first begin with a statement from Senator Ernst, who I mentioned earlier has worked closely with Senator Feinstein and myself to get this bill introduced and enacted into law.

We're glad you're here today. Senator Ernst, please proceed.

JONI ERNST:

Thank you very much, Chairman Durbin, Ranking Member Grassley, members of the Senate Judiciary Committee. The Violence Against Women Act is now over 25 years old. As many of us are aware, this law provides desperately needed resources to tackle domestic and sexual abuse in our communities. And as too often the case with programs like VAWA, authorization has lapsed.

But despite that reality, year after year, VAWA programs continue to be funded by Congress. I am a survivor myself. I know firsthand the paralyzing fear that comes when someone you trust abuses you. But you don't have to be a survivor to understand just how awful violence against women can be in terms of physical and mental well-being, in terms of self-image, in terms of our families, and in terms of the security of our society as a whole.

I wasn't in the Senate in 2013 the last time Congress authorized VAWA. But since I've been here, I've had a vested interest in being part of the process and getting this vitally important bill modernized and reauthorized, because I believe we can always improve the Violence Against Women Act for our survivors.

For months, I've worked closely with Chairman Durbin and Senator Feinstein, along with Senators Cornyn, Murkowski, Klobuchar and Ranking Member Grassley on a bipartisan bill that would not only reauthorize VAWA, but truly modernize it. We are not there yet, but good things in the Senate often take time. We will keep working until we come to a bill that won't just be a talking point for one side or the other, but a bill that can pass the Senate and the House, become a law and truly deliver for my fellow survivors.

A modernized Violence Against Women Act that will pass the Senate must present a renewed focus on rural survivors, and invest in proven programs that reduce violence. When you live in an area like mine, rural Montgomery County, Iowa with a population of just over 10,000 people, the nearest shelter is an hour away in Council Bluffs.

We've got to fix that. We must provide better resources for survivors in their own communities. We must also extend critical housing protections to rural communities allowing survivors protection and security. It's a critical lifeline and a way out of these abusive situations. We also have to focus on successful efforts to prevent sexual violence like the Rape Prevention and Education Program.

Instead of reacting to these horrific crimes, this program works to prevent them from happening in the first place. Not only that, we must ensure not just that survivors are empowered, but that offenders are punished. My goal has always been to empower survivors, punish abusers and enhance the overall purpose behind this important law.

I will continue working with my democratic partners, folks on this committee and stakeholders to reach a bill that will help prevent what happened to me from ever happening to another woman. It's a lofty goal, but why else are we here? Thank you very much.

DICK DURBIN:

Thank you, Senator Ernst. I see Senator Hyde-Smith has arrived, but Senator Capito, would you like to start and then we'll recognize your colleague?

SHELLEY CAPITO:



Thank you, Mr. Chairman. I appreciate Chairman Durbin and Ranking Member Grassley for having this hearing today, and I'm proud to be here for this important hearing, strengthening the Violence Against Women Act or VAWA. I'd like to begin by thanking all of the people that work in this area across our country.

This is tough work. It's so important, and I want to make sure that and thanking our survivors for their ability to fight back against the scourge. Ending domestic violence and other VAWA-related crimes has been a priority of mine since I became a Senator, but also as a Congresswoman. As a matter of fact, the first time I ever came over to the Senate was to join with then Senator Biden to celebrate one of the reauthorizations in the early 2000s. I've also previously served as the chairman of the board of a local organization that worked to combat domestic violence, that's the YWCA in Charleston, West Virginia.

But this work would not be possible without the funding and support that VAWA provides and why it's critical that this bill be reauthorized. I was told by a leader in West Virginia that these funds are a lifeline to their work. As a member of the Appropriations Committee, I'm proud that we've consistently championed it, and in many cases increased the amount of money available for services for survivors of domestic and sexual violence in a bipartisan fashion.

Now that the Office of Violence Against Women has announced the most recent round of grant funding, I am a bit concerned about how the Department of Justice is allocating some resources. Senator Ernst alluded to this a bit. Specifically, my state of West Virginia, while we have great challenges, I want to make sure we're accorded sufficient priority under existing statutory funding.

As the only state that lost population, the population-based metrics are not helpful to meet those demands. One of my concerns that VAWA formulas may require updating to better reflect the needs of our nation's rural populations. I'm also concerned about the plight of service providers that are struggling to recover economically post-COVID. They need our help now more than ever.

I urge the Department of Justice to update to the maximum extent possible its allocation methods to better reflect the needs of rural and remote areas, where many victims have unique challenges to reporting these crimes and seeking assistance. VAWA reauthorization has historically been a bipartisan effort, as has been discussed today, and I'm happy to see many of my colleagues present with us today demonstrating that willingness to work together to get survivors of domestic violence the resources they need.

We can pass this bill, which encompasses the provisions on which already there is widespread bipartisan consensus. Doing so would not end our conversation or our work on behalf of victims and survivors, because we know there are things we must continually improve to meet the needs and challenges. I would also like to thank Senators Feinstein and Ernst for their dedicated movement to get this passed.

For example, a few years ago, human trafficking was not a great concern in my state, but sadly now it is. In addition to the challenges presented by COVID, we continue to be overwhelmed by the impact of an opioid epidemic. We are all here today with a shared goal, because I've heard from individuals and organizations that need our help.

We can provide that help. I'm ready to work together during Domestic Violence Awareness Month and beyond to see this goal accomplished so that we can continue to empower victims, support our survivors and protect families in every single one of our states. Thank you.

DICK DURBIN:

Thank you, Senator Capito. Senator Leahy has dispensed with his responsibilities on the floor of the Senate and is able to join us, and he'll be followed by Cindy Hyde-Smith, Senator from Mississippi.

PATRICK LEAHY:

Thank you very much, Mr. Chairman. I had to open the Senate this morning, and a little bit of delay and my replacement getting there. But we're here and I want to thank you and

Ranking Member Grassley for holding this hearing. The Violence Against Women Act has been a bedrock of the federal government's response to domestic violence and sexual assault since it was enacted in 1994. As one who was here at that time, I know this is one of the most consequential pieces of legislation within our committee's jurisdiction.

But with our evolving world, there came a need to not only reauthorize a law, but update and strengthen it as well. In 2013, we passed a strong bipartisan Violence Against Women Act reauthorization. I was Chairman of the committee and it was a top priority of mine. I proudly partnered with Senator Crapo, and we did just that.

We put together a bipartisan bill. It's co-sponsored by 62 Senators. It passed the Senate overwhelmingly with 78 votes. And some thought we should water down to make it easier to pass. Senator Crapo and I stood with the survivors and victims service professionals who called for legislation to protect all victims, regardless of their immigration status, their sexual orientation or their membership in an Indian tribe.

Unfortunately, I'm far less satisfied with how the Senate failed to reauthorize the Violence Against Women Act since 2013. Nearly two years have already passed since I joined my friend Senator Feinstein and introduced in the last reauthorization, which also passed the House with a strong vote of Republicans and Democrats.

I'm glad that under the new Senate leadership, we seem to be working on a more diligent bipartisan matter. We're set to introduce a broadly supported set of VAWA bills very soon. But this is not about politics, it's about listening to survivors and ensuring that those on the frontlines working to prevent domestic and sexual violence have all the tools we need.

There's incredible dangers and stresses with COVID. As one who has gone to crime scenes when I was a prosecutor and seeing women who had been beaten to death, and then we find that this has been going on for some time but there's no place to report it. Nothing to do. Now that was nearly 50 years ago, we can do a lot better and we do. I still remember every one of those scenes like it was yesterday.

Social distancing pushed many survivors living with their abusers further into isolation during COVID. Victim service providers are struggling to meet increasing housing and economic needs. The programs of VAWA support make a real difference to these survivors and to their families. We ought to work with them.

And it was a strong bipartisan bill. Without delay. Mr. Chairman, I thank you for the courtesy in allowing me to go forward.

RICHARD DURBIN:

Thank you, Senator Leahy for your leadership over the years for this important legislation. Senator Hyde-Smith.

CINDY HYDE-SMITH:

Thank you, Chairman Durbin and Ranking Member Grassley, I certainly appreciate the opportunity to be here today to speak for the women who are experiencing these situations. My concerns are a lot like Senator Capito's. As we consider this reauthorization, I certainly want us to look at what I feel like is an overlooked population, the survivors of intimate partner violence who reside in rural areas.

It's a lot harder to get access to things. These are the particular challenges faced by so many victims and survivors of domestic violence in my state of Mississippi. Before even making the decision to seek help, these survivors, most often women, have to overcome cultural norms which prioritize family privacy, which is very important in rural areas, traditional gender roles and keeping their families together.

When they do decide to get help, they'll have to travel long distances to receive it, and will have fewer transportation options to get there in many instances. But one account, more than 25 percent of the women in rural settings reside at least 40 miles from the closest service provider, compared to less than one percent in urban areas.

Perhaps the most daunting, due to geographic isolation, these survivors, they don't have the ability to remain anonymous that they wish that they would have when they're seeking their

help, and they are so concerned of what the community would think of them. All of us in Congress can agree that our goal should be to ensure that these women in rural areas, and indeed all victims of sexual abuse, domestic violence and stalking, are protected and they receive the services that they need.

To this end, these programs are funded generously each and every year by the Appropriations Committee which I serve on. Earlier this year, we also came together as a chamber and unanimously adopted a measure to significantly increase deposits into the Crime Victims Fund. This cooperative achievement will go a long way to sustaining the fund over time, but we need to harness that same cooperative spirit now.

October is Domestic Violence Awareness Month, a time when we should come together to develop bipartisan relationships to address this, and have meaningful chances that this would be signed into law by the President. But we're not yet there, and that's extremely frustrating. The other chamber this year passed reauthorization bill that has little chance of reaching 60 votes in this chamber.

That bill is yet to overcome objections from prosecutors who fear it will limit their abilities to successfully pursue repeat offenders of domestic violence. It is yet to address concerns that it could destabilize some states' unemployment systems. It is yet to address provisions that may reduce grant eligibility for providers serving victims of elder abuse or commercial sexual exploitation.

And ironically, the bill's gender identity provisions can make it more challenging for grant recipients to best serve the rape victims and sex trafficking victims for whom they provide space to heal emotionally and physically. Therefore, I call on this committee and Senate leadership to adopt the reauthorization bill this month that embodies language on which we agree, including a greater emphasis on serving victims in rural areas.

In the meantime, I believe we should continue to work together in good faith to resolve the remaining areas where we've yet to reach consensus. We need to do it for the sake of survivors of victims of domestic and sexual violence everywhere. Thank you for allowing me to be here to speak on such an important issue.

I certainly appreciate it.

RICHARD DURBIN:

Thank you, Senator Hyde-Smith. And Senator Capito, before you leave, I want to make a shameless plug for a Rise from Trauma Act, a bill that you have joined me in introducing to effectively treat the root causes of violence by focusing on the impact of this exposure to trauma has on our children and providing them the services they need to help heal.

Thank you so much for being co-sponsor. Thank you for joining us this morning. Now we're going to call before us Lisa Monaco. Let me get to the appropriate page here so I don't say the wrong thing at this moment. As the witness table's being prepared, I welcome Deputy Attorney General Lisa Monaco. Before you sit down, let me administer the oath if I might.

Do you affirm the testimony you are about to give before the committee will be the truth, the whole truth and nothing but the truth so you God?

LISA MONACO:

I do.

RICHARD DURBIN:

Thank you very much. Note that the Deputy Attorney General answered in the affirmative. She serves as the Justice Department's second ranking official. She's responsible for the overall supervision of the department. In this role, Deputy Attorney General Monaco advises and assists the attorney general in formulating and implementing the department's policies and programs.

She was confirmed by the Senate with bipartisan support in April, previously served as a career federal prosecutor in several leadership positions across the department, served as Homeland Security and counterterrorism adviser to President Obama. Born and raised in Massachusetts, a graduate of Harvard and the University of Chicago Law School.

Deputy General, please proceed.

LISA MONACO:

Thank you very much, Mr. Chairman, Ranking Member Grassley, members of the committee. I appreciate very much this opportunity to speak to you today. The Violence Against Women Act has had an enormous impact in combating domestic violence, dating violence, sexual assault and stalking. And I'm here to urge Congress to reauthorize and to strengthen it. Before we get started though, Mr. Chairman, with your indulgence, I would like to recognize several tragedies that the Department of Justice has suffered in recent days.

Yesterday in Tucson, Arizona, a DEA agent was shot and killed, and a second DEA agent and a task force officer were shot and wounded. Separately, last Friday, a deputy US marshal succumbed to injuries from a vehicle accident that occurred while he was assisting with a law enforcement operation. These sacrifices remind all of us of the risks law enforcement takes every day to protect the communities that they serve.

My thoughts and prayers are with their families and the men and the women of the DEA and the US Marshals Service. Now Mr. Chairman and Ranking Member Grassley, the original passage of the Violence Against Women Act in 1994 as you have noted, Mr. Chairman, had a major impact on my own life. At the time, I was a young staff member on this committee working for then-Chairman Biden, and one of my responsibilities included responding to letters from people who wrote to the committee.

Time and again, I read firsthand accounts, not only about the violence that too many people, mostly women, suffered at the hands of their intimate partners, but also about the lack of accountability for these crimes. Statistics the committee reported during that period painted a very grim picture. Ninety-eight percent of rape victims never saw their attacker caught, tried and imprisoned, meaning almost all of the perpetrators of rape walked free.

Fewer than half of the people arrested for rape were convicted, and almost half of convicted rapists could expect to serve only a year or less in jail. My conversations with individual survivors, rape crisis centers, domestic violence shelters, emergency rooms and police stations put a human face on those statistics.

And that experience led me to want to go to law school, Mr. Chairman, and it led me into public service, and it drew me to a career in law enforcement and criminal justice. With the passage of VAWA, I saw how a law could make a real difference in people's lives, and I saw what Congress could accomplish through thoughtful policy driven by courageous voices, experts and bipartisan leadership.

Congress reauthorized VAWA in 2000, 2005, 2013, each time with bipartisan support. Over the years, we've made substantial progress, but the need for VAWA's programs and protections is as critical as ever. And I'd like to highlight just a few of the items the Department of Justice sees as priorities for the reauthorization bill.

First, reauthorizing VAWA's vitally important grant programs at the \$1 billion funding levels included in the President's fiscal year 2022 request. This will ensure communities can provide critical services to survivors, as well as the right tools and training to make sure that responses to these crimes are survivor centered and trauma informed.

And I'm pleased to announce today that the Office of Violence Against Women has issued this year more than \$476 million in grants to help state, local and tribal organizations support survivors as they heal, promote victim access to justice, and train professionals to respond to domestic violence, dating violence, sexual assault and stalking.

Second, we need to find new ways to reach and improve services for underserved populations, including culturally specific communities. Third, expanding the ability of tribes to protect their communities from domestic and sexual violence through expanded jurisdiction. And fourth, reducing homicides through federal firearms laws, including by closing the so-called boyfriend loophole that leaves countless victims at risk.

Now before I take your questions, Mr. Chairman, I want to speak to two recent issues that have received considerable national attention, and which I think underscore the continued importance of VAWA. The tragic murder of Gabby Petito has been at the forefront of many people's minds. While I won't speak to the ongoing investigation regarding her death, I am struck by two critical lessons we should take away from the publicly reported information, not just in this case, but in the thousands of other cases that don't receive public attention.



First is the importance of the bystander's 911 call, which prompted law enforcement to respond to reports of violence between Ms. Petito and her boyfriend. The second, as we learned from watching the public video footage of interviews conducted by those officers is the vital importance of having trained law enforcement who understand the dynamics of domestic violence when responding to such incidents.

But we should not forget that Gabby Petito is not alone. There are more than 89,000 missing persons cases in this country, and roughly 45 percent of them involve people of color, including too many missing and murdered indigenous persons. Now gender-based violence is too often a precursor to these cases.

And while these cases often don't receive public attention, the Department of Justice will continue its work to prevent these crimes and to bring perpetrators to justice. Finally, I want to recognize the many courageous women athletes who have spoken out and testified on behalf of the hundreds of survivors of Larry Nassar's horrific sexual abuse, and most recently, the four brave women athletes who came before this committee last month.

I also want to thank this committee for its work, and that of the inspector general, in bringing to light a system that inexcusably failed them and the scores of other survivors. As the deputy attorney general, as a lawyer, as a former FBI official and as a woman, I was outraged by the inspector general's findings, and I was horrified at the experiences Simone Biles, McKayla Maroney, Maggie Nichols and Aly Raisman recounted in their powerful testimony.

I am deeply sorry that in this case the victims did not receive the response or the protection that they deserved. I've discussed with the FBI director the full scope of the changes he's instituting to ensure this never happens again. I've also directed additional measures inside the Department of Justice to ensure that where there is an ongoing threat, violence or abuse, especially when that involves vulnerable victims, that our prosecutors understand that they have a duty to coordinate with other local law enforcement partners to address it. And I've made clear that it is a priority of the Department of Justice to provide victims and witnesses of crime the support that they need.

My experience working on VAWA for this committee many years ago taught me a key principle that guides me still today. Our government has a moral obligation to protect its citizens, and when it falls short in that effort, we must listen to those who we have let down to better understand where we can improve.

Survivors who come forward to report abuse must be met with competent and compassionate professionals who have the resources, training and institutional support to do their jobs. That's the promise of VAWA and one the Department of Justice is committed to carrying out in our own organization and in VAWA-funded programs and work throughout the country.

I appreciate the time and attention of the many members of Congress who've contributed to this important legislation, many for decades. I look forward to continuing that work with this committee and to answering your questions today. Thank you.

RICHARD DURBIN:

Thank you, Deputy Attorney General. It's been my honor to serve on this committee for over 20 years. Three weeks ago, we heard as you recounted the incredibly compelling and heartbreaking testimony from four survivors of sexual violence who were abused by disgraced USA Gymnastics team doctor, Larry Nassar.

The reaction across the nation to that testimony was incredible, resounding, powerful. The American people want child predators like Larry Nassar and anyone who aids in their crimes held accountable. The Department of Justice has a special responsibility in this regard. We had the director of the FBI present during the entire testimony of the gymnasts and he testified later, I think making no excuses for what they experienced.

When they finally summoned the courage to bring their grievance to the proper legal authorities, the FBI failed them, our government failed them, we failed them and it was very clear. In addition to managing millions of dollars in funds earmarked for survivors of abuse, the Department of Justice oversees individual prosecutions of predators and their abettors.

Many people, including myself and my colleagues and the gymnasts who testified, expressed shock and dissatisfaction with the department's decision to decline prosecution of the FBI agents, who not only mishandled the Nassar investigation, but clearly lied to the Inspector General's Office. People are charged with the crime of lying to the government and are held accountable and some are imprisoned for the very acts which appear to have taken place here.

And yet the decision not to prosecute is one which most of us clearly don't understand. What is your response to the criticism over the department's decision not to prosecute these FBI agents? If the department is committed to bringing justice to survivors of sexual violence, what is your plan to better demonstrate that commitment going forward?

LISA MONACO:

Thank you, Mr. Chairman. First, let me reiterate, the survivors who testified so bravely last month deserved better than they got from the FBI and from the Justice Department. The IG documented inexcusable, unacceptable failures, some of them quite fundamental failures, a lack of urgency, a lack of care from the victims who we have a duty to protect.

It is a core mission of the department to protect those victims. And as you know, the FBI director testified about a number of measures he's putting in place from strengthened policy, strengthened training, mandatory reporting when such abuse comes to light in the future. And I've also put in place the measures I referenced in my opening statement.

Now with regard to the understandable interest and frustration with regard to the department's long-standing policy to protect appropriate decision making and not commenting on declination decisions, I can inform the committee today that the recently confirmed assistant attorney general for the Criminal Division is currently reviewing this matter, including new information that has come to light.

In light of that review, I think you'll understand, Mr. Chairman that I'm constrained in what more I can say about it. But I do want the committee, and frankly I want the survivors to

understand how exceptionally seriously we take this issue, and believe that this deserves a thorough and full review.

DICK DURBIN:

I might ask you this, is there any sense of urgency or timetable to this new criminal review about the wrongdoing by the FBI agents?

LISA MONACO:

We take exceptionally seriously our duty to protect victims, and yes, I think you can be assured there is a sense of urgency and gravity with the work that needs to be done.

DICK DURBIN:

I'd like to ask you about one other issue in the remaining minute. I mentioned while she was still here that Senator Capito and I have co-sponsored legislation, the Rise from Trauma Act. When you read the statistics of the number not only of spouses but children of those spouses, who are either victims of violence, are exposed to violence in their lifetime, it is a showstopper.

As a parent, you think back on the experiences of your own youth and those memorable events, hopefully God willing, they are positive memories. But in many cases, they're not. And there's a scar on the souls and minds of these children that has to be addressed or we see terrible outcomes. We're going through a spate of gun violence across America, and in the city of Chicago, which I dearly love, which is just incredible.

And you wonder, who are these kids that get so mixed up with the gangs and turn to guns and violence, the fight or flight syndrome, and everything that follows. What can you tell me about your announcement this morning of additional resources that are going toward the issue of dealing with trauma?

LISA MONACO:

Well, Mr. Chairman, as you know, one of the founding principles of the Violence Against Women Act when it was first enacted in 1994, and continuing on for 25 years, has been to ensure that prosecutors, court systems, victim advocates and all who encounter children who are exposed to violence in the home, victims themselves of domestic violence, sexual assault, stalking, dating violence, to ensure that when they encounter the system in all of its myriad forms, that those individuals receive the service that they are due, meaning that service providers, the prosecutors, the judges have been trained to understand the unique experience that a survivor of domestic violence or children exposed to violence in the home, what that trauma is like and how that should impact their movement if you will and what they get in the system.

They shouldn't be re-traumatized Mr. Chairman, by coming forward and by seeking to hold their perpetrator accountable.

RICHARD DURBIN:

I've gone over my time, and I'm sorry. Just to close by saying, but resources have to be available for analysis, for counseling, for remediation, for mentorship, to give these kids a second chance otherwise, I'm sorry to say, the results are going to be terrible. And so I'm glad to work with you and the attorney general and the President on that issue.

Senator Grassley.

CHUCK GRASSLEY:

Before I start my questions, I want to emphasize what's been said here and you've already responded to it as positively an update as you could about reconsidering prosecution of these people that weren't doing their job and taking action appropriate. I sent a letter to Attorney General Garland along the same line the very same day I think that we had this hearing.

Now to my first question. It starts out with the fact that VAWA's passed the House of Representatives. On that bill, certain prosecutor groups have flagged for us something

concerning with that. The business community has raised questions about unemployment benefits that are in that program could undermine the stability of the unemployment system.

I hope that we can reach a bipartisan agreement to move a bill forward. Short of that, I hope we can continue to do what we've done to reauthorize VAWA, because it's a very important program that must be continued. So, my question is based on the fact that I believe 90 to 95 percent of what's on the table in regard to VAWA is agreed to, but then there's certain outstanding things.

Is the department supportive of ensuring that the existing VAWA programs are extended, for example, through the end of the year so that the bipartisan negotiations can continue on a longer-term reauthorization message?

LISA MONACO:

Well, Mr. Ranking Member, first, I want to thank you for your support in the past of the reauthorization of VAWA and exceptionally important provisions, not only the major funding and to form your grant programs and important grant programs that provide services to victims, but also the rural grant programs, which I know is exceptionally important to you.

And so I thank you for your work and your support in the past, and we look forward to continuing to work with you and the other bipartisan Senators who were here before. I think it's very important that we move urgently to reauthorize the Violence Against Women Act. And of course, we are grateful that the Congress, when the Violence Against Women Act lapsed, that the funding programs continued to be funded because as we know, provide urgent services.

But as Senator Ernst and others said, it is very important that we strengthen, improve and indeed modernize the Violence Against Women Act. So we stand ready to work with you, Senator, and others to make sure we can get that done.

CHUCK GRASSLEY:

Some years ago, this committee approved the Survivors Bill of Rights for Sexual Assault. This year, I'm working with colleagues on related legislation that would provide states with additional funding under the Stop Formula Grant Program authorized by VAWA if they adopt legislation to implement these same rights at the state level?

I remain concerned however that only a minority of sexual assault victims come forward and report the crime. Other than adopting the Survivors Bill of Rights, what additional steps might federal, state, local authorities take to encourage more victims of sexual assault to report the crime and cooperate in its investigation?

LISA MONACO:

Well, first Senator, thank you for your leadership on ensuring survivors, regardless whether in the state system or the federal system, receive the services and the rights that they deserve. I think the simple answer to your question, Senator, is reauthorization of VAWA, and it is at the levels that the President has sought, because that will expand the much-needed indeed urgently needed services.

I spent some time with a number of advocates last week, and I heard from them that frankly and unfortunately, the demand for services is far outpacing the availability of those services. We have waiting lines at places like rape trauma and rape crisis centers, critical rape crisis centers that VAWA funds.

So I think the simple answer, Senator, is reauthorization and the increased funding that the President is seeking.

CHUCK GRASSLEY:

OK. My last question will have to be about the federal courts having authority to award restitution for certain losses incurred by victims of crime in federal cases, and the Government Accountability Office recommended several years ago that the Department of Justice implement performance measures and goals for the collection of restitution.

To what extent has DOJ implemented those reforms? And what can you tell us about that subject?

LISA MONACO:

Well, Senator, I'll have to go back and look at that specific report and our responses, although I know that we take very seriously reports from where there's the GAO or the IG, and particularly when it comes to stewardship of federal dollars.

CHUCK GRASSLEY:

Could you respond to that in writing then?

LISA MONACO:

I'd be happy to, sir.

CHUCK GRASSLEY:

Thank you.

RICHARD DURBIN:

Thank you, Senator Grassley. Senator Leahy.

PATRICK LEAHY:

Thank you, Mr. Chairman. Deputy Attorney General, it's great to see you here. I've had the pleasure working with you over the years. You talked about being a junior staff member here. You were a very vital staff member right from day one, and I appreciate you being here on this, and I can't think of anybody better to be talking about Violence Against Women Act. It's one of the most consequential pieces of legislation within our committee's jurisdiction fortunately last time successfully reauthorized in 2013. I was glad on that one when Senator Crapo and I brought the bill through, we had students, immigrants, LGBTQ individuals and those on tribal lands, and it passed overwhelmingly.



But those of us who engaged as prosecutors saw what happened in violence against women, not a statistic, but actually saw the victims. I talked with the victims, those who were still alive and could talk. So I'm glad you're here. I think you would agree that it's important to not only reauthorize but improve and strengthen the law.

Would you agree with that?

LISA MONACO:

I do Senator.

PATRICK LEAHY:

You know, I think back off in my own experience, many of us have experiences as prosecutors, and you see the impacts of domestic and sexual violence on individuals on their communities. We also know that one size doesn't fit all in the criminal justice system. I've been looking at things like restorative justice principles and practices.

Maybe they can help those, empower survivors have a voice in shaping the response to harm, and it gives them and their communities the opportunity to make sure that those who caused the harm be accountable for their actions. I've been working with your Justice Department to establish the federally-backed National Center for Restorative Justice.

I'm familiar with it because it's housed within the Vermont Law School. The center received initial funding from the Office of Justice Programs, received another Justice Department grant earlier this year to continue, and I appreciate that. Both the House of Representatives and the White House have expressed support for continuing and expanding it as needed.

So my long way round to cover the question. We have to reauthorize, we have to improve on the existing law, I think utilizing restorative justice approaches is one of those necessary improvements. So Deputy Attorney General Monaco, we're working to put finalize restorative justice language within the set of VAWA legislation.

Will you support exploring restorative justice as another approach to reducing domestic and sexual violence in our communities?

LISA MONACO:

Yes, Senator, and just to give you a sense of my thinking on this, I start from the premise that the original Violence Against Women Act at its core was about improving responses as we've talked about, improving responses to domestic violence, dating violence, stalking, sexual assault, and improving the response of law enforcement in the courts.

It had been treated as a private matter, and we had to innovate, and we had to change our thinking. And as has been noted before, earlier this morning, the hallmark of reauthorizations of VAWA in the past has been filling gaps and innovating and improving and modernizing our services. And what I have heard from advocates and from experts, is that some survivors are reticent to seek help from the criminal justice system and so they need other options.

I think those options need to be evidence based. They need to be voluntary, but I think a hallmark of violence against women in the past and in the future ought to be being willing to study and innovate and be responsive to what we're seeing on the ground. So yes, Senator, and I'm very pleased that OJP and the Bureau of Justice Assistance has been able to fund the Restorative Justice Center you mentioned in Vermont.

PATRICK LEAHY:

Well, I appreciate that and I have a feeling that at least the Senate Appropriations Committee will make sure the money is there to be made on this. And you alluded to this, I'll close with this. I think back with a distressed memory of a number of cases where I was a prosecutor, when a victim of violence against women, sometimes no longer alive, would come forward, we find this had been going on for some time.

That person never thought they have a place they could go to report it. I have often said, I was distressed in my Office of State Attorney to hear about it for the first time as we're

ordering the autopsy. Thank you.

RICHARD DURBIN:

Thank you, Senator Leahy. Senator Cornyn.

JOHN CORNYN:

Deputy Attorney General Monaco, thank you for being here today. I'm actually a little surprised to see you, given the fact that you refused to attend the hearing where the heinous conduct of Larry Nasser was exposed again, and where even the FBI director personally apologized, saying he was deeply and profoundly sorry to the victims of these repeated sexual assaults while they were Olympic athletes.

Let me just ask you to respond to a statement that was reported in The Hill. This was by one of the witnesses there, former U.S. Olympic gymnast Aly Raisman. She attended a news conference that Senator Blumenthal and Senator Grassley held, and as you know, Senator Blumenthal, Senator Feinstein had both written a letter to you and the attorney general asking serious questions, asking for you to appear at the hearing that we held three weeks ago.

But Miss Raisman, one of the victims of repeated sexual assault by the Olympic team doctor said, "The message by them not showing up sends that child abuse doesn't matter." She's talking about the Department of Justice, talking about you. "I think it's completely shocking and disturbing that they didn't think it was important." What's your response?

LISA MONACO:

Senator, I think that the women who came and testified here last month are exceptionally brave. Their voices were powerful and their voices --

JOHN CORNYN:

They're talking about you not showing up, and that it was essentially a disrespectful act which did not view the allegations that they have made against Mr. Nasser is sufficiently

significant for the Department of Justice to actually show up for the hearing.

LISA MONACO:

I'm deeply and profoundly sorry for the fact that the victims and courageous survivors, both the women who testified last month and the scores, unfortunately scores of other survivors of Larry Nassar did not receive --

JOHN CORNYN:

Why didn't you or the attorney general show up at the hearing?

LISA MONACO:

Senator, I think the committee, and I thank the committee for its work, was able to hear from Director Wray and the inspector general.

JOHN CORNYN:

Don't you know that you demonstrated profound disrespect for these victims of sexual assault by your refusal to respond to Senator Blumenthal, Senator Feinstein's letter, or to even show and express your personal apology as the public official responsible for supervising the FBI at the Department of Justice?

Don't you think you showed them disrespect by refusal to show?

LISA MONACO:

I mean no disrespect Senator, and I'm here to answer whatever questions the committee has with regard to the steps the department is taking to ensure that the failures, the inexcusable failures, fundamental failures do not happen again. I welcome the committee's questions here today on that subject.

JOHN CORNYN:

Well, you're about three weeks too late by my count. A lot of the initial failures of the FBI occurred in 2015. We're now in 2021, and despite the Department of Justice's refusal to act on the criminal referral by the inspector general, now you tell us six years later, that the Department of Justice is reviewing new information, and has a sense of urgency and gravity over these potential criminal prosecutions.

You know, I've been in Washington long enough to know there's a difference between what people say and what they do. And when you're talking about a six-year delay between the time that the outcry of these victims of sexual assault is made, and six-year delay between then and now, it's pretty hard to understand or to believe that there is any sense of urgency or gravity on the part of the Department of Justice.

What is the statute of limitations for lying to the FBI, or from some of the other potential criminal activities that have been charged by the inspector general in this case?

LISA MONACO:

I believe the statute of limitations, I want to confirm, for 1001 which I think is the statute you're referencing, is five years.

JOHN CORNYN:

So here we are six years later. Isn't it likely that any criminal charges for lying to the FBI would be barred by the statute of limitations?

LISA MONACO:

Senator Cornyn, I really don't want to get into the specifics about what legal theories could be pursued, what evidence may --

JOHN CORNYN:

I'm asking about the statute of limitations. You said it's five years for lying to the FBI. Here we are six years later and the Department of Justice has done nothing, and you have the

audacity to tell us that you are experiencing a sense of urgency and gravity over this. It's simply not credible.

RICHARD DURBIN:  
Senator Whitehouse.

SHELDON WHITEHOUSE:  
Thank you. Welcome Ms. Monaco. Good to have you back in the committee again.

LISA MONACO:  
Thank you, Senator.

SHELDON WHITEHOUSE:  
We had another exceptionally brave and powerful witness with allegations of sexual assault in this committee before the Olympic athletes, and that was Dr. Christine Blasey Ford. In response to that testimony, the Republicans hired a prosecutor to try to punch holes in her testimony, and when that failed, it appears that the FBI tanked the background investigation.

Just for starters, is there any reason that sexual assault allegations should be taken less seriously in the context of a background investigation than in the context of a criminal investigation?

LISA MONACO:  
Sexual assault allegations should always be taken seriously, Senator.

SHELDON WHITEHOUSE:  
And let me thank you for the trickle of information that has begun to flow about the FBI's conduct in that matter. As you know, Director Wray maintained a complete stonewall on information about that investigation during the Trump administration, while at the same

time maintaining a fast lane for FBI information related to the Crossfire Hurricane investigation.

Why there should be two different gates at the FBI for information related to these two investigations is something that we'd like to try to understand further, and I hope you'll continue to cooperate in extracting from the FBI the information that we need to understand what took place. Will you?

LISA MONACO:

We will Senator, and I'm pleased that the FBI has responded to, I think your most recent letter on this matter, has offered a briefing on the matter, and you have my commitment we will continue to make sure that we do our very best to answer your questions.

SHELDON WHITEHOUSE:

So more generally, I have a letter that I'd like to put into the record, Mr. Chairman.

RICHARD DURBIN:

Without objection.

SHELDON WHITEHOUSE:

It's been anonymized, which I think is appropriate from a victim of domestic violence, related to her experience with a Rhode Island group called Sojourner House, which among its other services, provides transitional housing, so that the victim of violence can go and find a place to live while she or he works through all the changes in their lives to dealing with that violence threat requires.

So I'd like to put that on the record without objection. And relatedly years ago, the last time I guess we reauthorized the VAWA Act, we got my Smart Prevention Act into it, which provides funding to help kids, right? The woman is often the direct victim of domestic violence, but a child witnessing that violence has been through a terrible ordeal also that can affect them for a long time.

Could you speak please to the role of housing in providing adequate support for victims of domestic violence and the support that children, particularly very young children need, when they may not be the subject of the violence itself, but they are nevertheless witness to it and traumatized by that experience in their family.

LISA MONACO:

Well, thank you, Senator. I'm glad you highlighted this issue, because I think too often it's overlooked, the ripple effect from domestic violence. And as you rightly point out, the woman is often the direct victim, but it does ripple out, and unfortunately the most vulnerable, the children are often in that wake and feeling those effects as acutely as the primary victim.

Towards that end, the Violence Against Women Act and its Transitional Housing Program funds much needed, frankly refuge, for people fleeing domestic violence and violent situations. I think the latest figure I saw Senator, is some 2 million housing nights a year that the Violence Against Women Act Transitional Housing Program funds through its grant recipients.

The President's budget request seeks additional funding, an increase in that, and it's much needed. As I said, I've heard directly from advocates in the last week just how much demand is outpacing supply. And so I think you've hit on a very critical issue, and I look forward to working with the members of this committee to really making sure we address that issue of transitional housing and having a refuge for women and their children, who are too often in the line of fire so to speak, when it comes to domestic violence.

SHELDON WHITEHOUSE:

And last point, in my 15 seconds remaining. I hope the administration will support the proposed increase in the Smart Prevention funding related to child witnesses of domestic violence from \$15 million to \$45 million. It's a bit hard when we're talking about \$2 trillion here and \$3.5 trillion there to imagine that for this population, we're at \$15 million.



But I hope the administration will support increasing that.

RICHARD DURBIN:

Thank you, Senator Whitehouse. Senator Hawley.

JOSH HAWLEY:

Mr. Chairman, I'll let Senator Cotton go next. He was here before me.

RICHARD DURBIN:

Senator Cotton.

TOM COTTON:

Ms. Monaco, last week the National School Board Association wrote to President Biden asking the administration to bring the full force and weight of the feds down onto parents who are protesting various school policies at school board meetings, including the indoctrination of children with an anti-American doctrine known as critical race theory or protesting the requirement that children as young as two be required to wear masks.

Now I think we can all agree that violence is not an acceptable form of political protest, and violence can never be used to achieve policy or political goals, but that's not what the School Board Association letter focuses on. In fact, in one example of what the association thinks warrants federal criminal charges they cite and this is a direct quote, "An individual who prompted a school board to call a recess because of opposition to critical race theory." A recess.

The association is asking the administration to use the Patriot Act, a law that this Congress passed and has repeatedly reauthorized, primarily to stop the threat of Islamic jihadists to bring criminal charges for domestic terrorism against parents who attend school boards to oppose things like critical race theory or mask mandates resulting in a recess being called.

Ms. Monaco, is it domestic extremism for a parent to advocate for their child's best interests?

LISA MONACO:

Well, sir, as you rightly point out that violence is not the answer, there can be very spirited public debate, and there should be very spirited public debate on a whole host of issues. But when that tips over into violence or threats, there is a role for law enforcement.

JOSH HAWLEY:

Ms. Monaco, I'm sorry, my time is limited here, and I asked a simple yes or no question. I have several of them that I want to ask. So I'd like a yes or no answer. Is it domestic extremism for a parent to advocate for their child's best interests?

LISA MONACO:

I think what you have described, no, I would not describe as domestic extremism.

TOM COTTON:

Is it domestic extremism for a parent to want to have a say in what their child is taught at school?

LISA MONACO:

I think it's important, although obviously not my field in the Justice Department to opine on education policy. It's important for parents' voices to be heard. But Senator, I want to talk about what the attorney general did do in response to that. The issue of threats --

TOM COTTON:

Ms. Monaco, I want to go to my question. I grant you that no one, no one should ever threaten violence or use violence to try to achieve political or policy goals. They shouldn't

for instance, follow Democratic Senators into the bathroom, violating state laws. No one should ever use threats of violence or violence to achieve political goals.

I'm asking very simple questions here, trying to get to the bottom of what was on the attorney general's mind or the department's mind. Is it domestic terrorism for parents to oppose their children being taught to treat people differently because of race?

LISA MONACO:

The Justice Department's job, Senator, is to apply facts to law, not to opine on letters that are put forward. I think it's very important for the Justice Department --

TOM COTTON:

Ms. Monaco, it's a fact that the School Board Association just sent this letter to President Biden, and then conveniently, the attorney general released his letter yesterday describing his series of measures to confront this grave and growing threat of parents protesting their kids being indoctrinated and the school board having to call a recess.

Is there any connection between those two things?

LISA MONACO:

I want to be very clear, in the memorandum that's publicly available, the attorney general issued, talks about the importance of bringing federal, state, local law enforcement together to make sure that there is awareness of how to report threats that may occur, and to ensure that there's an open line of communication to address threats, to address violence and to address law enforcement issues in that context, which is the job of the Justice Department, nothing more.

TOM COTTON:

United States just saw the largest single year increase in murders on record. Has the attorney general issued a memorandum describing a special series of measures the Department of Justice should take to try to address this record increase in murders?

LISA MONACO:

Yes, indeed, Senator. In fact, I issued a directive to the field earlier this year --

TOM COTTON:

Has the attorney general?

LISA MONACO:

It was on behalf of the attorney general and the rest of the leadership of the Justice Department to address the alarming rise in violent crime and to lay out a strategy for violent crime reduction, which includes going after and using federal resources to target the most violent offenders, including those operating with guns, including those responsible for murders and violence in our communities.

So absolutely, we take the alarming rise in violent crime exceptionally seriously. And indeed I've heard from the many hours I have spent with law enforcement leaders across this country, how urgently they feel it is to address this rise in violent crime. And we are working every day to address that.

TOM COTTON:

I just want to finish with one final question. Did anyone at the FBI express disagreement or any reticence at all about investigating disagreements between parents and school boards over curriculums and school policies?

LISA MONACO:

I don't understand that to have been, absolutely was not the subject of the attorney general's memorandum, but the answer to your question is no.

TOM COTTON:

Nobody at the FBI expressed any reticence?

LISA MONACO:

I'm sorry, Senator if you're asking me what was the response to the attorney general's memorandum, I've heard no reticence, no concern. The job of US attorneys and FBI special agent in charge to be conveners in their community, to address violent issues in their community, is the core job of the Justice Department.

TOM COTTON:

Alright, then.

RICHARD DURBIN:

Thank you, Senator Cotton, and Senator Klobuchar, prior to your arrival, we said good things about you and your work on VAWA.

AMY KLOBUCHAR:

Better than bad things. Thank you very much, Mr. Chairman. Thank you for your leadership. I apologize for being late. We're having an incredible hearing over in the Commerce Committee on the whistleblower's allegations and statements about Facebook. And I was thinking as I sat there, despite all of the hearings that we've had in this committee, it may be that one person is going to be the catalyst to finally passing bills, not just in the privacy area, which she herself said isn't enough, but in transparency for algorithms and also consolidation, which was specifically mentioned with the dominant platforms.

Ms. Monaco, I know we're going to have a confirmation hearing on your new nominee for antitrust, but I only lead with that, because the violent content is part of this story as well. I would start with the fact that this has always been a bipartisan reauthorization so many times in the past. This bill is so important, and in your view, has the pandemic where we saw in my own state intimate partner violence rose more than 40 percent in 2020. Has the pandemic increased the urgency to reauthorize VAWA?

LISA MONACO:

Absolutely, it has Senator, and I have been remarking this morning on my discussions with advocates and service providers. So people on the ground doing the work that is so urgently funded by the Violence Against Women Act, they have told me that the demand for services is outpacing the ability to provide those services, and it's only become more so as a result of the COVID-19 pandemic, which stands to reason, people are at home and really with their abuser in many respects.

And that is a horrible situation that we need to rectify.

AMY KLOBUCHAR:

OK. For many years, I've worked with Senator Cornyn on the Abby Honnold Act, something that Senator Franken was originally involved in introducing, and this bill would encourage law enforcement's use of trauma-informed techniques when responding to sexual assault crimes to avoid re-traumatizing the victim.

Can you speak to why it's important that law enforcement uses these types of techniques? This Bill was actually included in the House passed reauthorization of VAWA.

LISA MONACO:

Thank you, Senator, and thank you for your leadership on that issue. It is such an exceptionally important part of the Violence Against Women Act and our approach to these issues, understanding from the survivors perspective what they're going through when they are interviewed by law enforcement, when they interact with the court system, when they go to get their medical exam as a result of a sexual assault that they have suffered, making sure that at every step along the way, the individuals they are encountering understand the trauma that the victim and survivor has encountered, so that they can take appropriate steps, so they can recognize and have their services be as we say trauma-informed, where the victims experience is at the center of the training that service providers provide.

AMY KLOBUCHAR:

Thank you. I'm going to move on to something really important to me, and that is the fact that every year, more than 600 American women are killed with a gun by intimate partners, and half of the women killed by intimate partners are killed by dating partners. When Senator Leahy was chairing this committee, we had a hearing on what's called the boyfriend loophole, which always sounds too positive to me actually for what it means.

And a conservative witness, actually all the Republican witnesses, I remember Senator Grassley being at this hearing as well, supported changing the situation. And they said, dangerous boyfriends can be just as scary, the sheriff from Racine County, Wisconsin said, as dangerous husbands. They hit just as hard and they fire their guns with the same deadly force.

Yet, federal law only prohibits domestic abusers from buying a gun if they are currently or formerly married, if they have ever lived together, if they have a child with the victim. Do you agree that we should update the law, and I know you addressed this earlier, in order to protect dating partners in the same way we protect married partners?

LISA MONACO:

Absolutely, Senator. The danger and the violence and the risk to the women who are suffering and who are killed, we know that women are more likely to be killed if the abuser has a gun. And it's no different if that abuser is in a dating relationship than if they are a spouse.

AMY KLOBUCHAR:

And I also note when the Congress first took action to prohibit convicted domestic abusers, this was on a bipartisan basis, from buying or owning a gun, the restriction applied to people who of course already had convictions on the books. They didn't wipe the slate clean. Do you agree that fully addressing the threat means that abusive dating partners with prior domestic violence convictions should be prohibited from buying a gun?

That's what's in the bill, now the bill that by the way passed the House with dozens of Republican votes.

LISA MONACO:

I think it's exceptionally important that we address this loophole. The individuals, as you said, people who would be affected by this, are people who've been adjudicated, who have been convicted and found to be a threat by a court. That's the issue that we have to address, because failure to close this loophole is resulting in too many women dying.

AMY KLOBUCHAR:

Really appreciate your leadership and your testimony today. Thank you very much.

LISA MONACO:

Thank you, Senator.

RICHARD DURBIN:

Thank you, Senator Klobuchar. Senator Hawley.

JOSH HAWLEY:

Thank you, Mr. Chairman. Ms. Monaco, I want to come back to this extraordinary letter, the memorandum that the attorney general of the United States issued yesterday. Practically every day brings new reports about this administration weaponizing the federal bureaucracy to go after political opponents. Frankly, I don't think we've ever seen anything like it in American history.

I mean for those of us who missed the McCarthy era, I guess this President is intent on bringing it to us, but with new force and new power and new urgency unlike anything we've ever seen. Are you aware of any time in American history when an attorney general has directed the FBI to begin to intervene at school board meetings, local school board meetings?



LISA MONACO:

I'm not aware and I'm not aware, and that is not going on. Let me be very, very clear.

JOSH HAWLEY:

This isn't about local school board meetings, that's not the subject of the memorandum? I thought that was in the memorandum.

LISA MONACO:

The memorandum is quite clear. It's one page, and it asks the US attorney community and the FBI special agents in charge to convene state and local law enforcement partners to ensure that there's an open line of communication to address threats, to address violence, and that's the appropriate role of the Department of Justice, to make sure that we are addressing criminal conduct and violence.

JOSH HAWLEY:

At local school board meetings. Let me just ask you this, is parents waiting sometimes for hours to speak at a local school board meeting to express concerns about critical race theory or the masking of their students, particularly young children, is that in and of itself, is that harassment and intimidation, waiting to express one's view at a school board meeting harassment and intimidation?

LISA MONACO:

As the attorney general's memorandum made quite clear, spirited debate is welcome, is a hallmark of this country. It's something we all should engage in.

JOSH HAWLEY:

I don't think so, Ms. Monaco. With all due respect, it didn't make it quite clear. It doesn't define those terms, nor does it define harassment or intimidation. It talks about violence. I

think we can agree that violence shouldn't be condoned or looked aside from in any way swept under the rug at all. But harassment and intimidation?

What do those terms mean in the context of a local school board meeting? I mean this seems to be, in the First Amendment context, we talk about the chill, the chill to speech. If this isn't a deliberate attempt to chill parents from showing up at school board meetings for their elected school boards, I don't know what is. I mean, I'm not aware of anything like this in American history.

We're talking about the FBI. You're using the FBI to intervene in school board meetings. That's extraordinary.

LISA MONACO:

Senator I have to respectfully disagree, that is not --

JOSH HAWLEY:

Point me to an instance.

LISA MONACO:

The attorney general's memorandum made quite clear that violence is not appropriate. Spirited public debate on a whole range of issues is absolutely what this country is all about.

JOSH HAWLEY:

Then why is it being investigated by the FBI?

LISA MONACO:

It is not. When and if any situation turns to violence, then that is the appropriate role of law enforcement to address it.

JOSH HAWLEY:

The memorandum covers more the violence, it talks about intimidation, it talks about harassment. So I'm asking you to draw some lines. We do this all the time in the First Amendment context. This is the sum and substance of First Amendment law, so I expect that she'll be available and willing to do it now.

Tell me where the line is with parents expressing their concerns, waiting for hours in the school board meetings. We've all seen the videos. This happened in my state. Parents have waited for hours, sometimes school board meetings have been ended before they can speak because the school board doesn't want to hear it, and now parents are told that if they wait and they express their views, that they may be investigated for intimidation?

LISA MONACO:

I don't know who's telling them that, Senator. The job of the Justice Department is to investigate crimes when a situation turns to violence, when and if a situation turns to violence, it's the job of the Justice Department and local law enforcement to address that. The attorney general's memorandum simply asked the US attorney community, the FBI and their counterparts to ensure that state and local law enforcement has an open line of communication to report threats, whether they happen in the context of election officials being threatened, where they happened in the context of members of Congress being threatened, which the FBI responds to on a regular basis, as is appropriate.

The job of the Justice Department is to address criminal conduct.

JOSH HAWLEY:

You know, all I can say is, this is truly extraordinary. I think you know it is, it's unprecedented. You can't point to a single instance where anything like this has happened before. And I think parents across this country are going to be stunned to learn, stunned, that if they show up at a local school board meeting, by the way where they have the right to appear and be heard, where they have the right to say something about their children's education, where they have the right to vote.

And you are attempting to intimidate them. You are attempting to silence them. You are attempting to interfere with their rights as parents and yes, with their rights as voters. This is wrong. This is dangerous, and I cannot believe that an attorney general of the United States is engaging in this kind of conduct.

And frankly, I can't believe that you are sitting here today defending it. I intend to get answers to these questions. You won't answer my questions. I'm going to get answers these questions. Mr. Chairman, we need to have a hearing on this subject. We need to hear from the attorney general himself. He needs to come here, take the oath, sit there and answer questions.

We have never seen anything like this before in our country's history, and frankly, I want to say I think it is a dangerous, dangerous precedent.

RICHARD DURBIN:

This hearing on Violence Against Women Act will continue. Senator Coons.

CHRISTOPHER COONS:

Thank you, Chairman Durbin. Great to be with you, Deputy Attorney General Monaco, and I appreciate your appearing before us on a hearing that is about the reauthorization and strengthening of the Violence Against Women Act, a tremendously positive and important law that you helped shape when it was first brought forward by then-Senator Biden in this committee.

It's one of the most important pieces of legislation Congress has passed in recent memory. It's improved and protected the lives of millions of Americans, and transformed the way that our country and law enforcement, advocates and victims think about and respond to domestic violence. It's also in my view a testament to President Biden's vision and character, someone who has always had an intense opposition to those who abuse their power over others.

It still remains far too pervasive in our country, and domestic violence in many ways has been worsened by the COVID-19 pandemic. I've gotten calls from the Delaware nonprofit organizations that are both advocates and service providers, and I think it's more critical than ever that Congress strengthen and reauthorize this bill.

So let me ask a few questions on that topic if I might. Gun violence is a pervasive and tragic, brutal part of domestic violence, gender-based violence. Studies show domestic violence is five times more likely to be deadly if an abuser has access to a firearm. I was glad to see that the bipartisan House-passed VAWA reauthorization would require the federal government to tell state and local authorities when a person with a domestic abuse conviction has failed a background check.

Similarly, Senator Cornyn and I introduced in this chamber, the Next Denial Notification Act, which would require information sharing between federal, state and local law enforcement when a person prohibited tries to purchase a firearm and fails a background check. Would you agree that giving state and local authorities timely information about individuals who've lied and tried and been denied a firearm can help make our communities safer?

LISA MONACO:

Absolutely, Senator. We need to make sure as we've got the requisite information in the systems to ensure that those who pose a risk, those who pose a lethal risk, cannot possess a firearm and do deadly damage in our communities.

CHRISTOPHER COONS:

One of the roles I play here is as a member of the Appropriations Committee and in particular, the subcommittee that provides funding for federal law enforcement and for the implementation of VAWA. The authorization levels haven't gone up as rapidly as the need. And I've heard from providers like the YWCA, Child and Community Legal Aid in my home state, about how this makes a daily difference, the resources that they receive through VAWA. How can we continue to support nonprofit organizations all over the country, an

established network of providers and advocates, and account for the extra need that the COVID-19 pandemic has placed on them?

LISA MONACO:

Well, Senator, you've hit at the heart of the matter, which is the really dangerous increase in the need that survivors of domestic violence, dating violence, stalking, sexual assault have, and it's increased during the pandemic, as we've observed. Those who are stuck at home housed with their abuser are suffering and suffering sometimes in silence.

And so the simple answer to your question, Senator is reauthorizing the Violence Against Women Act and doing so at the \$1 billion levels that the President has requested in his FY 2022 budget request. It will provide much needed indeed urgent services to survivors, training to law enforcement so they respond, and when they do so they've got the tools, the training they need not to re-traumatize the survivors who they're encountering, and it will do the same with regard to court systems, increase rural funding for these same services.

Senator Ernst rightly pointed out that we need to make sure that rural communities get these services as well. The Office of Violence Against Women's Rural Program does that. We need to increase those funds as well. So reauthorizing the critical and frankly landmark programs of the Violence Against Women Act is really what we need to be doing.

CHRISTOPHER COONS:

I was glad this hearing began with a panel of three Republican Senators here testifying to the significance of VAWA, and in particular Senator Ernst talking about her own experiences and now her engagement and advocacy. Let me ask a last question on this if I might. Many survivors of domestic violence struggle to find rental housing.

Often, they have poor credit or employment or rental histories directly as a result of their abuse. How can Congress ensure survivors don't face needless barriers to accessing affordable housing, which is one of the main reasons those who are abused stay with their

abusers, is they don't see a path forward towards being able to house their family free from abuse?

LISA MONACO:

You're quite right, Senator, we need to make sure that there is a refuge, there is a safe haven, if you will, for people, women and their children oftentimes fleeing an abuser, and there needs to be a place for them to go, the Transitional Housing Program that the Violence Against Women Act funds and has funded historically, provides millions of housing nights a year for just that exact purpose to give that safe haven.

And we need to reauthorize it and we need to increase the funding to it.

CHRISTOPHER COONS:

Thank you, Deputy Attorney General. Mr. Chairman, could I ask for one minute of forbearance?

RICHARD DURBIN:

I guess.

CHRISTOPHER COONS:

The Senator who preceded me in questioning you accused the attorney general and the administration of an unprecedented level of FBI harassment and intimidation of citizens at school board meetings. Is there any foundation to this?

LISA MONACO:

No, sir.

CHRISTOPHER COONS:

Just thought I'd give you a chance to answer that. Thank you, Mr. Chairman.

RICHARD DURBIN:

Thank you, Senator Coons. Senator Tillis.

THOM TILLIS:

Thank you, Mr. Chairman. Thank you for holding this hearing, and also thanks to Ranking Member Grassley. I look forward to us moving ahead and providing more resources, more support to families and victims of domestic violence. I think over the last 18 or 20 months, COVID has not only taken lives as a result of the disease, but we've seen an increase in domestic violence and child abuse.

So it's very timely that we have this hearing and very important that we make progress. I want to talk Ms. Monica about some of the plumbing that we should look at. You know, we installed the plumbing back in 1994. We had a GOA report in 2012 that talked about the DOJ lacking visibility over the extent to which the programs overlap.

I think in 2018, we had another inspector general report that 42 percent of VAWA grants had not been closed on a timely basis. So as we're looking ahead at maybe well-intentioned programs, but maybe they need to be re-purposed, modernized, consolidated, do you have any thoughts about what we should focus on in terms of the plumbing of VAWA so that we can get maximum resources to those who need it and free it up to address rural and other concerns that were expressed in the hearing today?

LISA MONACO:

Well, thanks very much, Senator. I think you're quite right to focus on the specifics of how we're making sure we're getting that funding out to the people who need it, and how we make sure that we're using those dollars to their best effect. As you know, the Violence Against Women Act funds these critical programs, and then recipients of those grants have to file regular financial reports and reports on the services they are providing.

The fact that I could tell Senator Whitehouse that there are 2 million transitional housing nights a year with those grant recipient fundings, is because of those reports. Now, I think



we have to be exceptionally diligent in how we are monitoring the use of those funds. And I'm confident that we have the capability to do that.

And I'm also pleased that we have been able to get out the funds for the Violence Against Women Act for the Office of Violence against Women's 2021 funding, that would have expired on September 30 of this year, had we not gotten it all out the door to the people who need it, and we've been able to do that, and nearly \$0.5 billion in those funds as of September 30.

THOM TILLIS:

Thank you. I think as we go through this process, it would be very important just to see how the administration of the program and the future oversight can be improved and modernized. We would appreciate that feedback.

LISA MONACO:

Happy to work with you, Senator, on that, and I know this is an area of particular focus for you.

THOM TILLIS:

Thank you. Also just kind of curious about DOJ audits on grantees and victims. Can you give me an update on the audit process, and generally speaking how the outcomes are, generally speaking to the outcomes?

LISA MONACO:

Well, Senator, as I said, the VAWA programs themselves in the Office of Violence Against Women does require regular reporting on the use of the funds, how those funds are being distributed, what services are happening as a result. And that's a very, very important part of the success of VAWA being able to see where dollars are effective, and add to those, and where they're not, to look at other innovative ways to expand and to provide services.

THOM TILLIS:

What about things that can help us as we move forward with reauthorization and modernization in the area of best practices. I went to a facility that just recently opened in western North Carolina, which is extraordinary. They're a safe transition, their employment outcomes, they have to be in the top quartile, if not the top decile.

So how could we better understand programs that seem to be working and really try to set that bar high? Everybody's trying to do good, I understand that, but some programs are clearly producing better results than others. So what information could we get from the DOJ to really instruct us on the kinds of things that we believe are leading edge, and making sure that our resources are going to the ones that are producing the best results?

LISA MONACO:

Well, first, I'd say that I'd be happy to give you a more in-depth briefing about how we identify the best programs and best practices. I view it as the job of the Department of Justice through the Office of Justice Programs, Violence Against Women Office, the COPS Office to basically be a force multiplier, and an identifier of best practices, to lift those up, see where great innovative work is being done in the states, in local communities, because that's what it's all about.

The federal government absolutely doesn't have the best information on this. We need to identify the great work that is going on locally, fund it and then expand it and give it a broader audience.

THOM TILLIS:

Thank you very much. Thank you, Mr. Chair.

DICK DURBIN:

Thank you, Senator Tillis. Before I recognize Senator Hirono, since it has been a recurring theme from some members about the memorandum that was issued yesterday by the

attorney general, I now have a copy of it in hand, as well as a press release from the Department of Justice, which without objection, I'm going to enter into the record so everyone can read the actual words printed.

And it is worth noting that the opening of the memo is quote, "In recent months, there has been a disturbing spike in harassment, intimidation and threats of violence against school administrators, board members, teachers, staff, who participate in the vital work of running our nation's public schools." And it goes on to meet with more specifics how the attorney general is seeking to coordinate with local and state law enforcement for the protection of all school personnel.

That is clearly the intent of this. Those who believe that somehow or another violence or something close to it is a valid use of constitutional right, I couldn't disagree more. There are many who described the January 6 occurrence here in the Capital is just a visit by ordinary tourists. Those of us who lived through it, know better, and anyone who wants to characterize that as an ordinary constitutional process wasn't here, and isn't being honest, whether they have said that publicly or outside cheering the group on. So I want to make a record of that, and I'm going to add the press release as well from the Department of Justice, which goes into more detail on the subject.

Senator Hirono, thank you so much for your patience.

MAZIE HIRONO:

Thank you, Mr. Chairman, and thank you for clarifying what's actually in the letter or memorandum that was issued by the attorney general yesterday. It's always surprising to me that the lawyers on this committee don't seem to understand the legitimate exercise of First Amendment rights, and people who are threatening violence and in fact who engage in assaults on people.

So you would think that we would all be able to come together to pass VAWA. And I thank you Ms. Monaco for your testimony and your responses to the urgent need to reauthorize VAWA and at an increased level, because the need is definitely there. One group that I

wanted to call your attention to is that there is an unfortunately high incidence of intimate partner violence within the Native Hawaiian community, which as an indigenous community parallels the high instances of domestic violence experienced by and exhibited within American Indian and Alaska Native Communities.

And as we move forward with combating domestic violence, I'd like to get your commitment to work with my office to address this disparity and better serve Native communities, because we can do a far better job for these communities.

LISA MONACO:

I absolutely agree, Senator. One of the priorities laid out in my opening testimony is exactly this, making sure that we are addressing the underserved to include indigenous communities.

MAZIE HIRONO:

Thank you, and in particular we need to fix VAWA to ensure that Native Hawaiian organizations are eligible for funding from the Office of Violence Against Women's Tribal Coalitions Program. I hope that you'll give your support to that change. There was some discussion already about how women in these situations often do not have options.

And often they will leave their job, not because they're fired, but because of domestic violence. And so we want to make sure that these victims and survivors have access to unemployment insurance benefits. And I think that that is an important aspect of what we need to do with the VAWA reauthorization, would you agree?

LISA MONACO:

Thank you. Senator, I know that the Office of Justice Programs is exploring how we can ensure that individuals have the assistance they need to kind of be a bridge to the services they need to get to.

MAZIE HIRONO:

So I think that we need to view UI benefits as more than just in the circumstances where someone loses a job or is fired. We know that protecting immigrant survivors of domestic violence, sexual assault, dating violence and stalking, is particularly a concern for the immigrant community. Can you talk about how important it is for VAWA to be there for all survivors, and also how it's been able to assist immigrant victims of violence?

LISA MONACO:

Well, I think what's really important Senator, and you rightly point out that an individual shouldn't be held hostage by their abuser, they need to be able to seek immigration relief as it were on their own. And I think some of that we'll see where the Senate bill, what that yields. But I think it's something that we very much want to be supportive of, making sure that a individual not have to rely on their abuser to file a petition for immigration status.

MAZIE HIRONO:

I think immigrant women are particularly vulnerable, those who are undocumented, and immigration has become a very divisive issue. And it is really important that we continue to provide these protections and services for immigrant women and for undocumented women in VAWA. I'd ask for your continued support in that.

Well, Mr. Chairman, those are the questions I have for the moment.

DICK DURBIN:

Thank you, Senator Hirono, and once again, thanks for your patience in waiting during this hearing. I want to thank Deputy Attorney General Monaco, as well as Senators Ernst, Hyde-Smith and Capito for joining us today. Statistics suggest that an average of nearly 20 people per minute are physically abused by an intimate partner in the United States, 20 per minute.

That means that over the course of this hearing, hundreds of Americans experienced domestic violence. With the passage of VAWA in 1994, we reduced incidents of domestic violence, and significantly improved support services, but there's still much more to do. I

couldn't start to list the number or names of the organizations that provide services and support to survivors of domestic violence and sexual assault.

Many of them have submitted testimony for the record of today, and without objection, their statements will be not only entered into the record but valued for their content. I look forward to introducing the Violence Against Women Reauthorization Act with Senators Ernst and Feinstein and many of our colleagues quickly.

We want to move on this. We need to get this bill to a President who's anxious to receive it as well and sign it into law for reauthorization. Welcome back to the Judiciary Committee, and I really value your presence and testimony today. The committee will stand adjourned.

LISA MONACO:

Thank you, Mr. Chairman.

#### **List of Panel Members and Witnesses**

PANEL MEMBERS:

SEN. DICK DURBIN (D-ILL.), CHAIRMAN

SEN. PATRICK LEAHY (D-VT.)

SEN. DIANNE FEINSTEIN (D-CALIF.)

SEN. SHELDON WHITEHOUSE (D-R.I.)

SEN. AMY KLOBUCHAR (D-MINN.)

SEN. CHRISTOPHER COONS (D-DEL.)

SEN. RICHARD BLUMENTHAL (D-CONN.)

SEN. MAZIE K. HIRONO (D-HAWAII)

SEN. CORY BOOKER (D-N.J.)

SEN. ALEX PADILLA (D-CALIF.)

SEN. JON OSSOFF (D-GA.)

SEN. CHUCK GRASSLEY (R-IOWA), RANKING MEMBER

SEN. LINDSEY GRAHAM (R-S.C.)

SEN. JOHN CORNYN (R-TEXAS)

SEN. MIKE LEE (R-UTAH)

SEN. TED CRUZ (R-TEXAS)

SEN. BEN SASSE (R-NEB.)

SEN. JOSH HAWLEY (R-MO.)

SEN. TOM COTTON (R-ARK.)

SEN. JOHN KENNEDY (R-LA.)

SEN. THOM TILLIS (R-N.C.)

SEN. MARSHA BLACKBURN (R-TENN.)

WITNESSES:

DEPARTMENT OF JUSTICE DEPUTY ATTORNEY GENERAL LISA O. MONACO

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**From:** Shevlin, Shannon (PAO)  
**Subject:** RE: AG Senate Hearing Clips  
**To:** Li, Kaei (PAO); Gelber, Sophie (PAO); Coley, Anthony D. (PAO); Iverson, Dena (PAO); Hornbuckle, Wyn (PAO); Klapper, Matthew B. (OAG); Heinzelman, Kate (OAG); Loeb, Emily M. (ODAG); Seidman, Ricki (OASG); Goodlander, Margaret V. (OAG); Greenfeld, Helaine A. (OLA); Gaeta, Joseph (OLA); Calce, Christina M. (OLA); Carlin, John P. (ODAG); Singh, Anita M. (ODAG); Colangelo, Matthew (OASG); Gupta, Vanita (OASG)  
**Cc:** Mitchell, Kendall M. (PAO); Morris, Catherine (PAO); Zhai, George (PAO)  
**Sent:** October 27, 2021 6:33 PM (UTC-04:00)  
**Attached:** 10-27 Senate Judiciary clips.docx

Hi everyone,

A huge thank you for your work and support today. Here is an EOD clips package to include the cumulative Print, Broadcast, and Twitter items relevant to today's hearing. Please let me know if you need anything further on this.

Thanks! Have a nice evening.  
Shannon

Shannon R. Shevlin  
Press Assistant  
Office of Public Affairs | U.S. Department of Justice  
(m)(b) (6)

**From:** Shevlin, Shannon (PAO)  
**Sent:** Wednesday, October 27, 2021 5:44 PM  
**To:** Li, Kaei (PAO)(b) (6); Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)  
**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)  
**Subject:** RE: AG Senate Hearing Clips

Clips as of 5:30 pm:

**TV:**

**OANN 10/27/2021 4:59:24 PM:**



today's wednesday, october 27th and this edition of one american news starts right now . that's here. this testimony your directive your performance a shameful that's not thank god. you're not on the supreme court. you should resign in disgrace, judge. republican tom cotton holds merrick garland's feet to the fire over his school board directive and overall job performance during a senate oversight hearing today, the arkansas senator questioned the attorney general about his doj memo. labelling concerned parents as domestic terrorists. senator says parents have every white to protest the rt and transgender policies because it affects their children. that refers to scott smith, whose 15 year old daughter was raped. she was right in a bathroom by a boy wearing girls' clothes and the loudon county school board covered it up because it would have interfered with their transgender policy during pride month. and that man, scott smith because he went to his school board and tried to defend his daughter's rights was condemned internationally. cotton stressed to garland must apologize to scott smith, who was slandered as a domestic terrorist due to garland's policy memorandum. growing insisted the memo was not political, even though the white house played a role in its release. did you seek an ethics opinion? i'm telling you that if i thought there was any reason to believe there was a conflict of interest, i would do that. but i cannot refuse to ...

**NEWSMAX 10/27/2021 5:01:30 PM:**



hate through critical race theory. now, these thoughtful and well reasoned objections were greeted as an act of domestic terrorism by the n a. s. b. in their letter to the failed supreme court nominee, merrick garland. mr garland agreed sacking the fbi on parents who would dare oppose government control over their children. the national association of school boards did say they were sorry for calling parents terrorists, but they did so after joe biden's administration appointed the left wing extremists who called parents terrorists. to a new position, the national assessment governing board from their viola garcia will be able to do much more damage to our kids. you can bet she won't take too kindly either her parents trying to get in her way. by the way by all i garcia is from texas a red state. if this left wing cancer can spring up from my beloved state, imagine what these leftists are doing in blue states. but government labeling you as a terrorist for reminding them that you're supposed to be the one in charge. it's only half of this. biden's pals and permanent washington are also sending messages to conservatives that their very lives and the lives of their family are in danger if they oppose the deep state. on january 6th of this year.

FBN 10/27/2021 5:01:03 PM:



attorney general merrick garland standing by the biden administration's war on parents, not walking back his department's memo siccing the fbi on those who choose to speak up. plus, a high stakes showdown in virginia. the state's deadlocked governor's race and the democratic candidate spent about \$100,000 to sway voters using fake news web sites. seriously. and criminal charges still on the table. new details on alec baldwin's movie set shooting. the stunning admission this hour. i'm dagen mcdowell, this is "fox business tonight." dagen: our top story, attorney general merrick garland back in the hot seat today testifying on capitol hill before the senate judiciary committee on a series of controversies, most notably a school board memo that compares parents to terrorists. take a listen. >> well, i have in my hand right here that i'll submit to the record a letter from one of your u.s. attorneys to all of the county attorneys, to the attorney general, to all sheriffs, to the school board association of his state in which he talks about federal investigation ands are from. investigation and prosecution. it's not about meetings, it's not about coordination the, it's about federal investigation and prosecution. did you direct your u.s. attorneys to issue such a letter? >> i did not. i have not seen that letter -- >> it's got three pages. >> my memorandum -- >> all the federal crimes that you can be charged with. are you aware of contact between your officials and members of the school board association all cooperating together which is why you were able to move in four days, judge, four days, two of which were weekends. >> as i said, i am sure there were conversations with the white house. i have no idea whether there were conversations with the school board association. >> i bet we're going to find out there were, and if it doesn't happen now, it'll happen in 15 months when the republicans -- your performance is shameful. thank god you're not on the supreme court. you would resign as a disgraced judge. dagen: here now, carol markowitz. carol, what did you make of attorney general merrick garland who would not disavow the memo that he wrote targeting parents

NEWSM 10/27/2021 5:07:05 PM:



attorney general merrick garland grilled by the senate judiciary committee earlier today. here he is doubling down on that controversial memo he sent out targeting innocent parents watch. i have the letter from msp a that you're referring to and apologizes for language in the letter, but it can continues its concern about the safety of school officials in school staff. the language in the letter that they disavow his language was never included in my memo and never would have been. joining me now to discuss his new mexico congresswoman yvette herrell, along with texas congressman pete sessions. welcome to you. both congressman sessions will begin with you. a g. garland's family makes money off of pushing. the racist teaching of critical race theory, yet he used his position to intimidate parents across this country, preserving his own family's cash cow. is that ethical conduct for a sitting attorney general? of course, it's not, and perhaps more to the point that you really do make and that is this attorney general is political. and we do not need politicalization. we don't need him too politicized. as eric holder did the fbi. as we have seen federal government agencies through what is official government work, they are using their powers against innocent people. the department of justice has had a huge. battle across about this for years about where those lines are and there should be memos internally to the department talking about the balances that should be achieved, and we need to find those memos to find what kind of advice. the attorney general was given in that regard because the fbi should have pushed back on this as well as career people in the department of justice. you would hope but not in modern america. congresswoman harold in loudon county, parents of public school students are being forced to sign a non disclosure agreement to view their hate filled critical race curriculum, according to a new report there by the daily color. this is what's going on. if the curriculum is so good for our kids. as these left ...

FBN 10/27/2021 5:05:14 PM:



..after parents. this is a scandal. and maybe it will take the republicans retaking the house and even a majority in the senate to get to the bottom of what's really going on here. >> well, last week merrick garland admitted that he took action because of that letter from the national school board association. so there's really not even, like, a great mystery of conspiracy here. i think the only thing we're trying to connect at this point is what role the white house played in all of this, and they absolutely did meet with the national school boards association as well. so the only missing link is the white house talking to the attorney general. i don't think that there's any big surprise here that they are all coordinated, and this absolutely is a war on parents, and it's absolutely meant to shut down dissent, to shut down speech, to scare parents away from school board meetings, to make sure that they're not sticking up for their kids and to make sure, you know, that the policies that these liberal organizations and this government wants in place stay this place. dagen: it was just astonishing to listen, i listened to almost all of the hearing today, the questioning, and you had cory booker trying to link the parkland shooting to domestic terrorism. >> right. dagen: and, in fact, the parkland shooting was a, was because the school administrators and even the local school district, because they failed to remove somebody from the school -- they failed to protect the kids which is what the issue is broadly among parents where they failed to remove a dangerous individual from the school when they knew that the shooter, the ultimate shooter was violent. so i found it really rich that senator booker would even bring that up, because it kind of made the point that parents across the country are trying to make. >> that's exact presidentially it. the parents -- exactly it. the parents across the country are worried for their kids in a lot of different ways. the story out of loudoun county in virginia really shook a lot of people where a dad was sort of the impetus to this whole thing. he was the reason for the national school board association letter and for the memo from the attorney general's office had actually, his daughter was raped in the school bathroom, and he had gotten you know, pretty feisty at a school board meeting which makes a lot of sense because it was all covered up, and it was all just treated in a really hush-hush fashion. so everybody here should be wanting to protect the kids, and yet i don't see that from the federal government. i see a lot of protection for ...

FNC 10/27/2021 5:14:14 PM:

greg: attorney general merrick garland got his kicked testifying before the senate. garland repeatedly pressed over why he refused to -- the justice department's memo seeking the fbi on parents. even the national school board association apologized. >> you are just a vessel, aren't you? >> g.a. garland: i'm not sure what you mean by that. >> you have weaponized the fbi and department of justice. it's wrong. it's unprecedented, to my knowledge, in the history of this country. i call on you to resign. >> this letter calls him a domestic terrorist. the nrc eight is so embarrassed of this letter, they have apologized for it. they have retracted it. you apparently don't have the same willingness to apologize and retract what you did. >> your test money, your directive, your shame. thank god you are not on the supreme court. resign in disgrace, judge. >> gerald: that was terrible. >> greg: garland grilled -- he is now aware of the school rape case. >> you indicated you were not aware of that, and in the six days before you testified before the house judiciary committee, have you become familiar with the public public reported details about the case? >> g.a. garland: i have read about the details.

From: Shevlin, Shannon (PAO)

Sent: Wednesday, October 27, 2021 5:04 PM

To: Li, Kaei (PAO)(b) (6); Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)

Cc: Mitchell, Kendall M. (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)

Subject: RE: AG Senate Hearing Clips

Clips as of 5 pm:

TV

FNC 10/27/2021 4:47:03 PM:



ere. meantime, family of halyna hutchins likely to pursue a civil suit. that will cost someone likely millions of dollars. neil? >> jonathan hunt, thanks very much for that you probably heard merrick garland was on capitol hill. let's say it was a little rocky. that's probably an understatement. aishah hasnie. >> hi, neil, yes, that is an understatement. republicans calling the a.g. a vessel for the politicization of the doj and calling for him to resign. much more from the hill after this break.

**Print**

**ABC News:** [Garland, under GOP attack, defends memo on violent threats against school board officials](#) by Alexander Mallin

**Business Insider:** [GOP Sen. Tom Cotton erupts at Attorney General Merrick Garland: 'Thank God you are not on the Supreme Court'](#) by Oma Seddiq

**New York Post:** [Ted Cruz presses AG Garland on possible conflict of interest over son-in-law's education company](#) by Callie Patteson

*Full articles*

**ABC News:** [Garland, under GOP attack, defends memo on violent threats against school board officials](#) by Alexander Mallin

A Senate hearing grew heated on Wednesday as Republicans repeatedly demanded Attorney General Merrick Garland retract and apologize for a memo he issued earlier this month aimed at addressing a rise in threats against school board officials around the country.

In an oversight hearing before the Senate Judiciary Committee, Garland defended the intent of the memo that had called for the FBI and U.S. Attorney's Offices around the country to convene meetings with local officials to discuss strategies aimed at addressing the increase in threats.

"All it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary, provide federal assistance if it is necessary," Garland said.

Republicans, though, sought to characterize Garland's directive as an order for FBI agents to investigate and pursue parents voicing concerns at school board meetings -- which in recent months have been venues of intense debate over issues like policies to mitigate the spread of COVID-19 and the teaching of race issues in American history.

Garland's initial memo followed a letter sent by the National School Board Association to the White House that had requested federal assistance in addressing threats they argued should, in some cases, be classified as acts of "domestic terrorism."

Following widespread backlash from Republicans and several state attorneys general, the NSBA issued an apology Monday for some of the language it included in the letter.

Asked over and over by Republicans whether he regretted issuing the memo following the NSBA's apology, Garland said he did not.

"I have the letter from NSBA that you're referring to and it apologizes for language in the letter, but it continues its concern about the safety of school officials and school staff," Garland said in an exchange with Sen. Chuck Grassley, R-Iowa. "The language in the letter that they disavow is language that was never included in my memo and never would have been. I did not adopt every concern that they had in their letter. I adopted only the concern about violence and threats of violence and that hasn't changed."

But the explanation did not stop Republicans in the more than 4-hour hearing from falsely accusing Garland of "sicking" the FBI and DOJ's national security division on parents, as Sen. Tom Cotton, R-Ark., accused Garland of doing in one exchange.

"This is shameful, this here, this testimony, your directive, your performance is shameful," Cotton said. "Thank God you're not on the Supreme Court. You should resign in disgrace, judge."

"I wish if senators were concerned about this that they would quote my words," Garland responded. "This memorandum is not about parents being able to object in their school boards. They are protected by the First Amendment as long as there are no threats of violence, they are completely protected."

**MORE:** Garland: DOJ will follow 'facts and the law' in Bannon contempt referral

Garland also denied suggestions from lawmakers like Republican Sen. Ben Sasse, R-Neb., that the White House effectively used him for political purposes by transmitting the NSBA's letter to the Justice Department in order to have him take action to try and "intimidate parents."

"Either you were just a vessel of political comms staffers at the White House or you yourself are in favor of politicizing the DOJ," Sasse said.

"The purpose of this memorandum is to get our law enforcement to assess the extent of the problem and if there is no problem -- if states and local law enforcement are capable of handling the problem, then there is no need for our involvement in it," Garland said in response. "This memo does not say to begin prosecuting anybody. It says to make assessments. That's what we do in the Justice Department, it has nothing to do with politics."

Democrats in the hearing in several instances jumped to Garland's defense, with Sen. Cory Booker, D-N.J., using time near the hearing's close to read off a list of incidents in recent months involving harassment or threats against school board officials.

Senate Judiciary Chairman Dick Durbin, D-Ill., also admonished the GOP members of the committee for their characterization of the memo.

"I wish my colleagues would reflect for a single moment as to why that memo is important not just for school board members, but to send a message across America that there's a line we're going to draw when it comes to political expression," Durbin said. "When you say words, when you wave your arms, that's all protected. When you threaten someone with violence or engage in acts of violence that is never going to be protected and shouldn't be."

**Business Insider:** [GOP Sen. Tom Cotton erupts at Attorney General Merrick Garland: 'Thank God you are not on the Supreme Court'](#) by Oma Seddiq

Sen. Tom Cotton sparred with Attorney General Merrick Garland and called for his resignation during an intense exchange at a Senate Judiciary Committee hearing on Wednesday.

The back-and-forth concerned a memo that Garland issued on October 4, in which he directed the Federal Bureau of Investigation to meet with state and local officials to address an increase in threats against public school officials.

Republicans have characterized the memo as an attempt by the Department of Justice to prevent parents from expressing concerns at local school board meetings, some of which have grown increasingly heated and even violent over issues like teaching race in the classroom, policies for transgender students, and COVID-19 mask and vaccine mandates.

Cotton reiterated the GOP talking point on Wednesday by linking a prominent report of an alleged sexual assault at a school in Loudoun County, Virginia, to Garland's directive.

Garland responded that the reported rape is "the most horrific crime I can imagine" and that parents are "certainly entitled and protected by the First Amendment to protest to their school board about that."

Garland then added that Cotton's framing of his memo was "wrong" before being cut off by the Arkansas Republican.

A third of workers say they feel worse in the office than at their lowest point in the pandemic, thanks to the end of free perks and reduced contact

"This is shameful. This testimony, your directive, your performance is shameful. Thank God you are not on the Supreme Court," Cotton said, referring to Garland's 2016 nomination for the bench by former President Barack Obama, which Senate Republicans blocked at the time.

"You should resign in disgrace, judge," Cotton added.

Garland tried to clarify that the DOJ wants to prevent threats of violence against school officials, not to stop parents from speaking up at school board meetings.

"I wish if senators were concerned about this, they would quote my words. This memorandum is not about parents being able to object in their school boards," Garland said. "They are protected by the First Amendment, as long as there are no threats of violence, they are completely protected. So parents can object to their school boards about curriculum, about the treatment of their children, about school policies, all of that is 100 percent protected by the First Amendment and there is nothing in this memorandum contrary to that."

Besides Cotton, several other Republicans at the hearing ripped into the memo. The committee's ranking member, Sen. Chuck Grassley, pressed Garland to revoke it.

Garland defended his directive, saying it "responds to concerns about violence, threats of violence, other criminal conduct.

"That's all it's about and all it asks is for federal law enforcement to consult with, meet with, local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance if it is necessary," he said.

**New York Post:** [Ted Cruz presses AG Garland on possible conflict of interest over son-in-law's education company](#) by Callie Patteson

Sen. Ted Cruz blasted Attorney General Merrick Garland for refusing to answer his questions during a Senate hearing Wednesday — as Cruz pressed on Garland's son-in-law's education company and its potential influence over his recent memo involving the FBI in disputes between parents and school boards.

Garland was grilled by Cruz over a controversial memo released earlier this month that announced federal law enforcement's involvement in investigations of "a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff."

Cruz, along with several other Republican lawmakers during the hearing, accused Garland of targeting parents for speaking out against the implementation of mask mandates and critical race theory in K-12 schools.

The Texas Senator went a step further, questioning the attorney general on his son-in-law's education company, Panorama Education.

Cruz asked Garland whether he sought an ethics opinion given his son-in-law's company and claims that the company supports issuing critical race theory curricula.

Garland pushed back, telling the Texas Republican that the memo had nothing to do with critical race theory.

"Are you refusing to answer if you found an ethics telling you —" Cruz said.

"There's no possible —" Garland attempted to respond.

"So you're saying no, just answer it directly. You know how to answer a question directly. Did you seek an ethics opinion?"

"I'm telling you that if I thought there was any reasonable — if there was a conflict of interest, I would do that," Garland said.

Cruz and Garland continued to go back and forth, with the Texas senator repeating the question and urging Garland to answer.

As Cruz's time for questioning expired, he said "Let the record reflect the Attorney General refuses to answer whether he sought, sought an ethics opinion and apparently ethics are not a terribly high priority of the — by the Justice Department."

Panorama Education has denied any affiliation with CRT, saying on their website, "Panorama Education is not affiliated with any particular academic or legal philosophy, including critical race theory (CRT). Panorama is not connected to CRT and it is not a tool for teaching CRT."

"Panorama Education does not sell critical race theory (CRT) to schools. Panorama is not connected to critical race theory (CRT) and is not a tool for teaching critical race theory (CRT)," the company continued.

During his line of questioning, Cruz also blasted Garland for not having done independent research on any instances of alleged violence before issuing the hotly debated memo.

"You're the Attorney General of the United States. This was not a tweet you sent. This is a memo to the Federal Bureau of Investigations saying go investigate parents as domestic terrorists," Cruz said.

Cruz cited a letter from the National School Boards Association, that was sent just days before Garland's memo and requested assistance from the federal government to combat the alleged violent acts they compared to "domestic terrorism," — the NSBA board has since apologized for the language in the letter.

The senator noted that in the letter, the NSBA cited 20 incidents of violent acts against school personnel.

"Did you look up the 20 instances?" Cruz asked.

"I did not —" Garland said before Cruz cut back in saying, "Did anyone on your staff look them up?"

"I don't know the answer but it's up --" Garland started to say.

"But of course you don't, General," Cruz said.

The Texas senator went on to accuse Garland of failing to do any independent research before issuing the memo and asked the attorney general several times if he did.

Garland failed to provide Cruz with a direct answer on the subject.

From: Shevlin, Shannon (PAO)

Sent: Wednesday, October 27, 2021 4:43 PM

To: Li, Kaei (PAO)(b) (6); Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)

Cc: Mitchell, Kendall M. (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)

Subject: RE: AG Senate Hearing Clips

Clips as of 4:30 pm:

**BLOOM 10/27/2021 4:20:13 PM:**



...on board with proposed billionaire income tax and instead is offering his own proposal to expand a minimum tax on top earning households. republicans were sharply critical of merrick garland today during a hearing on matters ranging from asking the fbi to help address violent threats against local school officials to how the justice department is responding to terrorist dangers in border security. chuck grassley accused the attorney general of politicizing the department saying it looks like the department of justice is running you. the former citigroup vice chair is calling out banks for lack of work -- representation for women and minorities. mcguire spoke with my colleague at the bloomberg equality summit. >> look at the representation, the demographic racial representation in the financial services industry at large. it still has enormous work to do. the private sector has to get involved. it can't sit on the sideline. complicitous is not acceptable in a world where we are facing to existential crises. the private sector cannot advocate -- abdicate its responsibility. mark: one proposal that was floated, confrontation and incentives could be tied to diversity goals. new mexico authorities are asking the fbi to analyze the bullet fired by alec auld one that killed the cinematographer on the set of his film was tweaked. the santa fe county sheriff said the projectile was one of 600 pieces of evidence collected. >> i think the industry has had a record recently of being safe. there was some complacency on the set, and i think there are some safety issues that need to be addressed by the industry and possibly by the state of new mexico. i believe that up to the industry and the state to determine what those need to be. mark: the production of rust has had disputes since the beginning of filming. workers walked off the set ...

**FBN 10/27/2021 4:19:30 PM:**



all right. sign me up. larry: senator toomey, thanks ever so much for coming on. >> thanks, larry. larry: coming up on "kudlow" ag merrick garland dodged question of a question about the justice department targeting parents for criticizing crt woke school boards. senator chuck grassley questioned him hard. senator grassley joins me next up. tomorrow a big day. a special edition of the show dl "owku." "owow isthne i save srica,riethth bill. le sw. s s we're d'reev w thoh thor t t it, whe w do d not niv dollarollain and taill.th e d l do t o cotry a a t t t heconohe and id a o aur a funal li ,riil the efs. to atos . wontontwant tont tiss it. . say goodbye to daily omnipod is a tubeless, insulin injections. waterproof pod built to simplify life with diabetes. try it today. go to omnipod.com for risk information, instruction for use, and free trial terms and conditions. consult your healthcareprovider before starting on omnipod. i order my groceries online now. shingles doesn't care. i keep my social distance. shingles doesn't care. i stay within my family bubble. shingles doesn't care. because if you've had chicken pox, you're already carrying the virus that causes shingles. in fact, about 1 in 3 people will develop shingles, and the risk only increases as you age. so what can protect you against shingles? shingrix protects. now you can protect yourself from shingles with a vaccine proven to be over 90% effective. shingrix is a vaccine used to prevent shingles in adults 50 years and older. shingrix does not protect everyone and is not for those with severe allergic reactions to its ingredients or to a previous dose. an increased risk of guillain-barré syndrome was observed after vaccination with shingrix. the most common side effects are pain, redness, ...

NEWSM 10/27/2021 4:12:01 PM:



you get this only as capitalism develops great wealth and companies compete for workers. they allow this but in government service, i think it may have gotten excessive in this case and senator while we have you here, there's a senate panel of. uh throwing questions at merrick, garland attorney general eric carlin and in the story keeps coming back to why why america ireland would you agree to use the fbi to investigate parents for potential domestic terrorism charges? you senator? i know this. this has to be. right up your alley using the fbi for things that they use it for, currently now expanding that to innocent parents without a warrant without a warrant. just got to bother you. yes, sir. yeah without question. it is very worrisome when the national school board is asking the attorney general of the united states to use the full power of the federal government and the patriot act, which was really done. not observing our constitutional rights to go after citizens that are unhappy. i mean, what happened in loud and counting with the rape of a girl and then being swept under the rug by the school board and then arresting the father for being unhappy. i mean, i think this may have a big influence on the election in virginia because i think there's a lot of independent moms or moms, and it made them think that they lean kind of liberal. or maybe democrats. they're saying, gosh my girls go to that school. i want them to be safe at school. and shouldn't the school's job be to get rid of creeps? and you know, sociopaths and rapists from the school and not move them to another school district. so i think the outrage over this and garlands response, i think may well be a big factor in what happens in virginia's governor race next week and boy will that be a bellwether the united states if somehow young can pull off a win over mcauliffe, who is a heavy favorite? i don't care what the polls say. he is a heavy favorite in a very that's become a very blue state. senator rand. paul. thank you so much. we appreciate your time. thank you all right foot flopping that grew the public's distrust in the middle of a pandemic ties to wuhan lab where that very pandemic arranger. it originated cruel and pointless experiments that killed innocent animals and the white coat waste project, a taxpayer watchdog group was the first to expose the nih and it's shady wuhan ties anthony bill 80. president and founder at the white coat waste project joins us now, anthony thank you for joining us and just like to point out to our audience we've been talking about. we've been talking about this. we've been talking about this deep, deep barking the beagles story for three years. we have one of your one of your senior people on three weeks. i'm sorry when your senior people on three weeks ago, um and to his credit, ...

MSNBC 10/27/2021 4:08:06 PM:



he may face a subpoena based on the "washington post's" latest reporting to testify before the congressional committee investigating the insurrection. to be determined on whether the department of justice will investigate eastman. merrick garland, the a.g., was asked about this today in a round-about way by senator white house who asked if he and the aj would look into the violence. the amount of g. was vague but didn't rule it out. i think what is important is your point about fraud. when you step back and read what we have in the book and talk to key players, this effort, whether it was sidney powell, john eastman or trump to proclaim fraud was not just to proclaim fraud to proclaim fraud. it was to give a cover to republicans in the house if the election got there a fig leaf to say they can now give trump a second term. this was all about preventing biden from taking office. >> predicated on their fraud. let me show you some of this testimony, katie beener, that robert costa is talking about. this is attorney general garland being questioned by senator white house. >> i'm very limited as to what i can say. >> i understand that. >> we have a criminal investigation going forward. >> please tell me it has not been constrained only to people in the capitol? >> the regs is being conducted by the prosecutors in the u.s. attorney's office and the fbi field office. we have to the constrained them in any way. >> great. and the old doctrine of follow the money, custom is a well established principle of execution is -- >> it's fair to -- >> -- is alive and well? >> it is fair to say all investigative techniques of which you are familiar and some maybe that you are not familiar with because they postdate your time, are all being pursued in this manner. >> so, katie benner, take us behind the scenes. what exactly is the white house getting at? what do you read between the lines from garland in that response? >> sure. the white house wants to know whether or not the justice department is going to do something basically similar to what the judiciary committee and the select committee is in the process of doing. try to understand who did what and whether or not there were people in congress or in the white house who would have worked with the folks who ended up storming the capitol. if they coordinated it. if it was a planned attack or whether it was a spontaneous riot that broke out of a heated ...

From: Li, Kaei (PAO)(b) (6)  
Sent: Wednesday, October 27, 2021 4:02 PM  
To: Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)  
Cc: Mitchell, Kendall M. (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)  
Subject: RE: AG Senate Hearing Clips

Clips as of 4pm

Radio

[Bloomberg Radio, 3:41:00](#)

Attorney general is under the microscope on Capitol Hill during a Senate Hearing today merrick Garland said his top priorities, upholding the rule of law. He stressed the Justice Department aims to keep the US safe while preserving civil liberties Republican Senator Chuck Grassley leveled an attack against Garland right out of the gate center confirmation in less than a year. The Department has moved as far left as it can goal you politicize the Department in ways it should be. Grassley's comments were refuted though by Senate Judiciary chairman Dick Durbin who says under the previous administration that Justice Department played the role of former President Trump's personal lawyer.

Print

**Washington Examiner:** [Merrick Garland repeatedly spars with Ted Cruz on whether he sought ethics review](#) by Jerry Dunleavy

**AP:** [Garland defends school board memo amid Republican criticism](#) by Michael Balsamo

**Wall Street Journal:** [\[Update\] Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

## Full Articles

**Washington Examiner:** [Merrick Garland repeatedly spars with Ted Cruz on whether he sought ethics review](#) by Jerry Dunleavy

Attorney General Merrick Garland repeatedly dodged whether he had sought an ethics review related to his [controversial](#) Justice Department school boards memo and his connections to his son-in-law's left-wing education company.

The top Biden DOJ official strongly [suggested](#) on Wednesday he hadn't sought such a review, though, as he argued before the Senate Judiciary Committee that there was no possible conflict of interest. Garland made the comments during robust questioning by Republican Sen. Ted Cruz, and his dodging was similar to his [evasions](#) during last week's House Judiciary Committee hearing when he repeatedly refused to say whether he had already submitted himself to an ethics review and repeatedly refused to commit to any future ethics review.

"A big part of this letter is that they're upset about parents not wanting critical race theory taught. Your son-in-law makes a very substantial sum of money from a company involved in the teaching of critical race theory," Cruz said. "Did you seek and receive a decision from an ethics adviser at the Department of Justice before you carried out an action that would have a predictable financial benefit to your son-in-law?"

Garland replied that "this memorandum is aimed at violence and threats of violence" before Cruz cut him off and asked him again, in a pattern that would repeat multiple times. Garland replied, "You asked me whether I sought an ethics opinion about something that would have a predictable effect on something. This has no predictable effect in the way that you're talking about."

Republican senators and congressmen, along with parent groups and various activists, have [questioned](#) whether Garland has a [conflict of interest](#) because his daughter's husband, Xan Tanner, [co-founded](#) Panorama Education. Panorama Education [claims](#) it has made its way into thousands of schools serving millions of students in the United States, selling race-focused student and teacher surveys and conducting training on systemic racism and oppression, white supremacy, implicit bias, and intersectionality, all under the rubric of "Social-Emotional Learning."

Cruz asked Garland, "So, if critical race theory is taught in more schools, does your son-in-law make more money?" Garland started to say that "this memo has nothing" before he was cut off and was asked again, and the attorney general replied, "This memorandum has nothing to do with critical race theory or any other kind of curriculum."

Cruz repeatedly returned to the question of whether Garland had sought an ethics review, and he never quite gave a direct answer but eventually said, "If I thought there was any reason to believe there was a conflict of interest, I would do that, but I cannot imagine a conflict of interest. ... I would seek an ethics opinion in a circumstance where I thought there was a conflict of interest."

As the questioning ended, Cruz said, "Let the record reflect that the attorney general refuses to answer whether he sought an ethics opinion, and apparently ethics are not a terribly high priority for the Biden Justice Department."

Garland pushed back, "I don't think that's a fair reflection of what I said."

Cruz again asked Garland to answer the question, and Democratic Chairman Dick Durbin of Illinois ended the back-and-forth.

Garland also [defended](#) his memo on Wednesday, arguing the National School Boards Association's decision to apologize for and withdraw its letter likening parent protesters to domestic terrorists didn't change the merits of his memo despite his reliance on the NSBA letter's concerns in writing it.

The attorney general [revealed](#) last week that the DOJ and the White House communicated about the late September NSBA letter before Garland issued his early October [memo](#), and emails from the NSBA showed it was in touch with the White House about its letter prior to publishing. Internal [emails](#) showed NSBA board members objected to sending the letter to President [Joe Biden](#), and the NSBA ended up [withdrawing](#) the letter the day after Garland's testimony last Thursday.

**AP:** [Garland defends school board memo amid Republican criticism](#) by Michael Balsamo

Attorney General Merrick Garland on Wednesday defended [a memo aimed at combating threats against school officials nationwide](#) while Republicans insisted he rescind the directive. He signaled he had no plans to do so despite their criticism.

[The memo](#) took center stage as Garland appeared before the Senate Judiciary Committee – his second congressional appearance in a week – and said it was meant to respond to violence and threats of violence directed against [local school board officials](#).

The memo came out Oct. 4, less than a week after the [National School Board Association](#) wrote the Biden administration about the threats to school officials and asked for help. Some school board meetings have devolved into shouting contests over issues such as how racial issues are taught, masks in schools, and COVID-19 vaccines and testing requirements.

Republicans say Garland went too far in instructing Justice Department divisions to coordinate with local law enforcement. In his memo Garland said there had been "a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools."

An [accompanying news release](#) mentioned the FBI, the department's criminal division, national security division, civil rights division and other parts.

"The obligation of the Justice Department is to protect the American people against violence and threats of violence and that particularly includes public officials," Garland said.



Republicans on the Senate committee also seized on a memo from Leif Johnson, the acting U.S. attorney in Montana, to the state attorney general, county attorneys, sheriffs and school officials in the state. The memo spells out federal crimes that could be used in prosecutions for violence, harassment or intimidation of school board officials.

The Montana memo, obtained by The Associated Press, cites about a dozen federal statutes from conspiracy to deprive someone of civil rights to stalking and “anonymous telephone harassment.” It instructs the recipients to contact the FBI “if you believe that a person has violated one of these statutes.”

Garland told senators he was never sent the U.S. attorney’s memo and did not know specifics about it. A spokesperson for the U.S. attorney’s office in Montana did not immediately respond to questions about whether Johnson had consulted senior Justice Department officials before issuing the memo.

“I’ve never seen that memo,” Garland said. “No one has sent me that memo, so I haven’t seen it.”

The National School Board Association has since said “we regret and apologize” for its letter, which asked for federal assistance to combat harassment and violence against school officials and said some of the acts could be “domestic terrorism.”

The original letter asked for the federal government to investigate cases where threats or violence could be handled as violations of federal laws protecting civil rights. The association asked for the Justice Department, FBI, Homeland Security and Secret Service to help monitor threat levels and assess risks to students, educators, board members and school buildings.

The letter documented more than 20 instances of threats, harassment, disruption, and acts of intimidation in California, Florida, Georgia, New Jersey, Ohio and other states. It cited the September arrest of an Illinois man for aggravated battery and disorderly conduct for allegedly striking a school official at a meeting. In Michigan, a meeting was disrupted when a man performed a Nazi salute to protest masking.

Garland has said parents have the right to express their concerns to school boards but his primary concern is if that devolves into violence or when threats emerge. During questioning Wednesday, Garland said that making a Nazi salute would be protected under the First Amendment. He also acknowledged that he did not have an accounting of the number of incidents.

At least two Republican senators – Sens. Tom Cotton of Arkansas and Josh Hawley of Missouri – called for Garland to resign over his handling of the memo.

“This is shameful,” Cotton exclaimed. “You should resign in disgrace.”

**Wall Street Journal:** [Update] [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

Attorney General Merrick Garland signaled he has no plans to withdraw a memo ordering the FBI to help local leaders address threats against educators, as Republicans stepped up their criticism of it as a heavy-handed effort to silence parents who speak out on topics like mask mandates and how race is addressed in schools.

Mr. Garland on Wednesday [stood behind the Oct. 4 directive](#) during a hearing before the Senate Judiciary Committee, his second appearance before Congress in less than a week in which Republicans made it the focus of their questioning.

The single-page document calls on the Federal Bureau of Investigation to work with federal prosecutors and local officials to thwart “a disturbing spike in harassment, intimidation, and threats of violence” against teachers and school staff over politically charged issues. It instructs the FBI to “open dedicated lines of communication for threat reporting, assessment, and response,” and says the Justice Department would announce other measures to clamp down on “criminal conduct directed at school personnel.”

“The purpose of this memorandum is to get our law enforcement to assess the extent of the problem. And if there is no problem, if states and local law enforcement are capable of handling the problem, then there is no need for our involvement,” Mr. Garland said, disputing that the Justice Department is seeking to police protected speech. “This memo does not say to begin prosecuting anybody. It says to make assessments. That’s what we do in the Justice Department. It has nothing to do with politics.”

The issue of parental influence on schools, even when it doesn’t rise to the level of physical threats, has risen to prominence in several political settings, including the Virginia governor’s race, where GOP candidate Glenn Youngkin has sought to cast himself as siding with parents against school authorities. But Mr. Garland reiterated that his directive was aimed only at violence and threats of violence, not at the substance of school curricula or complaints voiced at school board meetings.

That didn’t quell the attacks from some Republican members of the committee on Wednesday. “I think most of the American people are just sort of flabbergasted if your answer is you have no regrets about this memo. Is that what you’re telling us? You think this was wise?” Sen. Ben Sasse (R., Neb.) asked in one heated exchange.

“Senator, the obligation of the Justice Department is to protect the American people against violence, including threats of violence, and that particularly includes public officials. That is still a concern for the department,” Mr. Garland responded.

The attorney general issued the directive shortly after the National School Boards Association, a group representing school boards across the country, asked President Biden in a letter for federal [help in dealing with threats to educators](#) by people opposed to face-mask mandates for stemming Covid-19 and to [the teaching of critical race theory](#).

The association on Friday apologized for the letter, which suggested the Justice Department treat attacks and threats against public school officials as hate crimes or domestic terrorism. School board associations in Missouri and Ohio withdrew from the national group, saying they weren’t consulted about the letter’s creation or its language.

“To be clear, the safety of school board members, other public school officials and educators, and students is our top priority, and there remains important work to be done on this issue,” the association said in a short note to its members. “However, there was no justification for some of the language included in the letter.”

Mr. Garland noted that his memo—which he said he crafted without having spoken to the White House—didn’t adopt the language used by the school boards group. He said threats of violence remain a concern for the federal government but offered few new details about how the memo has been implemented.

A top FBI official during a Tuesday news conference also declined to say how many meetings agents had held with local officials or answer other questions about the bureau’s involvement. FBI spokespeople on Wednesday didn’t immediately respond for comment.

Senators including Tom Cotton, (R., Ark.) pointed to a letter sent by the U.S. attorney’s office in Montana to local law-enforcement officials, listing federal statutes that could serve as the basis for prosecuting certain threats and violent conduct. It included some felony charges such as conspiracy to deprive a person of civil rights, interstate extortion threats and cyberstalking.

“The Attorney General’s directive does not seek to hinder anyone’s free speech rights under the First Amendment, only to combat lawful threats and other criminal conduct,” Acting U.S. Attorney Leif M. Johnson wrote in the letter, reviewed by The Wall Street Journal. “If you believe that a person has violated one of these statutes, please feel free to contact the FBI. The FBI and the United States Attorney’s Office will then collaborate with any interested parties to determine if a federal investigation and prosecution should commence.”

**From:** Li, Kaei (PAO)

**Sent:** Wednesday, October 27, 2021 3:34 PM

**To:** Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)

**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)

**Subject:** RE: AG Senate Hearing Clips

Clips as of 3:30 pm

**TV**

[OAN, 3:00:36 PM](#)



attorney general **merrick garland** reveals new evidence has emerged in the fbi’s mishandling of the larry nassar case. **garland** confirmed new information has come to light during testimony in front of the senate judiciary committee today. the aging is reviewing the decision not to prosecute two fbi agents accused of botching the probe against former usa gymnastics doctor and failing to protect victims, while **garland** did not disclose any details of the new evidence. he was pressed on the status of his review. senator i think heart retching is as, uh, not even strong enough as a description of what happened to those gym ass into the testimony they gave. i believed, deputy attorney general of monaco said at her hearing that we are reviewing this matter. um new evidence has come to light and that has caused for, uh, review of the of the matters that you’re discussing. a nasser was sentenced up to 175 years in prison for decades of sexual abuse.

Fox News, 3:01:09 PM



first, **merrick garland** grilled on capitol hill today. another rough day for this gentleman. over his memo that called for the fbi to assist with threats of violence by parents against school board members. now, since the last hearing, the national school board association who memo he admits was the basis for his action, they backed down. they said that it was wrong of them to suggest that these parents could be domestic terrorists in this context. so the a.g. was under pressure to do the same thing and to rescind his memo. >> either you run the department of justice or the department runs you. right now looks like the department of justice is running you. >> did you consider the chilling effect your medium random might have on parents exercising their constitutional rights? i think you can answer that yes or no. >> what i consider -- i wanted the memorandum to assure people that we recognize the rights of spirited debate. >> a national security division, judge. these are the people that are supposed to be chasing jihadists and chinese spies what is the national security division have to do with parents at school boards? >> this is not, again, about parents at school boards. it's about threats of violence. >> most of us and most of the person people are flabbergasted if you answer is you have no regrets about this memo. is that what you think? this is wise? >> senator, the obligation of the justice department is to protect the american people against violence including threats of violence. this is not about the american parent. >> i know. it about the politicization of doj. you decided to submit as a vessel and you know better. >> martha: so let's bring in laura ingraham, host of "the ingraham angle" and "california on the edge" with laura ingram. a great documentary about what's going on in california. great to have you with us today. i've seen uncomfortable people in hearings before. but **merrick garland** look like he couldn't way to get out of there. a lot of i don't knows. why did you move so quickly? over a weekend, you had an nsb letter from the national school board and a bunch of reports ...



attorney general **merrick garland** grilled on capitol hill for hours on several issues, including his controversial memo targeting parents at school board meetings have been complaining about things like critical race theory. the attorney general defending his letter and repeatedly refusing to apologize for the backlash it has caused. welcome to the second hour of american agenda compound, sellers. and i'm heather children's **merrick. garland** also questioned about possible ethics violations amid reporting that **garland** benefits directly from his memo because. the eggs. son in law runs a company that sells crt critical race theory material to schools all across the country. white house correspondent number of robinson live in washington with the latest enbrel. hi. other bob? yeah the attorney general **merrick garland**, facing some tough questioning from republican senators on the hill, particularly from senator ted cruz of texas, as it relates to **merrick, garland's** son in laws, and tanner, who started the company, panorama education. that provides critical race theory resources of school but also conducts surveys. this the texas senator asking garland a trying to pin him down on if he had an ethics review. before making this decision to put out this memo related to crt and parents at school boards, and also if his son in law directly benefits financially from having crt continuing school, listen to how that exchange went. did you seek an ethics opinion? it has no prodigious seeking ethics opinion judge you know how to ask questions and answer them did you seek it? ethics opinion? you asked me whether i saw an ethics opinion about something that would have a predictable effect on something. this has no predictable effect in the way that you're talking about. so if critical race theory is taught in more schools, does your son in law make more money has nothing. critical race theory is taught more schools. does your son in law make more money? yes or no? this memorandum has nothing to do with critical race. will you answer if you saw it as kind of curriculum you answer. if you saw it, and i am answering the best i can. so the attorney general looting really answering being a base of that's the same thing we really saw from him during a house hearing last week, in fact, the attorney general today very much being like he was in that house hearing last week. said he didn't know about certain instances or he wasn't aware of ...

Fox News, 3:06:44 PM



**merrick garland** really didn't seem to have any evidencery basis for turning around that memo as quickly as he did. he took it as gospel with what the national school board association said. i've been in washington almost 30 years. i can't believe i'm saying that. i have not seen this level of a fury coming from republicans as i do on this school board issue. it's bleeding over to the independents as well. these are just parents. they want to know what their kids are being taught and they want their kids to be in a safe environment. they don't want to be intimidated. >> martha: indeed. some fall into that same category that we've seen vote for president trump in 2016 and then for biden in 2020. they seem to be questioning what they got. we'll see tuesday. you had scott smith on your program. we played this. this man's daughter was sexually assaulted in a gender fluid bathroom at her high school in loudoun county. this poor man went to the school board meeting and railing about it because he couldn't get anywhere. they said this didn't happen, this doesn't exist. he became the poster man for these crazy parents at these meetings. tom cotton said today, does he get an apology? what did you think of that moment? >> it was very powerful. for all the talk of violence among supposedly being threatened by parents, we had law enforcement tackling a dad whose daughter had been violated in the most - you can't say what happened to her. but we now know did happen to her. her victimhood doesn't count. the supposed victims who they're creating out of thin air for political purposes looks like get all of the attention and the focus? this family dragged through the mud? something is upside-down in our society, our culture where parents now have to wonder whether it's okay to go to a school board meeting, less they lose their job or less they be called a terrorist or brand add ..

Cheddar 3:08:40 PM



attorney general **merrick garland** testifying before the senate judiciary committee regarding justice department oversight, what has come out of this so far. >> well if you thought the republicans might not like **merrick garland** you would be right and if you think that democrats are very much willing to live in softball questions you'll be right about that too. a very standard sort of pre trump era hearing in which everyone is looking for a sound bite everyone wants their big moment and attorney general **merrick garland** it kind of just there is the person for them to lob the sound bite that, but it has gotten contentioursr and that school boards. yeah, but you can expect me to say that but attorney general merrick road and released a memo recently that he once the fbi city of available to local and state law enforcement agencies who feel as though they need to call the fbi in when school board meetings get so sort of rambunctious that people are at risk right that that devolved into violence. this is something that has happened actually this year and it happened about things like masks and vaccine requirements for kids and whether or not they will go to school in person, but it all so happened about what they're learning critical race theory are they going to learn about lgbtq history, an issues. there are a lot of concerns about the even just right here in the dc area. so this is the issue that republicans are sort of seizing on to help win the midterms

**Print**

Daily Caller: [Garland Promises To Provide Report On Threats Against Public Education Officials](#) by Michael Ginsberg

**Full Articles**

Daily Caller: [Garland Promises To Provide Report On Threats Against Public Education Officials](#) by Michael Ginsberg

Attorney General Merrick Garland promised to provide a report to Republican Nebraska Sen. Ben Sasse detailing the results of any investigations into threats against public education officials.

“Will you pledge you will report back to this committee with the results of your investigation about how big a threat the American parent class is to school boards in the country?” Sasse asked, questioning why threats against local officials are a concern for federal law enforcement.

"I'm pretty sure you believe that local law enforcement is more than able to handle some one idiot or twelve idiots at school board meetings, but you made it a federal issue and I don't have any idea why, and at no point today have you offered us a shred of data," he continued.

"I will be happy to get a report back to you, but this is not about the American parent class," Garland answered.

"I know it's about the politicization of DOJ, and you decided to submit as a vessel, and you know better," Sasse responded.

Garland defended the contents of his Oct. 4 [memo](#) to Sasse, arguing that it was "aimed at violence and threats of violence."

"I don't care whether they come from the left or from the right or from up or from down. I don't care if they're in favor of curriculum or against a particular kind of curriculum. We can imagine all these kind of arguments against school boards coming from either the left or the right. It doesn't matter. Arguments against a school board are protected by the First Amendment, threats are not by the First Amendment. We received a letter from the national association of school boards—" the attorney general said, before Sasse cut him off.

"No, you didn't receive an anonymous letter," Sasse shot back. "White House political staff co-wrote it with this organization, which is why the organization has rejected it. You know these facts to be true, yet you still won't disavow your memo. Why?"

Parents Defending Education, an advocacy organization, obtained emails through the Freedom of Information Act [showing](#) that National School Board Association officials were in contact with White House staffers before the group sent a letter to President Joe Biden requesting that federal law enforcement officials address unruly behavior, including threats, directed toward public education officials.

One email, from NSBA CEO Chip Slaven, explains that White House staffers "requested additional information on some of the specific threats."

"Public reporting has shown that the NSBA was in contact with the White House in the weeks leading up to the letter. Chip Slaven, the NSBA's CEO, told his board of directors that the final letter included details that were requested by the administration during their conversations. The NSBA's letter was the pretext for Attorney General Garland's memo less than a week later," a spokesman for Sasse told the Daily Caller.

"How big is the threat American parents pose right now? You lead a big organization. You have 100,000-plus employees. You have a lot of violence to go after. Are parents at school boards one of the top three concerns you face right now?" he continued.

"The purpose of this memorandum is to get our law enforcement to assess the extent of the problem, and if there is no problem, if states and local law enforcement are capable of handling the problem, then there is no need for our involvement," Garland answered. "This memo does not say to begin prosecuting anybody. It says to make assessments."

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**From:** Li, Kaei (PAO)  
**Sent:** Wednesday, October 27, 2021 3:04 PM  
**To:** Gelber, Sophie (PAO)(b) (6) ; Coley, Anthony D. (PAO)(b) (6) ; Iverson, Dena (PAO) (b) (6) ; Hornbuckle, Wyn (PAO)(b) (6) ; Klapper, Matthew B. (OAG)(b) (6) ; Heinzelman, Kate (OAG)(b) (6) ; Loeb, Emily M. (ODAG) (b) (6) ; Seidman, Ricki (OASG)(b) (6) ; Goodlander, Margaret V. (OAG)(b) (6) ; Greenfeld, Helaine A. (OLA) (b) (6) ; Gaeta, Joseph (OLA) (b) (6) ; Calce, Christina M. (OLA)(b) (6) ; Carlin, John P. (ODAG) (b) (6) ; Singh, Anita M. (ODAG)(b) (6) ; Colangelo, Matthew (OASG) (b) (6) ; Gupta, Vanita (OASG) (b) (6) ; Mitchell, Kendall M. (PAO)(b) (6) ; Shevlin, Shannon (PAO) (b) (6) ; Morris, Catherine (PAO) (b) (6) ; Zhai, George (PAO) (b) (6) >

**Subject:** RE: AG Senate Hearing Clips

Clips as of 3pm below.

TV

OAN, 2:30:50 PM



that was alive, log there from capitol hill as attorney general **merrick garland** testified before the senate judiciary committee as part of an annual oversight hearing of the justice department. one hot topic there did include the doj memo directing the department to work with the fbi and u. s attorney's offices to implement a strategy to investigate parents as domestic terrorist at school board meetings. **garland** denied labelling parents as domestic terrorists and said they are protected. by the first amendment. and can address school boards. he testified that his memo had to do with trying to prevent threats of violence or actual violence against the school board members. he did also, of course answer questions on a number of other issues, including the boj's prosecution of january 6th. the demonstrators, improving the efficiency of legal immigration and biden's federal vaccine mandate.

Fox News, 2:31:00 PM



senator judiciary committee wrapping hours of testimony by the attorney general, **merrick garland** feisty as times, bring in republican senator tom tillis, he was in the room and questioned **garland**. get to one question you had about school board meetings and whether or not we are seeing overreach on behalf of the doj. listen to this. >> did the doj do real work outside of the public reporting to say there is disturbing trend that require overreach on behalf of the doj? >> what we looked at was letter from an organization that represents thousands of school board members and school boards and public reports of threats of violence. >> sandra: senator, did you get answers to your questions? >> no, i didn't. it was clearly motivated by the letter from the school board association and it was an overreach. the point i was trying to make is chilling effect on parents who should feel comfortable going to school board meetings. no question people will think twice when they think they have the watchful eye of the f.b.i. overlooking everything they say. school board meetings can get heated. i've been pta president and i believe they should withtrau the memo and stand back. >> john: senators followed the same line of questioning asking whether or not they did research into the incidents cited in this letter. one of them say nothing virginia, an individual was arrested, citation that takes you to news report, the interview was scott smith who was upset the school board lied to him about his daughter being raped in the restroom of the school. cory booker mentioned incidents handled by local police and tried to link those to the terrorism, which the attorney general himself pushed back against. >> the problem with the testimony today, we didn't get answers to any questions. the bottom line is this administration views the parents influence over their children's education as being secondary to the will and whims of school board members. that is wrong and people of ...

Newsmax, 2:40:56 PM



attorney general **merrick garland** testifying before the senate on capitol hill, listen to his response when asked if the botched afghanistan withdrawal will increase the risk of terror here. i don't know whether the withdrawal will increase the risk from al qaida or not. now. obviously you disagree with that. you think it does increase the risk the way this went about or the fact that we took everybody out and you say the timeframe notably is shorter than a year.



...spontaneous uprising of government officials aimed at school boards and parents have a right to say what they want and speak out. the question here is why did **merrick garland** do this? it is alarming. justice does not move that fast unless the white house tells them to move that fast. politicize agszation of the department of justice. >> john: i was about to play sound byte number six here, **merrick garland** responding to question about whether or not this memo had a chilling effect on parents. listen here. >> you are intelligent and accomplished lawyer and judge, you can answer the question. did you answer the chilling effect this sort of threat of federal prosecution would have on parent's exercise of constitutional right to be involved in children's education? >> don't believe it is chilling anyone's rightss. it is about threats of violence and recognize constitutional right to make arguments about your children's education. >> john: same time, **merrick garland** did not know about this, u.s. attorney for state of montana issued memorandum, josh hawley points to, upon which people could face charges. does it have a chilling effect or not have a chilling effect? >> of course it has a chilling effect. department of justice says it will investigate something, that will chill. i had parents in vermont tell me they know people going to school board meetings who decided now it is not worth it, they don't want to get into entanglement with the department of justice. this is why if you thought **merrick garland** was a decent man, nonpolitical man, he's ruined reputation and that name by allowing himself to issue ...





welcome back while testifying before the senate on capitol hill today, attorney general **merrick garland** was asked if he would rescind the memo urging the fbi to investigate parents who threaten school boards. here was his response. i have the letter from an s b a. that you're referring to and apologizes for language in the letter, but it can continues its concern about the safety of school officials in school staff. the language in the letter that they disavow his language was never included in my memo and never would have been. all right, turning now to discuss ranking member for the house judiciary committee and author of do what you said you would do. congressman jim jordan. congressman i know you and other members of the committee there were pressing the attorney general about comparing parents who were involved and interested in what was going on local school boards. to domestic terrorists. um what is your concern? uh in in how this may play out because he keeps saying no, that's only if there's violence. no, that doesn't mean domestic terrorism. well what? yeah why is this important? well, what? he didn't tell you in that answer you gave him the senate judiciary committee hearing today is he didn't tell you that the only reason he did. the memo was because of the school board's letter to the president, united states. that was the catalyst. that was his only evidence because we asked him that question. was there any evidence any data that you used to make this decision to do this? the only evidence was the school board's letter that they have now apologized for actually sending. they stay apologize in o paragraph two times. you never see that we have we regret and apologize for the letter we apologize for the strain this has caused you at local schools so much strain that you've had. now this is the state of ohio school boards association pulled out of this organization, as have other school board associations in several other states. so this is the concern that chilling impact this will have on first amendment activity of moms and dads showing up at a school board meeting, saying we don't like this racist hate america curriculum taught to our students taught to our kids. that's what this is about, and the fact that he won't rescind it, which is frankly, the only right thing to do, um, i think is very troubling, and we're going to keep we every single republican bob on our committee signed a letter to present to the attorney general yesterday, asking him to rescind this memo. i'm so glad that senator grassley asking that same ...

Fox News, 2:45:37 PM



josh hawley's exchange was about relationship of the doj, went as far as to call on merrick garland to resign, listen. >> u.s. attorneys are collecting and cataloging the ways might prosecute parents like mr. smith because they want to be involved in their children's education and have a say in elected officials. it is wrong, unprecedented in the history of this country and i call on you to resign. >> sandra: there were multiple calls for that. many exchanges like that, ari. >> i'm not a fan on people calling on other people to resign, it is political exclamation point, i get it. i rather deal with issues presented by the memorandum and where justice has a lot of cleaning up to do and white house has a lot of cleaning up -- cleaning up to do. it is a serious matter, they are only going after people -- why is the agency inside the department of justice, why is it same agency responsible for domestic terrorism, chinese spies, agency merrick garland decided to lead the investigation into people who may commit violence. if violence is committed, it is up to sheriff, state police to take action, action should be taken against anybody that commits violence. not under purview of the department of justice and especially not intelligence agencies or division that focuses on counter terrorism. >> national security division and as cory booker said in his lengthy citation of incidents at school board meetings, they were handled by the local, not the feds. great to see you, thanks for coming in.

#### Print

**Bloomberg:** [DOJ Curbs Trump-Era Zeal for China Spy Probes as Cases Fail](#) by Chris Strohm

**Wall Street Journal:** [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

**Washington Examiner:** [Patrick Leahy questions Merrick Garland over Larry Nassar investigation](#) by Christopher Hutton

**CNN:** [AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents handling Nassar probe](#) by Veronica Stracqualursi, Christina Carrega

#### Full Articles

**Bloomberg:** [DOJ Curbs Trump-Era Zeal for China Spy Probes as Cases Fail](#) by Chris Strohm

The Trump administration went all-in on what it called its “China Initiative,” with the Justice Department prosecuting Chinese and Chinese-American researchers it said were stealing U.S. secrets while hiding their links to the government in Beijing and the People’s Liberation Army.

Now, after a number of those cases fizzled in court and amid growing criticism that the initiative leads to discrimination against Asian-Americans, Justice Department leadership under Attorney General Merrick Garland is moving more cautiously.

“There’s no excuse for this kind of discrimination, and it’s the obligation of the Justice Department to protect people,” Garland said during a hearing last week before the House Judiciary Committee. “I can assure you that cases will not be pursued based on discrimination, but only on facts justifying them.”

Department officials are now moving to increase oversight of cases being developed by FBI field offices and U.S. attorneys across the country while requiring greater consultation on the front end of investigations, and they plan a comprehensive review of all current cases.

Garland, who must balance reining in abuses without appearing soft on China’s illegal activity in the U.S., was asked about the issue when he appeared Wednesday for an oversight hearing by the Senate Judiciary Committee.

“We regard the People’s Republic of China as an extraordinarily serious and aggressive threat,” Garland said. “Every case is evaluated on its own with respect to the law and the facts. We continue to open cases about the People’s Republic of China daily.”

The China Initiative began in 2018 under President Donald Trump to counter China’s theft of trade secrets and technology. It came as part of a broad attack on China’s influence in the U.S. Trump’s Attorney General William Barr accused companies such as the Walt Disney Co. and Apple Inc. of serving as pawns for China by giving in to its demands, and his Secretary of State Michael Pompeo said Chinese spying was aided by colleges “hooked on communist cash.”

In one of the more tense episodes, the U.S. charged four Chinese researchers in July 2020 for allegedly concealing their ties to China’s military and ordered Beijing to shut its consulate in Houston.

One of the researchers took shelter in China’s consulate in San Francisco, creating a dramatic standoff as federal prosecutors declared her a fugitive before she was eventually taken into custody. But after a year of languishing in court, the Justice Department moved to dismiss the cases in July of this year, saying only that recent developments prompted officials to re-evaluate the prosecutions.

Other cases also have fallen apart in court. The failures have contributed to criticism that the China Initiative leads to false allegations against Chinese nationals in the U.S. and Asian-Americans. Almost 100 lawmakers asked the department in July to investigate “the repeated, wrongful targeting of individuals of Asian descent for alleged espionage.”

Critics are hailing the potential for meaningful changes to the program under Garland, but they want the department to go further.

“We think there should be a moratorium on the China Initiative,” said John Yang, president and executive director of Asian Americans Advancing Justice--AAJC. “As demonstrated by the cases that have been filed, the majority of the cases have not involved economic espionage or trade secret theft. And so to have a label on this initiative really causes harm to our Asian American community.”

Some Justice officials have discussed the idea of offering an amnesty or leniency program for those who come forward and admit wrongdoing as an alternative to prosecutions under the China Initiative. For now, though, that effort appears to have stalled.

Eight Republican senators sent Garland a letter in May opposing any amnesty.

“The United States must also take reasonable steps to protect taxpayer-funded research from theft, diversion and ultimately weaponization against our own long-term national interests,” according to the letter, which was signed by GOP members of the Senate Judiciary panel, including its top Republican, Chuck Grassley of Iowa.

#### Strategy Review

The future of the China Initiative may not be settled until President Joe Biden’s administration completes its review of strategy toward China.

For now, the Justice Department is continuing the project. FBI Director Christopher Wray told lawmakers earlier this year that the bureau opens a new case related to China every 10 to 12 hours, and has more than 2,000 investigations tied to the Chinese government.

Only a handful of cases against researchers result in prosecutions, however. The FBI declined to say how many cases have been closed. Since 2018, the department has brought 12 prosecutions related to academic and research integrity and won convictions against four individuals, according to agency statistics.

Current and former law enforcement officials say the department is committed to countering illegal and nefarious activity by the Chinese government. The efforts are focused on particular activities by China and individuals who are concealing their affiliation with that country’s government, not Chinese citizens or Asian-Americans in general, according to the officials, who asked not to be identified.

Garland said the department will review all activities under the national security division and decide which ones go forward once Biden’s nominee to lead it, Matthew Olsen, is confirmed by the Senate. The Senate may vote to confirm Olsen this week.

Garland also said he plans to implement implicit bias training for department employees. He cited a memo he issued in March directing employees to give priority to investigating and prosecuting hate crimes and incidents, especially an outbreak of attacks against Asian-Americans during the Covid-19 pandemic.

The move toward increased oversight recognizes that local FBI field agents and line prosecutors sometimes pursue cases as criminal matters when it’s not justified, or when other options are available, according to two former officials. They don’t always think about the broader implications of the cases on U.S.-China relations, or how damaging it can be to the department if cases collapse in court, the officials said.

Still, the department cites several success stories under the China Initiative, saying about 80% of all economic espionage prosecutions allege conduct that would benefit the Chinese government, and about 60% of all trade secret theft cases have some link to China.

For example, a university researcher in Ohio was sentenced to prison in May for making false statements to federal agents to conceal the use of grant funding to help develop China’s expertise in rheumatology and immunology.

The FBI said its investigations must be conducted in accordance with department policies.

“This authority is based on the illegal activity, not on any constitutionally protected activity or the individual’s race, ethnicity, national origin or religious affiliation,” the FBI said in a statement. “The FBI is methodical and thorough in its investigations. We take the necessary and appropriate steps to investigate all aspects of an allegation to prove or disprove the elements of the federal violation suspected.”

**Wall Street Journal:** [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

Attorney General Merrick Garland signaled he has no plans to withdraw a memo ordering the FBI to help local leaders address threats against educators, as Republicans called it a heavy-handed effort to silence parents who speak out on topics like mask mandates and how race is addressed in schools.

Mr. Garland on Wednesday [stood behind the Oct. 4 directive](#) during a hearing before the Senate Judiciary Committee, his second appearance before Congress in less than a week in which Republicans made it the focus of their questioning.

The single-page document calls on the Federal Bureau of Investigation to work with federal prosecutors and local officials to thwart “a disturbing spike in harassment, intimidation, and threats of violence” against teachers and school staff over politically charged issues. It instructs the FBI to “open dedicated lines of communication for threat reporting, assessment, and response,” and says the Justice Department would announce other measures to clamp down on “criminal conduct directed at school personnel.”

“The purpose of this memorandum is to get our law enforcement to assess the extent of the problem. And if there is no problem, if states and local law enforcement are capable of handling the problem, then there is no need for our involvement,” Mr. Garland said, disputing that the Justice Department is seeking to police protected speech. “This memo does not say to begin prosecuting anybody. It says to make assessments. That’s what we do in the Justice Department. It has nothing to do with politics.”

The issue of parental influence on schools, even when it doesn’t rise to the level of physical threats, has risen to prominence in several political settings, including the Virginia governor’s race, where GOP candidate Glenn Youngkin has sought to cast himself as siding with parents against school authorities. But Mr. Garland reiterated that his directive was aimed only at violence and threats of violence, not at the substance of school curricula or complaints voiced at school board meetings.

That didn’t quell the attacks from some Republican members of the committee on Wednesday. “I think most of the American people are just sort of flabbergasted if your answer is you have no regrets about this memo. Is that what you’re telling us? You think this was wise?” Sen. Ben Sasse (R., Neb.) asked in one heated exchange.

“Senator, the obligation of the Justice Department is to protect the American people against violence, including threats of violence, and that particularly includes public officials. That is still a concern for the department,” Mr. Garland responded.

The attorney general issued the directive shortly after the National School Boards Association, a group representing school boards across the country, asked President Biden in a letter for federal [help in dealing with threats to educators](#) by people opposed to face-mask mandates for stemming Covid-19 and to [the teaching of critical race theory](#).

The association on Friday apologized for the letter, which suggested the Justice Department treat attacks and threats against public school officials as hate crimes or domestic terrorism. School board associations in Missouri and Ohio withdrew from the national group, saying they weren’t consulted about the letter’s creation or its language.

“To be clear, the safety of school board members, other public school officials and educators, and students is our top priority, and there remains important work to be done on this issue,” the association said in a short note to its members. “However, there was no justification for some of the language included in the letter.”

Mr. Garland noted that his memo—which he said he crafted without having spoken to the White House—didn’t adopt the language used by the school boards group. He said threats of violence remain a concern for the federal government but offered few new details about how the memo has been implemented.

A top FBI official during a Tuesday news conference also declined to say how many meetings agents had held with local officials or answer other questions about the bureau’s involvement. FBI spokespeople on Wednesday didn’t immediately respond for comment.

**Washington Examiner:** [Patrick Leahy questions Merrick Garland over Larry Nassar investigation](#) by Christopher Hutton

Sen. Patrick Leahy pressed Attorney General Merrick Garland on the Department of Justice’s decision not to prosecute ex-FBI agents who lied about the Larry Nassar abuse investigation.

Leahy and other Democrats questioned the DOJ’s handling of the investigation into the former Olympic gymnastics team doctor and his abuse of several gymnasts.

"Here, you had two FBI agents who lied to FBI agents. One was fired. The other resigned. No prosecutions," Leahy said during the Senate Judiciary Committee hearing.

When asked if Garland was reviewing the department's previous decisions, Garland affirmed that new evidence had come to pass.

"We are reviewing this matter. New evidence has come to light, and that is cause for review of the matters that you're discussing," the attorney general said in response. Garland did not provide further detail about the new evidence.

Earlier this month, Deputy Attorney General Lisa Monaco said the department was [reviewing](#) the decision not to hold the two FBI agents accountable, including "new information that has come to light."

In September, Olympic gymnasts Simone Biles, Aly Raisman, McKayla Maroney, and former NCAA gymnast Maggie Nichols [testified](#) before a Senate committee about how the FBI had mishandled the allegations of sexual abuse against Nassar.

"We suffered and continue to suffer because no one at the FBI, USAG, or the USOPC did what was necessary to protect us," Biles [stated](#) in her testimony. "We have been failed, and we deserve answers. Nassar is where he belongs, but those who enabled deserve to be held accountable."

"Heart-wrenching is not even strong enough as a description of what happened to those gymnasts and to the testimony they gave," Garland said of the gymnasts' testimonies on Wednesday.

**CNN: [AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents handling Nassar probe](#)** by Veronica Stracqualursi, Christina Carrega

Attorney General Merrick Garland confirmed Wednesday that the Justice Department has "new evidence" in its ongoing [review of the decision not to prosecute](#) two former FBI officials who were accused of mishandling the investigation into former USA Gymnastics doctor Larry Nassar.

Earlier this month, Deputy Attorney General Lisa Monaco said that the department [was reviewing the matter](#), including "new information that has come to light."

Appearing before lawmakers for an oversight hearing Wednesday, Garland was asked by Democratic Sen. Patrick Leahy for an update on the review.

"I believe Deputy Attorney General Monaco said at her hearing that we are reviewing this matter. New evidence has come to light and that is cause for review of the matters that you're discussing," Garland told the Senate Judiciary Committee.

He did not provide further detail about the new evidence.

Sexual abuse allegations from gymnasts and the USA Gymnastics organization against Nassar were reported to the FBI in 2015 and 2016. An investigation was opened in 2018 into the FBI's handling of the case, and a [Justice Department inspector general report](#) found that the FBI agents violated the agency's policies by making false statements and failed to properly document complaints by the accusers.

Enter your email to sign up for CNN's The Point with Chris Cillizza.

The report also revealed that the Justice Department under both Garland and William Barr declined to prosecute either of the two former FBI agents -- W. Jay Abbott and Michael Langeman -- for allegedly failing to pursue the allegations of sexual abuse.

Last month, renowned gymnasts Simone Biles, Aly Raisman, McKayla Maroney and Maggie Nichols [spoke before a Senate committee](#) about how the FBI botched the investigation and handling of their allegations of sexual abuse against Nassar.

The FBI recently fired Langeman, the agent who had interviewed Maroney, while Abbott retired in early 2018.

Garland on Wednesday said that "heart-wrenching is not even strong enough as a description of what happened to those gymnasts and to the testimony they gave."

Nassar is currently serving a 40-to-174-year state prison sentence after [pleading guilty](#). More than 150 women and girls said he sexually abused them over the past two decades.

During Wednesday's hearing, Democratic Sen. Richard Blumenthal questioned whether there's an ethical violation that Josh Minkler, the former US attorney for the Southern District of Indiana, is representing Abbott.

Minkler's office worked with Abbott when he allegedly botched the sexual abuse allegations against Nassar.

"I don't know whether that's a violation of ethical rules or some other kinds of Department of Justice policies, but it raises significant questions and the department should have an interest in them," Blumenthal said.

Minkler served in the Indiana office from 2017 and resigned in November 2020. CNN has reached out to Minkler for comment.

**From:** Li, Kaei (PAO)

**Sent:** Wednesday, October 27, 2021 2:34 PM

**To:** Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)

**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Shelvin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)

**Subject:** RE: AG Senate Hearing Clips

Clips as of 2:30 below.

**TV**

Cheddar, 2:09:39 PM



attorney general **merrick garland** testified before the senate judiciary committee regarding a justice department oversight what has come out so far. >> the main thing that we're hearing conversation about today particularly from this the republican side of the aisle is about this memo sent out by attorney general **garland** that related to school boards. we know that school board meetings in certain parts of the country including here in the dc area have gotten incredibly vitriolic they have been really tense and negative and some have even turned violent and the attorney general for his part has released this memo encouraging local law enforcement to call in the f the eye if they feel that that is necessary republicans sort of she shaping that as though **garland** has call the fbi on parents which is a great talking point for them right, we know that education is a top issue for republicans, the freedom for people to pick what kind of education our children receive and so that's really what you're hammering you know, but it seems like **garland** came incredibly ready to answer questions about that and to try to make it very clear exact we what the memo actually says take a look. >> it's not only in the context of violence and threats of violence against school board members school personnel, teachers. it's and a rising tide of threats of violence against judges against prosecutors. i again secretaries of state against election administrators against doctors against protesters against newsroom, reporters that's the reason that we respondequickly as we did. >> it's not just school board is not just school employees it's a lot of people facing these kinds of threats and he wants to help protect them. and that's what the fbi is therefore but for the u really really simple messaging the attorney general's call the fbi on perrin and i don't know that he necessarily tackles that specifically though he does later in questioning try to make it clear that that base you know that that accusation, it's by everyone just wants us to but at the end of the day because what we have coming up that major and that's what everyone is looking for especially if you're a republican lawmaker.

#### Radio

Bloomberg radio, 2:10:01 PM

US Attorney general merrick Garland is sounding the alarm about an increase in violence while testifying today before a Senate Judiciary Committee he said threats are being targeted at all realms of society. It's a rising tide of threats of violence against judges against prosecutors against secretaries of state against election administrators against doctors against protesters against news reporters Darla is facing blowback from Republicans for politicizing the Department there especially upset over a memo ordering the FBI to investigate people making threats to school boards.

#### Print

**Washington Times:** [Garland deflects questions on Fauci allegedly lying to Congress](#) by Emily Zantow

**CNN:** [Garland hopes 'as much as possible' of Durham report will be public](#) by Marshall Cohen

**Fox News:** [Tom Cotton to AG Garland: 'Thank God you are not on the Supreme Court'](#) by Ronn Blitzer

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#) by Tierney Sneed

**US News:** [Garland Refuses to Rescind Memo Asking FBI to Probe School Board Threats](#) by Lauren Camera

#### Full Articles

**Washington Times:** [Garland deflects questions on Fauci allegedly lying to Congress](#) by Emily Zantow

Attorney General Merrick Garland on Wednesday deflected questions on allegations that Dr. Anthony Fauci lied to Congress about gain-of-function research in China.

Sen. Rand Paul, Kentucky Republican, claims a letter released last week by the NIH proves that Mr. Fauci lied to Congress when he said that the agency was not funding the research at the Wuhan Institute of Virology in China. Mr. Paul called on President Biden to fire Mr. Fauci, who serves as his chief medical adviser.

During a Senate Judiciary hearing on Wednesday, Sen. Tom Cotton asked Mr. Garland if he is investigating Mr. Fauci for lying to Congress.

Mr. Garland dodged the question, saying the Justice Department does not discuss pending or potential investigations.

Mr. Cotton, Arkansas Republican, then asked if Mr. Garland believes Mr. Fauci was "truthful" when he said the NIH never funded gain-of-function research.

"This is outside of my scope," the attorney general said.

According to the National Center for Biotechnology Information, gain-of-function research in virology “refers to a type of mutation that results in an altered gene product that possesses a new molecular function or a new pattern of gene expression.”

Dr. Fauci defended himself in an interview with ABC’s George Stephanopoulos on Sunday, saying he did not lie to Congress. He added that it is impossible for bat coronaviruses studied in Wuhan to develop into the SARS-CoV-2 virus that caused the pandemic.

Nearly half of U.S. voters think Mr. Fauci lied about the research, according to a poll released Wednesday by Rasmussen Reports.

The polling firm found that 49% of voters believe Mr. Fauci has not told the truth about funding gain-of-function research. Meanwhile, 33% do believe he told the truth and 19% are not sure.

The telephone and online survey of 1,000 likely voters was conducted between Oct. 25-26 and had a margin of error of +/- 3 percentage points, with a 95% level of confidence.

**CNN:** [Garland hopes 'as much as possible' of Durham report will be public](#) by Marshall Cohen

Attorney General Merrick Garland said Wednesday that he wants "as much as possible" of [special counsel Robert Durham's](#) eventual report to be released publicly.

Durham was appointed during the Trump administration to investigate the FBI's Russia probe, which uncovered contacts between the Trump campaign and Russians during the 2016 election.

"With respect to the report, I would like as much as possible to be made public," Garland said during a Senate Judiciary Committee hearing. "I have to be concerned about Privacy Act concerns and classification, but other than that, the commitment is to provide a public report, yes."

Under questioning from Tennessee Republican Sen. Marsha Blackburn, Garland also pledged that there would not be any political interference with Durham's investigation. The probe has been criticized by many Democrats, largely because it is seen as an effort by to undermine the Russia investigation.

Durham's work was launched in 2019 by former Attorney General William Barr, a skeptic of the Russia investigation. The Justice Department regulations that govern Durham's conduct don't require a public report -- but previous special counsels, including Robert Mueller, have publicly released their findings.

Former President Donald Trump has suggested that Durham's investigation will uncover a vast conspiracy to use the FBI and DOJ against his 2016 campaign and lead to criminal charges against senior Obama administration officials. So far, the Durham probe has fallen significantly short of Trump's expectations. Durham [indicted a Hillary Clinton](#) campaign attorney for lying to an FBI official. (He has pleaded not guilty.) And a [low-level FBI lawyer pleaded guilty](#) to doctoring an email about a FISA surveillance warrant against an ex-Trump campaign adviser in 2016.

**Fox News:** [Tom Cotton to AG Garland: 'Thank God you are not on the Supreme Court'](#) by Ronn Blitzer

[Sen. Tom Cotton](#), R-Ark., tore into Attorney General Merrick Garland during a Senate Judiciary Committee hearing Wednesday, chastising him for his memo to [Justice Department](#) employees about intervening in violence, threats and intimidation targeting school board officials.

Cotton noted that Garland has cited news reports – in addition to a letter from the National School Boards Association – as inspiring his memo. The Arkansas Republican then brought up one of the more high-profile instances of a parent being arrested for conduct at a school board meeting, where Scott Smith was charged with disorderly conduct after demanding answers regarding how his daughter was allegedly sexually assaulted in a girls' bathroom at school by a boy who had reportedly been wearing women's clothing.

While Garland stopped short of apologizing to the Smith family, he expressed sympathy for their situation and said that "anyone whose child is raped ... is certainly entitled and protected by the First Amendment to protest to their school board about that."

Cotton was not satisfied with this response.

"That letter and those reports were the basis for your directive. This is shameful. Judge, this is shameful. This testimony, your directive, your performance is shameful. Thank God you are not on the Supreme Court. You should resign in disgrace, judge."

Garland was famously nominated to the Supreme Court by former President Barack Obama in 2016 following the death of Justice Antonin Scalia. The Senate, controlled by Republicans at the time, refused to hold a confirmation hearing, allowing Garland's nomination to remain undecided until Obama's successor, former President Donald Trump, withdrew the nomination and appointed Justice Neil Gorsuch instead.

In response to Cotton's diatribe, Garland insisted that the news reports cited by the NSBA – including the Smith case – were not the news reports that influenced him in issuing his directive.

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#) by Tierney Sneed

Attorney General [Merrick Garland](#) defended his memo responding to threats aimed at school officials, pushing back on pointed criticism from Republicans at a Senate Judiciary Committee hearing on Wednesday.

The memo, Garland said, "responds to concerns about violence, threats of violence, other criminal conduct."

"That's all it's about, and all it asks, is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," Garland said in response to a question from Sen. Chuck Grassley, the top Republican on the committee.

Garland also pushed back on Republicans' suggestion that the department should rescind the memo, now that the school board association that asked the Biden administration for the federal intervention has apologized for some of the language -- including its reference to domestic terrorism -- in that initial request.

"The letter that we that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said Wednesday. "It alters some of the language in the letter language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that Justice Department is concerned about is violence and threats of violence."

Several GOP committee members battered Garland with questions about the memo, which Republicans have sought to make a focal issue in the Virginia gubernatorial election. Republicans have equated the Justice Department's approach with treating parents like "domestic terrorists" for protesting schools' Covid protocols and methods of teaching about race in American history. (The memo makes no reference to domestic terrorism.)

Enter your email to sign up for CNN's The Point with Chris Cillizza.

Grassley, in his opening statement Wednesday, said, "The last thing the Justice Department and FBI need is a very vague memo to unleash their power -- especially when they've shown zero interest in holding their own accountable."

Democrats have defended the memo, with Durbin telling Garland Wednesday that "those who argue that school board meetings are not more dangerous and more violent than in the past are ignoring reality."

### Questions about DOJ's January 6 probe approach

Garland's appearance comes as the Justice Department weighs whether to prosecute Steve Bannon -- a close ally of former President Donald Trump -- after the House [voted to hold him in contempt](#) for not cooperating in its January 6 investigation.

In a scathing opening statement, Grassley, an Iowa Republican, claimed that President Joe Biden has "politicized" department decision-making in telling reporters the department should [prosecute witnesses who defy subpoenas](#) in the House probe. Biden said last week at a CNN town hall that [he had been wrong](#) to make that statement.

In addition to the House investigation, the Senate Judiciary Committee has undertaken its own review of how Trump sought to use the Justice Department in his efforts to overturn his 2020 electoral defeat. The Justice Department, in consultation with the White House, has allowed former officials at the department to participate in the investigation. Garland has touted the federal investigation into the violent attack on the Capitol, which has led to the arrest of more than 600 individuals.

"I commend the many agents and prosecutors who were working day in and day out to bring these violent insurrectionists to justice," Committee Chairman Dick Durbin, an Illinois Democrat, said at the hearing Wednesday. "I hope the department will be just as steadfast in pursuit of those who encouraged and incited the attack and those who would prevent the American people and their representatives from uncovering the truth."

Sen. Sheldon Whitehouse, a Democrat from Rhode Island who serves on the committee, asked Garland specifically if the criminal investigation was constrained to those who physically breached the Capitol.

"The investigation is being conducted by the prosecutors in the US Attorney's Office and by the FBI field office. We have not constrained them in any way," Garland said,

### Garland asked to weigh in on botched Larry Nassar probe and special counsel John Durham's investigation

Democrats have been less pleased with the department's response to the FBI's mishandling of the Nassar probe, with delays that allowed [at least 70 gymnasts to be abused](#) after the FBI first learned of the misconduct, according to a recent DOJ inspector general report.

The department has attracted bipartisan scorn for its decision not to prosecute two former FBI officials accused of making false statements in the fallout from the botched probe.

Garland, getting choked up, said Wednesday that the accounts of gymnasts abused by Nassar were "heart wrenching" and [pointed to indications](#) from Deputy Attorney General Lisa Monaco earlier this month that the department was reviewing the decision not to prosecute the two former officials.

"New evidence has come to light and that is cause for review of the matters that you're discussing," Garland said. Garland stopped short of committing to releasing a public explanation if the department again decides not to bring charges against those involved in the botched probe.

Garland did, however, express his desire to release as much as possible from the investigation of special counsel John Durham, which was launched under former President Trump to review the genesis of the DOJ Trump-Russia investigation.

"I have to be concerned about Privacy Act concerns and classification, but other than that, the commitment is provide a public report, yes," Garland told Republican Sen. Marsha Blackburn of Tennessee.

**US News:** [Garland Refuses to Rescind Memo Asking FBI to Probe School Board Threats](#) by Lauren Camera

Attorney General Merrick Garland for the second time in as many weeks defended his decision to mobilize the FBI to work with local and state law enforcement to address the rise of harassment and threats of violence against school board members.

Under increasing pressure from Republicans who have called on Garland to retract the directive, the attorney general once again clarified that the memorandum he issued earlier this month is directed at "concerns about violence, threats of violence, other criminal conduct."

"That's all it's about. And all it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," he said.

The criticism from Republicans comes in the wake of a memorandum that tasked the FBI and U.S. attorneys' offices to meet in the next 30 days with federal, state and local law enforcement leaders to outline strategies for addressing a spike in harassment, intimidation and threats of violence against school board members across the country.

The attorney general's directive came five days after the National School Boards Association wrote a letter to President Joe Biden asking for federal assistance in responding to the mounting threats and violence that they likened to "domestic terrorism" against school board members related to their decisions on COVID-19 school safety policies, critical race theory and more.

During last week's hearing before the House Judiciary Committee, Republican ranking member Jim Jordan of Ohio hammered Garland for what he characterized as establishing "a snitch line on parents."

The attorney general rejected the characterization that he was labeling parents as domestic terrorists and trying to silence their concerns -- sentiments he reiterated Wednesday. Instead, he said, this is the process the Justice Department follows when it addresses similar situations of mounting violent threats against members of Congress and others. Garland also refuted Republican claims that he coaxed the school board association into writing the letter asking for help or worked in any way with the White House to address the matter in short order.

But the Senate Judiciary's Republican members came with even more ammunition as the fallout continued.

Last week, the school boards association issued an apology for not consulting its executive board and for some of the language that was used.

"We regret and apologize for the letter," a letter sent to the association's members from its board of trustees read. "There was no justification for some of the language included in the letter. We should have had a better process in place to allow for consultation on a communication of this significance. We apologize for the strain and stress this situation has caused you and your organization."

The fallout has been severe. Nearly two dozen states have attempted to distance themselves from NSBA since the fallout, with Ohio and Missouri school board associations severing its membership with the national organization this week.

"A direct result of the letter sent by you to President Joe Biden late last month," the letter announcing Ohio's withdrawal read. "If we had been consulted we would have strongly disagreed with NSBA's decision to request federal intervention as well as your claims of domestic terrorism and hate crimes."

"No school board member should ever have to endure threats of violence or acts of intimidation against themselves or their families for making these difficult decisions," the Missouri letter read. "However, attempting to address that issue with federal intervention should not be the first step in most cases, and it is antithetical to our longstanding tradition of local control."

Republicans are seizing on the backtrack.

"The last thing the Justice Department and FBI need is a very vague memo to unleash their power – especially when they've shown zero interest in holding their own accountable," Sen. Chuck Grassley, Iowa Republican and ranking member of the committee, said.

On Tuesday, Jordan, along with House Republican Leader Kevin McCarthy of California and Rep. Virginia Foxx, North Carolina Republican and ranking member of the House Education and Labor Committee, formally requested that Garland withdraw the memorandum and discontinue directives for the FBI to work with local and state law enforcement.

"The Biden administration should be ashamed for attacking parents' desire to protect their children," they [wrote in a letter](#). "Parents should not be forced to take a back seat in their child's education or intimidated into silence. We should be encouraging more parental involvement, not less."

But in testimony on Wednesday, Garland said he had no plans to rescind his memorandum and said the school board association's concerns are justified.

"The letter that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said about the school board association's apology. "It alters some of the language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that the Justice Department is concerned about is violence and threats of violence."

That the attack on Garland's decision to aid school board members was the top talking point for GOP members during both the House and Senate oversight committees is just the latest evidence of how powerful a narrative it is for Republicans ahead of the 2022 midterm elections, especially as they try to woo back droves of suburban women who left the party or didn't vote in the 2020 presidential election.

That strategy is currently on display in the neck-and-neck governor's race in Virginia, where former Democratic Gov. Terry McAuliffe and GOP challenger Glen Youngkin are [tangling over school board issues](#).

President Joe Biden campaigned for McAuliffe on Tuesday evening in Arlington, where the former governor's aides handed out books by the late author Toni Morrison after Youngkin released a political ad this week featuring a woman who tried to have Morrison's Pulitzer Prize-winning novel "Beloved" banned in public schools.

Former Vice President Mike Pence is set to visit Virginia's Loudoun County on Thursday, which has become ground zero for school board wars over issues concerning critical race theory, mask policies, transgender students' rights and other issues.

**From:** Li, Kaei (PAO)

**Sent:** Wednesday, October 27, 2021 2:01 PM

**To:** Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)

(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)

(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)

(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)

(b) (6)

**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)

**Subject:** RE: AG Senate Hearing Clips



**AG Senate Judiciary Hearing Clips**

**October 27, 2021 – 2:030pm**

**TV**

<p><b>CNN, 1:43:20 PM</b></p> 	<p>right now on capitol hill, attorney general <b>merrick garland</b> is getting grilled by the committee. he's getting threats by school officials and how the local counterparts should respond to such threats. jessica is watching this closely for us. jessica, what is the attorney general saying? &gt;&gt; he actually is defending it a lot more forcefully than we saw him do when he was grilled last week by the house judiciary committee. republicans have been seizing on this memo ever since it was issued october 4, and they've been falsely saying it was meant to stifle free speech and portraying it as a directive to arrest parents when they speak out at board meetings. simply, this is a memo that tells the fbi and law enforcement to work with strategies to stop threats. <b>merrick garland</b>, thinsince this hearing began at 10:00 this morning, has been defeating the memo, saying it doesn't target parents. in fact, parents have been encouraged to have debates. he told senator cotton this, as long as there are no threats of violence, they are fully protected. but the attorney general is also noting the rise in threats in recent months, not just against school board members but against many others. here's what he said. &gt;&gt; it's in a rising tide of threats of violence against judges, against prosecutors, against secretaries of state, against election administrators, against doctors, against protesters, against news reporters. that's the reason that we responded as quickly as we did when we got a letter indicating that there were threats of violence and violence with respect to school officials and school staff. &gt;&gt; so the attorney general vigorously defending this memo. he also rejected allegations from some republicans that he was acting under the directive of the white house to issue this memo. instead instead, <b>garland</b> made very clear that he wrote the memo and he's completely independent from the white house. he also faced repeated calls from the white house to rescind this memo. he specifically stated he would not rescind it and it's warranted.</p>
<p><b>MSNBC, 1:42:13 PM</b></p> 	<p>welcome back. attorney general <b>merrick garland</b> is back on the hill today. an overnight hearing so as you might expect <b>garland</b> faced questions on a number of topics from democrats, including larry nassar investigation and home confinement and republicans, though, have focused almost exclusively on a department of justice memo aimed at combatting violence against school board members. <b>garland</b> faced only a few questions on whether the justice department plans to prosecute bannon. he signed an executive privilege in his refusal to cooperate with the january 6th committee and despite the fact that he hasn't worked for the white house for a couple years before claiming executive privilege. meanwhile, "washington post" is reporting that the committee is expected to subpoena. the conservative legal scholar who advised then president trump on how to over tchturn the election.</p>

**Print**

**Washington Examiner:** [Tom Cotton swipes at Garland: 'Thank God you are not on the Supreme Court'](#) by Kate Scanlon

**CBS:** [Garland defends memo on violent threats to school boards](#) by Melissa Quinn

**National Review:** [Democrats Close Ranks around Garland's Politicization of DOJ](#) by Andrew McCarthy

**Full Articles**

**Washington Examiner:** [Tom Cotton swipes at Garland: 'Thank God you are not on the Supreme Court'](#) by Kate Scanlon

In a tense exchange Wednesday at a Senate Judiciary Committee hearing, Sen. Tom Cotton told Attorney General Merrick Garland, "Thank God you are not on the Supreme Court."

The remark was a swipe at Garland, who was nominated to serve on the Supreme Court by then-President Barack Obama in 2016. At the time, Sen. Mitch McConnell, who was then the majority leader, declined to confirm him, arguing that such a confirmation should not take place in an election year. Neil Gorsuch was later nominated by former President Donald Trump and confirmed to the Supreme Court to fill the vacancy left by the death of Justice Antonin Scalia. In 2020, Justice Amy Coney Barrett was confirmed just days before the election while McConnell was still the majority leader.

In a heated line of questioning, Cotton asked Garland about a controversial memo directing the FBI to monitor threats of violence against school board members that Cotton equated to the "harassment and intimidation" of parents protesting aspects of school curricula.

Cotton then asked Garland about the violence that took place before he began his role.

"Have you issued a memorandum like your Oct. 4 memorandum about the Black Lives Matter riots last summer?" Cotton asked.

"In the summer of 2020?" Garland asked.

"A lot of crimes committed," Cotton interjected.

"They were under the previous administration," said Garland, who was confirmed as attorney general in March.

Cotton then turned to a reported rape at a school in Loudoun County, Virginia, accusing Garland of condemning the victim's father for protesting the school's response.

Garland called the incident "the most horrific crime I could imagine," and he said the victim's father is protected by the First Amendment to protest.

Cotton called the response "shameful."

"Thank God you are not on the Supreme Court," Cotton said. "You should resign in disgrace, judge."

Cotton then stormed out of the hearing room.

Senate Judiciary Committee Chairman Dick Durbin then asked Garland if he would like to continue his response.

"The memorandum is not about parents being able to object in their school boards," Garland said. "They are protected by the First Amendment as long as there are no threats of violence."

**CBS:** [Garland defends memo on violent threats to school boards](#) by Melissa Quinn

Attorney General Merrick Garland on Wednesday defended himself against claims from Senate Republicans that a memo he issued about violent threats to school board members could have a chilling effect on parents who are seeking to voice their concerns about their children's education.

Garland's [one-page memo](#), issued October 4, has become a flashpoint in a broader battle waged by Republicans against the Biden administration and schools over mask mandates and the teaching of critical race theory, an academic concept developed by legal scholars to examine the ongoing effects of racism in American policies and institutions.

Opposition to the two issues by parents of school-aged children have led to protests and disruptions of school board meetings, and two officials with the National School Boards Association [asked President Biden](#) last month for federal assistance in responding to threats made against local school board members, school administrators, teachers and staff over COVID-19 mitigation measures and the public school curriculum in different states.

Senator Chuck Grassley of Iowa, the top Republican on the Judiciary Committee, told Garland he should rescind his memo because the school board association's board of directors [apologized for the language](#) in the initial missive to Mr. Biden, which said violent and malicious acts against public school officials could "be the equivalent to a form of domestic terrorism and hate crimes."

Calling the message "extremely divisive," Grassley told the attorney general it could deter parents from speaking up during school board meetings out of fear of a possible response from federal law enforcement.

"That's a poisonous, chilling effect," Grassley said.

But Garland told Republicans during a Senate Judiciary Committee hearing that the memo focused on threats of violence against public servants and aimed to facilitate consultation between federal and local law enforcement.

"The memo is only about violence and threats of violence. It makes absolutely clear in the first paragraph that spirited debate about policy matters is protected under our Constitution. That includes debate by parents criticizing school boards. That is welcome. The Justice Department protects that kind of debate," Garland told Grassley. "The only thing we're concerned about, senator, is violence and threats of violence against school officials, school teachers, school staff, just like we're concerned about those kinds of threats against senators, members of Congress, election officials."

Senator Tom Cotton, a Republican from Arkansas, slammed Garland for what he said was an "outrageous directive siccing the feds on parents at school boards across America."

Cotton pressed the attorney general about why the Justice Department's National Security Division would have a role in dealing with parents who disagree with school boards. The division was cited in a [press release](#) about the October 4 memo as being included in a to-be-created task force focusing on how federal enforcement tools can be used to address criminal conduct toward school personnel.

"This is shameful. This testimony, your directive, your performance is shameful," Cotton told Garland. "Thank God you are not on the Supreme Court. You should resign in disgrace."

Garland, though, again reiterated his memo was focused on violence and violent threats levied against school officials, and was not aimed at parents vocalizing their areas of disagreement with school boards.

"The memorandum makes clear the parents are entitled and protected by the First Amendment to have vigorous debates. The Justice Department is not interested in that question at all," he said.

Earlier in the hearing, Garland said there has been a "rising tide of violence" against a litany of public officials, ranging from school administrators to judges to members of Congress.

"All of us have seen these reports of violence and threats of violence. That is what the Justice Department is concerned about," he said.

Senator Dick Durbin of Illinois, a Democrat who chairs the Senate Judiciary Committee, cited numerous incidents of violence against school board members and teachers. In one instance, a parent in Texas ripped a mask off a teacher's face, [according to Fox 7 Austin](#), while a California parent allegedly struck a teacher over mask requirements, [according to KCRA](#).

"These are not routine people incensed or angry. These are people who are acting out their feelings in a violent manner, over and over again," Durbin said.

In his memo, Garland directed the FBI and U.S. attorneys to convene meetings with federal, state and local leaders to discuss strategies for addressing threats against school officials, board members, teachers and staff and "open dedicated lines of communication for threat reporting, assessment and response."

"While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views," the attorney general wrote. "Threats against public servants are not only illegal, they run counter to our nation's core values. Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety."

**National Review:** [Democrats Close Ranks around Garland's Politicization of DOJ](#) by Andrew McCarthy

Attorney General Merrick Garland [is testifying today](#) at an oversight hearing convened by the Senate Judiciary Committee. Chairman Dick Durbin (D., Ill.) did not take long to project the Democrats' strategy for fending off rebukes of Garland over his [memo threatening to investigate parents](#) who protest progressive indoctrination in the schools.

In his opening statement, Senator Durbin first insisted that Garland has stressed that the First Amendment protects dissent, but then maintained that violence in school-board meetings is a serious problem throughout the country, and that threats of violence were the true motivation for Garland's memo.

[As I've explained](#), there is no federal jurisdiction over even actual violence that is local in nature, much less over threats of such violence — and even if that weren't the case, the First Amendment would still drastically limit what types of speech are subject to criminal prosecution.

Senate Democrats, echoed by Garland himself, have adopted three approaches to deal with this jurisdictional problem.

First, they calculate that most Americans are unaware that local violence and threats of violence are not federal crimes and will approve of any law-enforcement monitoring meant to prevent violence, even in cases when such monitoring would suppress constitutionally protected dissent.

Democrats insist that violence is rampant at school-board meetings — even though the examples they offer are overwhelmingly *threats* of violence, rather than actual violence. Their assumption is that under these claimed circumstances, people will figure it is only natural for the DOJ to threaten FBI monitoring of interactions between parents and school administrators.

Second, echoing Garland's memo, Democrats claim that the attorney general was merely encouraging federal law-enforcement agencies to support state and local law-enforcement efforts to address threats of violence against school boards. What they conveniently leave unmentioned is that Garland framed the issue in this manner because the state and local authorities have jurisdiction over such threats, and the feds do not.

To be clear, *federal criminal jurisdiction is determined by the Constitution and congressionally enacted statutes*. Claiming to “partner” with state and local officials does not give the feds jurisdiction over state and local matters. The federal government has many task-force arrangements with state and municipal authorities — genuine partnerships in, e.g., the fights against terrorism and drug trafficking. But those arrangements are permissible only because there is, in the first place, concurrent federal and state jurisdiction over terrorism and drug crimes. There is no federal jurisdiction over interactions between parents and their local school boards.

Third, Garland and Senate Democrats are attempting to conflate school boards with other potential targets of violence, such as the Capitol, other federal facilities, and federal officials. This is thin camouflage. When federal prosecutors and investigators consider taking a case, the first question they must ask is whether there is federal jurisdiction. If there is no potential federal crime, then there is no federal jurisdiction and no cause for federal law-enforcement action, period.

It is not appropriate for federal law-enforcement agencies to proceed against non-federal investigative subjects just because, in similar contexts, there could be proper federal subjects. Unless there is a legitimate federal jurisdictional hook — e.g., threats communicated via the U.S. mail or involving interstate commerce — there is no basis for a federal investigation.

In 1963, when the Supreme Court was developing the legal doctrine that guards against the “chilling” of First Amendment-protected speech, the justices [explained](#) that “the threat of sanctions may deter . . . almost as potently as the actual application of sanctions.” The Court's jurisprudence, moreover, establishes an “overbreadth doctrine,” which invalidates sweeping regulations that target criminal speech if they have the natural effect of suppressing protected speech.

Free speech is a constitutional right. Garland has more responsibility to safeguard it than he does to police what Democrats claim are widespread threats of local violence, because even if those claims were not dubious, they would not implicate federal law. Garland's memo represents an abdication of that responsibility, patently chilling First Amendment-protected dissent by raising the specter of federal law enforcement in an area where there is no federal jurisdiction. Garland and Senate Democrats can try to obfuscate that fact, but it remains a fact.

**From:** Li, Kaei (PAO)

**Sent:** Wednesday, October 27, 2021 1:33 PM

**To:** Gelber, Sophie (PAO)(b) (6); Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)

**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)


**Subject:** RE: AG Senate Hearing Clips

**AG Senate Judiciary Hearing Clips**

**October 27, 2021 – 1:30pm**

**TV**

**Fox News, 1:00:27 PM**



**GARLAND TESTIFIES WITH DOJ Mired in CONTROVERSIES**

**merrick garland** on capitol hill testifying before the senate judiciary committee in firing hearing fuelled by a doj memo directing the f.b.i. to investigate angry parents at school board meetings. i'm john roberts. >> i'm sandra smith, this is "america reports." senators in intense moments pressing **garland** on that memo, asking him to rescind it. lawmakers expressing concern over the chilling effect they fear it will have on free speech in this country. all this as outraged parents sound off over agendas in their children's class rams. >> john: **merrick garland** says it is about keeping school board members safe. >> you wrote the memo because of the later. the letter is disavowed now. you will keep your memo going anyway, right? >> it did not adopt every concern they had in the letter. >> did you consider the chilling impact your memorandum would have on parents exercising their constitutional rights? >> only thing this is about is violence and threats of violence. >> judge, this is shameful, your testimony, your performance is shameful. thank god you are not on the supreme court. you should resign in disgrace. >> sandra: that happening moments ago. more with andy in a moment, we begin with ayesha hasnie. we plan to see more from the senators in a moment, >> ayesha: right now ag **garland** is trying to smooth over the memo. it is not working. republicans are drilling down on a couple points, the first is vagueness of the memo. it reads the doj would protect people from "other forms of intimidation and harassment," what does that mean? **garland** tries to explain that. watch. >> what about harassment and intimidation, are those federal crimes? >> they are federal crimes.

**Newsmax, 1:00:57 PM**



**WHITE HOUSE PRESS CONFERENCE**

also, we are following the senate judiciary hearing today. with attorney general **merrick garland**. republicans grilling **garland** on that doj memo about parents and school boards, asking him to address the concerns that many have about this crackdown. on free speech here is senator this is alex padilla padilla from california right now speaking, but earlier, this was senator john cornyn from texas. did you consider the chilling effect your memorandum might have on parents exercising their constitutional rights. i think you can answer that. yes or no? what i considered what i wanted the memorandum to assure people that we, uh, recognize the rights of spirited debate. and mr attorney general. you're a very intelligent, accomplished lawyer and judge. you can answer the question. did you consider? i do not chilling effect that this sort of threat of federal prosecution would have on parents exercise of their constitutional rights to be involved in their children's education. never get a one word answer from these guys. let's welcome in newsmax national correspondent logan ratick with the latest hey logan. well also, you have senator chuck grassley, john. he's grilling attorney general america **garland** over the fact that there is this tip line from the fbi that people can call in and report parents that they say are threatening school board members or administrators. and here is the exchange between grassley and **garland**. your memo stated that the justice department is opening dedicated lines of communication for threat reporting assessment and response. why is the department what is the department doing with tips it receives on this dedicated line. and what are you doing with those parents who have been reported. that uh, the fbi gets complaints concerns from people around the country for all different kinds of threats and violence. that's what this is about a place where people who feel that they've been threatened with violence can report that these are then assessed and they are only pursued. if consistent with the first amendment. we have a true threat that violates federal statutes. or that needs to be referred to state or local government, federal agents, local law enforcement...

Fox News, 1:05:32 PM



...politicize the justice department or allow it to be politicized and that's been done. the school board association consulted closely with the white house and sent this letter and less than a week later, **garland** cranks out this memo, which isn't a case long and dispatches f.b.i. to essentially harass parents and suppress their decent on circumstances he knows there is no federal jurisdiction. he won't ark apologize, he would have to acknowledge what he did. >> john: we want to jump back into the hearing, senator marsha blackburn. >> knowing you helped bring to justice those that caused the oklahoma city bombing, would you really, honestly put parents in the same category as a terry nichols or a timothy mcvey? >> absolutely not. >> why would you ever release a memo, i mean, did you write that memo, did staff write that memo? what would have led you to do this? it is so over the top. >> senator, there is nothing in the memo that in any way draws any comparison, anything like that. this memo is about violence and threats of violence. >> i have to tell you that may be your opinion and many times perception is reality and reading that memo myself, tennesseeans reading that memo, what they found in that memo, what they heard you say, if you show up and you question the school boards, you will be deemed a domestic terrorist. you could be investigated by the f.b.i. i mean, the f.b.i. has a lot of other things that they should be focusing on and the f.b.i. should be there looking at issues like china. now the knoxville f.b.i. has been very concerned about china. give me a little update, what is status of the china initiative at doj. >> senator, we regard people's ...

Fox News, 1:15:27 PM



...and decided to issue this memo. the letter from the school board the white house worked on was dated september 29th. a week later you get the memorandum from attorney general **garland**. **garland** has a lengthy career as in federal law enforcement as top official, first in clinton justice department and as distinguished judge of one of the most eminent appellate courts in the united states. he's also as attorney general got access to office of legal counsel and best, most informed minds about criminal law arkinal sis at the federal level in the justice department. this memorandum comes shortly after what he got from the school boards working with the white house, has no citation to any authority and is on a subject there is no federal jurisdiction over. it is clear this was politically driven and has little to do with legitimate law enforcement. >> john: he did suggest threats sent over the internet or telephone could fall into federal jurisdiction. moreover, he said this is not about parents, this memo to the f.b.i. and doesn't have a chilling effect on free speech. do you agree or disagree with that? >> he's completely wrong about that and he knows he's wrong. john, i point out that the justice department has jurisdiction to defend the civil rights acts, which means no question the protection of americans by the federal government is federal. unlike threats at the school board level, the justice department actually has a responsibility to protect the decent of parents, if they want to object to what happens at the schools. that is clearly federal. >> john: this is not just about the department of justice or the f.b.i. or attorney general, the letter went directly to the president. here is what the "wall street journal" wrote today. about domestic terrorist parents, the nsba owned up to its mistake, what about the biden administration? should the white house get involved here again apparently and say to the attorney general, the whole tone and tenor has changed, let's back off? >> in a perfect world, that would happen, john. in a perfect world, the white house would say and **garland** would say why lean on me to issue this in the first place. none of them want to say that, ...

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[Raw Story: Merrick Garland bursts into laughter at GOP senator's question](#) by Travis Gettys

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[Raw Story: Merrick Garland bursts into laughter at GOP senator's question](#) by Travis Gettys

Attorney General Merrick Garland laughed at a Republican senator's question during a hearing before the Senate Judiciary Committee on Wednesday.

Sen. John Kennedy (R-LA), like every other GOP senator before him, used his allotted time to pepper Garland with questions about an Oct. 4 memo directing the Department of Justice to investigate threats against local school board members after a national organization asked President Joe Biden for federal intervention.

"The National School Board Association sent the letter to the White House and the White House promptly called you and said, 'Sic the FBI on parents at school board hearings, and that's

what I mean," Kennedy said. "The White House is the prophet here and you're just the vessel, correct?"

Garland insisted he did not coordinate with the White House on the memo, which he said reflected his own views on protecting public officials from violence and threats while protecting parents' rights, but Kennedy pressed on.

"I get that, I heard your testimony," Kennedy said. "Were you worried you'd be fired if you didn't issue the memorandum?"

Garland laughed out loud before continuing.

"I'm not -- I signed on this memorandum on my own," Garland said. "I said from the very beginning, I've taken this job to protect the Department of Justice and make independent determinations with respect to prosecution, and I will do that."

**From:** Gelber, Sophie (PAO) (b) (6)  
**Sent:** Wednesday, October 27, 2021 1:03 PM  
**To:** Coley, Anthony D. (PAO) (b) (6); Iverson, Dena (PAO) (b) (6); Hornbuckle, Wyn (PAO) (b) (6); Klapper, Matthew B. (OAG) (b) (6); Heinzelman, Kate (OAG) (b) (6); Loeb, Emily M. (ODAG) (b) (6); Seidman, Ricki (OASG) (b) (6); Goodlander, Margaret V. (OAG) (b) (6); Greenfeld, Helaine A. (OLA) (b) (6); Gaeta, Joseph (OLA) (b) (6); Calce, Christina M. (OLA) (b) (6); Carlin, John P. (ODAG) (b) (6); Singh, Anita M. (ODAG) (b) (6); Colangelo, Matthew (OASG) (b) (6); Gupta, Vanita (OASG) (b) (6)  
**Cc:** Mitchell, Kendall M. (PAO) (b) (6); Li, Kael (PAO) (b) (6); Shevlin, Shannon (PAO) (b) (6); Morris, Catherine (PAO) (b) (6); Zhai, George (PAO) (b) (6)  
**Subject:** RE: AG Senate Hearing Clips

Clips as of 1pm below:

**AG Senate Judiciary Hearing Clips**

**October 27, 2021 – 1:00pm**

**TV**

[FNC \(Fox News Channel\) 10/27/2021 12:39:14 PM](#)



. i want to get to the senate judiciary hearing on capitol hill where the nation's top law enforcement officer, the attorney general, merrick garland has been in the hot seat for hours and it's not getting any easier. we're watching live senator ben sasse. a few moments ago, senator tom cotton of the great state of arkansas lit up the room. watch this. >> let's turn to your outrageous directive sicking the feds on parents at school boards across america. when you crafted that october 4 memo, did you consult with senior leader at the fbi? >> my understanding was that the memo or the idea of the memo had been discussed. >> anyone at the fbi express any doubt or disagreement or hesitation with your decision to issue that memo? >> no one expressed that to me. >> no one? >> to me, no one expressed that to me, no. >> a lot of them have contacted us and said they did. >> i'm sorry? >> a lot of fbi contacted me and said that they opposed this decision. >> i doubt they spoke to me about it. i didn't speak to any one. >> all right. judge, you've repeatedly dissembled this morning about that directive. for instance, about the national security decision. chuck grassley asked you a simple question why you'd would you sick the national security division of the justice department on parents. john cornyn asked you the same thing. you said it wasn't in your october 4 memorandum. it was in a press release from your office here in front of me. you were going to credit a task force that includes the national security division. what on earth do the national security division have to do with parents expressing disagreements at school boards? >> nothing in this memorandum or any memorandum is about parents expressing disagreements with their school boards. the memorandum makes clear that parents are entitled and protected by the first amendment to have vigorous debates. we don't -- the justice department is not interested in that question at all. >> okay. so even in that case, what is the national security division, judge? these are the people that are supposed to be chasing jihadists and chinese spies. what does that have to do with parents at school boards? >

CNN 10/27/2021 12:56:18 PM



this hour from the attorney general up on capitol hill. merrick **Garland** before the senate judiciary committee face ag wide -- facing a wide variety of issues, on the nasrsar probe, and on the violence among school officials and parents. >> those who argue that school board meetings across america is not more dangerous or more violent than in the past are ignoring reality. >> mothers and fathers have a vested interest in how schools educate their children. they are not, as the biden justice department apparently believes them to be, national security threats. >> let's go straight to cnn's jessica snyder. you heard them there. how did the a.g. respond? >> the a.g. is defending them more forcefully than we've seen him do when he was questioned by the house committee. they've falsely been portraying it as parents who speak out at board meetings, and this is a memo to discuss strategies to stop threats. we've seen throughout this hearing that started at 10:00 avm a.m., **Merrick Garland**, has repeated that this is not targetingtarget ing parents, and in fact, parents are protected by the first amendment to have these vigorous debates. he said as long as there are no threats of violence, they are fully protected. but he also noted there's been a major rise in threats in recent months, not just from school board members and parents, but also judges, election officials. it's something we've been reporting on, and merrick garland saying the justice department, in his view, had to step in here. here's what else he said. >> the only thing the justice department is concerned about are violence and threats of violence. the memo which you referred to as one page, it responds to concerns about violence, threats of violence, other criminal conduct. that's all it's about. and all it asks is for federal ...

#### Radio

WXDE 10/27/2021 12:37:22 PM

was so funny when he was asked, Where's the evidence for this investigate right and it turned out it was from the letter he got Yes from the school board Association and newspapers. That was the way he talks about newspapers all the time in newspapers like Way the guy gets any information at all, Mr. relevant Yeah in the newspaper OK was Yeah was the whole line of questioning. So I read the letter and we have been seeing over time. I didn't ask you do you read the letter that's that's your source. Let me be clear. The prosecution or is there some study some effort some investigation. Someone did this said there's been a disturbing uptick are you just take the words of the national school boards Association on the national school board Association, which represents thousands of school board to school board members, says there are these kind of threats. Thank you, Jerry, definitely. And, you know, this is all political now right Yeah therapy Yeah just terrible, a. Scott, you had the update well in louden County. The students they walk out they did. And you know, I'm watch I watched gosh dang I watched ABC I watch nbc last night the news the national news Yeah, I've not seen this story show up anywhere because the students walk out the protest sexual-assault report Yeah I like I like en masse walked out because they're nobody's taking any of the seriously no. It's a story. Again, that doesn't fit the narrative of the left media okay when you have, you know, this boy and a skirt goes into the women's restroom and then sexually assaults are there, the former President. Nited States described it has phony culture wars yester day Yeah Yeah a few days ago we've aguero gets rain ripped in a bathroom it's a phony culture war we don't have time that's right could be wasting on these only trumped-up culture wars who this fake outrage. No, it's not the right way ...

#### Print

UPI: [AG Merrick Garland defends memo to protect school board meetings from threats](#), by Clyde Hughes

Bloomberg: [Republican Senators Criticize AG Merrick Garland in Hearing on Border, Terrorism](#), by Chris Strohm

The Hill: [Cotton tells Garland: 'Thank god you're not on the Supreme Court'](#), by Harper Neidig

Washington Examiner: [Garland defends DOJ memo despite NSBA letter being withdrawn](#), by Jerry Dunleavy

New York Post: [AG Merrick Garland refuses to retract controversial school board memo](#), by Callie Patteson

#### Full Articles

UPI: [AG Merrick Garland defends memo to protect school board meetings from threats](#), by Clyde Hughes

U.S. Attorney General **Merrick Garland** appeared in the Senate on Wednesday as part of an oversight hearing for the Justice Department, during which the nation's top law enforcement officer tangled at times with Republican lawmakers over various issues like **COVID-19** mandates.

At the hearing, Garland was asked by the Senate judiciary committee about a department memo that addressed rising violence at local school board meetings over pandemic restrictions.

In the memo, Garland **directed federal officials** to establish lines of communication with school boards and law enforcement to report threats. The memo followed a letter from the National School Boards Association to President **Joe Biden** that asked for federal help in stopping the violence.

Sen. [Chuck Grassley](#) of Iowa, the panel's ranking Republican, and Sen. [John Cornyn](#), R-Texas, keyed in on Garland over the memo. Some Republicans have said the Justice Department directive should be rescinded since the school board association later apologized for some of the language, such as a reference to domestic terrorism, in its letter to Biden.

"All it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," Garland said.

He emphasized that the focus of the memo remains the same -- more potential violence against school boards.

"The only thing that Justice Department is concerned about violence and threats of violence."

Garland told Sen. [Amy Klobuchar](#), D-Minn., that the directive spells out that the department will only intervene if federal laws were broken.

Earlier, Garland also said the department is [reviewing the FBI's failure to investigate sexual misconduct claims](#) against disgraced Olympic team doctor [Larry Nassar](#), in light of new evidence.

Some have called for two FBI agents to be criminally charged for failing to investigate Nassar when they were first approached by abuse victims, who were gymnasts, in 2015.

Garland's appearance came as he's trying to decide whether to prosecute former White House adviser [Steve Bannon](#) for defying a congressional subpoena to give testimony in a House investigation of the Jan. 6 U.S. Capitol attack.

"The investigation is being conducted by the prosecutors in the U.S. Attorney's Office and by the FBI field office," Garland said Wednesday. "We have not constrained them in any way."

Garland also pushed back on claims that the department hasn't shown urgency in addressing potential terrorist threats from militant groups that have arisen in [Afghanistan](#) since the U.S. withdrawal in August.

Garland said his department has taken steps to meet such threats, but didn't elaborate.

At the start of his testimony, Garland stressed a need to get control of "ghost guns," which authorities say are helping to spike crime rates and are being used more to commit crimes.

Ghost guns are those that can be bought online and assembled, making them virtually untraceable.

**Bloomberg:** [Republican Senators Criticize AG Merrick Garland in Hearing on Border, Terrorism](#), by Chris Strohm

Republican senators unloaded a torrent of criticism against Attorney General Merrick Garland during a hearing on matters from asking the FBI to help address violent threats against local school officials to how the Justice Department is responding to terrorist dangers and border security.

During a Senate Judiciary Committee hearing on Wednesday, Republicans sought to trip up Garland, often interrupting him from providing full answers to their questions as he struggled to respond in the lawyerly manner of his career as a prosecutor and judge.

"Right now it looks like the Department of Justice is running you," the top Republican on the panel, Senator Chuck Grassley of Iowa, said. "The department has moved as far left as it could go. You politicized the department in ways it shouldn't be."

The hearing was one of the most tense public episodes that Garland has confronted since he was confirmed in March.

Grassley and Senator John Cornyn of Texas criticized Garland for issuing a memo this month directing the FBI to help address threats of violence against local school officials. The threats are coming from some parents and others who are against masking requirements during the pandemic and oppose teaching that focuses on race in American culture and history.

'Threats of Violence'

Challenged repeatedly to rescind the memo, Garland gave no indication he would do so.

Republican Senator Tom Cotton of Arkansas said Garland should "resign in disgrace."

"The only thing the Justice Department is concerned about is violence and threats of violence," Garland said, citing reports that members of some school boards say they have received "threats to kill them."

Cornyn demanded to know if Garland had considered the chilling effect the memo might have on parents exercising their constitutional rights.

"I don't believe it's reasonable to read this memo as chilling anyone's rights," Garland said.

Cornyn shot back: "Let the record reflect the attorney general refused to answer the question."

Terrorist Threats

Senator Lindsey Graham of South Carolina questioned Garland on the potential for terrorist groups to plot attacks in the U.S. from inside Afghanistan following the withdraw of U.S. troops.

"I don't know whether the withdrawal will increase the risk from al-Qaeda or not," Garland said. It was a surprising contention because U.S. military and intelligence officials have said the Taliban takeover of Afghanistan bolsters terrorist groups that could carry out attacks in the U.S. within a year.

Garland didn't back away even as Graham frequently cut him off, saying the Justice Department is failing to address the issue urgently.

"There is a sense of urgency," Garland responded. He said the department has strengthened the work being done by joint terrorism task forces across the country.

Graham also asked Garland what he would tell foreigners in a caravan that appears headed for the Texas border with Mexico.

"I would tell them not to come," Garland said at first, but then said it would depend on why they're coming.

Graham challenged Garland on the administration's policies on border security, which is largely outside the purview of the Justice Department. The Department of Homeland Security oversees border issues.

**The Hill:** [Cotton tells Garland: 'Thank god you're not on the Supreme Court'](#), by Harper Neidig

Attorney General [Merrick Garland](#) on Wednesday clashed with Republican senators over the Justice Department's efforts to crack down on violent threats against school boards, with one GOP member telling the former judge, "Thank god you're not on the Supreme Court."

Sen. [Tom Cotton](#) (R-Ark.) made the remark during a heated exchange in which the senator tried to tie the Justice Department's new school board policy to an incident in Loudoun County, Va., where a teenager was accused of sexually assaulting a fellow student in a school bathroom.

"This testimony, your directive, your performance is shameful," Cotton said. "Thank god, you're not on the Supreme Court. You should resign in disgrace, Judge."

Cotton's remark came during an oversight hearing before the Senate Judiciary Committee, where Garland faced repeated attacks from Republicans over the memo that was issued earlier this month offering federal assistance to schools and local law enforcement amid a rise in violent threats against education officials and teachers.

Republicans have painted the policy as federal overreach intended to chill parents' dissent against local school policies.

During the hearing on Wednesday and a House hearing last week, Garland pushed back, arguing that there is nothing in the department's memo that could chill parents' free speech rights and that it has nothing to do with the Loudoun County controversy, which has largely been treated as a local matter but has generated significant public attention, including in the state's governor's race.

"This memorandum is not about parents being able to object in their school boards," Garland said. "They are protected by the First Amendment, as long as there are no threats of violence, they are completely protected. So parents can object to their school boards, about curriculum, about the treatment of their children, about school policies, all of that is 100% protected by the First Amendment and there is nothing in this memorandum contrary to that. We are only trying to prevent violence against school officials."

**Washington Examiner:** [Garland defends DOJ memo despite NSBA letter being withdrawn](#), by Jerry Dunleavy

Attorney General Merrick Garland launched a staunch defense of his [controversial](#) Justice Department memo on school boards, arguing the National School Boards Association's decision to withdraw its letter likening parent protesters to domestic terrorists didn't change the merits of his memo — despite his reliance on the NSBA letter's concerns in penning it.

Garland [revealed](#) last week that the DOJ and the White House communicated about the late September NSBA letter before Garland issued his early October [memo](#), and emails from the NSBA showed it was in touch with the White House about its letter prior to publishing. Internal [emails](#) showed NSBA board members objected to sending the letter to President [Joe Biden](#),



and the NSBA ended up withdrawing the letter the day after Garland's testimony before the House Judiciary Committee last Thursday. Senate Judiciary Committee Chairman Dick Durbin, an Illinois Democrat, raised the issue again on Wednesday, asking Garland during a hearing if he had any second thoughts about his memo, but the Biden attorney general insisted it was still wise despite admitting last week that DOJ had relied on the letter, at least in part, when generating his memo. "I think all of us have seen these reports of violence and threats of violence — that is what the Justice Department is concerned about," Garland said, pointing to a "rising tide of violence." He added, "That's the reason that we responded as quickly as we did when we got a letter indicating that there was violence and threats of violence with respect to school officials and school staff."

Garland argued the NSBA's follow-up apology letter "does not change the association's concern about violence and threats of violence" and that "it alters some of the language in the letter, language that we did not rely on and language which we did not rely on in my own memorandum."

The original NSBA letter referred to school board protests as akin to domestic terrorism and asked the Biden DOJ to consider deploying the Patriot Act. After a national outcry and pushback from its board members and state-level chapters, the NSBA backed away from its letter late Friday.

"On behalf of the NSBA, we regret and apologize for the letter. To be clear, the safety of school board members, other public school officials and educators, and students is our top priority, and there remains important work to be done on this issue," the NSBA wrote. "However, there was no justification for some of the language included in the letter. We should have had a better process in place to allow for some consultation on a communication of this significance."

Republican Sen. Chuck Grassley followed up on Wednesday, arguing to Garland that "as a result of your memo, local school officials and parents may not speak up in these meetings out of fear that the federal government will do something to them," and he added that it has a "chilling effect." Grassley noted that the since-disavowed letter wasn't supported by all of the NSBA even at the time of its publication and had been signed just by its two top leaders, and he asked, "Since you and the White House based your memo on this delegitimized letter, I assume you're going to revoke your extremely divisive memo that you said was instigated because of that letter?"

But Garland said his memo "responds to the concerns about violence, threats of violence, and other criminal conduct" and nothing more.

The attorney general's memo earlier this month alleged there has been a "disturbing spike in harassment, intimidation, and threats of violence" against school employees and school board members. It said the DOJ will "discourage these threats, identify them when they occur, and prosecute them when appropriate." While Garland's memo did not mention the National Security Division, which deals with terrorism and other threats, the accompanying DOJ press release did, naming it as part of the new task force.

"Presumably, you wrote the memo because of the letter," Grassley said. "The letter is disavowed now, so you're going to keep your memo going anyway, right? That's what you're telling me?"

But the attorney general stood by the memo, which he said he had worked on and signed.

"I have the letter from NSBA that you're referring to. It apologizes for language in the letter, but it continues its concern about the safety of school officials and school staff," Garland said. "The language in the letter which they disavow is language which was never included in my memo and never would've been. I did not adopt every concern that they had in their letter. I adopted only the concern about violence and threats of violence, and that hasn't changed."

**New York Post:** [AG Merrick Garland refuses to retract controversial school board memo](#), by Callie Patteson

Attorney General Merrick Garland is refusing to retract his controversial memo issued earlier this month, which announced that federal law enforcement would be involved in investigations pertaining to parents protesting local school boards.

During a Wednesday hearing with the Senate Judiciary Committee, Sen. Chuck Grassley (R-Iowa) pressed Garland on the memo, saying local school officials and parents would no longer speak up during school board meetings "out of fear" following the memo.

Grassley, the ranking member of the committee, noted that Garland's memo followed a request by the National School Boards Association, which asked the federal government to get involved, comparing alleged threats of violence to "domestic terrorism."

Last week, Grassley noted, the NSBA board of directors "disavowed" their letter saying "we regret and apologize for the letter" that was co-signed by association CEO Chip Slaven and President Viola Garcia.

"To be clear, the safety of school board members, other public school officials, and students is our top priority, and there remains important work to be done on this issue," the board wrote. "However, there was no justification for some of the language included in the letter."

"So last week, the organization disavowed it, sent you and the White House, based your memo on this delegitimize letter. I assume you're going to revoke your extremely divisive memo that you said was instigated because of that letter. That's a question," Grassley said to Garland.

"Senator, the memo — which I refer to as one page — that responds to concerns about violence, threats of violence, other criminal conduct," Garland responded. "That's all it's about and all it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance if it is necessary."

Grassley pressed further saying, "Presumably, you wrote the memo because of the letter. The letter is disavowed now, so you're going to keep your memo going anyway, right? Is that what you're telling me?"

Garland did not directly answer Grassley's question but acknowledged the letter from the NSBA board. He noted that while the board apologized for the language, they can still voice concern about the safety of school board officials and school staff.

"The language in the letter that they disavow is language was never included in my memo and never would have been. I did not adopt every concern that they had in their letter. I thought that only the concern about violence and threats of violence that hasn't changed," Garland said.

Sen. John Cornyn (R-TX) also pressed the attorney general on why he has not rescinded or apologized the memo given the NSBA's board's apology.

"You did not apologize for your Memorandum of October the fourth even though the National School Board Association did, why didn't you rescind that memorandum and apologize for your for the memorandum or responsibility of the Justice Department," Cornyn asked.

Garland again, did not directly respond to the Senator's question saying, "As I said in my opening, [the memo] is protecting Americans from violence and threats of violence."

The memo in question, issued earlier this month, announced the federal investigation of "a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff."

Garland's memo did not detail what the "threats of violence" were, but many parents and Republican politicians have accused him of targeting parents for speaking out against the implementation of mask mandates and critical race theory in K-12 schools.

**From:** Gelber, Sophie (PAO)  
**Sent:** Wednesday, October 27, 2021 12:35 PM  
**To:** Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6); Li, Kaei (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)  
**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Li, Kaei (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6)  
**Subject:** RE: AG Senate Hearing Clips

Clips as of 12:30 pm:

**AG Senate Judiciary Hearing Clips**  
**October 27, 2021 – 12:30pm**

**TV**

<p><a href="#">NEWSMAX 10/27/2021 12:11:42 PM</a></p>	<p>I'm not as surprised as he is. i don't expect rank and file border patrol officer to complain the attorney general, but at the same time. I am a little surprised that Merrick Garland wouldn't actually seek this information out if there was actually an attempt and honest attempt to solve the problem, you would want to talk to the rank and file men and women who are dealing with this on the front lines. and i know you did that as well. you wanted to talk to those folks. why does the attorney general seems so distant from the actual problem. well it's a stunning answer on a couple of different fronts. one is, uh, it's okay. if you know borderline agents didn't mention this to him but he should certainly recognized with senator graham that he understands the pull factors that he's researched them. he's learned about them the fact to try to below that question off and not to answer the senators questions really remarkable because i think it's very evident. to the rest of the american people why migrants are coming to that southwest border, which specific policies and how they are being pulled here by those policies, so i think this is like it's another way, another administration official doesn't want to, uh, simply acknowledge the reality of the crisis on the border. they won't call it a crisis. and they won't institute the policies needed to address it and whether it's the attorney general or the secretary of dhs. they continue to put their head in the sand, and they don't want to listen to the operators on the ground, like the men and women of the border patrol, who will tell you exactly what they need. to defeat the crisis. yeah there's probably somebody keeping them away from the attorney general or some kind of barrier there. a plausible deniability comes to mind. great to see you. thanks so much. we appreciate it. all right, coming up. we're gonna continue to cover attorney general Merrick Garland's testimony today before the senate judiciary committee will check back in on that happening today, attorney general Merrick Garland is back before lawmakers testifying about the politicization justice. his testimony comes as the doj is weighing whether to hold former trump aide visor steve bannon of congress for not cooperating with the january 6th investigation.</p>
<p><a href="#">WCBS (CBS) 10/27/2021 12:14:16 PM</a></p>	<p>happening today, attorney general Merrick Garland is back before lawmakers testifying about the politicization justice. his testimony comes as the doj is weighing whether to hold former trump aide visor steve bannon of congress for not cooperating with the january 6th investigation.</p>

**Radio**

<p><a href="#">WIBX (Fox News Radio) 10/27/2021 12:02:41 PM</a></p>	<p>Attorney general Merrick Garland telling lawmakers again he supports parents constitutional rights to criticize school boards as he continues to face criticism over federal assistance to help counter threats to school boards, Democratic Senator Dick Durbin I don't believe I think you made it clear that you don't believe that we should infringe on free speech but free speech does not involve threats and violence period garland understands by his memo on the issue after the national school boards Association walked back domestic terrorism language in its letter asking President Biden for help</p>
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**Print**

- CNN:** [Nassar investigation: AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents](#), by Veronica Stracqualursi
- Politico:** [Garland defends \\$700K McCabe settlement](#), by Josh Gerstein
- Washington Times:** [AG Garland defends school board memo, says he will not retract it](#), by Emily Zantow
- Daily Caller:** ['These Are Not Routine People': Dick Durbin Compares Parents Shouting Profanities And Ripping Off Masks To Jan. 6 Rioters](#), by Virginia Kruta

**Full Articles**

**CNN:** [Nassar investigation: AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents](#), by Veronica Stracqualursi

Attorney General Merrick Garland confirmed Wednesday that the Justice Department has "new evidence" in its ongoing [review of the decision not to prosecute](#) two former FBI officials who were accused of mishandling the investigation into former USA Gymnastics doctor Larry Nassar.

Earlier this month, Deputy Attorney General Lisa Monaco said that the department [was reviewing the matter](#), including "new information that has come to light."

Appearing before lawmakers for an oversight hearing Wednesday, Garland was asked by Democratic Sen. Patrick Leahy for an update on the review.

"I believe Deputy Attorney General Monaco said at her hearing that we are reviewing this matter. New evidence has come to light and that is cause for review of the matters that you're discussing," Garland told the Senate Judiciary Committee.

He did not provide further detail about the new evidence.

Sexual abuse allegations from gymnasts and the USA Gymnastics organization against Nassar were reported to the FBI in 2015 and 2016. An investigation was opened in 2018 into the FBI's handling of the case, and the Justice Department inspector general report found that the FBI agents violated the agency's policies by making false statements and failing to properly document complaints by the accusers.

Last month, renowned gymnasts Simone Biles, Aly Raisman, McKayla Maroney and Maggie Nichols [spoke before a Senate committee](#) about how the FBI botched the investigation and handling of their allegations of sexual abuse against Nassar.

Garland on Wednesday said that "heart-wrenching is not even strong enough as a description of what happened to those gymnasts and to the testimony they gave."

Nassar is currently serving a 40-to-174-year state prison sentence after [pleading guilty](#). More than 150 women and girls said he sexually abused them over the past two decades.

**Politico:** [Garland defends \\$700K McCabe settlement](#), by Josh Gerstein

The Justice Department agreed to pay former acting FBI Director Andrew McCabe and his attorneys over \$700,000 because lawyers for the government concluded that they were likely to lose a lawsuit McCabe filed over his firing by the Trump administration just hours before he was set to retire, Attorney General Merrick Garland told lawmakers on Wednesday. During a Senate Judiciary Committee oversight hearing, Sen. Chuck Grassley (R-Iowa) expressed outrage over the settlement, calling the move "beyond incredible" and noting that a Justice Department inspector general review found McCabe lied to investigators on seven occasions.

"The McCabe settlement was a recommendation of the career lawyers litigating that case based on their prospects of success in the case," Garland said.

Garland contended that McCabe's suit wasn't focused on the issue of whether the former FBI official lied, but whether the department followed the proper process when [then-Attorney General Jeff Sessions fired him](#) amidst numerous calls from former President Donald Trump for such an action.

"It involved a claim that he was not given the amount of time necessary to respond to allegations," Garland said. "The litigators concluded they needed to settle the case because of the likelihood of loss on the merits of that claim."

McCabe has denied lying to FBI or Inspector General investigators. The 21-year FBI veteran contended that any misstatements he made about his knowledge of media contacts were the result of the overwhelming number of issues he was handling as a top executive at the nation's premier law enforcement agency. McCabe's suit was broader than Garland stated, including claims that his firing was an act of political retaliation and violated his First Amendment rights.

**Washington Times:** [AG Garland defends school board memo, says he will not retract it](#), by Emily Zantow

Attorney General Merrick Garland told a Senate Judiciary Committee hearing Wednesday that he will not rescind his controversial memo discussing a federal response to purported threats to school boards and educators around the country.

Mr. Garland's Oct. 4 memo directed federal officials to meet with law enforcement to discuss strategies for responding to the growing number of threats against school board members and other education staff. The memo came after a number of heated school board meetings, many centered on parent protests over such issues as COVID-19 prevention mandates and the teaching of critical race theory in the classroom.

The memo also came days after the National School Boards Association sent a letter to President Biden saying the threats and violence could be "equivalent to a form of domestic terrorism and hate crimes," and asking the federal government to examine if it could examine "enforceable actions" under federal laws including the Patriot Act in regard to domestic terrorism.

The association apologized for the letter on Friday, saying "There was no justification for some of the language included in the letter."

Sen. Charles E. Grassley, Iowa Republican, asked Mr. Garland if he is planning to revoke the "extremely divisive memo" since the association disavowed its letter.

"As a result of your memo, local school officials and parents may not speak up in these meetings out of fear that the federal government will do something to them," Mr. Grassley said. "So that's a poisonous, chilling effect."

Mr. Garland, however, stood by his directive and said it came "in response to concerns about violence, threats of violence, other criminal conduct — that's all it's about."

**Daily Caller:** ['These Are Not Routine People': Dick Durbin Compares Parents Shouting Profanities And Ripping Off Masks To Jan. 6 Rioters](#), by Virginia Kruta

Democratic Illinois Sen. Dick Durbin compared parents shouting profanities and ripping off masks to Capitol Hill rioters during a Wednesday hearing.

Durbin opened the Senate Judiciary Committee hearing with Attorney General Merrick Garland by doubling down on language that even the National School Boards Association had walked back and suggesting that concerned parents were committing acts of domestic terror. (RELATED: 'It's A Challenge': Dick Durbin Says Filibuster Flip-Flop Is Necessary To 'Produce Something')

"I invite the members of this committee, if you don't believe me, type school board violence into your computer and take a look at what is happening," Durbin began, reading off several examples of parents who had engaged in disruptive and in some cases violent behavior.

Durbin's examples included parents who had shouted profanities at school board members, a parent who ripped the face mask off a Texas teacher and a few instances where parents had physically struck school board members or made additional threats.

"These are not routine people incensed or angry, these are people who are acting out their feelings in a violent manner, over and over again. The same people we see on airplanes and other places, some of whom we saw here on Jan. 6," Durbin continued, noting that the NSBA had initially compared such instances to domestic terror in a letter requesting help from the Justice Department but then had walked back that language in a follow-up letter.

"So when you responded as quickly as you did to that school board request, did you have second thoughts after they sent a follow-up letter saying they didn't agree with their original premise in the first letter?" Durbin asked, turning to Garland.

"I think all of us have seen these reports of violence and threats of violence. That is what the Justice Department is concerned about," Garland replied, arguing that the language was less important than the potential threat of violence. "The letter that was subsequently sent does not change the association's concern about violence or threats of violence. It alters some of the language in the letter. Language in the letter that we did not rely on and is not contained in my own memorandum. The only thing the Justice Department is concerned about is violence and threats of violence."

**From:** Gelber, Sophie (PAO)

**Sent:** Wednesday, October 27, 2021 12:03 PM

**To:** Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)

(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)

(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)

(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)

**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Li, Kaei (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)

(b) (6); Zhai, George (PAO)(b) (6)

**Subject:** RE: AG Senate Hearing Clips

Clips as of 12:00pm:

**AG Senate Judiciary Hearing Clips**

**October 27, 2021 – 12:00pm**

**TV**

CNN 10/27/2021 11:43:25 AM



> also developing right now, attorney general Merrick Garland is facing tough questions in a senate hearing. garland is pushing back on republican calls to rescind a justice department memo it ordered federal authorities to coordinate with local law enforcement on how to deal with attacks against local school officials. >> there's been a persistent back and forth through out this hearing, republicans and democrats. they're talking about this memo from Merrick Garland sent earlier this month instructing the fbi and federal prosecutors to meet with local school boards to discuss strategies to stop threats that some educators say they've been facing when it comes to things like covid protocols including mask mandates and the teaching of racial issues in class. republicans over the past month they have seized on this money as a rallying cry. they falsely stated it's meant to stifle free speech and falsely portraying it as a directive to arrest parents who speak out at school board meetings. attorney he's facing another grilling today from senate republicans. this time Merrick Garland is coming forward with a much stronger defense of why he sent this memo out saying ramped-up threats aren't happening just on the school board front. here is what he said. >> it's a rising tide of threats of violence against judges, against prosecutors, against secretaries of state, against election administrators, against doctors, against protesters, against news reporters. that's the reason that we responded as quickly as we did when we got a letter indicating that there were threats of violence and violence with respect to school officials and school staff. >> reporter: the attorney general has actually faced repeated calls from some republicans not only at this hearing but in the weeks that have gone by, kate, to rescind this memo. garland has specifically stated at this hearing he will not rescind it. he says it was warranted. of course, that won't stop the questions from republicans who have really seized on this issue. >> jessica, thank you for that.

FNC (Fox News Channel) 10/27/2021 11:53:40 AM



.congressman and goodstein former advisor to bill and hillary clinton. i'll talk about your last names. want everybody to know what's going on. jason, i will start with you and remind everybody that merrick Garland was somebody who former president barack obama wanted to be on the u.s. supreme court. >> yeah. i think it was actually a missed opportunity for the republicans. i think they should have pressed deeper on the school board issue saying what is it you see in the patriot act that would justify the national security division? if you are an f.b.i. agent working on national security issues and your attorney general is telling you to go to a school board meeting, that is ridiculous. i would dive deeper you have a parent whose child was raped and was told a lie by one of the school board members. are you going to investigate that? will you prosecute them for lying? i think it is absurd. this is a local law enforcement matter but i think they could have dug deeper into what is it that you see that would even justify the national security division and the patriot act? >> harris: nobody asked for help at a local level. richard, i want to know how careful democrats -- not just in that room but if general on capitol hill have to be with this issue involving parents being targeted by the d.o.j. and f.b.i. it shouldn't be a blue/red issue but it is a hot topic even in new jersey. that one not as close as virginia but it is a central issue. parents are universally saying we get a say. how careful do dems have to be? >> i think you have to be deaf, dumb and blind not to believe and see that there is violence against teachers, against doctors, against flight attendants. a lot of people in our society. threats against senators and congressman, probably against you. that is what is at issue here is not blue/red issue.

Radio

WABC 10/27/2021 11:22:54 AM (Brian Kilmeade)

Merrick Garland now meeting in front of the Senate Judiciary Committee Republicans giving them real questions. Senator Klobuchar and others are talking Donald Trump. What else is new. Don't go anywhere.

Print

Washington Times: [AG Merrick Garland says some illegal immigrants can come: 'It depends on why they are coming'](#), by Stephen Dinan

Washington Examiner: [Durbin invokes Jan. 6 as he defends school board letter during Garland hearing](#), by Kate Scanlon

Press Releases

Sen. Chuck Grassley: [Grassley Statement at Justice Department Oversight Hearing](#)

Full Articles

Washington Times: [AG Merrick Garland says some illegal immigrants can come: 'It depends on why they are coming'](#), by Stephen Dinan

Attorney General Merrick Garland said Wednesday that some migrants in the new mass caravan headed north should come to the U.S. if they plan to demand asylum.

Testifying to senators, Mr. Garland was asked what his message would be to the caravan. He at first said, "I would tell them not to come," but then said that's not a blanket answer.

"It depends on why they are coming," he said.

Mr. Garland said those who are coming with asylum claims are different than traditional illegal immigrants.

The answer stunned Sen. Lindsey Graham, who said when he talked to Border Patrol agents, they tell him they're overwhelmed with people lodging iffy asylum claims, knowing it can earn them a foothold in the U.S. for years as their claims are adjudicated.

Mr. Garland said he'd been in Nogales, Arizona, to talk with Border Patrol agents, but they didn't raise that issue with him.

"You don't recall being told by the Border Patrol that they're overwhelmed?" demanded Mr. Graham, South Carolina Republican.

**Washington Examiner:** [Durbin invokes Jan. 6 as he defends school board letter during Garland hearing](#), by Kate Scanlon

Attorney General Merrick Garland on Wednesday defended a Justice Department memo asking the FBI to watch out for threats of violence against school boards and education officials as Senate Judiciary Committee Chairman Dick Durbin invoked the Jan. 6 riot at the U.S. Capitol while discussing those threats.

At a Senate Judiciary Committee hearing, Durbin urged his colleagues to "type 'school board violence' into your computer and take a look at what's happening."

The Illinois Democrat [cited](#) a 30-year-old man who was arrested in his state after striking a school official at a school board meeting last month, as well as threats and assaults in Ohio, Pennsylvania, Texas, and California.

"These are not routine people incensed or angry. These are people who acting out their feelings in a violent manner, over and over again — the same people we see on airplanes and other places, the same people, some of whom we saw here on January 6th," Durbin said.

Garland said the Justice Department was monitoring not only threats of violence against school boards and officials but "a rising tide of threats of violence against judges, against prosecutors, against secretaries of state," and election officials.

Critics of the memo described it as an effort to silence parents protesting matters such as mask mandates or curricula to which they object.

In response to a question from Sen. Chuck Grassley of Iowa, the top Republican on the committee, about the "polarizing" memo, Garland said the department is only concerned with "violence and threats of violence."

Garland also told Sen. John Cornyn peaceful protests by parents are protected by the Constitution.

"The only thing this memorandum is about is violence and threats of violence," Garland repeated, "adding he recognizes the right of "spirited debate."

#### **Full Releases**

**Sen. Chuck Grassley:** [Grassley Statement at Justice Department Oversight Hearing](#)

Attorney General Garland, this Committee has a constitutional obligation to ensure the Department complies with the laws that we write and executes them according to our intent. In the performance of our constitutional duties, we often write letters seeking answers and records from the Department and its component agencies to better understand what they're doing. Likewise, the Executive Branch, not just the Department, has an obligation to respond to congressional oversight requests.

Today, I can say with confidence that under your leadership the Department has failed — across the board — to comply with this committee's Republican oversight requests. In contrast, you've provided my Democratic colleagues with thousands of pages of material. Moreover, President Biden has politicized and inserted himself into Department policy-making, notably directing the end of compulsory process for reporter records in criminal leak investigations. And most recently when he said the Department should prosecute anyone who defies compulsory process from the January 6 committee.

At your confirmation hearing, I read to you what I told Senator Sessions at his confirmation hearing:

"If Senator Feinstein contacts you, do not use this excuse, as so many people use, that if you are not a chair of a committee you do not have to answer the questions. I want her questions answered just like you would answer mine."

You said to me, "I will not use any excuse to not answer your questions, Senator." You've failed to satisfy that statement. For example, I've asked the Department for records relating to Hunter Biden's October 2018 firearm incident where his gun ended up in a trash can near a school. Your ATF used the Freedom of Information Act to refuse producing the records, when that law doesn't even apply to Congress.

I've also asked for information relating to Chinese nationals linked to the communist Chinese regime that are connected to the Biden family. One individual, Patrick Ho, was not just linked to the Chinese regime, he was apparently connected to its intelligence services. Hunter Biden reportedly represented him for \$1 million.

Even though the Department already made public in a court filing that it possesses FISA information relating to Patrick Ho, in response, you stated, "Unfortunately, under the circumstances described in your letter, we are not in a position to confirm the existence of the information that is sought, if it exists in the Department's possession."

Now, with respect to the criminal investigation into Hunter Biden, Senator Johnson and I wrote to you twice this year regarding Nicholas McQuaid. Mr. McQuaid was employed at a law firm until January 20, 2021, when he was hired to be the then-Acting Assistant Attorney General for the Department's Criminal Division. Before he was hired, he worked with Christopher Clark, who Hunter Biden reportedly hired to work on his federal criminal case a month before President Biden's inauguration.

The Department hasn't disputed those facts. However, you refuse to confirm whether Mr. McQuaid is recused from the Hunter Biden case. The son of the President of the United States is under criminal investigation for his financial matters. A senior attorney under your command has apparent conflicts with that matter.

Your refusal to answer threshold questions casts a very public cloud over the entire investigation. A cloud that you could easily do away with if you were a little bit transparent. When I placed holds on your nominees for the Department's failure to comply with Republican oversight requests, I said either you run the Department or the Department runs you. Right now, it looks like the Justice Department is running you.

Since your confirmation, in less than a year the Department has moved as far left as it can go. You've politicized the Department in ways it shouldn't be. Case in point, your infamous School Board Memo.

You publicly issued this memo merely five days after the National School Boards Association wrote a letter to President Biden. Incredibly, they asked the administration to use the anti-terrorist PATRIOT Act against parents speaking their minds to local school officials. They've since apologized for that letter, but not before the Department relied on their letter to mobilize federal law enforcement in state and local matters.

Meanwhile, actual violent crime is on the rise in this country. Your memo treats parents speaking freely to be worthy of the Department's heavy investigative and prosecutorial hand. You've created a Task Force that includes the Department's Criminal Division and National Security Division to be potentially weaponized against parents.

Your memo also creates specialized training and guidance for local school boards and school administrators to recognize "threats" against them. According to your memo, these "threats" include an undefined category of "other forms of intimidation and harassment."

The last thing the Justice Department and FBI need is a vague memo to unleash their power—especially when they've shown zero interest in holding their own accountable.

Let's not forget about the Obama-Biden Administration FISA abuses during Crossfire Hurricane—abuses that the Department and FBI for years denied were even possible. And, then you allowed a disgraced former FBI official off the hook, paying him hundreds of thousands of dollars in taxpayer money, when the Inspector General determined that he lied to investigators seven times over the course of three different occasions! Or the FBI's and Department's total failure to protect hundreds of kids from abuse by Larry Nassar, and then cover it up. When we had a bipartisan hearing to learn from those courageous survivors, your Deputy Attorney General didn't even show up.

These parents are trying to protect their children. They're worried about divisive and harmful curricula based on critical race theory. They're speaking their mind about mask-mandates. This is the very core of constitutionally protected free speech. And free speech is deadly to the tyranny of government and is the lifeblood of our constitutional republic.

To say your policies are outside the mainstream would be an understatement. Mothers and fathers have a vested interest in how schools educate their children. They're not, as the Biden Justice Department apparently believes them to be, national security threats.

What is a national security threat is MS-13. What is a national security threat is our open southern border. What is a national security threat is the federal government failing to adequately vet individuals from Afghanistan. I suggest that you quickly change your course, because you're losing your credibility with the American people, and with this senator in particular.

**From:** Gelber, Sophie (PAO)  
**Sent:** Wednesday, October 27, 2021 11:31 AM  
**To:** Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)  
**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Li, Kaei (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)  
**Subject:** RE: AG Senate Hearing Clips

See clips as of 11:30am below:

**AG Senate Judiciary Hearing Clips**

**October 27, 2021 – 11:30am**

**TV**

[BNCHD \(Black News Channel\)](#)  
[10/27/2021 11:08:02 AM](#)



.. it's the nuts and bolts of running a school system.. that being said i want you to listen to what merrick had to say this morning. this testimony take a listen senator i think all of us have seen these reports of violence and threats of violence that is. what the justice department is concerned about it's not on ly in the context of violence and threats of violence against school board members school personnel teachers staff it's in a rising tide of threats of violence against judges against prosecutors against secretaries of state against election administrators against doctor's against protestors against news reporters that's the reason that we responded as quickly as we did when we got a letter indicating that there were threats of violence and violence with respect to school officials and school staff. >> so bree my question to you is do people who are upset with the fbi memo think that we are blind i mean we actually live in a nation where just last year they tried to kidnap the governor of michigan we have seen the people who are working the polling places being chased into the parking lot and needing security. people are saying their lives are being threatened the republican in georgia said someone is going to get killed. why is this such a big deal?. >> well it goes back to a lot of these republican governors i think they are instilling fear in a lot of these for what officials and even teachers and students of somebody's all the conditions are not safe because he's got right in that hole in pandemic and i don't understand why people are too dumb to even realize and. these acts of terror that these people are in broken in these meetings are are senseless and i believe. >>. if we can't get the fbi out the department of justice to do it and someone needs to make sure that these local police departments are protected. these people protecting i was board members because they're doing their job. is so funny you mention school board races

[NEWSMAX 10/27/2021 11:09:55 AM](#)



there's no passion. i was about to fall asleep the entire time. i was listening to every single one of these guys, except for lindsey graham, who knows how to put on a show, but no one has asked . are you a socialist? are you a socialist? because everything he does sides with the socialist. mm you've got seven minutes the that's what the senators are facing up.

**Radio**

KKFT (Fox News Radio) 10/27/2021 8:00:27 AM

are not investigating parents who speak out I'm Dave Anthony Fox news that's what Attorney general merrick **Garland** says defending his memo to get the FBI I do investigated the urging of school boards in a Senate hearing there were threats of violence and violence with respect to school officials and schools at a Democratic Senator Dick Durbin went on to list incidents across the country including one in his state's Illinois 30 year-old man arrested and charged with battery disorderly conduct after striking a school board member to meeting California father yelling profanities at the elementary school principal. His daughter calmed him down. He later returned to confront the principal and struck a teacher in the face. Republican Senator Chuck Grassley says the FBI probe has a chilling effect on free speech, school officials and parents may not speak up in these meetings out of fear.

#### Print

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#), by Tierney Sneed

**Washington Times:** [Chuck Grassley says AG Merrick Garland has politicized DOJ 'as far left as it can go'](#), by Emily Zantow

#### Full Articles

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#), by Tierney Sneed

Attorney General [Merrick Garland](#) defended his memo responding to threats aimed at school officials, pushing back on pointed criticism from Republicans at a Senate Judiciary Committee hearing on Wednesday.

The memo, Garland said, "responds to concerns about violence, threats of violence, other criminal conduct."

"That's all it's about, and all it asks, is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," Garland said in response to a question from GOP Sen. Chuck Grassley.

Garland also pushed back on Republicans' suggestion that the department should rescind the memo, now that the school board association that asked the Biden administration for the federal intervention has apologized for some of the language -- including its reference to domestic terrorism -- in that initial request.

"The letter that we that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said Wednesday. "It alters some of the language in the letter language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that Justice Department is concerned about violence and threats of violence."

The school board memo is one of several topics Garland is expected to be grilled on at Wednesday's hearing.

Garland's appearance comes as the Justice Department weighs whether to prosecute Steve Bannon -- a close ally of former President Donald Trump -- after the House [voted to hold him in contempt](#) for not cooperating in its January 6 investigation.

In a scathing opening statement, Grassley an Iowa Republican, claimed that President Joe Biden has "politicized" department decision-making in telling reporters the department should [prosecute witnesses who defy subpoenas](#) in the House probe. Biden said last week at a CNN town hall that [he had been wrong](#) to make that statement.

In addition to the House investigation, the Senate Judiciary Committee has undertaken its own review of how Trump sought to use the Justice Department in his efforts to overturn his 2020 electoral defeat. The Justice Department, in consultation with the White House, has allowed former officials at the department to participate in the investigation. Garland has touted the federal investigation into the violent attack on the Capitol, which has led to the arrest of more than 600 individuals.

"I commend the many agents and prosecutors who were working day in and day out to bring these violent insurrectionists to justice," Committee Chairman Dick Durbin, an Illinois Democrat, said at the hearing Wednesday. "I hope the department will be just as steadfast in pursuit of those who encouraged and incited the attack and those who would prevent the American people and their representatives from uncovering the truth."

Republicans, for their part, have had their attention on non-January 6 issues. At a [House Judiciary Committee hearing](#) with Garland last week, [the Republicans zeroed in](#) on a controversial school board memo that instructed the FBI to take certain steps to work with local and state law enforcement responding to harassment and threats targeting school officials.

Republicans have equated the Justice Department's approach with treating parents like "domestic terrorists" for protesting schools' Covid protocols and methods of teaching about race in American history. (The memo makes no reference to domestic terrorism.) Sen. Josh Hawley, a Missouri Republican and a member of the Judiciary panel, has called on Garland to resign over the memo.

Grassley, in his opening statement, said, "The last thing the Justice Department and FBI need is a very vague memo to unleash their power -- especially when they've shown zero interest in holding their own accountable."

Republicans have sought to make the memo a [prominent issue](#) in the [tight Virginia gubernatorial race](#), where Republican Glenn Youngkin released a campaign ad claiming that the FBI was trying to "silence parents." Democrats have defended the memo, with Durbin telling Garland Wednesday that "those who argue that school board meetings are not more dangerous and more violent than in the past are ignoring reality."

Democrats have been less pleased with the department's response to the FBI's mishandling of the Nassar probe, with delays that allowed [at least 70 gymnasts to be abused](#) after the FBI first learned of the misconduct, according to a recent DOJ inspector general report.

The department has attracted bipartisan scorn for its decision not to prosecute two former FBI officials accused of making false statements in the fallout from the botched probe.

**Washington Times:** [Chuck Grassley says AG Merrick Garland has politicized DOJ 'as far left as it can go'](#), by Emily Zantow

Sen. Charles E. Grassley on Wednesday accused Attorney General Merrick B. Garland of politicizing the Department of Justice.

"The department has moved as far left as it can go," Mr. Grassley said. "You've politicized the department in ways that shouldn't be."

The Iowa Republican's comments came during a Senate Judiciary Committee oversight hearing of the department.

"Either you run the Department [of] Justice, or the department runs you," Mr. Grassley said. "Right now, it looks like the Department of Justice is running you."

He pointed to the attorney general's school board memo as a "case in point" example of politicization.

Mr. Garland's Oct. 4 memo directs federal officials to meet with law enforcement to discuss strategies for responding to the growing number of threats against school board members and other education staff.

The call to action came days after the National School Boards Association sent a letter to President Biden asking for federal law enforcement to investigate and prevent the threats and attacks.

The association asked the federal government to "examine appropriate enforceable actions against these crimes and acts of violence" under the Patriot Act in regard to domestic terrorism

and other federal laws.

The association walked back the letter Friday, saying, "There was no justification for some of the language included in the letter."

Mr. Grassley said: "The school board association has since apologized for that letter, but not before the department relied on their letter to mobilize federal law enforcement in state and local matters. Meanwhile, actual violent crime is on the rise in the country."

**From:** Gelber, Sophie (PAO)

**Sent:** Wednesday, October 27, 2021 11:00 AM

**To:** Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6);  
**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Li, Kael (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6) >

**Subject:** RE: AG Senate Hearing Clips

Clips as of 11:00am:

**AG Senate Judiciary Hearing Clips**

**October 27, 2021 -11:00am**


**TV**

[NEWSMAX 10/27/2021 10:34:01 AM](#)



...that was chilling and the fact that he claimed he know anything about it, or you do a little of this little of that shameful for the attorney general, so there's no excuse now. he had a week to find out what's going on in the world. yeah 19 house republicans. they are calling on garland to rescind that fbi memo in regard to the school board here, um, you know, set the senators have two more minutes than their house companions. um will we see more follow up question more pressing on this controversial memo that again takes a closer look at parents and school boards. there's no question that the school board memo is going to be a big deal and it's going to come up a lot. this is a critical day for the justice department. and there's a question as to whether the attorney general of the united states is going to stand his ground and maintain some credibility as to the rule of law and explain his actions he needs to explain. and we'll see if he does whether or not he can articulate a difference between the school board association letter that raised the patriot act and the justice department subsequently coming out and distinguishing that and saying that they're trying to address actual physical threats of violence to school board members and their children. can the attorney general make that case today? and fight back and stay in his ground. that's going to be a key question because right now the republicans are running rhetorical circles around the democrats and the justice department. the justice department looks like a sleepy intellectual bureaucracy, and it's going to be crucial to see whether the attorney general of the united states is able to stand his ground and articulate real responses. two critical questions. so yes, this is going to be a big deal in the hearing today. uh mike, get to you on this. something that stuck out to me and it couldn't it kind of could have slipped out. um uh, in terms of listening to chairman durban in his opening remarks he wanted to address gun violence. specifically they're calling out chicago, but he says he wants more done. on a federal level versus cities and states handling this this could get in the thick again back to second amendment advocates and those forward and against it. what's ironic that the more gun control that you implement in the city? the inevitable result is more gun violence. it's a very common and pervasive issue that you see in. predominantly blue cities and the gun violence



<p><a href="#">NEWSMAX 10/27/2021 10:42:47 AM</a></p> 	<p>welcome back to the city committee hearing their ranking member, senator grassley, uh, about to start his line of questioning is with attorney general merrick <b>Garland</b>. let's listen live this department is cancer. violence. general garland regarding your. senator grassley. yeah before i asked my question i'd like to permission to introduce in the hearing record a letter from the iowa association school boards. disagreeing with the national school boards association request for intervention from federal agencies and law enforcement and other concerns that they have without objection. uh, general <b>Garland</b> regarding your october 4th school board mammal last week. you said the memo was for law enforcement audience despite it being on your public website. as a press release as a result of your memo, local school officials and parents may not speak up in these meetings out of fear the federal government will do something to them. so that's a poisonous chilling effect. apparently that letter wasn't actually supported by organization but was sent by two unauthorized staff. so last week, the organization disavowed it. sent you in the white house based your mammal on this d legitimize letter. i assume you're going to revoke your extremely divisive mammal that you said was instigated because of that letter. that's a question. senator the memo, which referred to as one page that responds to concerns about violence, threats of violence, other criminal conduct. that's all it's about, and all it asks. is for federal law enforcement to consult with meat with. local law enforcement to assess the circumstances strategize about what may or may not be necessary to provide federal assistance. if it is necessary.</p>
<p><a href="#">KDVR (Fox) 10/27/2021 8:39:19 AM:</a></p> 	<p>u.s. attorney general merrick <b>Garland</b> is expected to face another round of grilling today from republicans on capitol hill. he set to testify before the senate judiciary committee for the second time in a week during his last appearance gop lawmakers blasted him over a memo he issued detailing how the justice department would respond to threats made against school board members over their pandemic policies. republicans say the justice department seems to be treating parents as domestic terrorists. he claims that the memo contains no such reference</p>

**Radio**

**Print**

**Washington Times:** [Sen. Ted Cruz to blast AG Merrick Garland over Biden COVID-19 vaccine mandate](#), by Emily Zantow

**Full Articles**

**Washington Times:** [Sen. Ted Cruz to blast AG Merrick Garland over Biden COVID-19 vaccine mandate](#), by Emily Zantow

Sen. Ted Cruz is planning to question Attorney General Merrick Garland on Wednesday about President Biden's proposed COVID-19 vaccine mandate.

The Texas Republican announced his plan in a video uploaded an hour before the Senate Judiciary Committee oversight hearing of the Justice Department.

"Garland needs to answer if Biden's COVID mandates are hurting communities suffering from crime and why first responders — why the heroes of our communities — are the victims of Joe Biden's illegal vaccine mandate," Mr. Cruz said.

Under Mr. Biden's proposal, federal workers and companies with more than 100 employees must be vaccinated or get tested regularly for the coronavirus.

Mr. Cruz said in the video that nearly one-third of Chicago's police department could be dismissed if they do not get vaccinated.

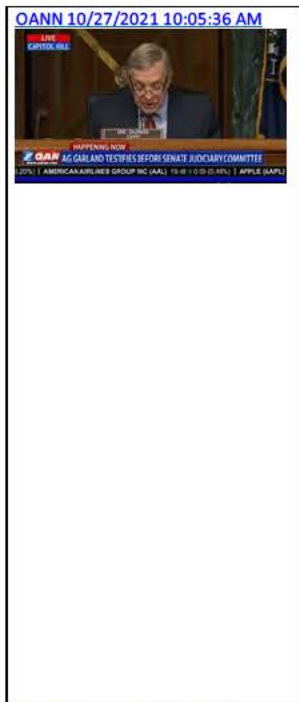

**From:** Gelber, Sophie (PAO)  
**Sent:** Wednesday, October 27, 2021 10:31 AM  
**To:** Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6)  
**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Li, Kaei (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6)  
**Subject:** RE: AG Senate Hearing Clips

See clips as of 10:30am below:

**AG Senate Judiciary Hearing Clips**

**October 27, 2021 – 10:30am**

**TV**

 <p>OANN 10/27/2021 10:05:36 AM</p> <p>HAPPENING NOW OANN AG GARLAND TESTIFIES BEFORE SENATE JUDICIARY COMMITTEE 37%   AMERICAN AIRLINES GROUP INC (AAL)   11.46   0.00 (D.AVL)   1 APPLE (AAPL)</p>	<p>attorney general merrick garland is set to appear before the senate judiciary committee today and we actually do have live coverage of that, as it is now beginning. let's listen in. to them. i think attorney general <a href="#">Garland</a> for appearing today. you were confirmed by the senate in march on a bipartisan basis and took the helm of the justice department at a precarious moment. under attorney general bar and his predecessors, the department often played the role of president trump's personal law firm, time and again, trump appointees overrode the professional judgment of the department's nonpartisan career attorneys to advance the president's agenda. their efforts took a dark and dangerous turn in the waning months of the trump term when doj political appointees aided president trump's big lie efforts to challenge the integrity of our election. <b>first attorney general bar cast</b> aside decades old policy designed to prevent the department from impacting elections he directed u. s attorneys and the fbi to investigate the election fraud claims of nonetheless rudy quiliani after these claims had been summarily discredited and disproven by countless state election officials. and borrow repeatedly, publicly and baseless. il claim that mail voting would be rampant to fraud charge he himself rejected when the votes were actually counted. every lost the 2020 election, president trump found another justice department ally in jeffrey clark, a mid level political appointee who became the president's big lie. lawyer clark pushed the department of justice leaders to overturn the election and when they refuse. he plotted with president trump to replace them. trump and clark brought the department to the brink and were thwarted only after the threat of mass resignations across the department of justice. i commend those department of justice attorneys, many of whom were trump appointees, who had bet critical moment in history, resisted president trump and his plot to attack our democracy. the events this committee described in our recent subverting justice report were among the most brazen examples of president trump attempting to bend the department of justice to his will and his.</p>
<p>SPECNEWS (Spectrum News) 10/27/2021 10:25:11 AM</p>  <p>YOUR ADDRESS</p> <p>ATTORNEY GENERAL ADDRESSING MEMO ON SCHOOL BOARD THREATS</p>	<p>update. attorney general <a href="#">Merrick Garland</a> is testifying in front of the senate judiciary committee this morning. &gt;&gt; this hearing comes after garland released a memo earlier this which says the justice department will work with state and local authorities to respond to threats against school board officials over issues including covid-19 and critical race theory. some republicans claim the justice department appears to be targeting parents as domestic terrorism calling on him to withdraw memo <a href="#">Garland</a> has defended the memo which highlights concerns with the legal threats and harassment.</p>

**Radio**

<p>WFLA (Fox News Radio) 10/27/2021 10:04:05 AM</p>	<p>would replace a corporate tax rate hike initially proposed in a new revenue stream would need support of every Democrat in the 50 50 divided Senate Dave Jarrett all hearing is about to start the Senate with Attorney general <a href="#">Merrick Garland</a> likely facing more questions from Republicans about a recent memo getting the FBI probe allegations of threats of violence to school boards, angering parents in places like Virginia, who say they're just protesting policies GOP Senator John Kennedy just told Fox. You don't have to be a Latin scholar to figure out what this is all really about It's about parental love It's not a Hurricane but a storm hitting New England feels like one</p>
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**Print**

**New York Post:** [AG Merrick Garland appears before Senate Judiciary Committee](#), by Callie Patteson

**Politico:** [Morning Tech: With new nominations, Democrats lock down their telecom wish list](#)

**Full Articles**

**New York Post:** [AG Merrick Garland appears before Senate Judiciary Committee](#), by Callie Patteson

Attorney General Merrick Garland is appearing before the Senate Judiciary Committee Wednesday to face questions about the politicization of the Justice Department amid several controversies — including his memo ordering the FBI to investigate parents protesting school boards and probes into Hunter Biden.

Sen Chuck Grassley (R-Iowa), the top Republican on the Committee, will slam the administration for moving the Department of Justice “as far left as it can go,” according to several reports. “In less than a year the Department has moved as far left as it can go,” Grassley is expected to say. “You’ve politicized the Department in ways it shouldn’t be.”

“You’ve created a Task Force that includes the Department’s Criminal Division and National Security Division to be potentially weaponized against parents,” Grassley plans to say. “The last thing the Justice Department and FBI need is a vague memo to unleash their power — especially when they’ve shown zero interest in holding their own accountable.”

The memo in question was highlighted during [last week’s House Judiciary hearing](#) where Rep. Jim Jordan accused Garland of creating a “snitch line” on parents.

Issued earlier this month, Garland’s memo announced the federal investigation of “a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff.”

Garland’s memo did not detail what the “threats of violence” were, but many parents and Republican politicians have accused him of targeting parents for speaking out against the implementation of mask mandates and [critical race theory](#) in K-12 schools.

In recent months, many parents have spoken out against both at school board meetings, with some interactions turning raucous.

Shortly before Garland issued the memo, the National School Boards Association asked the federal government to get involved, comparing the threats of violence to “domestic terrorism.” But the NSBA board of directors on Friday said “[we regret and apologize](#) for the letter” that was co-signed by association CEO Chip Slaven and President Viola Garcia.

“To be clear, the safety of school board members, other public school officials, and students is our top priority, and there remains important work to be done on this issue,” the board wrote. “However, there was no justification for some of the language included in the letter.”

Garland has defended his memo, saying he “defends the First Amendment right of parents to complain as viscerally as they wish, about the education of their children, about the curriculum taught in their schools.”

During Wednesday’s hearing, the attorney general is also expected to face questions about Hunter Biden. Last week, House Republicans pressed Garland to [appoint a special counsel](#) to investigate the president’s son and his business endeavors.

Grassley is expected to bring attention to links in the “[communist Chinese regime that are connected to the Biden family](#),” specifically noting Patrick Ho, a Chinese national whom Hunter Biden reportedly previously agreed to represent.

According to Grassley, Garland previously blocked an attempt for more information on Ho after the DOJ revealed it sought information on him writing, "we are not in a position to confirm the existence of the information that is sought, if it exists in the Department's possession."

Garland could also face questions about his son-in-law and the education company he co-founded, Panorama Education. Some Republicans have accused the attorney general of [conflict of interest](#), claiming his son-in-law's company will benefit from the controversial memo.

Last week, Garland denied those claims saying "This memorandum does not relate to the financial interests of anyone," adding that the memo is aimed at the threats of violence.

**Politico:** [Morning Tech: With new nominations, Democrats lock down their telecom wish list](#)

**DOJ BACK ON THE HILL** — Attorney General Merrick Garland is set to testify before the Senate Judiciary Committee today, where he will likely mention antitrust matters in his remarks. Today's hearing follows his appearance before the House Judiciary Committee last week, where he told lawmakers that he generally supports updating the antitrust laws.

**From:** Gelber, Sophie (PAO)

**Sent:** Wednesday, October 27, 2021 9:59 AM

**To:** Coley, Anthony D. (PAO)(b) (6); Iverson, Dena (PAO)(b) (6); Hornbuckle, Wyn (PAO)(b) (6); Klapper, Matthew B. (OAG)(b) (6); Heinzelman, Kate (OAG)(b) (6); Loeb, Emily M. (ODAG)(b) (6); Seidman, Ricki (OASG)(b) (6); Goodlander, Margaret V. (OAG)(b) (6); Greenfeld, Helaine A. (OLA)(b) (6); Gaeta, Joseph (OLA)(b) (6); Calce, Christina M. (OLA)(b) (6); Carlin, John P. (ODAG)(b) (6); Singh, Anita M. (ODAG)(b) (6); Colangelo, Matthew (OASG)(b) (6); Gupta, Vanita (OASG)(b) (6);  
**Cc:** Mitchell, Kendall M. (PAO)(b) (6); Li, Kaei (PAO)(b) (6); Shevlin, Shannon (PAO)(b) (6); Morris, Catherine (PAO)(b) (6); Zhai, George (PAO)(b) (6);  
**Subject:** AG Senate Hearing Clips

Morning all,

See clips for the hearing as of 9:55am below.

#### AG Senate Judiciary Hearing Clips

October 27, 2021

TV

[OANN 10/27/2021 9:05:18 AM](#)

...states joined louisiana and pennsylvania school board associations, which have also. what you're on the n. s. b a issued an apology over the letter last week amid scrutiny attorney mary garland set to appear before the senate judiciary committee today. here's one america's john heights. sure, i wanted to ask you because i know that, um eric garland, the attorney general will be appearing before your committee senate judiciary. of course there's a lot of controversy. there's this memo regarding parents of school boards. the school board association basically issued an apology, saying they regret and apologize for being involved in issuing this man. memo or advising. i guess the department of justice what seems to be going on here, sir. i have a number of questions before the , including number one if they believed that these things were accurate, what made them crimes? what made them federal crimes assuming they were crimes? this is parents being involved in school board parents. being involved in school board meetings. now he mentioned something in his memorandum suggesting that there might be patterns of intimidation and harassment. those are crimes and they're not necessarily federal crimes, so to launch a nationwide investigation as he directed to direct every u s attorney it we're talking about nearly 100 heads of satellite offices of the department of justice to have all of them undertaking. an investigation. of something that was itself based on a report from the national school board association, which they're now national school board association, has now withdrawn and apologized for so i'd like to know what made this federal made. what made it criminal. what made it something that had to spark a nationwide investigation? and now that the national school board association has withdrawn that memo, why hasn't the attorney withdrawn hits? is there? that's my question. next question is, do you anticipate that the doj may do a u turn on this memo being as it's been so kind? certainly hope so we have the factual predicate was, as he said it was the national school board association memo. then it should be withdrawn, especially because he has yet to explain why this needed to be the national organization. now they look as you point out. this ultimately was about parents concerned parents speaking to interacting with their school boards, perhaps, uh, at times. being passionate in doing so, but. i'm not aware of any circumstance that would make ...

[KBVU \(The National Desk\) 10/27/2021 6:41:12 AM](#)

.and that is eugh that some now say that they will be able to open to skiers on. friday for palisaded is only the 3rd time in 72 years that they say that they've been able to open before. november. >>following a fiery hearing on the hill. lawmakers calling on. >>attorney , merrick garland to withdraw the memo. we issued to the fbi directing the agency to look into threats against school board members and educators. a public schools across the country. the memo to garland says in part, quote, during your testimony, you side swipe the obvious the fact of your ill conceived a memorandum and the chilling effect that invoking the full weight of the federal law enforcement apparatus would have on parents protected. 1st amendment speech. local law enforcement. >>and not the fbi are the appropriate authorities to address any local threats or violence joining us right now. ohio congressman jim jordan, an author of the upcoming book. do it. you said, you wouldn't do fighting for freedom in the swamp congressman. jordan. good morning to ya. >>the new, it's jan. >>you are leading this effort calling for general garland to withdraw that school board memo. tell us more about that hearing when you confronted him. and, and i'm just curious, ultimately. do you really expect the fbi to investigate. >>parents. >>well, that's what the memo said. remember that the, the timeline here on september 29th the national school board association a left wing political organization asked the president united states to involve the fbi in local school board matters 5 days later as the does just that issues. his memo opening line of the memo. he said we've seen an uptick in violence and threats against school. more personnel are asking a simple question. the hearing. where did you base that? it what evidence did you see what data did you use to make that statement? he said the only evidence he used was the school board's memo, which are excuse me letter itself. so now we have last. friday night, the school board apologizing for the letter they sent that was the basis for the memo that mr garland put in play to tuesd to start this task force and focus on a local school board on matters. i think it's time he resented. i will see what he does, but the appropriate decision is for him to take that back in light of the school board association actually saying and apologizing for what they did. >>and what do you think about these? because right now for the fbi to investigate threats against parents. >>yeah. i mean. >>it's, it's, it's a local law enforcement matter i'd shouldn't be involved. we know many violence. of course that there is there, they'll dell deal with it appropriately, but the fact that the that the 2 attorney general of the united states responded in that quick. a fashion to up political organizations demand and request. >>um, a and again, that now political organizations apologized for it makes absolutely no sense 1 the lives ...

Print

**CNN:** [Merrick Garland will appear before Senate panel amid pressure on Nassar probe, Bannon and school boards memo](#), by Tierney Sneed

**Fox News:** [Garland to face questions about politicization of the Justice Department](#), Jon Brown

**Washington Examiner:** [Grassley blasts Garland over DOJ school boards memo and Hunter Biden investigation](#), by Jerry Dunleavy

**Washington Times:** [Senate Judiciary poised to grill AG Merrick Garland over FBI school board memo, U.S. Capitol riot](#), by Emily Zantow

**Daily Caller:** [EXCLUSIVE: Ted Cruz Lists Five Questions AG Garland Must Answer During Senate Testimony](#), by Michael Ginsberg and Henry Rodgers

Full Articles

**CNN:** [Merrick Garland will appear before Senate panel amid pressure on Nassar probe, Bannon and school boards memo](#), by Tierney Sneed

Attorney General Merrick Garland is testifying before the Senate Judiciary Committee on Wednesday, where he is likely to face fierce Republican blowback to a memo he issued addressing threats to school boards, as well as bipartisan heat for the FBI's handling of the Larry Nassar probe.

Garland's appearance comes as the Justice Department weighs whether to prosecute Steve Bannon -- a close ally of former President Donald Trump -- after the House voted to hold him in contempt for not cooperating in its January 6 investigation.

In a scathing prepared opening statement obtained by CNN, Sen. Chuck Grassley of Iowa, the top Republican on the Judiciary Committee, will claim that President Joe Biden has "politicized" department decision-making in telling reporters the department should [prosecute witnesses who defy subpoenas](#) in the House probe. Biden said last week at a CNN town hall that [he had been wrong](#) to make that statement.

In addition to the House investigation, the Senate Judiciary Committee has undertaken its own review of how Trump sought to use the Justice Department in his efforts to overturn his 2020 electoral defeat. The Justice Department, in consultation with the White House, has allowed former officials at the department to participate in the investigation. Garland will likely tout at Wednesday's hearing the federal investigation into the violent attack on the Capitol, which has led to the arrest of more than 600 individuals.

Republicans, for their part, have had their attention on non-January 6 issues. At a [House Judiciary Committee hearing](#) with Garland last week, [the Republicans zeroed in](#) on a controversial

school board memo that instructed the FBI to take certain steps to work with local and state law enforcement responding to harassment and threats targeting school officials.

Republicans have equated the Justice Department's approach with treating parents like "domestic terrorists" for protesting schools' Covid protocols and methods of teaching about race in American history. (The memo makes no reference to domestic terrorism.) Sen. Josh Hawley, a Missouri Republican and a member of the Judiciary panel, has called on Garland to resign over the memo. Enter your email to sign up for CNN's "What Matters" Newsletter.

Top of Form

Bottom of Form

According to his prepared remarks, Grassley will say, "The last thing the Justice Department and FBI need is a vague memo to unleash their power—especially when they've shown zero interest in holding their own accountable."

Republicans have sought to make the memo a [prominent issue](#) in the [tight Virginia gubernatorial race](#), where Republican Glenn Youngkin released a campaign ad claiming that the FBI was trying to "silence parents."

While Democrats have defended Garland's memo, they have been less pleased with the department's response to the FBI's mishandling of the Nassar probe, with delays that allowed [at least 70 gymnasts to be abused](#) after the FBI first learned of the misconduct, according to a recent DOJ inspector general report.

The department has attracted bipartisan scorn for its decision not to prosecute two former FBI officials accused of making false statements in the fallout from the botched probe.

Additionally, Garland may face questions from Democrats about voting rights and the DOJ's actions on police reform. Republicans, meanwhile, could grill Garland on the status of special counsel John Durham's review of the launch of FBI's Trump-Russia probe in 2016.

**Fox News:** [Garland to face questions about politicization of the Justice Department](#), Jon Brown

Attorney General [Merrick Garland](#) will testify before the [Senate Judiciary Committee](#) on Wednesday, where he is expected to face questions about the politicization of the [Justice Department](#).

Garland's Senate testimony comes less than a week after he [addressed](#) the same issues before the House Judiciary Committee last Thursday and during a time when the agency is in the middle of several high-profile cases and controversies.

Republican members of the committee will likely focus on issues related to Hunter Biden, school boards and critical race theory, while Democrats are likely to focus on the [Jan. 6 riot](#) at the U.S. Capitol.

#### **CRT and school boards**

An issue that House Republicans seized on during last week's hearing was Garland's recent memo to the Justice Department about its employees intervening in incidents of violence or intimidation targeting state and local school board officials.

Republican lawmakers have criticized Garland for involving the federal government in issues that they claim should be handled by state and local law enforcement.

Garland has also taken heat for issuing his memo just days after the National School Boards Association (NSBA) issued a letter asking the Biden administration to use the Patriot Act to deal with incidents of nonviolent disruption of school board meetings over issues such as critical race theory and transgender bathrooms.

The letter said some threats against school board members could be akin to "domestic terrorism."

The NSBA on Friday [issued an apology](#) for some of the wording in the letter, writing in part: "On behalf of NSBA, we regret and apologize for the letter."

The NSBA went on to note that "there was no justification for some of the language included in the letter."

The letter has since prompted [congressional Republicans](#) to call for the resignation of Garland, who has attempted to distance himself from some of the letter's language.

"The attorney general has been quite clear that the job of the Department of Justice working with state and local law enforcement is to prevent violence, to prevent threats of violence, whether it's in school boards, whether it's in hate crimes, whether it's against election workers, whether it's directed against judges or members of Congress," said Deputy Attorney General Lisa Monaco during a recent [press conference](#).

"Our focus is on preventing violence and threats of violence," she added.

The [Department of Education](#) raised eyebrows earlier this week amid [revelations](#) that it had appointed Viola Garcia to a federal board overseeing student progress. Garcia is president of the NSBA and signed the letter that stoked controversy.

Garland has also faced scrutiny because of his son-in-law, Xan Tanner, who co-founded an education consultancy that pushed CRT-related ideas and provided services to school districts across the country. Garland's ties to the company have raised questions about potential conflicts of interest related to law enforcement cracking down on school board opposition.

During the hearing before the House Judiciary Committee, Committee Chairman Jerry Nadler, D-N.Y., and Rep. Jim Jordan, R-Ohio, got into a heated exchange regarding whether Jordan would be permitted to play video of parents at school board meetings.

#### **Hunter Biden**

"I've also asked for information relating to Chinese nationals linked to the communist Chinese regime that are connected to the Biden family," said Sen. Chuck Grassley, R-Iowa, ranking member of the Senate Judiciary Committee.

"One individual, Patrick Ho, was not just linked to the Chinese regime, he was apparently connected to its intelligence services. Hunter Biden reportedly represented him for \$1 million."

During his appearance before members of the House, Reps. Tom McClintock, R-Calif., and Ken Buck, R-Colo., asked Garland whether a special counsel should be appointed to investigate Hunter Biden and his finances.

Buck noted how a piece of Hunter's artwork was sold for \$500,000, which he argued was thanks to familial ties.

Garland said he could not comment, saying there is an ongoing federal investigation of Hunter Biden.

**Washington Examiner:** [Grassley blasts Garland over DOJ school boards memo and Hunter Biden investigation](#), by Jerry Dunleavy

The top Republican on the Senate Judiciary Committee plans to blast Attorney General Merrick Garland over his controversial school boards [memo](#) and will critique him over his handling of the [Hunter Biden investigation](#).

"In less than a year the Department has moved as far left as it can go," Sen. Chuck Grassley of Iowa will say Wednesday. "You've politicized the Department in ways it shouldn't be."

Garland [revealed](#) last week the Justice Department and White House communicated about the National School Boards Association letter likening protesting parents to domestic terrorists before Garland issued his [memo](#), and NSBA emails showed it was in touch with the White House about its letter before publishing. NSBA [withdrew](#) the letter last week and apologized.

"You've created a Task Force that includes the Department's Criminal Division and National Security Division to be potentially weaponized against parents," Grassley plans to say. "The last thing the Justice Department and FBI need is a vague memo to unleash their power — especially when they've shown zero interest in holding their own accountable."

Grassley will point to the Biden DOJ [reversing](#) the firing of former FBI deputy director Andrew McCabe, among other [controversies](#) involving the [agency](#).

The Iowa Republican plans to call on Garland to refocus his priorities on threats like MS-13, the southern border, on the vetting of Afghan refugees.

Grassley will also say that "I've also asked for information relating to Chinese nationals linked to the communist Chinese regime that are connected to the Biden family," pointing specifically to Patrick Ho, whom Hunter Biden agreed to help represent in the past. The Justice Department revealed in court filings that it sought Foreign Intelligence Surveillance Act information on Ho, but Grassley says Garland stonewalled him when the attorney general wrote that "we are not in a position to confirm the existence of the information that is sought, if it exists in the Department's possession."

Biden's son has reportedly been under [criminal investigation](#) stretching as far back as 2018 as federal authorities [scrutinize](#) his taxes and potentially his foreign business dealings, and the

51-year-old's financial transactions with China might be at the forefront.

The Republican plans to press Garland on the [role played by Nicholas McQuaid](#), who worked with Hunter Biden lawyer Christopher Clark just before he was picked to serve as the Biden DOJ's then-acting assistant attorney general for DOJ's Criminal Division. Grassley will say, "You refuse to confirm whether Mr. McQuaid is recused from the Hunter Biden case."

**Washington Times:** [Senate Judiciary poised to grill AG Merrick Garland over FBI school board memo, U.S. Capitol riot](#), by Emily Zantow

Attorney General Merrick Garland is expected to be grilled Wednesday by the Senate Judiciary Committee over his FBI school board memo and the Larry Nassar sex abuse probe.

The oversight hearing comes after Mr. Garland faced similar questions from the House Judiciary Committee last week.

Republican lawmakers have expressed outrage over Mr. Garland's Oct. 4 memo directing federal officials to meet with law enforcement to discuss strategies for responding to a growing number of threats against school board members and other education staff.

They argue that the directive is an attempt to silence concerned parents from speaking at school board meetings and that the threats should be handled by local law enforcement, not the federal government.

Committee member Sen. Josh Hawley, Missouri Republican, demanded that Mr. Garland resign over the memo.

The attorney general defended the memo during the House hearing last week, repeatedly telling lawmakers that it was intended to address threats of violence and actual violence, not free speech.

The Justice Department, he said, "supports and defends the First Amendment rights of parents to complain as vociferously as they wish about the education of their children, about the curriculum taught in schools."

**Daily Caller:** [EXCLUSIVE: Ted Cruz Lists Five Questions AG Garland Must Answer During Senate Testimony](#), by Michael Ginsberg and Henry Rodgers

Ahead of General Merrick Garland's appearance in front of the Senate Judiciary Committee on Wednesday, Republican Texas Sen. Ted Cruz listed five questions the embattled attorney general needed to be asked.

"Number one, why did the Department of Justice cater to the wishes of partisan activists who want to teach critical race theory in schools and think that parents are domestic terrorists? Number two, the Loudoun County School Board covered up a sexual assault by a gender fluid individual against a ninth grade girl. And instead of going after the school board, Merrick Garland attacked the victim's father in his memo against parents. Did Merrick Garland know about this cover-up and the brutal sexual assault when he issued that political and partisan memo?" Cruz asked in a video, obtained exclusively by the Daily Caller.

Garland wrote in a letter to top FBI officials that field agents should "convene meetings with federal, state, local, Tribal, and territorial leaders in each federal judicial district" for the purpose of "addressing threats against school administrators, board members, teachers, and staff." Garland sent his letter shortly after the National School Board Association (NSBA) submitted a letter to President Joe Biden claiming that "acts of malice, violence, and threats against public school officials" could constitute "domestic terrorism."

Following public outcry and reports that the group had coordinated with the White House on messaging, the NSBA walked back the letter.

Cruz also cited reports that Garland's son-in-law profits from an education company that promotes concepts associated with critical race theory. Garland has denied any conflict of interest between his son-in-law's business and the NSBA messaging.

"Number three, there are troubling questions about Garland's apparent conflict of interest with his son-in-law. His son-in-law makes a whole bunch of money with a company teaching critical race theory — do ethics matter to the Biden administration?" Cruz asks.

"Number four, Garland also needs to answer questions about whether the Department of Justice is investigating Anthony Fauci for lying to Congress," Cruz continued. "Fauci told Congress that the administration had not funded gain of function research on the Wuhan virus. That is a lie. Will the Biden administration pursue charges?"

During a May appearance in front of the Senate Committee on Health, Education, Labor and Pensions, White House Chief Medical Advisor Dr. Anthony Fauci denied that his agency, the National Institute on Allergy and Infectious Disease, funded gain-of-function research in the Wuhan Institute of Virology through a grant to the non-profit EcoHealth Alliance. Fauci described Paul's questioning as "entirely and completely incorrect."

However, National Institutes of Health Principal Deputy Director Lawrence Tabak admitted in an Oct. 21 letter to House Oversight and Reform Committee Ranking Member and Republican Kentucky Rep. James Comer that EcoHealth Alliance's experiments should be considered gain-of-function research, and that the organization had not been fully transparent with the U.S. government.

Finally, Cruz addressed reports that first responders could resign or be fired due to non-compliance with COVID-19 vaccine mandates.

"Number five, finally, in America's second city, nearly a third of Chicago's Police Department could be dismissed due to vaccination status. Garland needs to answer if Biden's COVID mandates are hurting communities suffering from crime and why first responders, why the heroes of our communities are the victims of Joe Biden's illegal vaccine mandate," he concluded.

Sophie Gelber  
Press Assistant, Office of Public Affairs  
U.S. Department of Justice

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## AG Senate Judiciary Hearing Clips

October 27, 2021

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### TV

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...states joined louisiana and pennsylvania school board associations, which have also. what you're on the n s. b issued an apology over the letter last week amid scrutiny attorney **general** mary garland set to appear before the senate judiciary committee today. here's one america's john heights. sure, i wanted to ask you because i know that, um eric garland, the attorney general will be appearing before your committee



senate judiciary. of course there's a lot of controversy. there's this memo regarding parents of school boards. the school board association basically issued an apology, saying they regret and apologize for being involved in issuing this man. memo or advising. i guess the department of justice what seems to be going on here, sir. i have a number of questions before the **attorney general**, including number one if they believed that these things were accurate, what made them crimes? what made them federal crimes assuming they were crimes? this is parents being involved in school board parents. being involved in school board meetings. now he mentioned something in his memorandum suggesting that there might be patterns of intimidation and harassment. those are crimes and they're not necessarily federal crimes, so to launch a nationwide investigation as he directed to direct every u s attorney it we're talking about nearly 100 heads of satellite offices of the department of justice to have all of them undertaking. an investigation. of something that was itself based on a report from the national school board association, which they're now national school board association, has now withdrawn and apologized for so i i'd like to know what made this federal made. what made it criminal. what made it something that had to spark a nationwide investigation? and now that the national school board association has withdrawn that memo, why hasn't the attorney **general** withdrawn hits? is there? that's my question. next question is, do you anticipate that the doj may do a u turn on this memo being as it's been so kind? certainly hope so we have the factual predicate was, as he said it was the national school board association memo. then it should be withdrawn, especially because he has yet to

explain why this needed to be the national organization. now they look as you point out. this ultimately was about parents concerned parents speaking to interacting with their school boards, perhaps, uh, at times. being passionate in doing so, but. i'm not aware of any circumstance that would make ...

[KBVU \(The National Desk\) 10/27/2021 6:41:12 AM](#)

.and that is enough that some now say that they will be able to open to skiers on. friday for palisaded is only the 3rd time in 72 years that they say that they've been able to open before. november. >>following a fiery hearing on the hill. lawmakers calling on. >>attorney **general**, merrick garland to withdraw the memo. we issued to the fbi directing the agency to look into threats against school board members and educators. a public schools across the country. the memo to garland says in part, quote, during your testimony, you side swipe the obvious the fact of your ill conceived a memorandum and the chilling effect that invoking the full weight of the federal law enforcement apparatus would have on parents protected. 1st amendment speech. local law enforcement. >>and not the fbi are the appropriate authorities to address any local threats or violence joining us right now. ohio congressman jim jordan, an author of the upcoming book. do it. you said, you wouldn't do fighting for freedom in the swamp congressman. jordan. good morning to ya. >>the new, it's jan. >>you are leading this effort calling for **attorney general** garland to withdraw that school board memo. tell us more about that hearing when you confronted him. and, and i'm just curious, ultimately. do you really expect the fbi to investigate. >>parents. >>well, that's what the memo said. remember that the, the timeline here on september 29th the national school board association a left wing political organization asked the president united states to involve the fbi in local school board matters 5 days later as the **attorney general** does just that issues. his memo opening line of the memo. he said we've seen an uptick in violence and threats against school. more personnel are asking a simple question. the hearing. where did you base that? it what evidence did you see what data did you use to make that statement? he said the only evidence he used was the school board's memo, which are excuse me letter itself. so now we have last. friday night, the school board apologizing for the letter they sent that was the basis for the memo that mr garland put in play to tuesd to start this task force and focus on a local school board on matters. i think it's time he resented. i will see what he does, but the appropriate decision is for him to take that back in light of the school board association actually saying and apologizing for what they did. >>and what do you think about these? because right now for the fbi to investigate threats against parents. >>yeah. i mean. >>it's, it's, it's a local law enforcement matter i'd shouldn't be involved. we know many violence. of course that there is there, they'll dell deal with it appropriately, but the fact that the that the 2 attorney general of the united states responded in that quick. a fashion to up political organizations demand and request. >>um, a and again, that now political organizations apologized for it makes absolutely no sense 1 the lives ...



[OANN 10/27/2021 10:05:36 AM](#)



attorney general merrick garland is set to appear before the senate judiciary committee today and we actually do have live coverage of that, as it is now beginning. let's listen in. to them. i think attorney general **Garland** for appearing today. you were confirmed by the senate in march on a bipartisan basis and took the helm of the justice department at a precarious moment. under attorney general bar and his predecessors, the department often played the role of president trump's personal law firm, time and again, trump appointees overrode the professional judgment of the department's nonpartisan career attorneys to advance the president's agenda. their efforts took a dark and dangerous turn in the waning months of the trump term when doj political appointees aided president trump's big lie efforts to challenge the integrity of our election. first attorney general bar cast aside decades old policy designed to prevent the department from impacting elections he directed u. s attorneys and the fbi to investigate the election fraud claims of nonetheless rudy giuliani after these claims had been summarily discredited and disproven by countless state election officials. and borrow repeatedly, publicly and baseless. li claim that mail voting would be rampant to fraud charge he himself rejected when the votes were actually counted. every lost the 2020 election, president trump found another justice department ally in jeffrey clark, a mid level political appointee who became the president's big lie. lawyer clark pushed the department of justice leaders to overturn the election and when they refuse. he plotted with president trump to replace them. trump and clark brought the department to the brink and were thwarted only after the threat of mass resignations across the department of justice. i commend those department of justice attorneys, many of whom were trump appointees, who had bet critical moment in history, resisted president trump and his plot to attack our democracy. the events this committee described in our recent subverting justice report were among the most brazen examples of president trump attempting to bend the department of justice to his will and his.

[SPECNEWS \(Spectrum News\) 10/27/2021 10:25:11 AM](#)

update. attorney general **Merrick Garland** is testifying in front of the senate judiciary committee this morning. >> this hearing comes after garland released a memo earlier this





[NEWSMAX 10/27/2021 10:34:01 AM](#)



which says the justice department will work with state and local authorities to respond to threats against school board officials over issues including covid-19 and critical race theory. some republicans claim the justice department appears to be targeting parents as domestic terrorism calling on him to withdraw memo **Garland** has defended the memo which highlights concerns with the legal threats and harassment.

...that was chilling and the fact that he claimed he know anything about it, or you do a little of this little of that shameful for the attorney general, so there's no excuse now. he had a week to find out what's going on in the world. yeah 19 house republicans. they are calling on Merrick garland to rescind that fbi memo in regard to the school board here, um, you know, set the senators have two more minutes than their house companions. um will we see more follow up question more pressing on this controversial memo that again takes a closer look at parents and school boards. there's no question that the school board memo is going to be a big deal and it's going to come up a lot. this is a critical day for the justice department. and there's a question as to whether the attorney general of the united states is going to stand his ground and maintain some credibility as to the rule of law and explain his actions he needs to explain. and we'll see if he does whether or not he can articulate a difference between the school board association letter that raised the patriot act and the justice department subsequently coming out and distinguishing that and saying that they're trying to address actual physical threats of violence to school board members and their children. can the attorney general make that case today? and fight back and stay in his ground. that's going to be a key question because right now the republicans are running rhetorical circles around the democrats and the justice department. the justice department looks like a sleepy intellectual bureaucracy, and it's going to be crucial to see whether the attorney general of the united states is able to stand his ground and articulate real responses. two critical questions. so yes, this is going to be a big deal in the hearing today. uh mike, get to you on this. something that stuck out to me and it couldn't it kind of could have slipped out. um uh, in terms of listening to chairman durban in his opening remarks he wanted to address gun violence. specifically they're calling out chicago, but he says

he wants more done. on a federal level versus cities and states handling this this could get in the thick again back to second amendment advocates and those forward and against it. what's ironic that the more gun control that you implement in the city? the inevitable result is more gun violence. it's a very common and pervasive issue that you see in. predominantly blue cities and the gun violence

[NEWSMAX 10/27/2021 10:42:47 AM](#)



welcome back to the city committee hearing their ranking member, senator grassley, uh, about to start his line of questioning is with attorney general merrick Garland. let's listen live this department is cancer. violence. general garland regarding your. senator grassley. yeah before i asked my question i'd like to permission to introduce in the hearing record a letter from the iowa association school boards. disagreeing with the national school boards association request for intervention from federal agencies and law enforcement and other concerns that they have without objection.

uh, general Garland regarding your october 4th school board mammal last week. you said the memo was for law enforcement audience despite it being on your public website. as a press release as a result of your memo, local school officials and parents may not speak up in these meetings out of fear the federal government will do something to them. so that's a poisonous chilling effect. apparently that letter wasn't actually supported by organization but was sent by two unauthorized staff. so last week, the organization disavowed it. sent you in the white house based your mammal on this d legitimize letter. i assume you're going to revoke your extremely divisive mammal that you said was instigated because of that letter. that's a question. senator the memo, which referred to as one page that responds to concerns about violence, threats of violence, other criminal conduct. that's all it's about, and all it asks. is for federal law enforcement to consult with meat with. local law enforcement to assess the circumstances strategize about what may or may not be necessary to provide federal assistance. if it is necessary.

[KDVR \(Fox\) 10/27/2021 8:39:19 AM:](#)

u.s. attorney general merrick Garland is expected to face another round of grilling today from republicans on capitol hill. he set to testify before the senate judiciary committee for the second time in a week during his last appearance



[BNCHD \(Black News Channel\)](#)  
[10/27/2021 11:08:02 AM](#)



gop lawmakers blasted him over a memo he issued detailing how the justice department would respond to threats made against school board members over their pandemic policies. republicans say the justice department seems to be treating parents as domestic terrorists. he claims that the memo contains no such reference

.. it's the nuts and bolts of running a school system.. that being said i want you to listen to what merrick Garland had to say this morning. this testimony take a listen senator i think all of us have seen these reports of violence and threats of violence that is. what the justice department is concerned about it's not on ly in the context of violence and threats of violence against school board members school personnel teachers staff it's in a rising tide of threats of violence against judges against prosecutors against secretaries of state against election administrators against doctor's against protestors against news reporters that's the reason that we responded as quickly as we did when we got a letter indicating that there were threats of violence and violence with respect to school officials and school staff. >> so bree my question to you is do people who are upset with the fbi memo think that we are blind i mean we actually live in a nation where just last year they tried to kidnap the governor of michigan we have seen the people who are working the polling places being chased into the parking lot and needing security. people are saying their lives are being threatened the republican in georgia said someone is going to get killed. why is this such a big deal?. >> well it goes back to a lot of these republican governors i think they are instilling fear in a lot of these for what officials and even teachers and students of somebody's all the conditions are not safe because he's got right in that hole in pandemic and i don't understand why people are too dumb to even realize and. these acts of terror that these people are in broken in these meetings are are senseless and i believe. >>. if we can't get the fbi out the department of justice to do it and someone needs to make sure that these local police departments are protected. these people protecting i was board members because they're doing their job. is so funny you mention school board races

[NEWSMAX 10/27/2021 11:09:55 AM](#)

there's no passion. i was about to fall asleep the entire time. i was listening to every single one of these guys, except for lindsey graham, who knows how to put on a show, but



[CNN 10/27/2021 11:43:25 AM](#)



no one has asked Merrick Garland. are you a socialist? are you a socialist? because everything he does sides with the socialist. mm you've got seven minutes the that's what the senators are facing up.

> also developing right now, attorney general Merrick garland is facing tough questions in a senate hearing. garland is pushing back on republican calls to rescind a justice department memo it ordered federal authorities to coordinate with likal law enforcement on how to deal with attacks against local school officials. >> there's been a persistent back and forth through out this hearing, republicans and democrats. they're talking about this memo from Merrick Garland sent earlier this month instructing the fbi and federal prosecutors to meet with local school boards to discuss strategies to stop threats that some educators say they've been facing when it comes to things like covid protocols including mask mandates and the teaching of racial issues in class. republicans over the past month they have seized on this money as a rallying cry. they falsely stated it's meant to stifle free speech and falsely portraying it as a directive to arrest parents who speak out at school board meetings. attorney he's facing another grilling today from senate republicans. this time Merrick Garland is coming forward with a much stronger defense of why he sent this memo out saying ramped-up threats aren't happening just on the school board front. here is what he said. >> it's a rising tide of threats of violence against judges, against prosecutors, against secretaries of state, against election administrators, against doctors, against protesters, against news reporters. that's the reason that we responded as quickly as we did when we got a letter indicating that there were threats of violence and violence with respect to school officials and school staff. >> reporter: the attorney general has actually faced repeated calls from some republicans not only at this hearing but in the weeks that have gone by, kate, to rescind this memo. garland has specifically stated at this hearing he will not rescind it. he says it was warranted. of course, that won't stop the questions from republicans

who have really seized on this issue. >> jessica, thank you for that.

[FNC \(Fox News Channel\) 10/27/2021 11:53:40 AM](#)



.congressman and goodstein former advisor to bill and hillary clinton. i'll talk about your last names. want everybody to know what's going on. jason, i will start with you and remind everybody that merrick Garland was somebody who former president barack obama wanted to be on the u.s. supreme court. >> yeah. i think it was actually a missed opportunity for the republicans. i think they should have pressed deeper on the school board issue saying what is it you see in the patriot act that would justify the national security division? if you are an f.b.i. agent working on national security issues and your attorney general is telling you to go to a school board meeting, that is ridiculous. i would dive deeper you have a parent whose child was raped and was told a lie by one of the school board members. are you going to investigate that? will you prosecute them for lying? i think it is absurd. this is a local law enforcement matter but i think they could have dug deeper into what is it that you see that would even justify the national security division and the patriot act? >> harris: nobody asked for help at a local level. richard, i want to know how careful democrats -- not just in that room but if general on capitol hill have to be with this issue involving parents being targeted by the d.o.j. and f.b.i. it shouldn't be a blue/red issue but it is a hot topic even in new jersey. that one not as close as virginia but it is a central issue. parents are universally saying we get a say. how careful do dems have to be? >> i think you have to be deaf, dumb and blind not to believe and see that there is violence against teachers, against doctors, against flight attendants. a lot of people in our society. threats against senators and congressman, probably against you. that is what is at issue here is not blue/red issue.

[NEWSMAX 10/27/2021 12:11:42 PM](#)



i'm not as surprised as he is. i don't expect rank and file border patrol officer to complain the attorney general, but at the same time. i am a little surprised that Merrick garland wouldn't actually seek this information out if there was actually an attempt and honest attempt to solve the problem, you would want to talk to the rank and file men and women who are dealing with this on the front lines. and i know you did that as well. you wanted to talk to those folks. why does the attorney general seems so distant

from the actual problem. well it's a stunning answer on a couple of different fronts. one is, uh, it's okay. if you know borderline agents didn't mention this to him but he should certainly recognized with senator graham that he understands the pull factors that he's researched them. he's learned about them the fact to try to below that question off and not to answer the senators questions really remarkable because i think it's very evident. to the rest of the American people why migrants are coming to that southwest border, which specific policies and how they are being pulled here by those policies, so i think this is like it's another way. another administration official doesn't want to, uh, simply acknowledge the reality of the crisis on the border. they won't call it a crisis. and they won't institute the policies needed to address it and whether it's the attorney general or the secretary of dhs. they continue to put their head in the sand, and they don't want to listen to the operators on the ground, like the men and women of the border patrol, who will tell you exactly what they need. to defeat the crisis. yeah there's probably somebody keeping them away from the attorney general or some kind of barrier there. a plausible deniability comes to mind. great to see you. thanks so much. we appreciate it. all right, coming up. we're gonna continue to cover attorney general Merrick Garland's testimony today before the senate judiciary committee will check back in on that

[WCBS \(CBS\) 10/27/2021 12:14:16 PM](#)



happening today, attorney general Merrick Garland is back before lawmakers testifying about the politicizationjustice. his testimony comes as the doj is weighing whether to hold former trump aide visor steve bannon of congress for not cooperating with the january 6th investigation.

[FNC \(Fox News Channel\) 10/27/2021 12:39:14 PM](#)



. i want to get to the senate judiciary hearing on capitol hill where the nation's top law enforcement officer, the attorney general, merrick garland has been in the hot seat for hours and it's not getting any easier. we're watching live senator ben sasse. a few moments ago, senator tom cotton of the great state of arkansas lit up the room. watch this. >> let's turn to your outrageous directive sicking the feds on parents at school boards across america. when you crafted that october 4 memo, did you consult with senior leader at at the fbi? >> my

understanding was that the memo or the idea of the memo had been discussed. >> anyone at the fbi express any doubt or disagreement or hesitation with your decision to issue that memo? >> no one expressed that to me. >> no one? >> to me, no one expressed that to me, no. >> a lot of them have contacted us and said they did. >> i'm sorry? >> a lot of fbi contacted me and said that they opposed this decision. >> i doubt they spoke to me about it. i didn't speak to any one. >> all right. judge, you've repeatedly dissembled this morning about that directive. for instance, about the national security decision. chuck grassley asked you a simple question why you'd would you sick the national security division of the justice department on parents. john cornyn asked you the same thing. you said it wasn't in your october 4 memorandum. it was in a press release from your office here in front of me. you were going to credit a task force that includes the national security division. what on earth do the national security division have to do with parents expressing disagreements at school boards? >> nothing in this memorandum or any memorandum is about parents expressing disagreements with their school boards. the memorandum makes clear that parents are entitled and protected by the first amendment to have vigorous debates. we don't -- the justice department is not interested in that question at all. >> okay. so even in that case, what is the national security division, judge? these are the people that are supposed to be chasing jihadists and chinese spies. what does that have to do with parents at school boards? >

[CNN 10/27/2021 12:56:18 PM](#)



this hour from the attorney general up on capitol hill. merrick Garland before the senate judiciary committee face ag wide -- facing a wide variety of issues, on the nasrsar probe, and on the violence among school officials and parents. >> those who argue that school board meetings across america is not more dangerous or more violent than in the past are ignoring reality. >> mothers and fathers have a vested interest in how schools educate their children. they are not, as the biden justice department apparently believes them to be, national security threats. >> let's go straight to cnn's jessica snyder. you heard them there. how did the a.g. respond? >> the a.g. is defending them more forcefully than we've seen him do when he was questioned by the house committee. they've falsely been portraying it as parents who

speak out at board meetings, and this is a memo to discuss strategies to stop threats. we've seen throughout this hearing that started at 10:00 a.m., Merrick Garland has repeated that this is not targeting parents, and in fact, parents are protected by the first amendment to have these vigorous debates. he said as long as there are no threats of violence, they are fully protected. but he also noted there's been a major rise in threats in recent months, not just from school board members and parents, but also judges, election officials. it's something we've been reporting on, and merrick garland saying the justice department, in his view, had to step in here. here's what else he said. >> the only thing the justice department is concerned about are violence and threats of violence. the memo which you referred to as one page, it responds to concerns about violence, threats of violence, other criminal conduct. that's all it's about. and all it asks is for federal ...

[Fox News, 1:00:27 PM](#)



merrick garland on capitol hill testifying before the senate judiciary committee in firing hearing fuelled by a doj memo directing the f.b.i. to investigate angry parents at school board meetings. i'm john roberts. >> i'm sandra smith, this is "america reports." senators in intense moments pressing garland on that memo, asking him to rescind it. lawmakers expressing concern over the chilling effect they fear it will have on free speech in this country. all this as outraged parents sound off over agendas in their children's classrooms. >> john: merrick garland says it is about keeping school board members safe. >> you wrote the memo because of the later. the letter is disavowed now. you will keep your memo going anyway, right? >> it did not adopt every concern they had in the letter. >> did you consider the chilling impact your memorandum would have on parents exercising their constitutional rights? >> only thing this is about is violence and threats of violence. >> judge, this is shameful, your testimony, your performance is shameful. thank god you are not on the supreme court. you should resign in disgrace. >> sandra: that happening moments ago. more with andy in a moment, we begin with ayesha hasnie. we plan to see more from the senators in a moment, >> ayesha: right now ag garland is trying to smooth over the memo. it is not working. republicans are drilling down on a couple points, the first is vagueness of the memo. it reads the doj would



protect people from "other forms of intimidation and harassment," what does that mean? garland tries to explain that. watch. >> what about harassment and intimidation, are those federal crimes? >> they are federal crimes.

[Newsmax, 1:00:57 PM](#)



also, we are following the senate judiciary hearing today. with attorney general merrick garland. republicans grilling garland on that doj memo about parents and school boards, asking him to address the concerns that many have about this crackdown. on free speech here is senator this is alex padilla padilla from california right now speaking, but earlier, this was senator john cornyn from texas. did you consider the chilling effect your memorandum might have on parents exercising their constitutional rights. i think you can answer that. yes or no? what i considered what i wanted the memorandum to assure people that we, uh, recognize the rights of spirited debate. and mr attorney general. you're a very intelligent, accomplished lawyer and judge. you can answer the question. did you consider? i do not chilling effect that this sort of threat of federal prosecution would have on parents exercise of their constitutional rights to be involved in their children's education. never get a one word answer from these guys. let's welcome in newsmax national correspondent logan ratick with the latest hey logan. well also, you have senator chuck grassley, john. he's grilling attorney general america garland over the fact that there is this tip line from the fbi that people can call in and report parents that they say are threatening school board members or administrators. and here is the exchange between grassley and garland. your memo stated that the justice department is opening dedicated lines of communication for threat reporting assessment and response. why is the department what is the department doing with tips it receives on this dedicated line. and what are you doing with those parents who have been reported. that uh, the fbi gets complaints concerns from people around the country for all different kinds of threats and violence. that's what this is about a place where people who feel that they've been threatened with violence can report that these are then assessed and they are only pursued. if consistent with the first amendment. we have a true threat that violates federal statutes. or that needs to be referred to state or local government, federal agents, local law enforcement...

[Fox News, 1:05:32 PM](#)



...politicize the justice department or allow it to be politicized and that's been done. the school board association consulted closely with the white house and sent this letter and less than a week later, garland cranks out this memo, which isn't a case long and dispatches f.b.i. to essentially harass parents and suppress their decent on circumstances he knows there is no federal jurisdiction. he won't ark apologize, he would have to acknowledge what he did. >> john: we want to jump back into the hearing, senator marsha blackburn. >> knowing you helped bring to justice those that caused the oklahoma city bombing, would you really, honestly put parents in the same category as a terry nichols or a timothy mcvey? >> absolutely not. >> why would you ever release a memo, i mean, did you write that memo, did staff write that memo? what would have led you to do this? it is so over the top. >> senator, there is nothing in the memo that in any way draws any comparison, anything like that. this memo is about violence and threats of violence. >> i have to tell you that may be your opinion and many times perception is reality and reading that memo myself, tennesseeans reading that memo, what they found in that memo, what they heard you say, if you show up and you question the school boards, you will be deemed a domestic terrorist. you could be investigated by the f.b.i. i mean, the f.b.i. has a lot of other things that they should be focusing on and the f.b.i. should be there looking at issues like china. now the knoxville f.b.i. has been very concerned about china. give me a little update, what is status of the china initiative at doj. >> senator, we regard people's ...

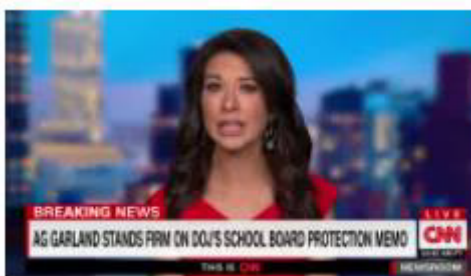
[Fox News, 1:15:27 PM](#)



...and decided to issue this memo. the letter from the school board the white house worked on was dated september 29th. a week later you get the memorandum from attorney general garland. garland has a lengthy career as in federal law enforcement as top official, first in clinton justice department and as distinguished judge of one of the most eminent appellate courts in the united states. he's also as attorney general got access to office of legal counsel and best, most informed minds about criminal law arkinal sis at the federal level in the justice department. this memorandum comes shortly after what he got from the school boards working with the white house, has no citation to any authority and is on a subject there is no federal jurisdiction over. it is clear this was politically driven

and has little to do with legitimate law enforcement. >> john: he did suggest threats sent over the internet or telephone could fall into federal jurisdiction. moreover, he said this is not about parents, this memo to the f.b.i. and doesn't have a chilling effect on free speech. do you agree or disagree with that? >> he's completely wrong about that and he knows he's wrong. john, i point out that the justice department has jurisdiction to defend the civil rights acts, which means no question the protection of americans by the federal government is federal. unlike threats at the school board level, the justice department actually has a responsibility to protect the decent of parents, if they want to object to what happens at the schools. that is clearly federal. >> john: this is not just about the department of justice or the f.b.i. or attorney general, the letter went directly to the president. here is what the "wall street journal" wrote today. about domestic terrorist parents, the nsba owned up to its mistake, what about the biden administration? should the white house get involved here again apparently and say to the attorney general, the whole tone and tenor has changed, let's back off? >> in a perfect world, that would happen, john. in a perfect world, the white house would say and garland would say why lean on me to issue this in the first place. none of them want to say that, ...

[CNN, 1:43:20 PM](#)



right now on capitol hill, attorney general merrick garland is getting grilled by the committee. he's getting threats by school officials and how the local counterparts should respond to such threats. jessica is watching this closely for us. jessica, what is the attorney general saying? >> he actually is defending it a lot more forcefully than we saw him do when he was grilled last week by the house judiciary committee. republicans have been seizing on this memo ever since it was issued october 4, and they've been falsely saying it was meant to stifle free speech and portraying it as a directive to arrest parents when they speak out at board meetings. simply, this is a memo that tells the fbi and law enforcement to work with strategies to stop threats. merrick garland, thinsince this hearing began at 10:00 this morning, has been defeating the memo, saying it doesn't target parents. in fact, parents have been encouraged to have debates. he told senator cotton this, as long as there are no threats of violence, they are fully protected. but the attorney general is also noting

the rise in threats in recent months, not just against school board members but against many others. here's what he said. >> it's in a rising tide of threats of violence against judges, against prosecutors, against secretaries of state, against election administrators, against doctors, against protesters, against news reporters. that's the reason that we responded as quickly as we did when we got a letter indicating that there were threats of violence and violence with respect to school officials and school staff. >> so the attorney general vigorously defending this memo. he also rejected allegations from some republicans that he was acting under the directive of the white house to issue this memo. instead instead, garland made very clear that he wrote the memo and he's completely independent from the white house. he also faced repeated calls from the white house to rescind this memo. he specifically stated he would not rescind it and it's warranted.

[MSNBC, 1:42:13 PM](#)



welcome back. attorney general merrick garland is back on the hill today. an overnight hearing so as you might expect garland faced questions on a number of topics from democrats, including larry nassar investigation and home confinement and republicans, though, have focused almost exclusively on a department of justice memo aimed at combatting violence against school board members. garland faced only a few questions on whether the justice department plans to prosecute bannon. he signed an executive privilege in his refusal to cooperate with the january 6th committee and despite the fact that he hasn't worked for the white house for a couple years before claiming executive privilege. meanwhile, "washington post" is reporting that the committee is expected to subpoena. the conservative legal scholar who advised then president trump on how to overturn the election.

[Cheddar, 2:09:39 PM](#)

attorney general merrick garland testified before the senate judiciary committee regarding a justice department oversight what has come out so far. >> the main thing that we're hearing conversation about today particularly from this the republican side of the aisle is about this memo sent out by attorney general garland that related to school boards. we know that school board meetings in certain parts of the country including here in the dc area have gotten incredibly vitriolic they have been really tense and



negative and some have even turned violent and the attorney general for his part has released this memo encouraging local law enforcement to call in the f the eye if they feel that that is necessary republicans sort of she shaping that as though garland has call the fbi on parents which is a great talking point for them right, we know that education is a top issue for republicans, the freedom for people to pick what kind of education our children receive and so that's really what you're hammering you know, but it seems like garland came incredibly ready to answer questions about that and to try to make it very clear exact we what the memo actually says take a look. >> it's not only in the context of violence and threats of violence against school board members school personnel, teachers. it's and a rising tide of threats of violence against judges against prosecutors. i again secretaries of state against election administrators against doctors against protesters against newsroom, reporters that's the reason that we respondequickly as we did. >> it's not just school board is not just school employees it's a lot of people facing these kinds of threats and he wants to help protect them. and that's what the fbi is therefore but for the u really really simple messaging the attorney general's call the fbi on perrin and i don't know that he necessarily tackles that specifically though he does later in questioning try to make it clear that that base you know that that accusation, it's by everyone just wants us to but at the end of the day because what we have coming up that major and that's what everyone is looking for especially if you're a republican lawmaker.

[OAN, 2:30:50 PM](#)



that was alive, log there from capitol hill as attorney general merrick garland testified before the senate judiciary committee as part of an annual oversight hearing of the justice department. one hot topic there did include the doj memo directing the department to work with the fbi and u. s attorney's offices to implement a strategy to investigate parents as domestic terrorist at school board meetings. garland denied labelling parents as domestic terrorists and said they are protected. by the first amendment. and can address school boards. he testified that his memo had to do with trying to prevent threats of violence or actual violence against the school board members. he did also, of course answer questions on a number of other issues, including the boj's prosecution of

january 6th. the demonstrators, improving the efficiency of legal immigration and biden's federal vaccine mandate.

[Fox News, 2:31:00 PM](#)



senator judiciary committee wrapping hours of testimony by the attorney general, merrick garland feisty as times, bring in republican senator tom tillis, he was in the room and questioned garland. get to one question you had about school board meetings and whether or not we are seeing overreach on behalf of the doj. listen to this. >> did the doj do real work outside of the public reporting to say there is disturbing trend that require overreach on behalf of the doj? >> what we looked at was letter from an organization that represents thousands of school board members and school boards and public reports of threats of violence. >> sandra: senator, did you get answers to your questions? >> no, i didn't. it was clearly motivated by the letter from the school board association and it was an overreach. the point i was trying to make is chilling effect on parents who should feel comfortable going to school board meetings. no question people will think twice when they think they have the watchful eye of the f.b.i. overlooking everything they say. school board meetings can get heated. i've been pta president and i believe they should withtrau the memo and stand back. >> john: senators followed the same line of questioning asking whether or not they did research into the incidents cited in this letter. one of them say nothing virginia, an individual was arrested, citation that takes you to news report, the interview was scott smith who was upset the school board lied to him about his daughter being raped in the restroom of the school. cory booker mentioned incidents handled by local police and tried to link those to the terrorism, which the attorney general himself pushed back against. >> the problem with the testimony today, we didn't get answers to any questions. the bottom line is this administration views the parents influence over their children's education as being secondary to the will and whims of school board members. that is wrong and people of ...

[Newsmax, 2:40:56 PM](#)

attorney general merrick garland testifying before the senate on capitol hill, listen to his response when asked if the botched afghanistan withdrawal will increase the risk of terror here. i don't know whether the withdrawal will increase the risk from al qaida or not. now. obviously you disagree with that. you think it does increase the risk the



way this went about or the fact that we took everybody out and you say the timeframe notably is shorter than a year.

[Fox News, 2:43:08 PM](#)



...spontaneous uprising of government officials aimed at school boards and parents have a right to say what they want and speak out. the question here is why did merrick garland do this? it is alarming. justice does not move that fast unless the white house tells them to move that fast. politicize agszation of the department of justice. >> john: i was about to play sound byte number six here, merrick garland responding to question about whether or not this memo had a chilling effect on parents. listen here. >> you are intelligent and accomplished lawyer and judge, you can answer the question. did you answer the chilling effect this sort of threat of federal prosecution would have on parent's exercise of constitutional right to be involved in children's education? >> don't believe it is chilling anyone's rightss. it is about threats of violence and recognize constitutional right to make arguments about your children's education. >> john: same time, merrick garland did not know about this, u.s. attorney for state of montana issued memorandum, josh hawley points to, upon which people could face charges. does it have a chilling effect or not have a chilling effect? >> of course it has a chilling effect. department of justice says it will investigate something, that will chill. i had parents in vermont tell me they know people going to school board meetings who decided now it is not worth it, they don't want to get into entanglement with the department of justice. this is why if you thought merrick garland was a decent man, nonpolitical man, he's ruined reputation and that name by allowing himself to issue ...

[Newsmax, 2:48:30PM](#)

welcome back while testifying before the senate on capitol hill today, attorney general merrick garland was asked if he would rescind the memo urging the fbi to investigate parents who threaten school boards. here was his response. i have the letter from an s b a. that you're referring to and apologizes for language in the letter, but it can continues its concern about the safety of school officials in



school staff. the language in the letter that they disavow his language was never included in my memo and never would have been. all right, turning now to discuss ranking member for the house judiciary committee and author of do what you said you would do. congressman jim jordan. congressman i know you and other members of the committee there were pressing the attorney general about comparing parents who were involved and interested in what was going on local school boards. to domestic terrorists. um what is your concern? uh in in how this may play out because he keeps saying no, that's only if there's violence. no, that doesn't mean domestic terrorism. well what? yeah why is this important? well, what? he didn't tell you in that answer you gave him the senate judiciary committee hearing today is he didn't tell you that the only reason he did. the memo was because of the school board's letter to the president, united states. that was the catalyst. that was his only evidence because we asked him that question. was there any evidence any data that you used to make this decision to do this? the only evidence was the school board's letter that they have now apologized for actually sending. they stay apologize in o paragraph two times. you never see that we have we regret and apologize for the letter we apologize for the strain this has caused you at local schools so much strain that you've had. now this is the state of ohio school boards association pulled out of this organization, as have other school board associations in several other states. so this is the concern that chilling impact this will have on first amendment activity of moms and dads showing up at a school board meeting, saying we don't like this racist hate america curriculum taught to our students taught to our kids. that's what this is about, and the fact that he won't rescind it, which is frankly, the only right thing to do, um, i think is very troubling, and we're going to keep we every single republican bob on our committee signed a letter to present to the attorney general yesterday, asking him to rescind this memo. i'm so glad that senator grassley asking that same ...

[Fox News, 2:45:37 PM](#)

josh hawley's exchange was about relationshipization of the doj, went as far as to call on merrick garland to resign, listen. >> u.s. attorneys are collecting and cataloging the ways might prosecute parents like mr. smith because they want to be involved in their children's education and have a say in elected officials. it is wrong, unprecedented





in the history of this country and i call on you to resign. >> sandra: there were multiple calls for that. many exchanges like that, ari. >> i'm not a fan on people calling on other people to resign, it is political exclamation point, i get it. i rather deal with issues presented by the memorandum and where justice has a lot of cleaning up to do and white house has a lot of cleeping up -- cleaning up to do. it is a serious matter, they are only going after people -- why is the agency inside the department of justice, why is it same agency responsible for domestic terrorism, chinese spies, agency merrick garland decided to lead the investigation into people who may commit violence. if violence is committed, it is up to sheriff, state police to take action, action should be taken against anybody that commits violence. not under purview of the department of justice and especially not intelligence agencies or division that focuses on counter terrorism. >> national security division and as cory booker said in his lengthy citation of incidents at school board meetings, they were handled by the local, not the feds. great to see you, thanks for coming in.

[OAN, 3:00:36 PM](#)



attorney general merrick garland reveals new evidence has emerged in the fbi's mishandling of the larry nassar case. garland confirmed new information has come to light during testimony in front of the senate judiciary committee today. the aging is reviewing the decision not to prosecute two fbi agents accused of botching the probe against former usa gymnastics doctor and failing to protect victims, while garland did not disclose any details of the new evidence. he was pressed on the status of his review. senator i think heart retching is as, uh, not even strong enough as a description of what happened to those gym ass into the testimony they gave. i believed, deputy attorney general of monaco said at her hearing that we are reviewing this matter. um new evidence has come to light and that has caused for, uh, review of the of the matters that you're discussing. a nasser was sentenced up to 175 years in prison for decades of sexual abuse.

[Fox News, 3:01:09 PM](#)

first, merrick garland grilled on capitol hill today. another rough day for this gentleman. over his memo that called for the fbi to assist with threats of violence by parents against school board members. now, since the last hearing, the national school board association who memo he



admits was the basis for his action, they backed down. they said that it was wrong of them to suggest that these parents could be domestic terrorists in this context. so the a.g. was under pressure to do the same thing and to rescind his memo. >> either you run the department of justice or the department runs you. right now looks like the department of justice is running you. >> did you consider the chilling effect your medium random might have on parents exercising their constitutional rights? i think you can answer that yes or no. >> what i consider -- i wanted the memorandum to assure people that we recognize the rights of spirited debate. >> a national security division, judge. these are the people that are supposed to be chasing jihadists and chinese spies what is the national security division have to do with parents at school boards? >> this is not, again, about parents at school boards. it's about threats of violence. >> most of us and most of the person people are flabbergasted if you answer is you have no regrets about this memo. is that what you think? this is wise? >> senator, the obligation of the justice department is to protect the american people against violence including threats of violence. this is not about the american parent. >> i know. it about the politicization of doj. you decided to submit as a vessel and you know better. >> martha: so let's bring in laura ingraham, host of "the ingraham angle" and "california on the edge" with laura ingram. a great documentary about what's going on in california. great to have you with us today. i've seen uncomfortable people in hearings before. but merrick garland look like he couldn't way to get out of there. a lot of i don't knows. why did you move so quickly? over a weekend, you had an nsb letter from the national school board and a bunch of reports ...

[Newsmax 3:00:15 PM](#)



attorney general merrick garland grilled on capitol hill for hours on several issues, including his controversial memo targeting parents at school board meetings have been complaining about things like critical race theory. the attorney general defending his letter and repeatedly refusing to apologize for the backlash it has caused. welcome to the second hour of american agenda compound, sellers. and i'm heather children's merrick. garland also questioned about possible ethics violations amid reporting that garland benefits directly from his memo because. the eggs. son in law runs a company that sells crt critical race theory material to schools all across the country.

white house correspondent number of robinson live in washington with the latest enbrel. hi. other bob? yeah the attorney general merrick garland, facing some tough questioning from republican senators on the hill, particularly from senator ted cruz of texas, as it relates to merrick, garland's son in laws, and tanner, who started the company, panorama education. that provides critical race theory resources of school but also conducts surveys. this the texas senator asking garland a trying to pin him down on if he had an ethics review. before making this decision to put out this memo related to crt and parents at school boards, and also if his son in law directly benefits financially from having crt continuing school, listen to how that exchange went. did you seek an ethics opinion? it has no prodigious seeking ethics opinion judge you know how to ask questions and answer them did you seek it? ethics opinion? you asked me whether i saw an ethics opinion about something that would have a predictable effect on something. this has no predictable effect in the way that you're talking about. so if critical race theory is taught in more schools, does your son in law make more money has nothing. critical race theory is taught more schools. does your son in law make more money? yes or no? this memorandum has nothing to do with critical race. will you answer if you saw it as kind of curriculum you answer. if you saw it, and i am answering the best i can. so the attorney general looting really answering being a base of that's the same thing we really saw from him during a house hearing last week, in fact, the attorney general today very much being like he was in that house hearing last week. said he didn't know about certain instances or he wasn't aware of ...

[Fox News, 3:06:44 PM](#)



merrick garland really didn't seem to have any evidencery basis for turning around that memo as quickly as he did. he took it as gospel with what the national school board association said. i've been in washington almost 30 years. i can't believe i'm saying that. i have not seen this level of a fury coming from republicans as i do on this school board issue. it's bleeding over to the independents as well. these are just parents. they want to know what their kids are being taught and they want their kids to be in a safe environment. they don't want to be intimidated. >> martha: indeed. some fall into that same category that we've seen vote for president trump in 2016 and then for biden in 2020. they seem to be questioning what they

got. we'll see tuesday. you had scott smith on your program. we played this. this man's daughter was sexually assaulted in a gender fluid bathroom at her high school in loudoun county. this poor man went to the school board meeting and railing about it because he couldn't get anywhere. they said this didn't happen, this doesn't exist. he became the poster man for these crazy parents at these meetings. tom cotton said today, does he get an apology? what did you think of that moment? >> it was very powerful. for all the talk of violence among supposedly being threatened by parents, we had law enforcement tackling a dad whose daughter had been violated in the most -- you can't say what happened to her. but we now know did happen to her. her victimhood doesn't count. the supposed victims who they're creating out of thin air for political purposes looks like get all of the attention and the focus? this family dragged through the mud? something is upside-down in our society, our culture where parents now have to wonder whether it's okay to go to a school board meeting, less they lose their job or less they be called a terrorist or brand add ..

[Cheddar 3:08:40 PM](#)



attorney general merrick garland testifying before the senate judiciary committee regarding justice department oversight, what has come out of this so far. >> well if you thought the republicans might not like merrick garland you would be right and if you think that democrats are very much willing to live in softball questions you'll be right about that too. a very standard sort of pre trump era hearing in which everyone is looking for a sound bite everyone wants their big moment and attorney general merrick garland it kind of just there is the person for them to lob the sound bite that, but it has gotten contentious and that school boards. yeah, but you can expect me to say that but attorney general merrick road and released a memo recently that he once the fbi city of available to local and state law enforcement agencies who feel as though they need to call the fbi in when school board meetings get so sort of rambunctious that people are at risk right that that devolved into violence. this is something that has happened actually this year and it happened about things like masks and vaccine requirements for kids and whether or not they will go to school in person, but it all so happened about what they're learning critical race theory are they going to learn about lgbtq history, an issues. there are a lot of

concerns about the even just right here in the dc area. so this is the issue that republicans are sort of seizing on to help win the midterms

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...on board with proposed billionaire income tax and instead is offering his own proposal to expand a minimum tax on top earning households. republicans were sharply critical of merrick garland today during a hearing on matters ranging from asking the fbi to help address violent threats against local school officials to how the justice department is responding to terrorist dangers in border security. chuck grassley accused the attorney general of politicizing the department saying it looks like the department of justice is running you. the former citigroup vice chair is calling out banks for lack of work -- representation for women and minorities. mcguire spoke with my colleague at the bloomberg equality summit. >> look at the representation, the demographic racial representation in the financial services industry at large. it still has enormous work to do. the private sector has to get involved. it can't sit on the sideline. complicitous is not acceptable in a world where we are facing to existential crises. the private sector cannot advocate -- abdicate its responsibility. mark: one proposal that was floated, confrontation and incentives could be tied to diversity goals. new mexico authorities are asking the fbi to analyze the bullet fired by alec auld one that killed the cinematographer on the set of his film was tweaked. the santa fe county sheriff said the projectile was one of 600 pieces of evidence collected. >> i think the industry has had a record recently of being safe. there was some complacency on the set, and i think there are some safety issues that need to be addressed by the industry and possibly by the state of new mexico. i believe that up to the industry and the state to determine what those need to be. mark: the production of rust has had disputes since the beginning of filming. workers walked off the set ...

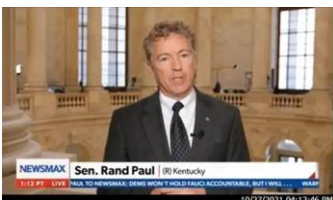
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all right. sign me up. larry: senator toomey, thanks ever so much for coming on. >> thanks, larry. larry: coming up on "kudlow" ag merrick garland dodged question of a question about the justice department targeting parents for criticizing crt woke school boards. senator chuck grassley questioned him hard. senator grassley joins me next up. tomorrow a big day. a special edition of the show dl "owku." "owow isthne i save srca,riethth bill. le sw. s s we're d'reev w thoth thor t t



it, the world does not have dollar and the dollar is not the only currency. the economy and the dollar are not the only things that matter. say goodbye to daily insulin injections. waterproof pod built to simplify life with diabetes. try it today. go to [omnipod.com](http://omnipod.com) for risk information, instruction for use, and free trial terms and conditions. consult your healthcare provider before starting on omnipod. i order my groceries online now. shingles doesn't care. i keep my social distance. shingles doesn't care. i stay within my family bubble. shingles doesn't care. because if you've had chicken pox, you're already carrying the virus that causes shingles. in fact, about 1 in 3 people will develop shingles, and the risk only increases as you age. so what can protect you against shingles? shingrix protects. now you can protect yourself from shingles with a vaccine proven to be over 90% effective. shingrix is a vaccine used to prevent shingles in adults 50 years and older. shingrix does not protect everyone and is not for those with severe allergic reactions to its ingredients or to a previous dose. an increased risk of guillain-barré syndrome was observed after vaccination with shingrix. the most common side effects are pain, redness, ...

[NEWSM 10/27/2021 4:12:01 PM:](#)



you get this only as capitalism develops great wealth and companies compete for workers. they allow this but in government service, i think it may have gotten excessive in this case and senator while we have you here, there's a senate panel of. uh throwing questions at merrick, garland attorney general eric carlin and in the story keeps coming back to why why america ireland would you agree to use the fbi to investigate parents for potential domestic terrorism charges? you senator? i know this. this has to be. right up your alley using the fbi for things that they use it for, currently now expanding that to innocent parents without a warrant without a warrant. just got to bother you. yes, sir. yeah without question. it is very worrisome when the national school board is asking the attorney general of the united states to use the full power of the federal government and the patriot act, which was really done. not observing our constitutional rights to go after citizens that are unhappy. i mean, what happened in loud and counting with the rape of a girl and then being swept under the rug by the school board and then arresting the father for being unhappy. i mean, i think this may have a big influence on the election in virginia because i think there's a lot of

independent moms or moms, and it made them think that they lean kind of liberal. or maybe democrats. they're saying, gosh my girls go to that school. i want them to be safe at school. and shouldn't the school's job be to get rid of creeps? and you know, sociopaths and rapists from the school and not move them to another school district. so i think the outrage over this and garlands response, i think may well be a big factor in what happens in virginia's governor race next week and boy will that be a bellwether the united states if somehow young can pulls off a win over mcauliffe, who is a heavy favorite? i don't care what the polls say. he is a heavy favorite in a very that's become a very blue state. senator rand. paul. thank you so much. we appreciate your time. thank you all right foot flopping that grew the public's distrust in the middle of a pandemic ties to wuhan lab where that very pandemic arranger. it originated cruel and pointless experiments that killed innocent animals and the white coat waste project, a taxpayer watchdog group was the first to expose the nih and it's shady wuhan ties anthony bill 80. president and founder at the white coat waste project joins us now, anthony thank you for joining us and just like to point out to our audience we've been talking about. we've been talking about this. we've been talking about this deep, deep barking the beagles story for three years. we have one of your one of your senior people on three weeks. i'm sorry when your senior people on three weeks ago, um and to his credit, ...

[MSNBC 10/27/2021 4:08:06 PM:](#)



he may face a subpoena based on the "washington post's" latest reporting to congressional committee investigating the insurrection. to be determined on v will investigate eastman. merrick garland, the a.g., was asked about this today white house who asked if he and the aj would look into the violence. the amo out. i think what is important is your point about fraud. when you step back and talk to key players, this effort, whether it was sidney powell, john eastman or to proclaim fraud to proclaim fraud. it was to give a cover to republicans in the leaf to say they can now give trump a second term. this was all about preventing predicated on their fraud. let me show you some of this testimony, katie been about. this is attorney general garland being questioned by senator white hou say. >> i understand that. >> we have a criminal investigation going forward. > constrained only to people in the capitol? >> the regs is being conducted by th office and the fbi field office. we have to the constrained them in any way. >> follow the money, custom is a well established principle of execution is -- >> it is fair to say all investigative techniques of which you are familiar and some m because they postdate your time, are all being pursued in this manner. >> so,

scenes. what exactly is the white house getting at? what do you read between that response? >> sure. the white house wants to know whether or not the ju do something basically similar to what the judiciary committee and the select doing. try to understand who did what and whether or not there were people would have worked with the folks who ended up storming the capitol. if they attack or whether it was a spontaneous riot that broke out of a heated ...

[FNC 10/27/2021 4:47:03 PM:](#)



ere. meantime, family of halyna hutchins likely to pursue a civil suit. that will cost someone likely millions of dollars. neil? >> jonathan hunt, thanks very much for that you probably heard merrick garland was on capitol hill. let's say it was a little rocky. that's probably an understatement. aishah hasnie. >> hi, neil. yes, that is an understatement. republicans calling the a.g. a vessel for the politicization of the doj and calling for him to resign. much more from the hill after this break.

[OANN 10/27/2021 4:59:24 PM:](#)



today's wednesday, october 27th and this edition of one american news starts right now . that's here. this testimony your directive your performance a shameful that's not thank god. you're not on the supreme court. you should resign in disgrace, judge. republican tom cotton holds merrick garland's feet to the fire over his school board directive and overall job performance during a senate oversight hearing today, the arkansas senator questioned the attorney general about his doj memo. labelling concerned parents as domestic terrorists. senator says parents have every white to protest the rt and transgender policies because it affects their children. that refers to scott smith, whose 15 year old daughter was raped. she was right in a bathroom by a boy wearing girls' clothes and the loudon county school board covered it up because it would have interfered with their transgender policy during pride mind. and that man, scott smith because he went to his school board and tried to defend his daughter's rights was condemned internationally. cotton stressed to garland must apologize to scott smith, who was slandered as a domestic terrorist due to garland's policy memorandum. growing insisted the memo was not political, even though the white house played a role in its release. did you seek an ethics opinion? i'm telling you that if i thought there was



any reason to believe there was a conflict of interest, i would do that. but i cannot refuse to ...

[NEWSM 10/27/2021 5:01:30 PM:](#)



hate through critical race theory. now, these thoughtful and well reasoned objections were greeted as an act of domestic terrorism by the n a. s. b. in their letter to the failed supreme court nominee, merrick garland. mr garland agreed sicking the fbi on parents who would dare oppose government control over their children. the national association of school boards did say they were sorry for calling parents terrorists, but they did so after joe biden's administration appointed the left wing extremists who called parents terrorists. to a new position, the national assessment governing board from their viola garcia will be able to do much more damage to our kids. you can bet she won't take too kindly either her parents trying to get in her way. by the way by all i garcia is from texas a red state. if this left wing cancer can spring up from my beloved state, imagine what these leftists are doing in blue states. but government labeling you as a terrorist for reminding them that you're supposed to be the one in charge. it's only half of this. biden's pals and permanent washington are also sending messages to conservatives that their very lives and the lives of their family are in danger if they oppose the deep state. on january 6th of this year.

[FBN 10/27/2021 5:01:03 PM:](#)



attorney general merrick garland standing by the biden administration's war on parents, not walking back his department's memo siccing the fbi on those who choose to speak up. plus, a high stakes showdown in virginia. the state's deadlocked governor's race and the democratic candidate spent about \$100,000 to sway voters using fake news web sites. seriously. and criminal charges still on the table. new details on alec baldwin's movie set shooting. the stunning admission this hour. i'm dagen mcdowell, this is "fox business tonight." dagen: our top story, attorney general merrick garland back in the hot seat today testifying on capitol hill before the senate judiciary committee on a series of controversies, most notably a school board memo that compares parents to terrorists. take a listen. >> well, i have in my hand right here that i'll submit to the record a letter from one of your u.s. attorneys to all of the county attorneys, to the attorney general, to all sheriffs, to the school board association of his state in which he talks about federal investigation ands are

from. investigation and prosecution. it's not about meetings, it's not about coordination the, it's about federal investigation and prosecution. did you direct your u.s. attorneys to issue such a letter? >> i did not. i have not seen that letter -- >> it's got three pages. >> my memorandum -- >> all the federal crimes that you can be charged with. are you aware of contact between your officials and members of the school board association all cooperating together which is why you were able to move in four days, judge, four days, two of which were weekends. >> as i said, i am sure there were conversations with the white house. i have no idea whether there were conversations with the school board association. >> i bet we're going to find out there were, and if it doesn't happen now, it'll happen in 15 months when the republicans -- your performance is shameful. thank god you're not on the supreme court. you would resign as a disgraced judge. dagen: here now, carol markowitz. carol, what did you make of attorney general merrick garland who would not disavow the memo that he wrote targeting parents

**NEWSM 10/27/2021 5:07:05 PM:**



attorney general merrick garland grilled by the senate judiciary committee earlier today. here he is doubling down on that controversial memo he sent out targeting innocent parents watch. i have the letter from msp a that you're referring to and apologizes for language in the letter, but it can continues its concern about the safety of school officials in school staff. the language in the letter that they disavow his language was never included in my memo and never would have been. joining me now to discuss his new mexico congresswoman yvette herrell, along with texas congressman pete sessions. welcome to you. both congressman sessions will begin with you. a g. garland's family makes money off of pushing. the racist teaching of critical race theory, yet he used his position to intimidate parents across this country, preserving his own family's cash cow. is that ethical conduct for a sitting attorney general? of course, it's not, and perhaps more to the point that you really do make and that is this attorney general is political. and we do not need politicalization. we don't need him too politicized. as eric holder did the fbi. as we have seen federal government agencies through what is official government work, they are using their powers against innocent people. the department of justice has had a huge. battle across

about this for years about where those lines are and there should be memos internally to the department talking about the balances that should be achieved, and we need to find those memos to find what kind of advice. the attorney general was given in that regard because the fbi should have pushed back on this as well as career people in the department of justice. you would hope but not in modern america. congresswoman harold in loudon county, parents of public school students are being forced to sign a non disclosure agreement to view their hate filled critical race curriculum, according to a new report there by the daily color. this is what's going on. if the curriculum is so good for our kids. as these left ...

[FBN 10/27/2021 5:05:14 PM:](#)



after parents. this is a scandal. and maybe it will take the republicans retaking the house and even a majority in the senate to get to the bottom of what's really going on here. >> well, last week merrick garland admitted that he took action because of that letter from the national school board association. so there's really not even, like, a great mystery of conspiracy here. i think the only thing we're trying to connect at this point is what role the white house played in all of this, and they absolutely did meet with the national school boards association as well. so the only missing link is the white house talking to the attorney general. i don't think that there's any big surprise here that they are all coordinated, and this absolutely is a war on parents, and it's absolutely meant to shut down dissent, to shut down speech, to scare parents away from school board meetings, to make sure that they're not sticking up for their kids and to make sure, you know, that the policies that these liberal organizations and this government wants in place stay this place. dagen: it was just astonishing to listen, i listened to almost all of the hearing today, the questioning, and you had cory booker trying to link the parkland shooting to domestic terrorism. >> right. dagen: and, in fact, the parkland shooting was a, was because the school administrators and even the local school district, because they failed to remove somebody from the school -- they failed to protect the kids which is what the issue is broadly among parents where they failed to remove a dangerous individual from the school when they knew that the shooter, the ultimate shooter was violent. so i found it really rich that senator booker would even bring that up, because it kind of made the point that parents across the

country are trying to make. >> that's exact presidentially it. the parents -- exactly it. the parents across the country are worried for their kids in a lot of different ways. the story out of loudoun county in virginia really shook a lot of people where a dad was sort of the impetus to this whole thing. he was the reason for the national school board association letter and for the memo from the attorney general's office had actually, his daughter was raped in the school bathroom, and he had gottenning you know, pretty feisty at a school board meeting which makes a lot of sense because it was all covered up, and it was all just treated in a really hush-hush fashion. so everybody here should be wanting to protect the kids, and yet i don't see that from the federal government. i see a lot of protection for ...

[FNC 10/27/2021 5:14:14 PM:](#)

greg: attorney general merrick garland got his kicked testifying before the senate. garland repeatedly pressed over why he refused to -- the justice department's memo seeking the fbi on parents. even the national school board association apologized. >> you are just a vessel, aren't you? >> g.a. garland: i'm not sure what you mean by that. >> you have weaponized the fbi and department of justice. it's wrong. it's unprecedented, to my knowledge, in the history of this country. i call on you to resign. >> this letter calls him a domestic terrorist. the nrc eight is so embarrassed of this letter, they have apologized for it. they have retracted it. you apparently don't have the same willingness to apologize and retract what you did. >> your test money, your directive, your shame. thank god you are not on the supreme court. resign in disgrace, judge. >> geraldo: that was terrible. >> greg: garland grilled -- he is now aware of the school rape case. >> you indicated you were not aware of that, and in the six days before you testified before the house judiciary committee, have you become familiar with the public public reported details about the case? >> g.a. garland: i have read about the details.

[FNC 10/27/2021 5:15:41 PM:](#)

garland: i have read about the details. >> greg: that's good, think of her how was his performance? before i don't think you can say the name merrick garland without thinking about the history. at that time, he was seen after as this person who was so wrong because he did not have an opportunity to have a hearing. everyone has expected that as attorney general he would be this evenhanded and



careful attorney general. the problem for merrick garland is that the events make it look otherwise. even at the national school board association sending out this memo, then the back story, and "they have been going back and forth with the white house. we are upset with what's been going on in meetings, and people are under assault or in danger." over the weekend, from friday, the letter goes out. monday, there is an announcement that the fbi will be watching all of this. now, under scrutiny and questioning, merrick garland goes "i based it on the letter from the national school board association," which they have walked back on, the language in it. reports that i read in the media, an investigation that does not make that you do not have to be a lawyer to understand that. even when i read this from the first moment, it said that there has been a dangerous spike. "let's see. what's the dangerous spike? let's see the example." there is a response from the department of justice, not just local law enforcement. it's been a tough couple of hearings for merrick garland. >> greg: katie, we seen so many hearings. to me, this is pretty serious. does it fall into that world of trauma where "the republicans act this way, and just goes away"? it's just drama for the sake of drama. do we get anywhere? >> based on what merrick garland said today not resending the doj memo, i don't think it's going away. i think that the justice department under order from the white house and president biden wants this to continue for the school boards, to continue to be monitored. the problem for the apartment of justice is they have no credibility when it comes to telling parents that the fbi is not coming after you. the irs colluded with the doj in 2010, regular people in their community, just like parents going to their school board meetings. ...

[FNC 10/27/2021 6:00:40 PM:](#)



good evening attorney general merrick garland round of questioning by senate production over his plan to have the justice department essentially investigate parents upset about how their children's schools are being run. that story is coming up. it's fiery but first tonight, president biden is struggling to get members of his own party on board with his massive tax and spending plans. and while the biden administration continues to send the message of confidence that both bills will pass, key elements are now being stripped away on capitol hill. and the pay fors that have been talked about for these bills are changing by the day. sometimes by the hour. we have fox team

coverage tonight jackie heinrichs at the white house with the administration's action to the ongoing back and forth and the legislative stalemate we begin with congressional correspondent chad pergram with the drama over the democrats' latest move a tax on billionaires good evening chad, and we are hearing that this tax billionaire's tax may be out?

**NEWSM 10/27/2021 6:04:13 PM:**



South carolina senator lindsey graham asked attorney general merrick garland about the terror threat. in our country following the afghanistan withdrawal, watch what he had to say. specifically what have you done since our withdrawal in afghanistan to deal with this new new threat? we have. strengthened and increase the efforts of our joint terrorism task forces. i have met with them literally. what have you done? i'm just put it in writing. just write down what you've done. i'll be happy to have our staff assess. what thank you. hold you and. you know? why do you think that the administration is doing enough to keep the country safe now? not at all. all you have to do is look at our southern border and see tens of thousands of people streaming into our country. you know, every single month. i mean, it's unbelievable. it must be taken care of everybody. everybody in the world is allowed to have a, you know, order their sovereignty.

**OANN 10/27/2021 6:10:01 PM:**



>> merrick garland doubling down on that memo and not backing down now. so something that will be keeping an eye on very a parents parents are going to be more outraged and parents should have a choice. i'm worried as they move forward they're going to mandate the vaccines for young kids. to you think about risks, parents might have questions about that. >> i'm opposed to vaccine mandates. i got the vaccine because i'm older and i don't have vulnerability. i felt it was adequate. but to force on children who have what? a 2.6% contraction rate in the nation, not, it can be dangerous and weo vulnerable people. when forcing vaccines and mask mandates on young children just reprehensible and i'm hoping that pfizer, i mean look. there has to be a follow the money look here, who making money on pushing these vaccines? who is getting there?

**Radio**

[WFLA \(Fox News Radio\)  
10/27/2021 10:04:05 AM](#)

would replace a corporate tax rate hike initially proposed in a new revenue stream would need support of every Democrat in the 50-50 divided Senate. Dave Jarrett all hearing is about to start the Senate with Attorney general **Merrick Garland** likely facing more questions from Republicans about a recent memo getting the FBI probe allegations of threats of violence to school boards, angering parents in places like Virginia, who say they're just protesting policies GOP Senator John Kennedy just told Fox. You don't have to be a Latin scholar to figure out what this is all really about it's about parental love it's not a Hurricane but a storm hitting New England feels like one

[KKFT \(Fox News Radio\) 10/27/2021  
8:00:27 AM](#)

are not investigating parents who speak out I'm Dave Anthony Fox news that's what Attorney general Merrick Garland says defending his memo to get the FBI I do investigated the urging of school boards in a Senate hearing there were threats of violence and violence with respect to school officials and schools at a Democratic Senator Dick Durbin went on to list incidents across the country including one in his state's Illinois 30-year-old man arrested and charged with battery disorderly conduct after striking a school board member to meeting California father yelling profanities at the elementary school principal. His daughter calmed him down. He later returned to confront the principal and struck a teacher in the face. Republican Senator Chuck Grassley says the FBI probe has a chilling effect on free speech, school officials and parents may not speak up in these meetings out of fear.

[WABC 10/27/2021 11:22:54 AM](#)  
(Brian Kilmeade)

Merrick Garland now meeting in front of the Senate Judiciary Committee Republicans giving them real questions. Senator Klobuchar and others are talking Donald Trump. What else is new. Don't go anywhere.

[WIBX \(Fox News Radio\) 10/27/2021  
12:02:41 PM](#)

Attorney general Merrick Garland telling lawmakers again he supports parents constitutional rights to criticize school boards as he continues to face criticism over federal assistance to help counter threats to school boards, Democratic Senator Dick Durbin I don't believe I think you made it clear that you don't believe that we should infringe on free speech but free speech does not involve threats and violence period garland understands by his memo on the issue after the national school boards Association walked back domestic terrorism language in its letter asking President Biden for help

[WXDE 10/27/2021 12:37:22 PM](#)

was so funny when he was asked, Where's the evidence for this investigate right and it turned out it was from the letter he got

Yes from the school board Association and newspapers. That was the way he talks about newspapers all the time in newspapers like Way the guy gets any information at all, Mr. relevant Yeah in the newspaper OK was Yeah was the whole line of questioning. So I read the letter and we have been seeing over time. I didn't ask you do you read the letter that's that's your source. Let me be clear. The prosecution or is there some study some effort some investigation. Someone did this said there's been a disturbing uptick are you just take the words of the national school boards Association on the national school board Association, which represents thousands of school board to school board members, says there are these kind of threats. Thank you, Jerry, definitely. And, you know, this is all political now right Yeah therapy Yeah just terrible, a. Scott, you had the update well in Loudon County. The students they walk out they did. And you know, I'm watch I watched gosh dang I watched ABC I watch nbc last night the news the national news Yeah, I've not seen this story show up anywhere because the students walk out the protest sexual-assault report Yeah I like I like en masse walked out because they're nobody's taking any of the seriously no. It's a story. Again, that doesn't fit the narrative of the left media okay when you have, you know, this boy and a skirt goes into the women's restroom and then sexually assaults are there, the former President. Nited States described it has phony culture wars yester day Yeah Yeah a few days ago we've aguero gets rain ripped in a bathroom it's a phony culture war we don't have time that's right could be wasting on these only trumped-up culture wars who this fake outrage. No, it's not the right way ...

[Bloomberg radio, 2:10:01 PM](#)

US Attorney general Merrick Garland is sounding the alarm about an increase in violence while testifying today before a Senate Judiciary Committee he said threats are being targeted at all realms of society. It's a rising tide of threats of violence against judges against prosecutors against secretaries of state against election administrators against doctors against protesters against news reporters Darla is facing blowback from Republicans for politicizing the Department there especially upset over a memo ordering the FBI to investigate people making threats to school boards.

[Bloomberg Radio, 3:41:00](#)

Attorney general is under the microscope on Capitol Hill during a Senate Hearing today Merrick Garland said his top priorities, upholding the rule of law. He stressed the Justice Department aims to keep the US safe while preserving civil liberties



Republican Senator Chuck Grassley leveled an attack against Garland right out of the gate center confirmation in less than a year. The Department has moved as far left as it can goal you politicize the Department in ways it should be. Grassley's comments were refuted though by Senate Judiciary chairman Dick Durbin who says under the previous administration that Justice Department played the role of former President Trump's personal lawyer.

### **Print**

**AP:** [Garland defends school board memo amid Republican criticism](#) by Michael Balsamo

**UPI:** [AG Merrick Garland defends memo to protect school board meetings from threats](#), by Clyde Hughes

**ABC News:** [Garland, under GOP attack, defends memo on violent threats against school board officials](#) by Alexander Mallin

**CBS:** [Garland defends memo on violent threats to school boards](#) by Melissa Quinn

**Wall Street Journal:** [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

**Wall Street Journal:** [Update] [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

**CNN:** [Merrick Garland will appear before Senate panel amid pressure on Nassar probe, Bannon and school boards memo](#), by Tierney Sneed

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#), by Tierney Sneed

**CNN:** [Nassar investigation: AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents](#), by Veronica Stracqualursi

**CNN:** [Garland hopes 'as much as possible' of Durham report will be public](#) by Marshall Cohen

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#) by Tierney Sneed

**CNN:** [AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents handling Nassar probe](#) by Veronica Stracqualursi, Christina Carrega

**Fox News:** [Garland to face questions about politicization of the Justice Department](#), Jon Brown

**Fox News:** [Tom Cotton to AG Garland: 'Thank God you are not on the Supreme Court'](#) by Ronn Blitzer

**Bloomberg:** [Republican Senators Criticize AG Merrick Garland in Hearing on Border, Terrorism](#), by Chris Strohm

**Bloomberg:** [DOJ Curbs Trump-Era Zeal for China Spy Probes as Cases Fail](#) by Chris Strohm

**The Hill:** [Cotton tells Garland: 'Thank god you're not on the Supreme Court'](#), by Harper Neidig

**US News:** [Garland Refuses to Rescind Memo Asking FBI to Probe School Board Threats](#) by Lauren Camera

**Business Insider:** [GOP Sen. Tom Cotton erupts at Attorney General Merrick Garland: 'Thank God you are not on the Supreme Court'](#) by Oma Seddiq

**Washington Examiner:** [Grassley blasts Garland over DOJ school boards memo and Hunter Biden investigation](#), by Jerry Dunleavy

**Washington Examiner:** [Durbin invokes Jan. 6 as he defends school board letter during Garland hearing](#), by Kate Scanlon

**Washington Examiner:** [Garland defends DOJ memo despite NSBA letter being withdrawn](#), by Jerry Dunleavy

**Washington Examiner:** [Tom Cotton swipes at Garland: 'Thank God you are not on the Supreme Court'](#) by Kate Scanlon

**Washington Examiner:** [Patrick Leahy questions Merrick Garland over Larry Nassar investigation](#) by Christopher Hutton

**Washington Examiner:** [Merrick Garland repeatedly spars with Ted Cruz on whether he sought ethics review](#) by Jerry Dunleavy

**Washington Times:** [Senate Judiciary poised to grill AG Merrick Garland over FBI school board memo, U.S. Capitol riot](#), by Emily Zantow

**Washington Times:** [Sen. Ted Cruz to blast AG Merrick Garland over Biden COVID-19 vaccine mandate](#), by Emily Zantow

**Washington Times:** [Chuck Grassley says AG Merrick Garland has politicized DOJ 'as far left as it can go'](#), by Emily Zantow

**Washington Times:** [AG Merrick Garland says some illegal immigrants can come: 'It depends on why they are coming'](#), by Stephen Dinan

**Washington Times:** [AG Garland defends school board memo, says he will not retract it](#), by Emily Zantow

**Washington Times:** [Garland deflects questions on Fauci allegedly lying to Congress](#) by Emily Zantow

**National Review:** [Democrats Close Ranks around Garland's Politicization of DOJ](#) by Andrew McCarthy

**Daily Caller:** [EXCLUSIVE: Ted Cruz Lists Five Questions AG Garland Must Answer During Senate Testimony](#), by Michael Ginsberg and Henry Rodgers

**Daily Caller:** ['These Are Not Routine People': Dick Durbin Compares Parents Shouting Profanities And Ripping Off Masks To Jan. 6 Rioters](#), by Virginia Kruta

**Daily Caller:** [Garland Promises To Provide Report On Threats Against Public Education Officials](#) by Michael Ginsberg

**New York Post:** [AG Merrick Garland appears before Senate Judiciary Committee](#), by Callie Patteson

**New York Post:** [AG Merrick Garland refuses to retract controversial school board memo](#), by Callie Patteson

**New York Post:** [Ted Cruz presses AG Garland on possible conflict of interest over son-in-law's education company](#) by Callie Patteson

**Politico:** [Morning Tech: With new nominations, Democrats lock down their telecom wish list](#)

**Politico:** [Garland defends \\$700K McCabe settlement](#), by Josh Gerstein

**Raw Story:** [Merrick Garland bursts into laughter at GOP senator's question](#) by Travis Gettys

### Press Releases

**Sen. Chuck Grassley:** [Grassley Statement at Justice Department Oversight Hearing](#)

### Tweets

#### Congress

[Sen. Marsha Blackburn](#) (R-TN)



Sen. Marsha Blackburn   
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...

Critical race theory has no place in America's schools.

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Josh Hawley blasts 'collusion' between National School Boards Association and Biden admin



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Josh Hawley blasts 'collusion' between National School Boards Association an...  
Missouri senator Josh Hawley says Attorney General Merrick Garland needs to answer for the FBI's involvement in school boards.

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John Kennedy  
@SenJohnKennedy



Today's education debate is really about parental love. And AG Merrick Garland isn't going to stop sicking the FBI on caring parents until the White House tells him to.



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Tom Cotton  
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The left called the deadly riots of 2020 "peaceful protests."

But parents concerned about their kids' education?  
The left thinks they're domestic terrorists.

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Sen. Ted Cruz lists 5 things AG Merrick Garland must answer at today's Senate Judiciary Committee hearing



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[Sen. Chuck Grassley \(R-IA\) Press](#)

1

.@ChuckGrassley: “Mothers and fathers have a vested interest in how schools educate their children. They’re not, as the Biden Justice Department apparently believes them to be, national security threats.”



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Sen. Lindsay Graham (R-SC) Retweet

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Sen. Lindsey Graham: "It's a simple question. [CBP] never mentioned to you that they've got a problem with being overrun by asylum seekers?"

AG Merrick Garland: "I know from reading the news media that border patrol agents feel that way."



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"I'm just stunned that you can't recall that," said Senator [@LindseyGrahamSC](#) to Attorney General Merrick Garland at a Senate hearing Wednesday, while questioning the AG about the crisis at the southern border.



**AG Garland won't admit abuse of asylum claims by migrants**  
via National Report at 9AM ET on Newsmax

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Five things Merrick Garland needs to answer now!



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Parents deserve the final say in their child's education +Parents shouldn't be intimidated against voicing their views at school board mtgs Esp from govt

12:37 PM · Oct 27, 2021 · Twitter for iPhone

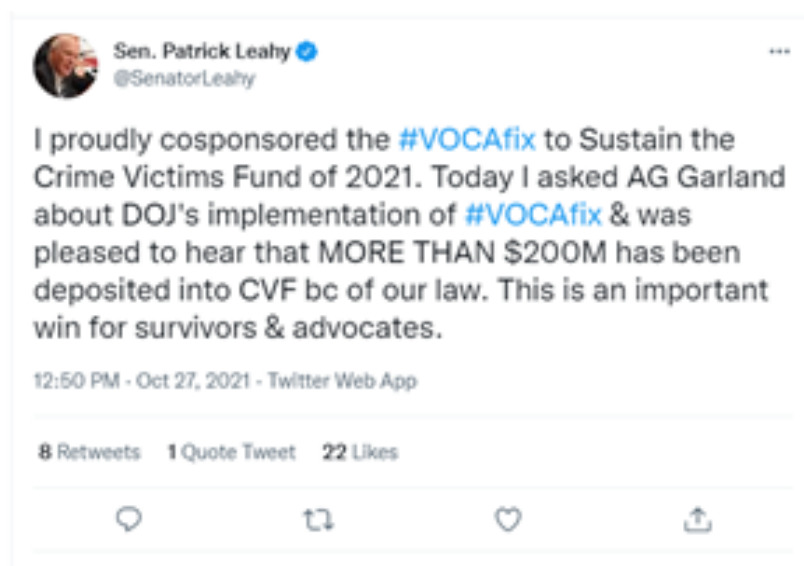
24 Retweets 2 Quote Tweets 91 Likes



[Senator Tom Cotton \(R-AR\)](#)



[Senator Patrick Leahy \(D-VT\)](#)



Senator Marsha Blackburn (R-TN)

[1](#)[2](#)[Rep. Carlos Gimenez \(R-FL\)](#)[Rep. Chip Roy \(R-TX\)](#)



[Rep. Bill Huizenga](#) (R-MI)



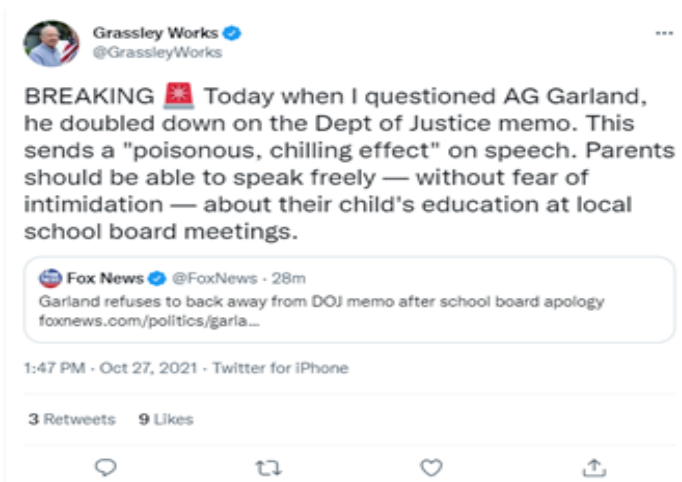
[Sen. Marsha Blackburn](#) (R-TN)



[Rep. Jody Hice](#) (R-GA)



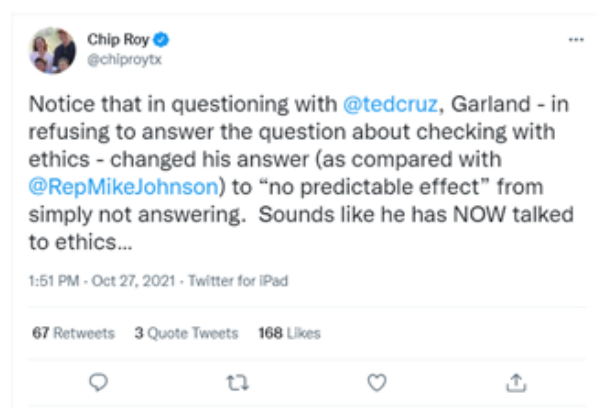
[Ranking Member Chuck Grassley](#) (R-IA)



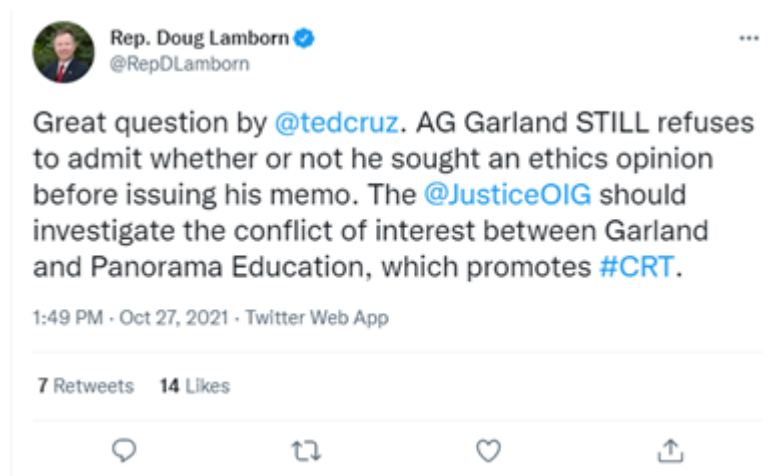
[Senator Tom Cotton](#) (R-AR)



[Rep. Chip Roy](#) (R-TX)



[Rep. Doug Lamborn](#) (R-CO)



[Senator Ted Cruz \(R-TX\)](#)[Senator Josh Hawley \(R-MO\)](#)





Senator Hawley Press Office   
@SenHawleyPress



WATCH: Senator Hawley rips Garland over his unprecedented memo weaponizing the FBI against parents and called for him to resign.



2:38 PM · Oct 27, 2021 · Twitter Web App

4 Retweets 6 Likes



Senator Hawley Press Office  @SenHawleyPress · 9m

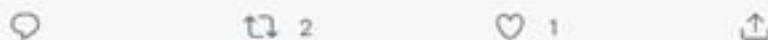


Replying to @SenHawleyPress

See the full exchange here:



youtube.com  
Sen. Hawley Questions AG Garland in Judiciary He...  
--Follow us here: Twitter:  
<https://www.twitter.com/SenHawleyPressFacebo...>



[Rep. Mike Johnson](#) (R-LA)



Rep. Mike Johnson  
@RepMikeJohnson

We have been demanding answers from AG Garland for weeks about his family's financial ties to advancing CRT.

And he still won't answer.

This much is now clear:

He either never underwent the mandatory ethics review, or he did, and is now withholding the results from Congress.

ForAmerica @ForAmerica · 52m

Sen. @tedcruz to AG Garland: "Your son-in-law makes a very substantial sum of money from a company involved in the teaching of critical race theory. Did you seek and receive a decision from an ethics advisor?"

Garland: dances around the question for almost two minutes.



2:28 PM · Oct 27, 2021 · Twitter Web App

11 Retweets 1 Quote Tweet 40 Likes

[Sen. John Kennedy \(R-LA\)](#)



John Kennedy  
@SenJohnKennedy

AG Garland didn't investigate the claims that the National School Boards Association made before issuing his memo.

The NSBA apologized for the letter.

So, on what basis is the FBI continuing to target parents?



3:11 PM - Oct 27, 2021 - Twitter Media Studio

### [Sen. Marsha Blackburn](#) (R-TN)



Sen. Marsha Blackburn  
@MarshaBlackburn

The facts are simple.

AG Garland's son-in-law co-founded a company that promotes critical race theory.

Then, Garland deployed the FBI to label parents concerned about CRT in schools as domestic terrorists.

3:06 PM - Oct 27, 2021 - Twitter Web App

### [Sen. Josh Hawley](#) (1) (R-MO)



Josh Hawley  
@HawleyMO

Merrick Garland's Justice Department has catalogued 13 federal crimes for which parents could be prosecuted for speaking out at school board meetings - but Garland says he doesn't have time to review his Department's own plans



3:04 PM - Oct 27, 2021 - Twitter for iPhone

[Sen. Josh Hawley \(2\) \(R-MO\)](#)



Garland knew federal prosecutors would go after parents. It's what he wanted. It's why he activated DOJ and the FBI in the first place to interfere in local school districts. And now federal prosecutors are compiling lists of all the crimes parents can be prosecuted for



3:10 PM - Oct 27, 2021 - Twitter for iPhone

[Sen. Josh Hawley \(3\) \(R-MO\)](#)



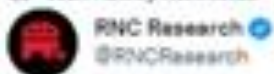
Here's how a father named Scott Smith was treated when he went to his local school board in Virginia to protest the rape of his daughter at school by a transgender boy. This is who Merrick Garland and Joe Biden think is a threat to America: parents protecting their children



3:12 PM - Oct 27, 2021 - Twitter for iPhone

[RNC Research \(Retweeted by Sen. Hawley\) \(R-MO\)](#)

Josh Hawley Retweeted



RNC Research  
@RNCResearch

**MUST WATCH:** Attorney General Merrick Garland claims ignorance of a Department of Justice memo that advises of "13 different federal crimes" potentially prosecutable against concerned parents.



AG Garland Claims Ignorance Of Memo Advising 13 Prosecutable Crimes Against Parents

2:08 PM - Oct 27, 2021 - Twitter Media Studio

### [Sen. Chuck Grassley](#)



**ChuckGrassley** @ChuckGrassley · 16m

I tell cabinet nominees from both Republican & Democrat presidents ahead of their senate confirmation "Either you run the Dept or the department runs u" I reminded Atty General **Garland** of that again 2day at hrg Right now it looks like the Dept of Justice is running AG **Garland**

49

53

192

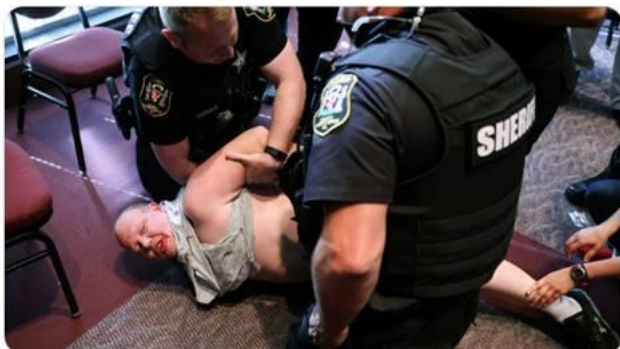


### [Sen. Josh Hawley](#) (Campaign Account)



Josh Hawley [@HawleyMO](#) · 48m

Here's how a father named Scott Smith was treated when he went to his local school board in Virginia to protest the rape of his daughter at school by a transgender boy. This is who Merrick **Garland** and Joe Biden think is a threat to America: parents protecting their children



336

1.3K

2.9K



Campaign Account)



Josh Hawley [@HawleyMO](#)

Merrick Garland's Justice Department has catalogued 13 federal crimes for which parents could be prosecuted for speaking out at school board meetings - but Garland says he doesn't have time to review his Department's own plans



[Senator Hawley Press Office](#)

 **Senator Hawley Press Office**  @SenHawleyPress · 9m ...

WATCH: Senator Hawley questions AG Garland over a **DOJ** memo instructing prosecutors to involve the FBI in cases against parents.

Garland claims he never saw the memo before it was released.



2:09 75 views

 3  5  6 

[Sen. Mike Lee](#)

 **Mike Lee**  @SenMikeLee · 12m ...



*When the Department of Justice becomes focused on things that are not part of its business, namely harassing, threatening, and intimidating moms and dads in America ... you lose focus on things only the federal government can do.*

*Like controlling our border from the dangerous effects of illegal immigration.*

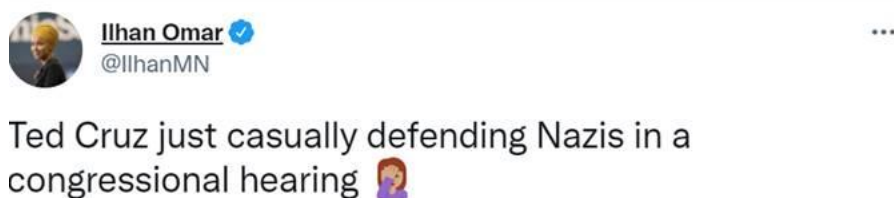
**MIKE LEE**  
US SENATOR - UTAH

 38  14  70 

[Sen. John Cornyn](#)



[Rep. Ilhan Omar](#) (Campaign Account)



[Aaron Rugar](#) (@atrupar) · 3h  
Ted Cruz defends Nazi salutes at school board meetings  
[Show this thread](#)



[Sen. Ted Cruz](#) (Campaign Account)





### [Sen. Marsha Blackburn](#)



### [Sen. Thom Tillis](#)



**Senator Thom Tillis**  @SenThomTillis · 48m

The bottom line: The Biden administration views parents' influence over their children's education as secondary to the will and whims of school board members and teacher unions.



23

7

10



## Reporters

[Stephanie Myers](#)



**Stephanie Myers**  @StephanieMyers

Happening Now:

Attorney General Merrick Garland is testifying before the Senate Judiciary Committee regarding oversight of the DOJ

10:43 AM · Oct 27, 2021 · Twitter Web App

1 Like

[Rebecca Rivas](#)



Rebecca Rivas  
@Rebeccarivas



U.S. Attorney General Merrick Garland directed the FBI earlier this month to meet with local law enforcement officials to strategize how to deal with threats against school board members.

Garland is speaking before U.S. Senate Judiciary Committee now.



missouriindependent.com

National school boards group apologizes for requesting probe of threats agains...  
The National School Boards Association walked back a letter asking for help for school board members who've been harassed and threatened.

10:25 AM · Oct 27, 2021 · Twitter Web App

2 Likes



Rebecca Rivas @Rebeccarivas · 8m



Replying to @Rebeccarivas

Link to hearing here:



judiciary.senate.gov

Oversight of the Department of Justice

United States Senate Committee on the Judiciary



[America's Newsroom](#)



America's Newsroom   
@AmericaNewsroom

...

"Most parents don't believe that babies can be white supremacists." [@SenJohnKennedy](#) previews the questions Attorney General Merrick Garland will face during the Senate Judiciary Committee's hearing on the DOJ's probe into 'threats' against school boards [@BillHemmer](#) [@DanaPerino](#)



10:23 AM · Oct 27, 2021 · Twitter Media Studio

5 Retweets 7 Likes

[Emily Zantow](#)



Emily Zantow [@EmilyZantowNews](#)



Senate Judiciary panel poised to grill AG Garland over FBI school board memo, U.S. Capitol riot



washingtontimes.com

Senate Judiciary panel poised to grill AG Garland over FBI school board  
Attorney General Merrick Garland is expected to be grilled Wednesday by the Senate Judiciary Committee over his FBI school board memo and the Larry ...

9:23 AM · Oct 27, 2021 · Twitter for iPhone



Tweet your reply

Reply



Emily Zantow [@EmilyZantowNews](#) · 1h



Replying to [@EmilyZantowNews](#)

Republican lawmakers have expressed outrage over Mr. Garland's Oct. 4 memo directing federal officials to meet with law enforcement to discuss strategies for responding to a growing number of threats against school board members & other education staff.



washingtontimes.com

Senate Judiciary panel poised to grill AG Garland over FBI school board  
Attorney General Merrick Garland is expected to be grilled Wednesday by the Senate Judiciary Committee over his FBI school board memo a...





### [Sadie Gurman](#)



2 Likes

Carrie Johnson

[1](#)



**Carrie Johnson** ✓  
@johnson\_carrie



Attorney General Merrick Garland tells Senate Judiciary that career lawyers working on the lawsuit filed by former FBI deputy director Andrew McCabe concluded they would not win the case if it went to trial and the bill to taxpayers would have been higher than settlement. 1/2

10:52 AM · Oct 27, 2021 · Twitter Web App

6 Retweets 19 Likes



Tweet your reply

Reply



**Carrie Johnson** ✓ @johnson\_carrie · 5m



Replying to @johnson\_carrie

The Attorney General says the Inspector General report on McCabe still stands and he has not questioned in any way the IG findings. 2/2



[2](#)



**Carrie Johnson** ✓  
@johnson\_carrie



AG Garland tells Senate "heartwrenching is not even strong enough" to describe testimony by gymnasts abused by Larry Nassar. The AG confirms DOJ is reviewing a decision not to charge FBI agents who bungled the case- "New evidence has come to light that is cause for a review."

10:59 AM · Oct 27, 2021 · Twitter Web App

3 Likes

[Eric Tucker](#)



**Eric Tucker**  
@etuckerAP



Garland says DOJ lawyers concluded that the US government would likely have had to pay out more to Andrew McCabe had the case actually proceeded to trial than had it settled with him, as it ultimately chose to do.

10:52 AM · Oct 27, 2021 · Twitter Web App

2 Retweets 4 Likes

Emily Zantow

[1](#)



**Emily Zantow** ✓  
@EmilyZantowNews



Sen. Chuck Grassley tells AG Merrick Garland:

The Justice Department "has moved as far left as it can go."

"You've politicized the department in ways that shouldn't be," Grassley said.



washingtontimes.com

Sen. Grassley says AG Garland has politicized DOJ 'as far left a  
Sen. Charles E. Grassley on Wednesday accused Attorney General Merrick B. Garland of politicizing the Department of Justice.

11:06 AM · Oct 27, 2021 · Twitter Web App

[2](#)





**Emily Zantow** ✓  
@EmilyZantowNews



Sen. Cruz to blast AG Garland over Biden's COVID-19 vaccine mandate



washingtontimes.com

Sen. Cruz to blast AG Garland over Biden's COVID-19 vaccine mand  
Sen. Ted Cruz is planning to question Attorney General Merrick Garland on Wednesday about President Biden's proposed COVID-19 vaccine mandate.

10:50 AM · Oct 27, 2021 · Twitter Web App

[Chad Pergram](#)



**Chad Pergram** ✓  
@ChadPergram



A) Judiciary Cmte chair Durbin at hrng w/Garland:  
Those who argue that school board meetings across America are not more dangerous and more violent than in the past or ignoring reality...

10:25 AM · Oct 27, 2021 · Twitter for iPhone

10 Retweets 4 Quote Tweets 42 Likes



Tweet your reply

Reply



**Chad Pergram** ✓ @ChadPergram · 38m  
Replying to @ChadPergram



B) Durbin: I think you made it clear that you don't believe that we should infringe on free speech. But free speech does not involve threats and violence. Period.



Retweet 3

Like 17



[Josh Gerstein](#)

**Josh Gerstein** ✓  
@joshgerstein



Idea that federal jurisdiction over threats is meaningfully limited is a fantasy.

11:32 AM · Oct 27, 2021 · TweetDeck

6 Likes

[Adam Klasfeld](#)

**Adam Klasfeld** ✓  
@KlasfeldReports



Rattling off the money "sloshing around in the background" of Jan. 6—from the Bradley Foundation, Turning Point USA and others—Sen. Whitehouse (D-R.I.), an ex-prosecutor, presses Garland on whether the DOJ is following the money.

Video of Garland's answer



11:18 AM · Oct 27, 2021 · Twitter Web App

110 Retweets 22 Quote Tweets 343 Likes

[Chad Pergram](#)



**Chad Pergram** ✓  
@ChadPergram



A) Garland to Grassley on school board memo: I have the letter from MSBA that you're referring to. It apologizes for language in the letter. But it continues its concern about the safety of school officials and school staff.

11:13 AM · Oct 27, 2021 · Twitter Web App

10 Retweets 31 Likes



Tweet your reply

Reply



**Chad Pergram** ✓ @ChadPergram · 29m



Replying to @ChadPergram

B) Garland: The language in the letter that they disavow is language was never included in my memo and never would have been. I did not adopt every concern that they had in their letter adopted only the concern about violence and threats of violence. And that hasn't changed.

6

15

26



[CNN Politics](#)



[The Washington Times](#)



[The Recount](#)



[CSPAN](#)

 CSPAN   
@cspan

.@SenTomCotton asks Attorney General Garland: "Are you investigating Tony Fauci for lying to Congress?"



0:39 JUSTICE DEPARTMENT OVERSIGHT

12:09 PM · Oct 27, 2021 · Twitter Ads

1 Retweet 2 Likes

[Tierney Sneed](#) (CNN)



[Chad Pergram](#) (FOX News)



Aaron Rupar

1





[2](#)



[Kate Scanlon](#)



### [The Hill](#)



### [New York Post](#)





[Jerry Dunleavy](#) (Washington Examiner)







## Emily Zantow (Washington Times)


[1](#)

 **Emily Zantow**  @EmilyZantowNews · 8m ...  
AG Garland defends school board memo, says he will not retract it




washingtontimes.com  
AG Garland defends school board memo, says he will not retract it  
Attorney General Merrick Garland told a Senate Judiciary Committee hearing Wednesday that he will not rescind his controversial memo ...

 1   

 **Emily Zantow**  @EmilyZantowNews · 8m ...  
Sen. Chuck Grassley (R-Iowa):

"As a result of your memo, local school officials & parents may not speak up in these meetings out of fear that the federal government will do something to them. So that's a poisonous, chilling effect."



 **Emily Zantow**  @EmilyZantowNews · 9m ...

AG Merrick Garland stood by his school board memo, saying it came "in response to concerns about violence, threats of violence, other criminal conduct — that's all it's about."



washingtontimes.com  
AG Garland defends school board memo, says he will not retract it  
Attorney General Merrick Garland told a Senate Judiciary Committee hearing Wednesday that he will not rescind his controversial memo ...

[Chad Pergram](#) (FOX News)

 **Chad Pergram**  @ChadPergram ...

**GOP LA Sen Kennedy to AG Garland at hrng: In drafting the letter, the National School Board Association collaborated with the White House for several weeks. They worked on it together..what I mean, is that the White House is the prophet here. You're just the vessel is not correct**

12:26 PM · Oct 27, 2021 · Twitter Web App

1 Retweet

[Josh Gerstein](#) (Politico)

 **Josh Gorestein** ✓  
@joshgerstein

Sen. Blumenthal tells Garland:  
'Nobody can doubt your commitment to the rule of law.' This comes moments after Sen. Sasse expresses just such doubt.

12:43 PM · Oct 27, 2021 · TweetDeck

4 Retweets 10 Likes

[Adam Klasfeld](#) (Law and Crime News)

 **Adam Klasfeld** ✓  
@KlasfeldReports

GOP senators repeatedly claimed AG Garland's recent memo chilled parents from complaining at school board meetings.

Garland's replied the memo expressly cites "threats of violence" and protects "spirited debate" on policy.

Here's what the memo says:  
[justice.gov/ag/page/file/1...](https://justice.gov/ag/page/file/1...)

MEMORANDUM FOR DIRECTOR, FEDERAL BUREAU OF INVESTIGATION  
DIRECTOR, EXECUTIVE OFFICE FOR U.S. ATTORNEYS  
ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION  
UNITED STATES ATTORNEYS

FROM: THE ATTORNEY GENERAL 

SUBJECT: PARTNERSHIP AMONG FEDERAL, STATE, LOCAL, TRIBAL, AND TERRITORIAL LAW ENFORCEMENT TO ADDRESS THREATS AGAINST SCHOOL ADMINISTRATORS, BOARD MEMBERS, TEACHERS, AND STAFF

In recent months, there has been a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools. While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views.

Threats against public servants are not only illegal, they run counter to our nation's core values. Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety.

12:31 PM · Oct 27, 2021 · Twitter Web App

1 Retweet 1 Like

Aaron Rupar

1

 **Aaron Rupar**   
@atrupar

Merrick Garland displays an impressive degree of patience with John Kennedy's loaded questions



12:26 PM · Oct 27, 2021 · SnapStream TV Search

15 Retweets · 3 Quote Tweets · 133 Likes

2



Aaron Rupar   
@atrupar



This is numerous transitions between questioners have gone today

-- Republican ends by yelling at Garland

-- Democrats takes over and tries to take things down a notch or 12



12:45 PM · Oct 27, 2021 · SnapStream TV Search

18 Retweets 2 Quote Tweets 70 Likes



[Andrew Ujifusa](#) (Education Week)



 **Andrew Ujifusa**   
@AndrewUjifusa

Last week, Garland repudiated perhaps the most explosive part of the National School Boards Association letter by saying he couldn't imagine a case in which using the Patriot Act would be appropriate to address parents complaining about how their children were being treated.

 **Andrew Ujifusa**   
@AndrewUjifusa · 1h

Merrick Garland says concern about violence and threats of violence against school personnel is linked to violence and threats of violence against everyone from judges to journalists.

[Show this thread](#)

12:32 PM · Oct 27, 2021 · TweetDeck

[Fox News](#)



Newsmax

1



.@SenMikeLee to AG Garland: "Not every outburst of expression or concern by neighbors among neighbors at a local school board meeting warrants an investigation."



Sen. Mike Lee questions Garland on vaccine mandates and school boards  
Via National Report, weekdays at 9 AM ET on Newsmax.

1:20 PM · Oct 27, 2021 · Twitter Media Studio

35 Retweets 2 Quote Tweets 97 Likes



2



Newsmax  
@newsmax

...

.@SenTomCotton (R-AR) to Attorney General Merrick Garland at Wednesday's Senate Judiciary hearing:  
"Your performance is shameful. Thank God you are not on the Supreme Court. You should resign in disgrace, Judge."



1:39 PM - Oct 27, 2021 - Emplifi

12 Retweets 52 Likes

[Wendy Benjaminson](#) (Bloomberg)



Justin Baragona (The Daily Beast)

1



2



Aaron Rupar

1

 **Aaron Rugar**   
@atrupar

and another one. a soundbite shorn of context to give the impression that Sasse owned Garland. It's propaganda



1:23 PM · Oct 27, 2021 · Twitter Web App


36 Retweets 12 Quote Tweets 170 Likes

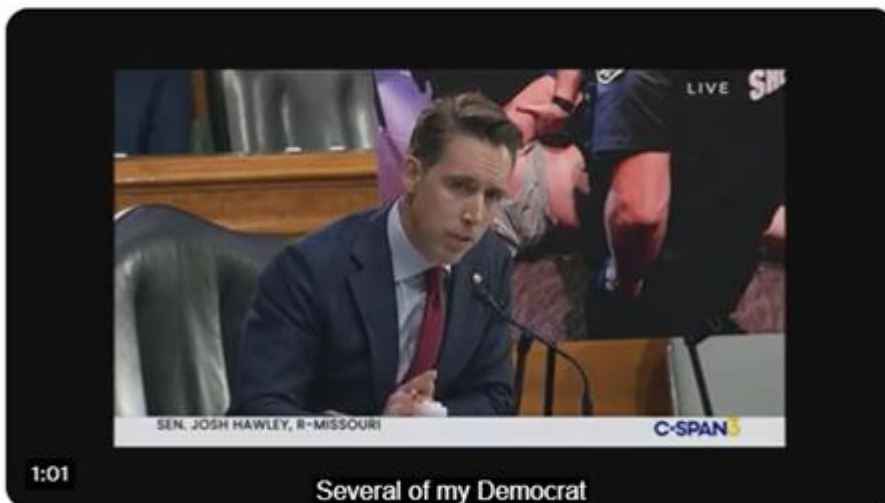
2

 **Aaron Rupar**  @atrupar · 18m ...  
Do any of these Republicans making a big fuss today over DOJ's efforts to protect school board members from violence realize that many school board members are also parents?

 33     34     323    



 **Aaron Rupar**  @atrupar ...

Hawley concludes his questioning by calling for Garland to resign



1:41 PM · Oct 27, 2021 · SnapStream TV Search

7 Retweets    4 Quote Tweets    32 Likes

[Josh Gerstein](#) (Politico)





Josh Gorestein  
@joshgerstein



AG Garland says DOJ OK'd \$700K+ settlement of former acting FBI Director Andrew McCabe's lawsuit over his firing because US was likely to lose it. He understates scope of case a bit, but maybe that procedural claim was part they thought they'd lose



politico.com

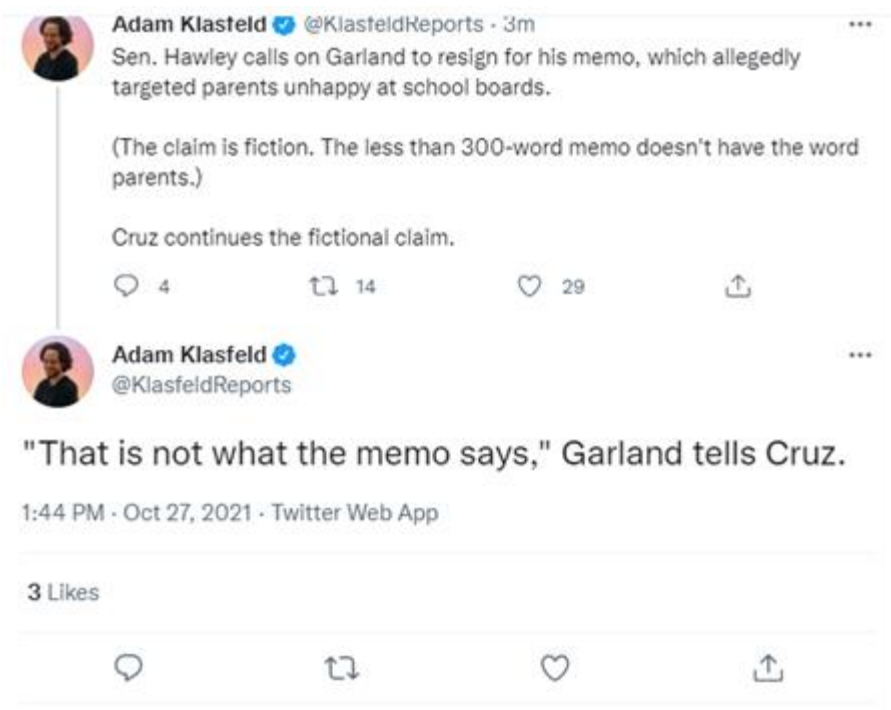
Garland defends \$700K McCabe settlement


Attorney general says payout was driven by internal assessment that Justice Department was likely to lose suit over firing.

1:30 PM · Oct 27, 2021 · TweetDeck

2 Retweets 5 Likes

[Adam Klasfeld](#) (Law & Crime News)




**Adam Klasfeld**  @KlasfeldReports · 3m

Sen. Hawley calls on Garland to resign for his memo, which allegedly targeted parents unhappy at school boards.

(The claim is fiction. The less than 300-word memo doesn't have the word parents.)

Cruz continues the fictional claim.

4 14 29

**Adam Klasfeld**  @KlasfeldReports

"That is not what the memo says," Garland tells Cruz.

1:44 PM · Oct 27, 2021 · Twitter Web App

3 Likes

4 14 29

[Philip Wegmann](#) (Real Clear News)

 Philip Melanchthon Wegmann   
@PhilipWegmann 

.@SenTomCotton tells Attorney General Garland,  
“thank God you're not on the Supreme Court. You  
should resign in disgrace, judge.”



1:39 775 views

Sen. Cotton On AG Garland Responding To NSBA Letter By Targeting Parents:  
“Shameful”

From RNC Research 

1:33 PM · Oct 27, 2021 · Twitter for iPhone

9 Retweets 11 Likes

[Forbes](#)

**F** Forbes [@Forbes](#)

**#BREAKING:** Sen. [@TedCruz](#) asks AG Merrick Garland if he sought an ethics opinion relating to his son-in-law's company prior to issuing memo on school boards.



2:11 1.3K views

1:54 PM · Oct 27, 2021 · Twitter Media Studio

29 Retweets 5 Quote Tweets 65 Likes

CSPAN

1

**C SPAN** CSPAN [@cspan](#)

**WATCH:** Complete exchange between [@SenTedCruz](#) and Attorney General Merrick Garland.



9:34 JUSTICE DEPARTMENT OVERSIGHT

2:10 PM · Oct 27, 2021 · Twitter Ads

1 Quote Tweet 12 Likes

2

 **CSPAN**   
@cspan

Sen. Josh Hawley calls on Attorney General Merrick Garland to resign following exchange school board memo.



7:15 | 1.7K views | DEPARTMENT OVERSIGHT

2:03 PM · Oct 27, 2021 · Twitter Ads

11 Retweets 6 Quote Tweets 31 Likes

[The Daily Beast](#)



The Washington Times

[1](#)

 The Washington Times   
@WashTimes 

Garland was asked what his message would be to the caravan. He at first said, "I would tell them not to come," but then said that's not a blanket answer. "It depends on why they are coming," he said.



washingtontimes.com  
'It depends on why they are coming': AG Garland says some  
Attorney General Merrick Garland said Wednesday that some migrants in the  
new mass caravan headed north should come to the U.S. if they plan to deman...

1:55 PM · Oct 27, 2021 · Hootsuite Inc.

2 Retweets 2 Quote Tweets 3 Likes

2



Oliver Darcy (CNN)

[1](#)





2



[Emily Zantow](#) (Washington Times)

 **Emily Zantow**   
@EmilyZantowNews

AG Garland deflects questions on Fauci allegedly lying to Congress about gain-of-function research in Wuhan



washingtontimes.com  
Garland deflects questions on Fauci allegedly lying to Congress  
Attorney General Merrick Garland on Wednesday deflected questions on allegations that Dr. Anthony Fauci lied to Congress about gain-of-function ...

2:04 PM · Oct 27, 2021 · Twitter Web App

[Melissa Quinn](#) (CBS News)

 **Melissa Quinn**   
@MelissaQuinn97

Read AG Garland's one-page memo:  
[justice.gov/ag/page/file/1...](https://justice.gov/ag/page/file/1...)

 **Justin Baragona**  @justinbaragona · 15m

Ted Cruz: "You just called him a domestic terrorist!"

Merrick Garland: "I did not!"

Cruz then points to a letter that Garland had nothing to do with writing.



1:53 PM · Oct 27, 2021 · TweetDeck

[Tom Angell](#) (Marijuana Moment)



Tom Angell  
@tomangell



.@SenBooker is very forcefully pressing Attorney General Merrick Garland right now during his second round of questioning—but about school violence and broader law enforcement issues, not marijuana.



2:07 PM · Oct 27, 2021 · TweetDeck

1 Retweet 1 Quote Tweet 4 Likes



[Aaron Rugar](#)

 **Aaron Rugar**   
@atrupar ...

Ted Cruz is really going after Garland and apparently suddenly very concerned about conflicts of interest



1:51 PM · Oct 27, 2021 · SnapStream TV Search

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54 Retweets 14 Quote Tweets 208 Likes

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[Justin Baragona](#) (The Daily Beast)



Justin Baragona   
@justinbaragona



Ted Cruz: "You just called him a domestic terrorist!"

Merrick Garland: "I did not!"

Cruz then points to a letter that Garland had nothing to do with writing.



1:51 PM · Oct 27, 2021 · Twitter Web App

16 Retweets 6 Quote Tweets 70 Likes



[Mediaite](#)



USA Today

[1](#)



USA TODAY Politics  
@usatodayDC

...

Attorney General Merrick Garland defended offering federal aid to investigate violence at local school board meetings against Republican criticism.



usatoday.com

Merrick Garland defends school memo at Senate hearing against GOP criticism...  
Attorney General Merrick Garland defended offering federal aid to investigate violence at local school board meetings against Republican criticism.

2:33 PM · Oct 27, 2021 · SocialNewsDesk

5 Retweets 8 Likes



2



**USA TODAY** @USATODAY · 12m

"The only thing we are concerned about violence and threats of violence against school officials, school teachers, school staff," Attorney General Merrick Garland said.

"We did not sic the FBI on parents," Garland added at another point.



usatoday.com  
Merrick Garland defends school memo at Senate hearing against GOP...  
Attorney General Merrick Garland defended offering federal aid to investigate violence at local school board meetings against Republica...

17 21 45

**USA TODAY** @USATODAY

Garland defended his memo about assisting local school officials against violence and threats of violence, as Senate Republicans blasted the memo as "shameful" and "intimidating," and one called for his resignation.

2:31 PM · Oct 27, 2021 · Twitter Web App

1 Retweet 2 Quote Tweets 12 Likes

[Washington Examiner](#)

 Washington Examiner   
@dcexaminer ...

Horowitz's 2018 report detailed multiple instances where McCabe "lacked candor" with the FBI.

"The case did not involve issues about lying. It involved a claim that he was not given the amount of time necessary to respond to allegations," Garland said.



washingtonexaminer.com  
Merrick Garland says DOJ stands by conclusion Andrew McCabe lied despite r...  
Attorney General Merrick Garland said the Justice Department continues to stand by the findings of the DOJ watchdog that fired FBI Deputy Director Andre...

2:36 PM · Oct 27, 2021 · SocialFlow

1 Like

The Hill

[1](#)

 **The Hill**   
@thehill ...

Sen. Ted Cruz: "If Critical Race Theory is taught in more schools does your son-in-law make more money, yes or no?"

Merrick Garland: "This memorandum has nothing to do with Critical Race Theory or..."

Sen. Ted Cruz: "Will you answer if you sought an ethics opinion?"



2:11 3.8K views

2:12 PM · Oct 27, 2021 · Twitter Media Studio

37 Retweets 8 Quote Tweets 127 Likes

2

 **The Hill**   
@thehill ...

Sen. Josh Hawley to Merrick Garland on controversial school board memo: "It's wrong, it is unprecedented to my knowledge in the history of this country, and I call on you to resign." [hill.cm/NXawD35](https://hill.cm/NXawD35)



2:31 PM · Oct 27, 2021 · Twitter Media Studio

6 Retweets 8 Quote Tweets 37 Likes

[The Daily Caller](#)

 **Daily Caller**   
@DailyCaller

'Did You Consider The Chilling Effect?': Sen. Cornyn Presses Garland On School Board Memo



dailycaller.com  
'Did You Consider The Chilling Effect?': Sen. Cornyn Presses Garland On FBI M...  
Republican Texas Sen. John Cornyn questioned Attorney General Merrick Garland about whether or not his public education memo would chill protected ...

2:15 PM · Oct 27, 2021 · Buffer

10 Retweets 2 Quote Tweets 41 Likes

[Katelyn Polantz \(CNN\)](#)

 **Katelyn Polantz**   
@kpolantz

From @MarshallCohen: Attorney General Merrick Garland said today that he wants "as much as possible" of special counsel John Durham's eventual report to be released publicly

2:08 PM · Oct 27, 2021 · Twitter for iPhone

7 Retweets 4 Likes

 Tweet your reply Reply

 **Felix Vargas** @Fevar1966 · 14m  
Replying to @kpolantz and @MarshallCohen  
Has he said anything on declassifying Mueller? Assuming not.

Aaron Rupar

1

 **Aaron Rugar**   
@atrupar

Ted Cruz wants AG Garland to appoint a special prosecutor to investigate Fauci



0:24 10.3K views crime to knowingly make false

2:16 PM · Oct 27, 2021 · SnapStream TV Search

31 Retweets 16 Quote Tweets 171 Likes

2

 **Aaron Rugar**   
@atrupar

Garland pushes back on mischaracterizations from Tom Cotton (yep, he came back for more)



1:08 861 views Two of which were the weekend.

2:26 PM · Oct 27, 2021 · SnapStream TV Search

21 Retweets 2 Quote Tweets 96 Likes

3

**Aaron Rugar**  [@atrupar](#)

Marsha Blackburn asks Garland more questions about the topic on everyone's mind -- Susan Hennessey's tweets



2:29 PM · Oct 27, 2021 · SnapStream TV Search

5 Retweets 32 Likes

[CSPAN](#)

**CSPAN**  [@cspan](#)

[.@SenatorDurbin](#) to Attorney General Garland: "I understand completely why you issued that memo...there's a line we're going to draw when it comes to political expression...when you threaten someone with violence or engage in acts of violence that is never going to be protected."



2:40 PM · Oct 27, 2021 · Twitter Ads

10 Retweets 1 Quote Tweet 32 Likes

[Washington Examiner](#)


 **Washington Examiner** @dcexaminer · 17s ...  
@SenTedCruz accused **Garland** of using the Justice Department to target people with opposing political views and repeatedly questioned him on how many incidents of violence have taken place.

**Garland** said the memo is not political.



washingtonexaminer.com  
Cruz accuses Garland of weaponizing Justice Department in heated h...

[Jerry Dunleavy, Washington Examiner](#)

 **Scary Dunleavy** 🍻👻🇺🇸 @JerryDunleavy · 25m ...  
NEW: **Garland** really doesn't want to give a straight answer on if he sought an ethics review related to his DOJ school boards memo & his familial connections to his son-in-law's leftwing education company, as his sparring with @TedCruz showed.

@DCExaminer



washingtonexaminer.com

[WDIV Detroit- News 4](#)



**4** Local 4 WDIV Detroit @Local4News · 19m  
Garland defends school board memo amid Republican criticism



clickondetroit.com  
Garland defends school board memo amid Republican criticism  
Attorney General Merrick Garland is defending a memo aimed at combating threats against school officials nationwide.

Aaron Rupar

1

 Aaron Rupar @atrupar

Ted Cruz wants AG Garland to appoint a special prosecutor to investigate Fauci



2

 **Aaron Rugar**  @atrupar · 1h ...

Replying to @atrupar  
Garland pushes back on mischaracterizations from Tom Cotton (yep, he came back for more)



48 193 948

[3](#)

 **Aaron Rugar**  @atrupar · 1h ...

Marsha Blackburn asks Garland more questions about the topic on everyone's mind -- Susan Hennessey's tweets



56 83 512

[Washington Examiner](#)



**Washington Examiner** @dcexaminer · 51m

The top DOJ official strongly suggested he hadn't sought such a review, as he argued before senators that there was no possible conflict of interest.

Cruz pushed: "If critical race theory is taught in more schools, does your son-in-law make more money?"



washingtonexaminer.com

Merrick Garland repeatedly spars with Ted Cruz on whether he sought...  
Attorney General Merrick Garland repeatedly dodged whether he had sought an ethics review related to his controversial Justice Departmen...

[New York Post](#)



**New York Post** @nypost · 48m

Ted Cruz presses AG Garland on possible conflict of interest over son-in-law's education company [trib.al/qprOoIJ](https://trib.al/qprOoIJ)



18

65

295



[Henry Rodgers](#), Daily Caller



**Henry Rodgers**  @henryrogersdc · 32m ...  
Ted Cruz Grills Merrick Garland Over Alleged Conflict Of Interest Regarding His Son-In-Law's Education Company

Read/watch here:



[dailycaller.com](https://www.dailycaller.com)  
Ted Cruz Grills Merrick Garland Over Alleged Conflict Of Interest Rega...  
Republican Sen. Ted Cruz grilled Attorney General Merrick Garland on Wednesday on an alleged conflict of interest regarding his son-in-law'...

## Talking Heads

[Sean Hannity](#)

 **Sean Hannity**   
@seanhannity

**GOP Leaders Demand AG Merrick Garland Withdraw Memo Against Parents**



thejeffreylord.com  
GOP Leaders Demand AG Merrick Garland Withdraw Memo Against Parents | T...  
On Monday, a group of Republican members of the House Judiciary Committee sent a letter to Attorney General Merrick Garland, demanding he "fully and

2:00 PM · Oct 27, 2021 · Hootsuite Inc.

59 Retweets · 5 Quote Tweets · 273 Likes

[Andrew McCarthy](#) (National Review)

 **Andy McCarthy**   
@AndrewCMcCarthy

Democrats Close Ranks around Garland's Politicization of DOJ - my @NRO column ...



[nationalreview.com](https://nationalreview.com)  
Democrats Close Ranks around Garland's Politicization of DOJ  
No matter how hard the attorney general's Senate allies try to pretend otherwise, his improper assault on parents' free-speech rights is undeniable.

1:54 PM · Oct 27, 2021 · Twitter Web App

7 Retweets 29 Likes

[Charles Pierce](#) (Esquire)

 **Charles P. Pierce**   
@CharlesPPierce

Tailgunner Ted Cruz is now smearing Garland about his son-in-law. This is why he has the nickname. This is pure goddamn McCarthyism.

1:48 PM · Oct 27, 2021 · Twitter Web App

58 Retweets 3 Quote Tweets 266 Likes

Charles Pierce (Esquire)

[1](#)



[2](#)



[Matthew Dowd](#) (Texas Lt. Governor Candidate)



[Fernand Amandi](#) (MSNBC)

 **Fernand Amandi**   
@AmandiOnAir

Nothing in this hearing suggests to me that AG Merrick Garland is up for the fight, that is so obviously in front of him, relating to the survival of the republic and our democracy.

2:28 PM · Oct 27, 2021 from Miami, FL · Twitter for iPhone

36 Retweets 7 Quote Tweets 151 Likes

[Adam Laxalt](#) (Nevada Senate Candidate)

 **Adam Paul Laxalt**   
@AdamLaxalt

Senator [@TomCottonAR](#) is right. Merrick Garland should resign in disgrace.

 **Joseph Chalfant** [@JoeChalfant](#) · 2h  
What a legend



2:25 PM · Oct 27, 2021 · Twitter Web App

9 Retweets 1 Quote Tweet 31 Likes

[Newsmax](#)





"Amazingly, when it's the political enemies of the Administration you comment in a memo."

[@tedcruz](#) questions Attorney General Merrick Garland on school board memos, NIH funding and vaccine mandates.



Sen. Ted Cruz to AG Garland: You only comment on political enemies Via American Agenda, weekdays at 2 PM ET on Newsmax.

2:50 PM · Oct 27, 2021 · Twitter Media Studio

[Forbes](#)



**VIRAL JUDICIARY MOMENT: Tom Cotton slams AG Merrick Garland at contentious Senate hearing:**  
"Thank God you are not on the Supreme Court. You should resign in disgrace, Judge."



2:54 PM · Oct 27, 2021 · Twitter Media Studio

[The Washington Times](#)



The Washington Times  
@WashTimes

...

Garland said those who are coming with asylum claims are different than traditional illegal immigrants.



washingtontimes.com

"It depends on why they are coming": AG Garland says some  
Attorney General Merrick Garland said Wednesday that some migrants in the  
new mass caravan headed north should come to the U.S. if they plan to deman...

2:55 PM · Oct 27, 2021 · Hootsuite Inc.

[FreedomWorks](#)



FreedomWorks  
@FreedomWorks

...

Garland admitted last week that DOJ has not investigated allegations of violence or seen evidence, but simply heard about "threats" and "harassment" from the NSBA.

Garland denied the DOJ memo could be used to chill speech. Parents aren't buying it. #ampFW



townhall.com

Garland Doubles Down on Targeting Parents

Testifying in front of the Senate Judiciary Committee Wednesday morning,  
Attorney General Merrick Garland refused to retract a memo, prompted by a ...

2:57 PM · Oct 27, 2021 · Sprout Social

[America Reports](#)



America Reports  
@AmericaRpts



LISTEN: @SenSasse sounds off on AG Merrick Garland's testimony saying "he showed no adult leadership, he took no responsibility for his actions" regarding the controversial school board memo #AmericaReports



2:59 PM - Oct 27, 2021 - Twitter Media Studio

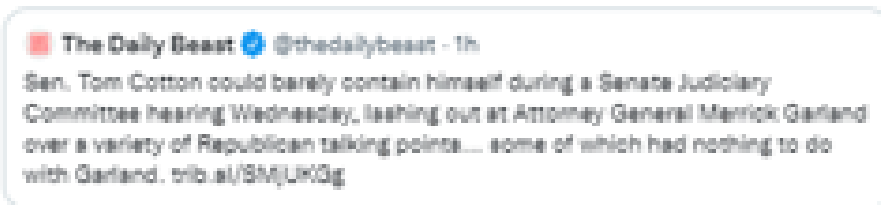
[Liz Peek \(Fox News\)](#)



Liz Peek  
@lizpeek



these are not "talking points" - they are insulting & dishonest partisan moves made by AG Garland



3:01 PM - Oct 27, 2021 - Twitter Web App

[Law & Crime](#)



Law & Crime  
@lawcrimeneews



Jan. 6 Investigation Is 'Not Constrained' to Capitol Rioters, and 'All Investigative Techniques' Are Being Pursued, AG Garland Tells Senate



lawandcrime.com

Jan. 6 Investigation Is 'Not Constrained' to Capitol Rioters, and 'All Investigativ...  
More than nine months after Jan. 6, the Department of Justice has opened more than 650 cases prosecuting those who allegedly participated in the attack on ...

3:04 PM · Oct 27, 2021 · TweetDeck

## Other

### [The Leadership Conference](#)



The Leadership Conference  
@civilrightsorg



Attorney General Merrick Garland before the Senate Judiciary Committee: "Today the Civil Rights Division's work remains vital to safeguarding voting rights, prosecuting hate crimes, ensuring constitutional policing, and stopping unlawful discrimination."



10:40 AM · Oct 27, 2021 · Twitter Web App

2 Retweets 4 Likes

[Alex Howard](#) (Director, The Digital Democracy Project)

 **Alex Howard** ✓  
@digiphile

US Attorney Garland is testifying before the Senate Judiciary Committee this morning:  
[judiciary.senate.gov/meetings/10/20...](https://judiciary.senate.gov/meetings/10/20...)  
His prepared testimony:  
[judiciary.senate.gov/imo/media/doc/...](https://judiciary.senate.gov/imo/media/doc/...)  
[@SenatorDurbin](#) says there's "room for improvement" on [@TheJusticeDept](#) responses.

Understatement of the morning, that.



judiciary.senate.gov  
Oversight of the Department of Justice  
United States Senate Committee on the Judiciary

10:11 AM · Oct 27, 2021 · Twitter Web App

1 Retweet



**Alex Howard** @digiphile · 28m

...

Replying to @digiphile

The Senate Judiciary Committee, on which Senator Grassley sits, issued a report showing former President Trump tried to subvert @TheJusticeDept to overturn the election:

[judiciary.senate.gov/press/dem/rele...](https://judiciary.senate.gov/press/dem/rele...) But @ChuckGrassley focused on @POTUS44 & @POTUS, not @POTUS44's corruption & self coup



1



**Alex Howard** @digiphile · 10m

...

In his statements @ChuckGrassley continued the focus of House Republicans upon @TheJusticeDept's responses to threats of violence to school officials & staff: criminal conduct.

[twitter.com/digiphile/stat...](https://twitter.com/digiphile/stat...)

Grassley calls the memo a "poisonous chilling effect."

USAG now defending it.



1





[Sarah Reese Jones](#) (PoliticusUSA)



AG Garland shuts down Sen. Mike Lee's suggestion that school board violence is free speech, "Senator, the memo is aimed only at violence and threats of violence. It states on its face the vigorous debate is protected. That is what this is about. This is all this is about."



11:41 AM · Oct 27, 2021 · SnapStream TV Search

3 Retweets 11 Likes

[Brian Beutler](#) (Crooked Media)



**Brian Beutler** ✓ @brianbeutler

Garland is a bad fit in many ways, including this instance, but this is just him acting like a pretty ordinary liberal, assuming that if Republicans are acting mad about something it must be weak ground for Democrats.

**Matthew Miller** ✓ @matthewamiller · 31m  
 Garland should be much stronger in defending his memo. "You're damn right we are going to protect elected officials from threats of violence. The attacks they are facing are shameful, they are increasing, and I'm surprised anyone on this cmte objects to our work to stop them."

11:43 AM · Oct 27, 2021 · Twitter for iPhone

22 Retweets 1 Quote Tweet 110 Likes

🗨️ ↻️ ❤️ ↗️

 Tweet your reply Reply

**Brian Beutler** ✓ @brianbeutler · 13m  
 Replying to @brianbeutler  
 But of course the best response to "why do you treat parents like terrorists?!?!?" isn't to meekly deny the accusation, it's to say, "why do you think violent people should get away with terrorizing teachers, school-board members, and election officials?"

🗨️ 2 ↻️ 23 ❤️ 90 ↗️

**Brian Beutler** ✓ @brianbeutler · 10m  
 Funny enough we just saw how this works with McAuliffe raising a righteous stink about Youngkin supporting book banning. So it's not like the whole party cowers. But cowering is pretty standard.

🗨️ 3 ↻️ 3 ❤️ 41 ↗️

Charles Pierce (Esquire)

[1](#)



 **Charles P. Pierce**   
@CharlesPPierce ...

Oh, boy. It's Tom Cotton Time. And he wants Garland to investigate Fauci. Annnnnnd, we're off!

12:00 PM · Oct 27, 2021 · Twitter Web App

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4 Retweets 2 Quote Tweets 37 Likes

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[2](#)

 **Charles P. Pierce**   
@CharlesPPierce ...


Garland is being very careful not to imply that the school board disturbances are coordinated nationally even though he clearly believes they are. Cotton wants to differentiate between "violence" and "harassment and intimidation" which he believes is a First Amendment.

12:06 PM · Oct 27, 2021 · Twitter Web App

---

2 Retweets 20 Likes

---

Charles Pierce (Esquire)

[1](#)

 **Charles P. Pierce**   
@CharlesPPierce ...

Jubilation T. Cornpone is yapping about the National Association of School Boards and the White House using Garland as a "vessel" because something something Critical Race Theory.

12:19 PM · Oct 27, 2021 · Twitter Web App

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3 Retweets 16 Likes

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23

Alex Howard (Digital Democracy)

1

 **Alex Howard**  @digiphile ...

Senator @maziehiro asked about hate crimes, & USAG Garland listed the actions @TheJusticeDept has taken.  
 Reactivating the @CivilRights tip line for civil rights violations & hate crimes is meaningful:  
[twitter.com/digiphile/stat...](https://twitter.com/digiphile/stat...)  
 Key Q: if DoJ has capacity proportionate to need

 **Alex Howard**  @digiphile · Apr 7

"If you believe you have been a victim of a civil rights violation, please visit [civilrights.justice.gov](https://civilrights.justice.gov) to file a report" -@TheJusticeDept, March 2021

Reactivating @civilrights is a symbolic change; DoJ prosecuting white nationalists is a substantive one. [twitter.com/CivilRights/st...](https://twitter.com/CivilRights/st...)

**investigate and appropriately prosecute those who attack members of our communities, set fire to places of worship, or use the Internet to threaten bodily injury to other persons because of their real or perceived protected characteristics."**

For more information on the department's commitment to serving the cause of justice and protecting the safety of all of our communities, please see:  
<https://www.justice.gov/ag/page/file/1381396/download>.  
 For more information and resources on the department's efforts to combat hate crimes, visit [www.justice.gov/hatecrimes](https://www.justice.gov/hatecrimes). If you believe you have been a

12:27 PM · Oct 27, 2021 · Twitter Web App



**Alex Howard**   
@digiphile



Disappointing to see [@SenSasse](#) using his time to ask USAG Garland about this memorandum, instead of substantive oversight issues –including [@TheJusticeDept](#)'s implementation of an [#opengov](#) law he co-sponsored – or asking him about the subversion of DoJ.



**Alex Howard**  @digiphile · Oct 21

No substance: No one has asked the US Attorney General about the state or administration of the FOIA, how [@TheJusticeDept](#) is complying with the [#OpenGov](#) Data Act on crime & use of force data, FISC & OLC secrecy, or investigating corruption in the judiciary [free.law/2021/09/28/ann...](#)

[Show this thread](#)

12:36 PM · Oct 27, 2021 · TweetDeck

1 Retweet



[Peter Sagal](#) (NPR)



**Peter Sagal**   
@petersagal



It is genuinely astonishing to me how Attorney General Garland is keeping his cool in the face of these repeated disingenuous attacks. I would not be able to do so.

12:39 PM · Oct 27, 2021 · Twitter Web App

15 Likes



## [The Leadership Conference](#)


**The Leadership Conference** ✓  
@civilrightsorg

AG Garland affirms DOJ's support for the [#EQUALAct](#).

[@SENBOOKER](#): Do you believe it's time to end the sentencing disparity between crack and powder cocaine?

GARLAND: "Yes, I do believe that...It clearly does have a disparate impact on communities of color...We should end this."

12:44 PM · Oct 27, 2021 · Twitter Web App

2 Retweets 4 Likes







## [Freedom Works](#)


**FreedomWorks** ✓  
@FreedomWorks

In response to [@SenJohnKennedy](#), Garland testifies he did not investigate any incidents stated in the original NSBA letter. We now know none of the incidents in that letter need a federal response. There's no basis for Garland's memo. It should be rescinded! [#ampFW](#) [#GarlandHearing](#)

12:25 PM · Oct 27, 2021 · Twitter Web App

1 Retweet 1 Like







Tweet your reply
Reply


**FreedomWorks** ✓ @FreedomWorks · 26s

Replying to [@FreedomWorks](#)  
In response to questioning from [@SenJohnKennedy](#), AG Garland testifies that the DOJ never concluded that violence against school boards could not be handled by state or local law enforcement. So again, what exactly is the basis for Garland's memo? [#ampFW](#) [#GarlandHearing](#)






[RNC Research](#)

 **RNC Research**   
@RNCResearch

Asked about a memo classifying repeated phone calls from concerned parents as prosecutable, Biden's Attorney General Merrick Garland responds, "I haven't seen that."



0:39 79 views

Asked About Memo Classifying Repeated Phone Calls As Prosecutable, Garland Says He's Not Seen It

12:45 PM · Oct 27, 2021 · Twitter Media Studio

2 Retweets 6 Likes

[Former Congressman Justin Amash \(I-MI\)](#)



## RNC Research

[1](#)



[2](#)

 **RNC Research**   
@RNCResearch

WATCH: Senator [@TomCottonAR](#) fact checks Attorney General Merrick Garland's use of the Biden DOJ's own memos and documents.



3:47 413 views



Senator Tom Cotton Fact Checks AG Garland Using Biden's DOJ's Own Memos & Documents

1:21 PM · Oct 27, 2021 · Twitter Media Studio

22 Retweets 1 Quote Tweet 44 Likes

[The Leadership Conference](#)




 **The Leadership Conference**   
@civilrightsorg

.@MAZIEHIRONO: Are there tools we can provide through congressional action that will enable you to protect our right to vote?

AG GARLAND: “The VRA is one of the greatest statutes that was ever passed...One thing the Congress can do is put Section 5 back in place.”  
[#RestoreTheVRA](#)

2:05 PM · Oct 27, 2021 · Twitter Web App

6 Retweets 12 Likes



[The Heritage Foundation](#)

 Heritage Foundation   
@Heritage ...

Garland admits @GCanaparo was right!

Parents: DO NOT let the Biden administration silence or intimidate you—be fearless in defense of your children.

Read: [dailysign.al/2Z7GutW](https://dailysign.al/2Z7GutW)

 Jonathan Turley @JonathanTurley · 1h  
AG Garland just conceded that most of the examples cited in the Board letter "would not be covered by state or federal law and they would be protected by the First Amendment."  
[Show this thread](#)

1:55 PM · Oct 27, 2021 · TweetDeck

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5 Retweets 7 Likes

RNC

[1](#)

 RNC Research   
@RNCResearch ...

Biden's Attorney General Merrick Garland REFUSES to apologize, even AFTER the National School Boards Association retracted their letter urging the DOJ to investigate concerned parents as "domestic terrorists."



0:22 1K views

Joe Biden's AG Garland Refuses To Apologize For Targeting Parents After NSBA Retracted Their Letter

1:51 PM · Oct 27, 2021 · Twitter Media Studio

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24 Retweets 2 Quote Tweets 69 Likes

2

 RNC Research   
@RNCResearch ...

**MUST WATCH: Attorney General Merrick Garland claims ignorance of a Department of Justice memo that advises of "13 different federal crimes" potentially prosecutable against concerned parents.**



0:03 234 views

AG Garland Claims Ignorance Of Memo Advising 13 Prosecutable Crimes Against Parents

2:06 PM · Oct 27, 2021 · Twitter Media Studio

17 Retweets 19 Likes

3

 RNC Research   
@RNCResearch ...

Attorney General Merrick Garland admits the "incidents" cited in the National School Boards Association letter targeting parents didn't "involve threats of violence."



0:00 96 views

Garland Admits "Incidents" In NSBA Letter Targeting Parents Didn't "Involve Threats Of Violence"

2:08 PM · Oct 27, 2021 · Twitter Media Studio

8 Retweets 12 Likes

RNC Research

1

 RNC Research  
@RNCResearch

Senator [@tedcruz](#) confronts Attorney General Merrick Garland over his lack of apology for the Department of Justice's memo targeting concerned parents.



1:26 179 views

Sen. Cruz Confronts AG Garland For Not Apologizing For Memo Targeting Concerned Parents

2:24 PM · Oct 27, 2021 · Twitter Media Studio

12 Retweets 1 Quote Tweet 50 Likes

2

 RNC Research  
@RNCResearch

Senator [@tedcruz](#) presses AG Merrick Garland on his family's financial ties to Critical Race Theory, asking Garland if he sought an ethics opinion before launching his investigation into concerned parents.

"Apparently, ethics are not a terribly high priority at Biden's DOJ."



1:59 33 views

Cruz To Garland After Dodges: "Apparently, Ethics Are Not A Terribly High Priority At Biden's DOJ"

2:35 PM · Oct 27, 2021 · Twitter Media Studio

12 Retweets 1 Quote Tweet 38 Likes

3

 **RNC Research**   
@RNCResearch ...

**WATCH: Attorney General Merrick Garland admits the DOJ did NOT verify the allegations in the National School Boards Association letter before launching a probe into concerned parents.**



0:00 377 views

AG Garland Admits He Did Not Verify Alleged Incidents in NSBA Letter Before Launching Probe

2:29 PM · Oct 27, 2021 · Twitter Media Studio

26 Retweets 1 Quote Tweet 49 Likes

[Steve Guest](#), Special Advisor to Sen. Ted Cruz

 **Steve Guest**  @SteveGuest

Cruz to Garland: "Your son-in-law makes ... money from a company involved in the teaching of Critical Race Theory. Did you seek & receive a decision from an ethics adviser at DOJ before you carried out an action that would have a predictable financial benefit to your son-in-law?"



[John Cooper](#), Communications Advisor at Heritage Foundation

 **John Cooper**  @thejcoop · 24m

Just masterful from Cruz here. Gets **Garland** to dodge the question multiple times, and then claim that he used his own judgment in deciding no conflict of interest was involved rather than seek an ethics review. #GarlandHearing

 **Steve Guest**  @SteveGuest · 41m

Cruz to Garland: "Your son-in-law makes ... money from a company involved in the teaching of Critical Race Theory. Did you seek & receive a decision from an ethics adviser at DOJ before you carried out an action that would have a predictable financial benefit to your son-in-law?"



[Yossi Gestetner](#)



**Yossi Gestetner**  @YossiGestetner · 1m

Great oversight work by [@SenTomCotton](#) and [@SenTedCruz](#) today.

Would be great if when Garland said that the **DOJ** letter was only about threats and violence, to point out the added words that the letter has as I tweeted earlier in October.



**Yossi Gestetner**  @YossiGestetner · Oct 4

DOJ will take action even when violence is not involved:

A) "violence or efforts to intimidate individuals." The latter is not violence or it wouldn't be listed separate.

B) Public servants should "work without fear for their safety." This can be used against standard heckling.

[Show this thread](#)



### [Occupy Democrats](#)



**Occupy Democrats** 

@OccupyDemocrats

**BREAKING: Ted Cruz defends parents doing the Nazi salute at school board meetings, asks AG Merrick Garland if the fascist gesture is "protected by the First Amendment." RT IF YOU THINK THERE'S NO EXCUSE FOR NAZI SALUTES!**

4:38 PM · Oct 27, 2021 · Twitter Web App

163 Retweets 12 Quote Tweets 242 Likes

### **Full Articles**

**AP:** [Garland defends school board memo amid Republican criticism](#) by Michael Balsamo

Attorney General Merrick Garland on Wednesday defended [a memo aimed at combating threats against school officials nationwide](#) while Republicans insisted he rescind the directive. He signaled he had no plans to do so despite their criticism.

[The memo](#) took center stage as Garland appeared before the Senate Judiciary Committee – his second congressional appearance in a week – and said it was meant to respond to violence and threats of violence directed against [local school board officials](#).

The memo came out Oct. 4, less than a week after the [National School Board Association](#) wrote the Biden administration about the threats to school officials and asked for help. Some school board meetings have devolved into shouting contests over issues such as how racial issues are taught, masks in schools, and COVID-19 vaccines and testing requirements.

Republicans say Garland went too far in instructing Justice Department divisions to coordinate with local law enforcement. In his memo Garland said there had been “a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation’s public schools.”

An [accompanying news release](#) mentioned the FBI, the department’s criminal division, national security division, civil rights division and other parts.

“The obligation of the Justice Department is to protect the American people against violence and threats of violence and that particularly includes public officials,” Garland said.

Republicans on the Senate committee also seized on a memo from Leif Johnson, the acting U.S. attorney in Montana, to the state attorney general, county attorneys, sheriffs and school officials in the state. The memo spells out federal crimes that could be used in prosecutions for violence, harassment or intimidation of school board officials.

The Montana memo, obtained by The Associated Press, cites about a dozen federal statutes from conspiracy to deprive someone of civil rights to stalking and “anonymous telephone harassment.” It instructs the recipients to contact the FBI “if you believe that a person has violated one of these statutes.”

Garland told senators he was never sent the U.S. attorney’s memo and did not know specifics about it. A spokesperson for the U.S. attorney’s office in Montana did not immediately respond to questions about whether Johnson had consulted senior Justice Department officials before issuing the memo.

“I’ve never seen that memo,” Garland said. “No one has sent me that memo, so I haven’t seen it.”

The National School Board Association has since said “we regret and apologize” for its letter, which asked for federal assistance to combat harassment and violence against school officials and said some of the acts could be “domestic terrorism.”

The original letter asked for the federal government to investigate cases where threats or violence could be handled as violations of federal laws protecting civil rights. The association asked for the Justice Department, FBI, Homeland Security and Secret Service to help monitor threat levels and assess risks to students, educators, board members and school buildings.

The letter documented more than 20 instances of threats, harassment, disruption, and acts of intimidation in California, Florida, Georgia, New Jersey, Ohio and other states. It cited the September arrest of an Illinois man for aggravated battery and disorderly conduct for allegedly striking a school official at a meeting. In Michigan, a meeting was disrupted when a man performed a Nazi salute to protest masking.

Garland has said parents have the right to express their concerns to school boards but his primary concern is if that devolves into violence or when threats emerge. During questioning Wednesday, Garland said that making a Nazi salute would be protected under the First Amendment. He also acknowledged that he did not have an accounting of the number of incidents.

At least two Republican senators – Sens. Tom Cotton of Arkansas and Josh Hawley of Missouri – called for Garland to resign over his handling of the memo.

“This is shameful,” Cotton exclaimed. “You should resign in disgrace.”

**UPI:** [AG Merrick Garland defends memo to protect school board meetings from threats](#), by Clyde Hughes

U.S. Attorney General [Merrick Garland](#) appeared in the Senate on Wednesday as part of an oversight hearing for the Justice Department, during which the nation's top law enforcement officer tangled at times with Republican lawmakers over various issues like [COVID-19](#) mandates.

At the hearing, Garland was asked by the Senate judiciary committee about a department memo that addressed rising violence at local school board meetings over pandemic restrictions.



In the memo, Garland [directed federal officials](#) to establish lines of communication with school boards and law enforcement to report threats. The memo followed a letter from the National School Boards Association to President [Joe Biden](#) that asked for federal help in stopping the violence.

Sen. [Chuck Grassley](#) of Iowa, the panel's ranking Republican, and Sen. [John Cornyn](#), R-Texas, keyed in on Garland over the memo. Some Republicans have said the Justice Department directive should be rescinded since the school board association later apologized for some of the language, such as a reference to domestic terrorism, in its letter to Biden.

"All it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," Garland said.

He emphasized that the focus of the memo remains the same -- more potential violence against school boards.

"The only thing that Justice Department is concerned about violence and threats of violence."

Garland told Sen. [Amy Klobuchar](#), D-Minn., that the directive spells out that the department will only intervene if federal laws were broken.

Earlier, Garland also said the department is [reviewing the FBI's failure to investigate sexual misconduct claims](#) against disgraced Olympic team doctor [Larry Nassar](#), in light of new evidence.

Some have called for two FBI agents to be criminally charged for failing to investigate Nassar when they were first approached by abuse victims, who were gymnasts, in 2015.

Garland's appearance came as he's trying to decide whether to prosecute former White House adviser [Steve Bannon](#) for defying a congressional subpoena to give testimony in a House investigation of the Jan. 6 U.S. Capitol attack.

"The investigation is being conducted by the prosecutors in the U.S. Attorney's Office and by the FBI field office," Garland said Wednesday. "We have not constrained them in any way."

Garland also pushed back on claims that the department hasn't shown urgency in addressing potential terrorist threats from militant groups that have arisen in [Afghanistan](#) since the U.S. withdrawal in August.

Garland said his department has taken steps to meet such threats, but didn't elaborate.

At the start of his testimony, Garland stressed a need to get control of "ghost guns," which authorities say are helping to spike crime rates and are being used more to commit crimes.

Ghost guns are those that can be bought online and assembled, making them virtually untraceable.

**ABC News:** [Garland, under GOP attack, defends memo on violent threats against school board officials](#)  
by Alexander Mallin

A Senate hearing grew heated on Wednesday as Republicans repeatedly demanded Attorney General Merrick Garland retract and apologize for a memo he issued earlier this month aimed at addressing a rise in threats against school board officials around the country.

In an oversight hearing before the Senate Judiciary Committee, Garland defended the intent of the memo that had called for the FBI and U.S. Attorney's Offices around the country to convene meetings with local officials to discuss strategies aimed at addressing the increase in threats.

"All it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary, provide federal assistance if it is necessary," Garland said.

Republicans, though, sought to characterize Garland's directive as an order for FBI agents to investigate and pursue parents voicing concerns at school board meetings -- which in recent months have been venues of intense debate over issues like policies to mitigate the spread of COVID-19 and the teaching of race issues in American history.

Garland's initial memo followed a letter sent by the National School Board Association to the White House that had requested federal assistance in addressing threats they argued should, in some cases, be classified as acts of "domestic terrorism."

Following widespread backlash from Republicans and several state attorneys general, the NSBA issued an apology Monday for some of the language it included in the letter.

Asked over and over by Republicans whether he regretted issuing the memo following the NSBA's apology, Garland said he did not.

"I have the letter from NSBA that you're referring to and it apologizes for language in the letter, but it continues its concern about the safety of school officials and school staff," Garland said in an exchange with Sen. Chuck Grassley, R-Iowa. "The language in the letter that they disavow is language that was never included in my memo and never would have been. I did not adopt every concern that they had in their letter. I adopted only the concern about violence and threats of violence and that hasn't changed."

But the explanation did not stop Republicans in the more than 4-hour hearing from falsely accusing Garland of "sicking" the FBI and DOJ's national security division on parents, as Sen. Tom Cotton, R-Ark., accused Garland of doing in one exchange.

"This is shameful, this here, this testimony, your directive, your performance is shameful," Cotton said. "Thank God you're not on the Supreme Court. You should resign in disgrace, judge."

"I wish if senators were concerned about this that they would quote my words," Garland responded. "This memorandum is not about parents being able to object in their school boards. They are protected by the First Amendment as long as there are no threats of violence, they are completely protected."

MORE: Garland: DOJ will follow 'facts and the law' in Bannon contempt referral

Garland also denied suggestions from lawmakers like Republican Sen. Ben Sasse, R-Neb., that the White House effectively used him for political purposes by transmitting the NSBA's letter to the Justice Department in order to have him take action to try and "intimidate parents."

"Either you were just a vessel of political comms staffers at the White House or you yourself are in favor of politicizing the DOJ," Sasse said.

"The purpose of this memorandum is to get our law enforcement to assess the extent of the problem and if there is no problem -- if states and local law enforcement are capable of handling the problem, then there is no need for our involvement in it," Garland said in response. "This memo does not say to begin prosecuting anybody. It says to make assessments. That's what we do in the Justice Department, it has nothing to do with politics."

Democrats in the hearing in several instances jumped to Garland's defense, with Sen. Cory Booker, D-N.J., using time near the hearing's close to read off a list of incidents in recent months involving harassment or threats against school board officials.

Senate Judiciary Chairman Dick Durbin, D-Illi., also admonished the GOP members of the committee for their characterization of the memo.

"I wish my colleagues would reflect for a single moment as to why that memo is important not just for school board members, but to send a message across America that there's a line we're going to draw when it comes to political expression," Durbin said. "When you say words, when you wave your arms,

that's all protected. When you threaten someone with violence or engage in acts of violence that is never going to be protected and shouldn't be."

**CBS:** [Garland defends memo on violent threats to school boards](#) by Melissa Quinn

Attorney General Merrick Garland on Wednesday defended himself against claims from Senate Republicans that a memo he issued about violent threats to school board members could have a chilling effect on parents who are seeking to voice their concerns about their children's education.

Garland's [one-page memo](#), issued October 4, has become a flashpoint in a broader battle waged by Republicans against the Biden administration and schools over mask mandates and the teaching of critical race theory, an academic concept developed by legal scholars to examine the ongoing effects of racism in American policies and institutions.

Opposition to the two issues by parents of school-aged children have led to protests and disruptions of school board meetings, and two officials with the National School Boards Association [asked President Biden](#) last month for federal assistance in responding to threats made against local school board members, school administrators, teachers and staff over COVID-19 mitigation measures and the public school curriculum in different states.

Senator Chuck Grassley of Iowa, the top Republican on the Judiciary Committee, told Garland he should rescind his memo because the school board association's board of directors [apologized for the language](#) in the initial missive to Mr. Biden, which said violent and malicious acts against public school officials could "be the equivalent to a form of domestic terrorism and hate crimes."

Calling the message "extremely divisive," Grassley told the attorney general it could deter parents from speaking up during school board meetings out of fear of a possible response from federal law enforcement.

"That's a poisonous, chilling effect," Grassley said.

But Garland told Republicans during a Senate Judiciary Committee hearing that the memo focused on threats of violence against public servants and aimed to facilitate consultation between federal and local law enforcement.

"The memo is only about violence and threats of violence. It makes absolutely clear in the first paragraph that spirited debate about policy matters is protected under our Constitution. That includes

debate by parents criticizing school boards. That is welcome. The Justice Department protects that kind of debate," Garland told Grassley. "The only thing we're concerned about, senator, is violence and threats of violence against school officials, school teachers, school staff, just like we're concerned about those kinds of threats against senators, members of Congress, election officials."

Senator Tom Cotton, a Republican from Arkansas, slammed Garland for what he said was an "outrageous directive siccing the feds on parents at school boards across America."

Cotton pressed the attorney general about why the Justice Department's National Security Division would have a role in dealing with parents who disagree with school boards. The division was cited in a [press release](#) about the October 4 memo as being included in a to-be-created task force focusing on how federal enforcement tools can be used to address criminal conduct toward school personnel.

"This is shameful. This testimony, your directive, your performance is shameful," Cotton told Garland. "Thank God you are not on the Supreme Court. You should resign in disgrace."

Garland, though, again reiterated his memo was focused on violence and violent threats levied against school officials, and was not aimed at parents vocalizing their areas of disagreement with school boards.

"The memorandum makes clear the parents are entitled and protected by the First Amendment to have vigorous debates. The Justice Department is not interested in that question at all," he said.

Earlier in the hearing, Garland said there has been a "rising tide of violence" against a litany of public officials, ranging from school administrators to judges to members of Congress.

"All of us have seen these reports of violence and threats of violence. That is what the Justice Department is concerned about," he said.

Senator Dick Durbin of Illinois, a Democrat who chairs the Senate Judiciary Committee, cited numerous incidents of violence against school board members and teachers. In one instance, a parent in Texas ripped a mask off a teacher's face, [according to Fox 7 Austin](#), while a California parent allegedly struck a teacher over mask requirements, [according to KCRA](#).

"These are not routine people incensed or angry. These are people who are acting out their feelings in a violent manner, over and over again," Durbin said.

In his memo, Garland directed the FBI and U.S. attorneys to convene meetings with federal, state and local leaders to discuss strategies for addressing threats against school officials, board members, teachers and staff and "open dedicated lines of communication for threat reporting, assessment and response."

"While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views," the attorney general wrote. "Threats against public servants are not only illegal, they run counter to our nation's core values. Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety."

**Wall Street Journal:** [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

Attorney General Merrick Garland signaled he has no plans to withdraw a memo ordering the FBI to help local leaders address threats against educators, as Republicans called it a heavy-handed effort to silence parents who speak out on topics like mask mandates and how race is addressed in schools.

Mr. Garland on Wednesday [stood behind the Oct. 4 directive](#) during a hearing before the Senate Judiciary Committee, his second appearance before Congress in less than a week in which Republicans made it the focus of their questioning.

The single-page document calls on the Federal Bureau of Investigation to work with federal prosecutors and local officials to thwart "a disturbing spike in harassment, intimidation, and threats of violence" against teachers and school staff over politically charged issues. It instructs the FBI to "open dedicated lines of communication for threat reporting, assessment, and response," and says the Justice Department would announce other measures to clamp down on "criminal conduct directed at school personnel."

"The purpose of this memorandum is to get our law enforcement to assess the extent of the problem. And if there is no problem, if states and local law enforcement are capable of handling the problem, then there is no need for our involvement," Mr. Garland said, disputing that the Justice Department is seeking to police protected speech. "This memo does not say to begin prosecuting anybody. It says to make assessments. That's what we do in the Justice Department. It has nothing to do with politics."

The issue of parental influence on schools, even when it doesn't rise to the level of physical threats, has risen to prominence in several political settings, including the Virginia governor's race, where GOP candidate Glenn Youngkin has sought to cast himself as siding with parents against school authorities. But Mr. Garland reiterated that his directive was aimed only at violence and threats of violence, not at the substance of school curricula or complaints voiced at school board meetings.

That didn't quell the attacks from some Republican members of the committee on Wednesday. "I think most of the American people are just sort of flabbergasted if your answer is you have no regrets about this memo. Is that what you're telling us? You think this was wise?" Sen. Ben Sasse (R., Neb.) asked in one heated exchange.

"Senator, the obligation of the Justice Department is to protect the American people against violence, including threats of violence, and that particularly includes public officials. That is still a concern for the department," Mr. Garland responded.

The attorney general issued the directive shortly after the National School Boards Association, a group representing school boards across the country, asked President Biden in a letter for federal [help in dealing with threats to educators](#) by people opposed to face-mask mandates for stemming Covid-19 and to [the teaching of critical race theory](#).

The association on Friday apologized for the letter, which suggested the Justice Department treat attacks and threats against public school officials as hate crimes or domestic terrorism. School board associations in Missouri and Ohio withdrew from the national group, saying they weren't consulted about the letter's creation or its language.

"To be clear, the safety of school board members, other public school officials and educators, and students is our top priority, and there remains important work to be done on this issue," the association said in a short note to its members. "However, there was no justification for some of the language included in the letter."

Mr. Garland noted that his memo—which he said he crafted without having spoken to the White House—didn't adopt the language used by the school boards group. He said threats of violence remain a concern for the federal government but offered few new details about how the memo has been implemented.

A top FBI official during a Tuesday news conference also declined to say how many meetings agents had held with local officials or answer other questions about the bureau's involvement. FBI spokespeople on Wednesday didn't immediately respond for comment.

**Wall Street Journal:** [Update] [Merrick Garland Stands Behind Memo on Threats to Educators](#) by Sadie Gurman

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Senators including Tom Cotton, (R., Ark.) pointed to a letter sent by the U.S. attorney's office in Montana to local law-enforcement officials, listing federal statutes that could serve as the basis for prosecuting certain threats and violent conduct. It included some felony charges such as conspiracy to deprive a person of civil rights, interstate extortion threats and cyberstalking.

“The Attorney General’s directive does not seek to hinder anyone’s free speech rights under the First Amendment, only to combat lawful threats and other criminal conduct,” Acting U.S. Attorney Leif M. Johnson wrote in the letter, reviewed by The Wall Street Journal. “If you believe that a person has violated one of these statutes, please feel free to contact the FBI. The FBI and the United States Attorney’s Office will then collaborate with any interested parties to determine if a federal investigation and prosecution should commence.”

**CNN:** [Merrick Garland will appear before Senate panel amid pressure on Nassar probe, Bannon and school boards memo](#), by Tierney Sneed

Attorney General Merrick Garland is testifying before the Senate Judiciary Committee on Wednesday, where he is likely to face fierce Republican blowback to a memo he issued addressing threats to school boards, as well as bipartisan heat for the FBI's handling of the Larry Nassar probe.

Garland's appearance comes as the Justice Department weighs whether to prosecute Steve Bannon -- a close ally of former President Donald Trump -- after the House voted to hold him in contempt for not cooperating in its January 6 investigation.

In a scathing prepared opening statement obtained by CNN, Sen. Chuck Grassley of Iowa, the top Republican on the Judiciary Committee, will claim that President Joe Biden has "politicized" department decision-making in telling reporters the department should [prosecute witnesses who defy subpoenas](#) in the House probe. Biden said last week at a CNN town hall that [he had been wrong](#) to make that statement.

In addition to the House investigation, the Senate Judiciary Committee has undertaken its own review of how Trump sought to use the Justice Department in his efforts to overturn his 2020 electoral defeat. The Justice Department, in consultation with the White House, has allowed former officials at the department to participate in the investigation. Garland will likely tout at Wednesday's hearing the federal investigation into the violent attack on the Capitol, which has led to the arrest of more than 600 individuals.

Republicans, for their part, have had their attention on non-January 6 issues. At a [House Judiciary Committee hearing](#) with Garland last week, [the Republicans zeroed in](#) on a controversial school board memo that instructed the FBI to take certain steps to work with local and state law enforcement responding to harassment and threats targeting school officials.

Republicans have equated the Justice Department's approach with treating parents like "domestic terrorists" for protesting schools' Covid protocols and methods of teaching about race in American history. (The memo makes no reference to domestic terrorism.) Sen. Josh Hawley, a Missouri Republican and a member of the Judiciary panel, has called on Garland to resign over the memo. Enter your email to sign up for CNN's "What Matters" Newsletter.

According to his prepared remarks, Grassley will say, "The last thing the Justice Department and FBI need is a vague memo to unleash their power—especially when they've shown zero interest in holding their own accountable."

Republicans have sought to make the memo [a prominent issue](#) in the [tight Virginia gubernatorial race](#), where Republican Glenn Youngkin released a campaign ad claiming that the FBI was trying to "silence parents."

While Democrats have defended Garland's memo, they have been less pleased with the department's response to the FBI's mishandling of the Nassar probe, with delays that allowed [at least 70 gymnasts to be abused](#) after the FBI first learned of the misconduct, according to a recent DOJ inspector general report.

The department has attracted bipartisan scorn for its decision not to prosecute two former FBI officials accused of making false statements in the fallout from the botched probe.

Additionally, Garland may face questions from Democrats about voting rights and the DOJ's actions on police reform. Republicans, meanwhile, could grill Garland on the status of special counsel John Durham's review of the launch of FBI's Trump-Russia probe in 2016.

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#), by Tierney Sneed

Attorney General [Merrick Garland](#) defended his memo responding to threats aimed at school officials, pushing back on pointed criticism from Republicans at a Senate Judiciary Committee hearing on Wednesday.

The memo, Garland said, "responds to concerns about violence, threats of violence, other criminal conduct."

"That's all it's about, and all it asks, is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," Garland said in response to a question from GOP Sen. Chuck Grassley.

Garland also pushed back on Republicans' suggestion that the department should rescind the memo, now that the school board association that asked the Biden administration for the federal intervention has apologized for some of the language -- including its reference to domestic terrorism -- in that initial request.

"The letter that we that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said Wednesday. "It alters some of the language in the letter language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that Justice Department is concerned about violence and threats of violence."

The school board memo is one of several topics Garland is expected to be grilled on at Wednesday's hearing.

Garland's appearance comes as the Justice Department weighs whether to prosecute Steve Bannon -- a close ally of former President Donald Trump -- after the House [voted to hold him in contempt](#) for not cooperating in its January 6 investigation.

In a scathing opening statement, Grassley an Iowa Republican, claimed that President Joe Biden has "politicized" department decision-making in telling reporters the department should [prosecute witnesses who defy subpoenas](#) in the House probe. Biden said last week at a CNN town hall that [he had been wrong](#) to make that statement.

In addition to the House investigation, the Senate Judiciary Committee has undertaken its own review of how Trump sought to use the Justice Department in his efforts to overturn his 2020 electoral defeat. The Justice Department, in consultation with the White House, has allowed former officials at the department to participate in the investigation. Garland has touted the federal investigation into the violent attack on the Capitol, which has led to the arrest of more than 600 individuals.

"I commend the many agents and prosecutors who were working day in and day out to bring these violent insurrectionists to justice," Committee Chairman Dick Durbin, an Illinois Democrat, said at the hearing Wednesday. "I hope the department will be just as steadfast in pursuit of those who encouraged and incited the attack and those who would prevent the American people and their representatives from uncovering the truth."

Republicans, for their part, have had their attention on non-January 6 issues. At a [House Judiciary Committee hearing](#) with Garland last week, [the Republicans zeroed in](#) on a controversial school board memo that instructed the FBI to take certain steps to work with local and state law enforcement responding to harassment and threats targeting school officials.

Republicans have equated the Justice Department's approach with treating parents like "domestic terrorists" for protesting schools' Covid protocols and methods of teaching about race in American history. (The memo makes no reference to domestic terrorism.) Sen. Josh Hawley, a Missouri Republican and a member of the Judiciary panel, has called on Garland to resign over the memo.

Grassley, in his opening statement, said, "The last thing the Justice Department and FBI need is a very vague memo to unleash their power -- especially when they've shown zero interest in holding their own accountable."

Republicans have sought to make the memo [a prominent issue](#) in the [tight Virginia gubernatorial race](#), where Republican Glenn Youngkin released a campaign ad claiming that the FBI was trying to "silence parents." Democrats have defended the memo, with Durbin telling Garland Wednesday that "those who argue that school board meetings are not more dangerous and more violent than in the past are ignoring reality."

Democrats have been less pleased with the department's response to the FBI's mishandling of the Nassar probe, with delays that allowed [at least 70 gymnasts to be abused](#) after the FBI first learned of the misconduct, according to a recent DOJ inspector general report.

The department has attracted bipartisan scorn for its decision not to prosecute two former FBI officials accused of making false statements in the fallout from the botched probe.

**CNN:** [Nassar investigation: AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents](#), by Veronica Stracqualursi

Attorney General Merrick Garland confirmed Wednesday that the Justice Department has "new evidence" in its ongoing [review of the decision not to prosecute](#) two former FBI officials who were accused of mishandling the investigation into former USA Gymnastics doctor Larry Nassar.

Earlier this month, Deputy Attorney General Lisa Monaco said that the department [was reviewing the matter](#), including "new information that has come to light."

Appearing before lawmakers for an oversight hearing Wednesday, Garland was asked by Democratic Sen. Patrick Leahy for an update on the review.

"I believe Deputy Attorney General Monaco said at her hearing that we are reviewing this matter. New evidence has come to light and that is cause for review of the matters that you're discussing," Garland told the Senate Judiciary Committee.

He did not provide further detail about the new evidence.

Sexual abuse allegations from gymnasts and the USA Gymnastics organization against Nassar were reported to the FBI in 2015 and 2016. An investigation was opened in 2018 into the FBI's handling of the case, and the Justice Department inspector general report found that the FBI agents violated the agency's policies by making false statements and failing to properly document complaints by the accusers.

Last month, renowned gymnasts Simone Biles, Aly Raisman, McKayla Maroney and Maggie Nichols [spoke before a Senate committee](#) about how the FBI botched the investigation and handling of their allegations of sexual abuse against Nassar.

Garland on Wednesday said that "heart-wrenching is not even strong enough as a description of what happened to those gymnasts and to the testimony they gave."

Nassar is currently serving a 40-to-174-year state prison sentence after [pleading guilty](#). More than 150 women and girls said he sexually abused them over the past two decades.

**CNN:** [Garland hopes 'as much as possible' of Durham report will be public](#) by Marshall Cohen

Attorney General Merrick Garland said Wednesday that he wants "as much as possible" of [special counsel Robert Durham's](#) eventual report to be released publicly.

Durham was appointed during the Trump administration to investigate the FBI's Russia probe, which uncovered contacts between the Trump campaign and Russians during the 2016 election.

"With respect to the report, I would like as much as possible to be made public," Garland said during a Senate Judiciary Committee hearing. "I have to be concerned about Privacy Act concerns and classification, but other than that, the commitment is to provide a public report, yes."

Under questioning from Tennessee Republican Sen. Marsha Blackburn, Garland also pledged that there would not be any political interference with Durham's investigation. The probe has been criticized by many Democrats, largely because it is seen as an effort by to undermine the Russia investigation.

Durham's work was launched in 2019 by former Attorney General William Barr, a skeptic of the Russia investigation. The Justice Department regulations that govern Durham's conduct don't require a public report -- but previous special counsels, including Robert Mueller, have publicly released their findings.

Former President Donald Trump has suggested that Durham's investigation will uncover a vast conspiracy to use the FBI and DOJ against his 2016 campaign and lead to criminal charges against senior Obama administration officials. So far, the Durham probe has fallen significantly short of Trump's expectations. Durham [indicted a Hillary Clinton](#) campaign attorney for lying to an FBI official. (He has pleaded not guilty.) And a [low-level FBI lawyer pleaded guilty](#) to doctoring an email about a FISA surveillance warrant against an ex-Trump campaign adviser in 2016.

**CNN:** [Attorney General Merrick Garland defends memo responding to threats of violence against school board members](#) by Tierney Sneed

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has apologized for some of the language -- including its reference to domestic terrorism -- in that initial request.

"The letter that we that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said Wednesday. "It alters some of the language in the letter language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that Justice Department is concerned about is violence and threats of violence."

Several GOP committee members battered Garland with questions about the memo, which Republicans have sought to make a focal issue in the Virginia gubernatorial election. Republicans have equated the Justice Department's approach with treating parents like "domestic terrorists" for protesting schools' Covid protocols and methods of teaching about race in American history. (The memo makes no reference to domestic terrorism.)

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Grassley, in his opening statement Wednesday, said, "The last thing the Justice Department and FBI need is a very vague memo to unleash their power -- especially when they've shown zero interest in holding their own accountable."

Democrats have defended the memo, with Durbin telling Garland Wednesday that "those who argue that school board meetings are not more dangerous and more violent than in the past are ignoring reality."

### **Questions about DOJ's January 6 probe approach**

Garland's appearance comes as the Justice Department weighs whether to prosecute Steve Bannon -- a close ally of former President Donald Trump -- after the House [voted to hold him in contempt](#) for not cooperating in its January 6 investigation.

In a scathing opening statement, Grassley, an Iowa Republican, claimed that President Joe Biden has "politicized" department decision-making in telling reporters the department should [prosecute witnesses who defy subpoenas](#) in the House probe. Biden said last week at a CNN town hall that [he had been wrong](#) to make that statement.

In addition to the House investigation, the Senate Judiciary Committee has undertaken its own review of how Trump sought to use the Justice Department in his efforts to overturn his 2020 electoral defeat.

The Justice Department, in consultation with the White House, has allowed former officials at the department to participate in the investigation. Garland has touted the federal investigation into the violent attack on the Capitol, which has led to the arrest of more than 600 individuals.

"I commend the many agents and prosecutors who were working day in and day out to bring these violent insurrectionists to justice," Committee Chairman Dick Durbin, an Illinois Democrat, said at the hearing Wednesday. "I hope the department will be just as steadfast in pursuit of those who encouraged and incited the attack and those who would prevent the American people and their representatives from uncovering the truth."

Sen. Sheldon Whitehouse, a Democrat from Rhode Island who serves on the committee, asked Garland specifically if the criminal investigation was constrained to those who physically breached the Capitol.

"The investigation is being conducted by the prosecutors in the US Attorney's Office and by the FBI field office. We have not constrained them in any way," Garland said,

### **Garland asked to weigh in on botched Larry Nassar probe and special counsel John Durham's investigation**

Democrats have been less pleased with the department's response to the FBI's mishandling of the Nassar probe, with delays that allowed [at least 70 gymnasts to be abused](#) after the FBI first learned of the misconduct, according to a recent DOJ inspector general report.

The department has attracted bipartisan scorn for its decision not to prosecute two former FBI officials accused of making false statements in the fallout from the botched probe.

Garland, getting choked up, said Wednesday that the accounts of gymnasts abused by Nassar were "heart wrenching" and [pointed to indications](#) from Deputy Attorney General Lisa Monaco earlier this month that the department was reviewing the decision not to prosecute the two former officials.

"New evidence has come to light and that is cause for review of the matters that you're discussing," Garland said. Garland stopped short of committing to releasing a public explanation if the department again decides not to bring charges against those involved in the botched probe.



Garland did, however, express his desire to release as much as possible from the investigation of special counsel John Durham, which was launched under former President Trump to review the genesis of the DOJ Trump-Russia investigation.

"I have to be concerned about Privacy Act concerns and classification, but other than that, the commitment is provide a public report, yes," Garland told Republican Sen. Marsha Blackburn of Tennessee.

**CNN:** [AG Garland confirms 'new evidence' in review of decision not to prosecute FBI agents handling Nassar probe](#) by Veronica Stracqualursi, Christina Carrega

Attorney General Merrick Garland confirmed Wednesday that the Justice Department has "new evidence" in its ongoing [review of the decision not to prosecute](#) two former FBI officials who were accused of mishandling the investigation into former USA Gymnastics doctor Larry Nassar.

Earlier this month, Deputy Attorney General Lisa Monaco said that the department [was reviewing the matter](#), including "new information that has come to light."

Appearing before lawmakers for an oversight hearing Wednesday, Garland was asked by Democratic Sen. Patrick Leahy for an update on the review.

"I believe Deputy Attorney General Monaco said at her hearing that we are reviewing this matter. New evidence has come to light and that is cause for review of the matters that you're discussing," Garland told the Senate Judiciary Committee.

He did not provide further detail about the new evidence.

Sexual abuse allegations from gymnasts and the USA Gymnastics organization against Nassar were reported to the FBI in 2015 and 2016. An investigation was opened in 2018 into the FBI's handling of the case, and a [Justice Department inspector general report](#) found that the FBI agents violated the agency's policies by making false statements and failed to properly document complaints by the accusers.

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The report also revealed that the Justice Department under both Garland and William Barr declined to prosecute either of the two former FBI agents -- W. Jay Abbott and Michael Langeman -- for allegedly failing to pursue the allegations of sexual abuse.

Last month, renowned gymnasts Simone Biles, Aly Raisman, McKayla Maroney and Maggie Nichols [spoke before a Senate committee](#) about how the FBI botched the investigation and handling of their allegations of sexual abuse against Nassar.

The FBI recently fired Langeman, the agent who had interviewed Maroney, while Abbott retired in early 2018.

Garland on Wednesday said that "heart-wrenching is not even strong enough as a description of what happened to those gymnasts and to the testimony they gave."

Nassar is currently serving a 40-to-174-year state prison sentence after [pleading guilty](#). More than 150 women and girls said he sexually abused them over the past two decades.

During Wednesday's hearing, Democratic Sen. Richard Blumenthal questioned whether there's an ethical violation that Josh Minkler, the former US attorney for the Southern District of Indiana, is representing Abbott.

Minkler's office worked with Abbott when he allegedly botched the sexual abuse allegations against Nassar.

"I don't know whether that's a violation of ethical rules or some other kinds of Department of Justice policies, but it raises significant questions and the department should have an interest in them," Blumenthal said.

Minkler served in the Indiana office from 2017 and resigned in November 2020. CNN has reached out to Minkler for comment.

**Fox News:** [Garland to face questions about politicization of the Justice Department](#), Jon Brown

Attorney General [Merrick Garland](#) will testify before the [Senate Judiciary Committee](#) on Wednesday, where he is expected to face questions about the politicization of the [Justice Department](#).

Garland's Senate testimony comes less than a week after he [addressed](#) the same issues before the House Judiciary Committee last Thursday and during a time when the agency is in the middle of several high-profile cases and controversies.

Republican members of the committee will likely focus on issues related to Hunter Biden, school boards and critical race theory, while Democrats are likely to focus on the [Jan. 6 riot](#) at the U.S. Capitol.

### **CRT and school boards**

An issue that House Republicans seized on during last week's hearing was Garland's recent memo to the Justice Department about its employees intervening in incidents of violence or intimidation targeting state and local school board officials.

Republican lawmakers have criticized Garland for involving the federal government in issues that they claim should be handled by state and local law enforcement.

Garland has also taken heat for issuing his memo just days after the National School Boards Association (NSBA) issued a letter asking the Biden administration to use the Patriot Act to deal with incidents of nonviolent disruption of school board meetings over issues such as critical race theory and transgender bathrooms.

The letter said some threats against school board members could be akin to "domestic terrorism."

The NSBA on Friday [issued an apology](#) for some of the wording in the letter, writing in part: "On behalf of NSBA, we regret and apologize for the letter."

The NSBA went on to note that "there was no justification for some of the language included in the letter."

The letter has since prompted [congressional Republicans](#) to call for the resignation of Garland, who has attempted to distance himself from some of the letter's language.

"The attorney general has been quite clear that the job of the Department of Justice working with state and local law enforcement is to prevent violence, to prevent threats of violence, whether it's in school boards, whether it's in hate crimes, whether it's against election workers, whether it's directed against judges or members of Congress," said Deputy Attorney General Lisa Monaco during a recent [press conference](#).

"Our focus is on preventing violence and threats of violence," she added.

The [Department of Education](#) raised eyebrows earlier this week amid [revelations](#) that it had appointed Viola Garcia to a federal board overseeing student progress. Garcia is president of the NSBA and signed the letter that stoked controversy.

Garland has also faced scrutiny because of his son-in-law, Xan Tanner, who co-founded an education consultancy that pushed CRT-related ideas and provided services to school districts across the country. Garland's ties to the company have raised questions about potential conflicts of interest related to law enforcement cracking down on school board opposition.

During the hearing before the House Judiciary Committee, Committee Chairman Jerry Nadler, D-N.Y., and Rep. Jim Jordan, R-Ohio, got into a heated exchange regarding whether Jordan would be permitted to play video of parents at school board meetings.

### **Hunter Biden**

"I've also asked for information relating to Chinese nationals linked to the communist Chinese regime that are connected to the Biden family," said Sen. Chuck Grassley, R-Iowa, ranking member of the Senate Judiciary Committee.

"One individual, Patrick Ho, was not just linked to the Chinese regime, he was apparently connected to its intelligence services. Hunter Biden reportedly represented him for \$1 million."

During his appearance before members of the House, Reps. Tom McClintock, R-Calif., and Ken Buck, R-Colo., asked Garland whether a special counsel should be appointed to investigate Hunter Biden and his finances.

Buck noted how a piece of Hunter's artwork was sold for \$500,000, which he argued was thanks to familial ties.

Garland said he could not comment, saying there is an ongoing federal investigation of Hunter Biden.

**Fox News:** [Tom Cotton to AG Garland: 'Thank God you are not on the Supreme Court'](#) by Ronn Blitzer

[Sen. Tom Cotton](#), R-Ark., tore into Attorney General Merrick Garland during a Senate Judiciary Committee hearing Wednesday, chastising him for his memo to [Justice Department](#) employees about intervening in violence, threats and intimidation targeting school board officials.

Cotton noted that Garland has cited news reports – in addition to a letter from the National School Boards Association – as inspiring his memo. The Arkansas Republican then brought up one of the more high-profile instances of a parent being arrested for conduct at a school board meeting, where Scott Smith was charged with disorderly conduct after demanding answers regarding how his daughter was allegedly sexually assaulted in a girls' bathroom at school by a boy who had reportedly been wearing women's clothing.

While Garland stopped short of apologizing to the Smith family, he expressed sympathy for their situation and said that "anyone whose child is raped ... is certainly entitled and protected by the First Amendment to protest to their school board about that."

Cotton was not satisfied with this response.

"That letter and those reports were the basis for your directive. This is shameful. Judge, this is shameful. This testimony, your directive, your performance is shameful. Thank God you are not on the Supreme Court. You should resign in disgrace, judge."

Garland was famously nominated to the Supreme Court by former President Barack Obama in 2016 following the death of Justice Antonin Scalia. The Senate, controlled by Republicans at the time, refused to hold a confirmation hearing, allowing Garland's nomination to remain undecided until Obama's successor, former President Donald Trump, withdrew the nomination and appointed Justice Neil Gorsuch instead.

In response to Cotton's diatribe, Garland insisted that the news reports cited by the NSBA – including the Smith case – were not the news reports that influenced him in issuing his directive.

**Bloomberg:** [Republican Senators Criticize AG Merrick Garland in Hearing on Border, Terrorism](#), by Chris Strohm

Republican senators unloaded a torrent of criticism against Attorney General Merrick Garland during a hearing on matters from asking the FBI to help address violent threats against local school officials to how the Justice Department is responding to terrorist dangers and border security.

During a Senate Judiciary Committee hearing on Wednesday, Republicans sought to trip up Garland, often interrupting him from providing full answers to their questions as he struggled to respond in the lawyerly manner of his career as a prosecutor and judge.

"Right now it looks like the Department of Justice is running you," the top Republican on the panel, Senator Chuck Grassley of Iowa, said. "The department has moved as far left as it could go. You politicized the department in ways it shouldn't be."

The hearing was one of the most tense public episodes that Garland has confronted since he was confirmed in March.

Grassley and Senator John Cornyn of Texas criticized Garland for issuing a memo this month directing the FBI to help address threats of violence against local school officials. The threats are coming from some parents and others who are against masking requirements during the pandemic and oppose teaching that focuses on race in American culture and history.

'Threats of Violence'

Challenged repeatedly to rescind the memo, Garland gave no indication he would do so.

Republican Senator Tom Cotton of Arkansas said Garland should "resign in disgrace."

"The only thing the Justice Department is concerned about is violence and threats of violence," Garland said, citing reports that members of some school boards say they have received "threats to kill them."

Cornyn demanded to know if Garland had considered the chilling effect the memo might have on parents exercising their constitutional rights.

“I don’t believe it’s reasonable to read this memo as chilling anyone’s rights,” Garland said.

Cornyn shot back: “Let the record reflect the attorney general refused to answer the question.”

#### Terrorist Threats

Senator Lindsey Graham of South Carolina questioned Garland on the potential for terrorist groups to plot attacks in the U.S. from inside Afghanistan following the withdraw of U.S. troops.

“I don’t know whether the withdrawal will increase the risk from al-Qaeda or not,” Garland said. It was a surprising contention because U.S. military and intelligence officials have said the Taliban takeover of Afghanistan bolsters terrorist groups that could carry out attacks in the U.S. within a year.

Garland didn’t back away even as Graham frequently cut him off, saying the Justice Department is failing to address the issue urgently.

“There is a sense of urgency,” Garland responded. He said the department has strengthened the work being done by joint terrorism task forces across the country.

Graham also asked Garland what he would tell foreigners in a caravan that appears headed for the Texas border with Mexico.

“I would tell them not to come,” Garland said at first, but then said it would depend on why they’re coming.

Graham challenged Garland on the administration’s policies on border security, which is largely outside the purview of the Justice Department. The Department of Homeland Security oversees border issues.

**Bloomberg:** [DOJ Curbs Trump-Era Zeal for China Spy Probes as Cases Fail](#) by Chris Strohm

The Trump administration went all-in on what it called its “China Initiative,” with the Justice Department prosecuting Chinese and Chinese-American researchers it said were stealing U.S. secrets while hiding their links to the government in Beijing and the People’s Liberation Army.

Now, after a number of those cases fizzled in court and amid growing criticism that the initiative leads to discrimination against Asian-Americans, Justice Department leadership under Attorney General Merrick Garland is moving more cautiously.

“There’s no excuse for this kind of discrimination, and it’s the obligation of the Justice Department to protect people,” Garland said during a hearing last week before the House Judiciary Committee. “I can assure you that cases will not be pursued based on discrimination, but only on facts justifying them.”

Department officials are now moving to increase oversight of cases being developed by FBI field offices and U.S. attorneys across the country while requiring greater consultation on the front end of investigations, and they plan a comprehensive review of all current cases.

Garland, who must balance reining in abuses without appearing soft on China's illegal activity in the U.S., was asked about the issue when he appeared Wednesday for an oversight hearing by the Senate Judiciary Committee.

"We regard the People's Republic of China as an extraordinarily serious and aggressive threat," Garland said. "Every case is evaluated on its own with respect to the law and the facts. We continue to open cases about the People's Republic of China daily."

The China Initiative began in 2018 under President Donald Trump to counter China's theft of trade secrets and technology. It came as part of a broad attack on China's influence in the U.S. Trump's Attorney General William Barr accused companies such as the Walt Disney Co. and Apple Inc. of serving as pawns for China by giving in to its demands, and his Secretary of State Michael Pompeo said Chinese spying was aided by colleges "hooked on communist cash."

In one of the more tense episodes, the U.S. charged four Chinese researchers in July 2020 for allegedly concealing their ties to China's military and ordered Beijing to shut its consulate in Houston.

One of the researchers took shelter in China's consulate in San Francisco, creating a dramatic standoff as federal prosecutors declared her a fugitive before she was eventually taken into custody. But after a year of languishing in court, the Justice Department moved to dismiss the cases in July of this year, saying only that recent developments prompted officials to re-evaluate the prosecutions.

Other cases also have fallen apart in court. The failures have contributed to criticism that the China Initiative leads to false allegations against Chinese nationals in the U.S. and Asian-Americans. Almost 100 lawmakers asked the department in July to investigate "the repeated, wrongful targeting of individuals of Asian descent for alleged espionage."

Critics are hailing the potential for meaningful changes to the program under Garland, but they want the department to go further.

"We think there should be a moratorium on the China Initiative," said John Yang, president and executive director of Asian Americans Advancing Justice--AAJC. "As demonstrated by the cases that have

been filed, the majority of the cases have not involved economic espionage or trade secret theft. And so to have a label on this initiative really causes harm to our Asian American community.”

Some Justice officials have discussed the idea of offering an amnesty or leniency program for those who come forward and admit wrongdoing as an alternative to prosecutions under the China Initiative. For now, though, that effort appears to have stalled.

Eight Republican senators sent Garland a letter in May opposing any amnesty.

“The United States must also take reasonable steps to protect taxpayer-funded research from theft, diversion and ultimately weaponization against our own long-term national interests,” according to the letter, which was signed by GOP members of the Senate Judiciary panel, including its top Republican, Chuck Grassley of Iowa.

#### Strategy Review

The future of the China Initiative may not be settled until President Joe Biden’s administration completes its review of strategy toward China.

For now, the Justice Department is continuing the project. FBI Director Christopher Wray told lawmakers earlier this year that the bureau opens a new case related to China every 10 to 12 hours, and has more than 2,000 investigations tied to the Chinese government.

Only a handful of cases against researchers result in prosecutions, however. The FBI declined to say how many cases have been closed. Since 2018, the department has brought 12 prosecutions related to academic and research integrity and won convictions against four individuals, according to agency statistics.

Current and former law enforcement officials say the department is committed to countering illegal and nefarious activity by the Chinese government. The efforts are focused on particular activities by China and individuals who are concealing their affiliation with that country’s government, not Chinese citizens or Asian-Americans in general, according to the officials, who asked not to be identified.

Garland said the department will review all activities under the national security division and decide which ones go forward once Biden’s nominee to lead it, Matthew Olsen, is confirmed by the Senate. The Senate may vote to confirm Olsen this week.



Garland also said he plans to implement implicit bias training for department employees. He cited a memo he issued in March directing employees to give priority to investigating and prosecuting hate crimes and incidents, especially an outbreak of attacks against Asian-Americans during the Covid-19 pandemic.

The move toward increased oversight recognizes that local FBI field agents and line prosecutors sometimes pursue cases as criminal matters when it's not justified, or when other options are available, according to two former officials. They don't always think about the broader implications of the cases on U.S.-China relations, or how damaging it can be to the department if cases collapse in court, the officials said.

Still, the department cites several success stories under the China Initiative, saying about 80% of all economic espionage prosecutions allege conduct that would benefit the Chinese government, and about 60% of all trade secret theft cases have some link to China.

For example, a university researcher in Ohio was sentenced to prison in May for making false statements to federal agents to conceal the use of grant funding to help develop China's expertise in rheumatology and immunology.

The FBI said its investigations must be conducted in accordance with department policies.

"This authority is based on the illegal activity, not on any constitutionally protected activity or the individual's race, ethnicity, national origin or religious affiliation," the FBI said in a statement. "The FBI is methodical and thorough in its investigations. We take the necessary and appropriate steps to investigate all aspects of an allegation to prove or disprove the elements of the federal violation suspected."

**The Hill:** [Cotton tells Garland: 'Thank god you're not on the Supreme Court'](#), by Harper Neidig

Attorney General [Merrick Garland](#) on Wednesday clashed with Republican senators over the Justice Department's efforts to crack down on violent threats against school boards, with one GOP member telling the former judge, "Thank god you're not on the Supreme Court."

Sen. [Tom Cotton](#) (R-Ark.) made the remark during a heated exchange in which the senator tried to tie the Justice Department's new school board policy to an incident in Loudoun County, Va., where a teenager was accused of sexually assaulting a fellow student in a school bathroom.

"This testimony, your directive, your performance is shameful," Cotton said. "Thank god, you're not on the Supreme Court. You should resign in disgrace, Judge."

Cotton's remark came during an oversight hearing before the Senate Judiciary Committee, where Garland faced repeated attacks from Republicans over the memo that was issued earlier this month offering federal assistance to schools and local law enforcement amid a rise in violent threats against education officials and teachers.

Republicans have painted the policy as federal overreach intended to chill parents' dissent against local school policies.

During the hearing on Wednesday and a House hearing last week, Garland pushed back, arguing that there is nothing in the department's memo that could chill parents' free speech rights and that it has nothing to do with the Loudoun County controversy, which has largely been treated as a local matter but has generated significant public attention, including in the state's governor's race.

"This memorandum is not about parents being able to object in their school boards," Garland said. "They are protected by the First Amendment, as long as there are no threats of violence, they are completely protected. So parents can object to their school boards, about curriculum, about the treatment of their children, about school policies, all of that is 100% protected by the First Amendment and there is nothing in this memorandum contrary to that. We are only trying to prevent violence against school officials."

**US News:** [Garland Refuses to Rescind Memo Asking FBI to Probe School Board Threats](#) by Lauren Camera

Attorney General Merrick Garland for the second time in as many weeks defended his decision to mobilize the FBI to work with local and state law enforcement to address the rise of harassment and threats of violence against school board members.

Under increasing pressure from Republicans who have called on Garland to retract the directive, the attorney general once again clarified that the memorandum he issued earlier this month is directed at "concerns about violence, threats of violence, other criminal conduct."

"That's all it's about. And all it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," he said.

The criticism from Republicans comes in the wake of a memorandum that tasked the FBI and U.S. attorneys' offices to meet in the next 30 days with federal, state and local law enforcement leaders to outline strategies for addressing a spike in harassment, intimidation and threats of violence against school board members across the country.

The attorney general's directive came five days after the National School Boards Association wrote a letter to President Joe Biden asking for federal assistance in responding to the mounting threats and violence that they likened to "domestic terrorism" against school board members related to their decisions on COVID-19 school safety policies, critical race theory and more.

During last week's hearing before the House Judiciary Committee, Republican ranking member Jim Jordan of Ohio hammered Garland for what he characterized as establishing "a snitch line on parents."

The attorney general rejected the characterization that he was labeling parents as domestic terrorists and trying to silence their concerns – sentiments he reiterated Wednesday. Instead, he said, this is the process the Justice Department follows when it addresses similar situations of mounting violent threats against members of Congress and others. Garland also refuted Republican claims that he coaxed the school board association into writing the letter asking for help or worked in any way with the White House to address the matter in short order.

But the Senate Judiciary's Republican members came with even more ammunition as the fallout continued.

Last week, the school boards association issued an apology for not consulting its executive board and for some of the language that was used.

"We regret and apologize for the letter," a letter sent to the association's members from its board of trustees read. "There was no justification for some of the language included in the letter. We should have had a better process in place to allow for consultation on a communication of this significance. We apologize for the strain and stress this situation has caused you and your organization."

The fallout has been severe. Nearly two dozen states have attempted to distance themselves from NSBA since the fallout, with Ohio and Missouri school board associations severing its membership with the national organization this week.

"A direct result of the letter sent by you to President Joe Biden late last month," the letter announcing Ohio's withdrawal read. "If we had been consulted we would have strongly disagreed with NSBA's decision to request federal intervention as well as your claims of domestic terrorism and hate crimes."

"No school board member should ever have to endure threats of violence or acts of intimidation against themselves or their families for making these difficult decisions," the Missouri letter read. "However, attempting to address that issue with federal intervention should not be the first step in most cases, and it is antithetical to our longstanding tradition of local control."

Republicans are seizing on the backtrack.

"The last thing the Justice Department and FBI need is a very vague memo to unleash their power – especially when they've shown zero interest in holding their own accountable," Sen. Chuck Grassley, Iowa Republican and ranking member of the committee, said.

On Tuesday, Jordan, along with House Republican Leader Kevin McCarthy of California and Rep. Virginia Foxx, North Carolina Republican and ranking member of the House Education and Labor Committee, formally requested that Garland withdraw the memorandum and discontinue directives for the FBI to work with local and state law enforcement.

"The Biden administration should be ashamed for attacking parents' desire to protect their children," they wrote in a letter. "Parents should not be forced to take a back seat in their child's education or intimidated into silence. We should be encouraging more parental involvement, not less."

But in testimony on Wednesday, Garland said he had no plans to rescind his memorandum and said the school board association's concerns are justified.

"The letter that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said about the school board association's apology. "It alters some of the language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that the Justice Department is concerned about is violence and threats of violence."

That the attack on Garland's decision to aid school board members was the top talking point for GOP members during both the House and Senate oversight committees is just the latest evidence of how powerful a narrative it is for Republicans ahead of the 2022 midterm elections, especially as they try to woo back droves of suburban women who left the party or didn't vote in the 2020 presidential election.

That strategy is currently on display in the neck-and-neck governor's race in Virginia, where former Democratic Gov. Terry McAuliffe and GOP challenger Glen Youngkin are tangling over school board issues.

President Joe Biden campaigned for McAuliffe on Tuesday evening in Arlington, where the former governor's aides handed out books by the late author Toni Morrison after Youngkin released a political ad this week featuring a woman who tried to have Morrison's Pulitzer Prize-winning novel "Beloved" banned in public schools.

Former Vice President Mike Pence is set to visit Virginia's Loudoun County on Thursday, which has become ground zero for school board wars over issues concerning critical race theory, mask policies, transgender students' rights and other issues.

**Business Insider:** [GOP Sen. Tom Cotton erupts at Attorney General Merrick Garland: 'Thank God you are not on the Supreme Court'](#) by Oma Seddiq

Sen. Tom Cotton sparred with Attorney General Merrick Garland and called for his resignation during an intense exchange at a Senate Judiciary Committee hearing on Wednesday.

The back-and-forth concerned a memo that Garland issued on October 4, in which he directed the Federal Bureau of Investigation to meet with state and local officials to address an increase in threats against public school officials.

Republicans have characterized the memo as an attempt by the Department of Justice to prevent parents from expressing concerns at local school board meetings, some of which have grown increasingly heated and even violent over issues like teaching race in the classroom, policies for transgender students, and COVID-19 mask and vaccine mandates.

Cotton reiterated the GOP talking point on Wednesday by linking a prominent report of an alleged sexual assault at a school in Loudoun County, Virginia, to Garland's directive.

Garland responded that the reported rape is "the most horrific crime I can imagine" and that parents are "certainly entitled and protected by the First Amendment to protest to their school board about that."

Garland then added that Cotton's framing of his memo was "wrong" before being cut off by the Arkansas Republican.

A third of workers say they feel worse in the office than at their lowest point in the pandemic, thanks to the end of free perks and reduced contact

"This is shameful. This testimony, your directive, your performance is shameful. Thank God you are not on the Supreme Court," Cotton said, referring to Garland's 2016 nomination for the bench by former President Barack Obama, which Senate Republicans blocked at the time.

"You should resign in disgrace, judge," Cotton added.

Garland tried to clarify that the DOJ wants to prevent threats of violence against school officials, not to stop parents from speaking up at school board meetings.

"I wish if senators were concerned about this, they would quote my words. This memorandum is not about parents being able to object in their school boards," Garland said. "They are protected by the First Amendment, as long as there are no threats of violence, they are completely protected. So parents can object to their school boards about curriculum, about the treatment of their children, about school policies, all of that is 100 percent protected by the First Amendment and there is nothing in this memorandum contrary to that."

Besides Cotton, several other Republicans at the hearing ripped into the memo. The committee's ranking member, Sen. Chuck Grassley, pressed Garland to revoke it.

Garland defended his directive, saying it "responds to concerns about violence, threats of violence, other criminal conduct.

"That's all it's about and all it asks is for federal law enforcement to consult with, meet with, local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance if it is necessary," he said.

**Washington Examiner:** [Grassley blasts Garland over DOJ school boards memo and Hunter Biden investigation](#), by Jerry Dunleavy

The top Republican on the Senate Judiciary Committee plans to blast Attorney General Merrick Garland over his controversial school boards [memo](#) and will critique him over his handling of the [Hunter Biden investigation](#).

"In less than a year the Department has moved as far left as it can go," Sen. Chuck Grassley of Iowa will say Wednesday. "You've politicized the Department in ways it shouldn't be."

Garland [revealed](#) last week the Justice Department and White House communicated about the National School Boards Association letter likening protesting parents to domestic terrorists before Garland issued his [memo](#), and NSBA emails showed it was in touch with the White House about its letter before publishing. NSBA [withdrew](#) the letter last week and apologized.

"You've created a Task Force that includes the Department's Criminal Division and National Security Division to be potentially weaponized against parents," Grassley plans to say. "The last thing the Justice Department and FBI need is a vague memo to unleash their power — especially when they've shown zero interest in holding their own accountable."

Grassley will point to the Biden DOJ [reversing](#) the firing of former FBI deputy director Andrew McCabe, among other [controversies](#) involving the [agency](#).

The Iowa Republican plans to call on Garland to refocus his priorities on threats like MS-13, the southern boarder, on the vetting of Afghan refugees.

Grassley will also say that "I've also asked for information relating to Chinese nationals linked to the communist Chinese regime that are connected to the Biden family," pointing specifically to Patrick Ho, whom Hunter Biden agreed to help represent in the past. The Justice Department revealed in court filings that it sought Foreign Intelligence Surveillance Act information on Ho, but Grassley says Garland

stonewalled him when the attorney general wrote that “we are not in a position to confirm the existence of the information that is sought, if it exists in the Department’s possession.”

Biden’s son has reportedly been under [criminal investigation](#) stretching as far back as 2018 as federal authorities [scrutinize](#) his taxes and potentially his foreign business dealings, and the 51-year-old's financial transactions with [China](#) might be at the forefront.

The Republican plans to press Garland on the [role played](#) by Nicholas McQuaid, who worked with Hunter Biden lawyer Christopher Clark just before he was picked to serve as the Biden DOJ’s then-acting assistant attorney general for DOJ’s Criminal Division. Grassley will say, “You refuse to confirm whether Mr. McQuaid is recused from the Hunter Biden case.”

**Washington Examiner:** [Tom Cotton swipes at Garland: ‘Thank God you are not on the Supreme Court’](#)  
by Kate Scanlon

In a tense exchange Wednesday at a Senate Judiciary Committee hearing, Sen. Tom Cotton told Attorney General Merrick Garland, “Thank God you are not on the Supreme Court.”

The remark was a swipe at Garland, who was nominated to serve on the Supreme Court by then-President Barack Obama in 2016. At the time, Sen. Mitch McConnell, who was then the majority leader, declined to confirm him, arguing that such a confirmation should not take place in an election year. Neil Gorsuch was later nominated by former President Donald Trump and confirmed to the Supreme Court to fill the vacancy left by the death of Justice Antonin Scalia. In 2020, Justice Amy Coney Barrett was confirmed just days before the election while McConnell was still the majority leader.

In a heated line of questioning, Cotton asked Garland about a controversial memo directing the FBI to monitor threats of violence against school board members that Cotton equated to the “harassment and intimidation” of parents protesting aspects of school curricula.

Cotton then asked Garland about the violence that took place before he began his role.

“Have you issued a memorandum like your Oct. 4 memorandum about the Black Lives Matter riots last summer?” Cotton asked.

“In the summer of 2020?” Garland asked.

“A lot of crimes committed,” Cotton interjected.

“They were under the previous administration,” said Garland, who was confirmed as attorney general in March.

Cotton then turned to a reported rape at a school in Loudoun County, Virginia, accusing Garland of condemning the victim’s father for protesting the school’s response.

Garland called the incident “the most horrific crime I could imagine,” and he said the victim’s father is protected by the First Amendment to protest.

Cotton called the response “shameful.”

"Thank God you are not on the Supreme Court," Cotton said. "You should resign in disgrace, judge."

Cotton then stormed out of the hearing room.

Senate Judiciary Committee Chairman Dick Durbin then asked Garland if he would like to continue his response.

“The memorandum is not about parents being able to object in their school boards,” Garland said. “They are protected by the First Amendment as long as there are no threats of violence.”

**Washington Examiner:** [Durbin invokes Jan. 6 as he defends school board letter during Garland hearing](#), by Kate Scanlon

Attorney General Merrick Garland on Wednesday defended a Justice Department memo asking the FBI to watch out for threats of violence against school boards and education officials as Senate Judiciary Committee Chairman Dick Durbin invoked the Jan. 6 riot at the U.S. Capitol while discussing those threats.

At a Senate Judiciary Committee hearing, Durbin urged his colleagues to “type ‘school board violence’ into your computer and take a look at what’s happening.”

The Illinois Democrat [cited](#) a 30-year-old man who was arrested in his state after striking a school official at a school board meeting last month, as well as threats and assaults in Ohio, Pennsylvania, Texas, and California.



“These are not routine people incensed or angry. These are people who acting out their feelings in a violent manner, over and over again — the same people we see on airplanes and other places, the same people, some of whom we saw here on January 6th,” Durbin said.

Garland said the Justice Department was monitoring not only threats of violence against school boards and officials but “a rising tide of threats of violence against judges, against prosecutors, against secretaries of state,” and election officials.

Critics of the memo described it as an effort to silence parents protesting matters such as mask mandates or curricula to which they object.

In response to a question from Sen. Chuck Grassley of Iowa, the top Republican on the committee, about the “polarizing” memo, Garland said the department is only concerned with “violence and threats of violence.”

Garland also told Sen. John Cornyn peaceful protests by parents are protected by the Constitution.

“The only thing this memorandum is about is violence and threats of violence,” Garland repeated, adding he recognizes the right of “spirited debate.”

**Washington Examiner:** [Garland defends DOJ memo despite NSBA letter being withdrawn](#), by Jerry Dunleavy

Attorney General Merrick Garland launched a staunch defense of his [controversial](#) Justice Department memo on school boards, arguing the National School Boards Association’s decision to withdraw its letter likening parent protesters to domestic terrorists didn’t change the merits of his memo — despite his reliance on the NSBA letter’s concerns in penning it.

Garland [revealed](#) last week that the DOJ and the White House communicated about the late September NSBA letter before Garland issued his early October [memo](#), and emails from the NSBA showed it was in touch with the White House about its letter prior to publishing. Internal [emails](#) showed NSBA board members objected to sending the letter to President [Joe Biden](#), and the NSBA ended up [withdrawing](#) the letter the day after Garland’s testimony before the House Judiciary Committee last Thursday.

Senate Judiciary Committee Chairman Dick Durbin, an Illinois Democrat, raised the issue again on Wednesday, asking Garland during a [hearing](#) if he had any second thoughts about his memo, but the Biden attorney general insisted it was still wise despite admitting last week that DOJ had [relied on](#) the letter, at least in part, when generating his memo.

“I think all of us have seen these reports of violence and threats of violence — that is what the Justice Department is concerned about,” Garland said, pointing to a “rising tide of violence.” He added, “That’s the reason that we responded as quickly as we did when we got a letter indicating that there was violence and threats of violence with respect to school officials and school staff.”

Garland argued the NSBA’s follow-up apology letter “does not change the association’s concern about violence and threats of violence” and that “it alters some of the language in the letter, language that we did not rely on and language which we did not rely on in my own memorandum.”

The original NSBA letter referred to school board protests as akin to domestic terrorism and asked the Biden DOJ to consider deploying the Patriot Act. After a national outcry and pushback from its board members and state-level chapters, the NSBA [backed away](#) from its letter late Friday.

“On behalf of the NSBA, we regret and apologize for the letter. To be clear, the safety of school board members, other public school officials and educators, and students is our top priority, and there remains important work to be done on this issue,” the NSBA [wrote](#). “However, there was no justification for some of the language included in the letter. We should have had a better process in place to allow for some consultation on a communication of this significance.”

Republican Sen. Chuck Grassley followed up on Wednesday, arguing to Garland that “as a result of your memo, local school officials and parents may not speak up in these meetings out of fear that the federal government will do something to them,” and he added that it has a “chilling effect.” Grassley noted that the since-disavowed letter wasn’t supported by all of the NSBA even at the time of its publication and had been signed just by its two top leaders, and he asked, “Since you and the White House based your memo on this delegitimized letter, I assume you’re going to revoke your extremely divisive memo that you said was instigated because of that letter?”

But Garland said his memo “responds to the concerns about violence, threats of violence, and other criminal conduct” and nothing more.

The attorney general's [memo](#) earlier this month alleged there has been a "disturbing spike in harassment, intimidation, and threats of violence" against school employees and school board members. It said the DOJ will "discourage these threats, identify them when they occur, and prosecute them when appropriate." While Garland's memo did not mention the National Security Division, which deals with terrorism and other threats, the accompanying DOJ [press release](#) did, naming it as part of the new task force.

“Presumably, you wrote the memo because of the letter,” Grassley said. “The letter is disavowed now, so you’re going to keep your memo going anyway, right? That’s what you’re telling me?”

But the attorney general stood by the memo, which he said he had worked on and signed.

“I have the letter from NSBA that you’re referring to. It apologizes for language in the letter, but it continues its concern about the safety of school officials and school staff,” Garland said. “The language in the letter which they disavow is language which was never included in my memo and never would’ve been. I did not adopt every concern that they had in their letter. I adopted only the concern about violence and threats of violence, and that hasn’t changed.”

**Washington Examiner:** [Patrick Leahy questions Merrick Garland over Larry Nassar investigation](#) by Christopher Hutton

Sen. Patrick Leahy pressed Attorney General Merrick Garland on the Department of Justice's decision not to prosecute ex-FBI agents who lied about the Larry Nassar abuse investigation.

Leahy and other Democrats questioned the DOJ's handling of the investigation into the former Olympic gymnastics team doctor and his abuse of several gymnasts.

"Here, you had two FBI agents who lied to FBI agents. One was fired. The other resigned. No prosecutions," Leahy said during the Senate Judiciary Committee hearing.

When asked if Garland was reviewing the department's previous decisions, Garland affirmed that new evidence had come to pass.

"We are reviewing this matter. New evidence has come to light, and that is cause for review of the matters that you're discussing," the attorney general said in response. Garland did not provide further detail about the new evidence.

Earlier this month, Deputy Attorney General Lisa Monaco said the department was [reviewing](#) the decision not to hold the two FBI agents accountable, including "new information that has come to light."

In September, Olympic gymnasts Simone Biles, Aly Raisman, McKayla Maroney, and former NCAA gymnast Maggie Nichols [testified](#) before a Senate committee about how the FBI had mishandled the allegations of sexual abuse against Nassar.

"We suffered and continue to suffer because no one at the FBI, USAG, or the USOPC did what was necessary to protect us," Biles [stated](#) in her testimony. "We have been failed, and we deserve answers. Nassar is where he belongs, but those who enabled deserve to be held accountable."

"Heart-wrenching is not even strong enough as a description of what happened to those gymnasts and to the testimony they gave," Garland said of the gymnasts' testimonies on Wednesday.

**Washington Examiner:** [Merrick Garland repeatedly spars with Ted Cruz on whether he sought ethics review](#) by Jerry Dunleavy

Attorney General Merrick Garland repeatedly dodged whether he had sought an ethics review related to his [controversial](#) Justice Department school boards memo and his connections to his son-in-law's left-wing education company.

The top Biden DOJ official strongly [suggested](#) on Wednesday he hadn't sought such a review, though, as he argued before the Senate Judiciary Committee that there was no possible conflict of interest. Garland

made the comments during robust questioning by Republican Sen. Ted Cruz, and his dodging was similar to his [evasions](#) during last week's House Judiciary Committee hearing when he repeatedly refused to say whether he had already submitted himself to an ethics review and repeatedly refused to commit to any future ethics review.

"A big part of this letter is that they're upset about parents not wanting critical race theory taught. Your son-in-law makes a very substantial sum of money from a company involved in the teaching of critical race theory," Cruz said. "Did you seek and receive a decision from an ethics adviser at the Department of Justice before you carried out an action that would have a predictable financial benefit to your son-in-law?"

Garland replied that "this memorandum is aimed at violence and threats of violence" before Cruz cut him off and asked him again, in a pattern that would repeat multiple times. Garland replied, "You asked me whether I sought an ethics opinion about something that would have a predictable effect on something. This has no predictable effect in the way that you're talking about."

Republican senators and congressmen, along with parent groups and various activists, have [questioned](#) whether Garland has a [conflict of interest](#) because his daughter's husband, Xan Tanner, [co-founded](#) Panorama Education. Panorama Education [claims](#) it has made its way into thousands of schools serving millions of students in the United States, selling race-focused student and teacher surveys and conducting training on systemic racism and oppression, white supremacy, implicit bias, and intersectionality, all under the rubric of "Social-Emotional Learning."

Cruz asked Garland, "So, if critical race theory is taught in more schools, does your son-in-law make more money?" Garland started to say that "this memo has nothing" before he was cut off and was asked again, and the attorney general replied, "This memorandum has nothing to do with critical race theory or any other kind of curriculum."

Cruz repeatedly returned to the question of whether Garland had sought an ethics review, and he never quite gave a direct answer but eventually said, "If I thought there was any reason to believe there was a conflict of interest, I would do that, but I cannot imagine a conflict of interest. ... I would seek an ethics opinion in a circumstance where I thought there was a conflict of interest."

As the questioning ended, Cruz said, "Let the record reflect that the attorney general refuses to answer whether he sought an ethics opinion, and apparently ethics are not a terribly high priority for the Biden Justice Department."

Garland pushed back, “I don’t think that’s a fair reflection of what I said.”

Cruz again asked Garland to answer the question, and Democratic Chairman Dick Durbin of Illinois ended the back-and-forth.

Garland also [defended](#) his memo on Wednesday, arguing the National School Boards Association’s decision to apologize for and withdraw its letter likening parent protesters to domestic terrorists didn’t change the merits of his memo despite his reliance on the NSBA letter’s concerns in writing it.

The attorney general [revealed](#) last week that the DOJ and the White House communicated about the late September NSBA letter before Garland issued his early October [memo](#), and emails from the NSBA showed it was in touch with the White House about its letter prior to publishing. Internal [emails](#) showed NSBA board members objected to sending the letter to President [Joe Biden](#), and the NSBA ended up [withdrawing](#) the letter the day after Garland’s testimony last Thursday.

**Washington Times:** [Senate Judiciary poised to grill AG Merrick Garland over FBI school board memo, U.S. Capitol riot](#), by Emily Zantow

Attorney General Merrick Garland is expected to be grilled Wednesday by the Senate Judiciary Committee over his FBI school board memo and the Larry Nassar sex abuse probe.

The oversight hearing comes after Mr. Garland faced similar questions from the House Judiciary Committee last week.

Republican lawmakers have expressed outrage over Mr. Garland’s Oct. 4 memo directing federal officials to meet with law enforcement to discuss strategies for responding to a growing number of threats against school board members and other education staff.

They argue that the directive is an attempt to silence concerned parents from speaking at school board meetings and that the threats should be handled by local law enforcement, not the federal government.

Committee member Sen. Josh Hawley, Missouri Republican, demanded that Mr. Garland resign over the memo.

The attorney general defended the memo during the House hearing last week, repeatedly telling lawmakers that it was intended to address threats of violence and actual violence, not free speech.

The Justice Department, he said, “supports and defends the First Amendment rights of parents to complain as vociferously as they wish about the education of their children, about the curriculum taught in schools.”

**Washington Times:** [Sen. Ted Cruz to blast AG Merrick Garland over Biden COVID-19 vaccine mandate](#), by Emily Zantow

Sen. Ted Cruz is planning to question Attorney General Merrick Garland on Wednesday about President Biden's proposed COVID-19 vaccine mandate.

The Texas Republican announced his plan in a video uploaded an hour before the Senate Judiciary Committee oversight hearing of the Justice Department.

"Garland needs to answer if Biden's COVID mandates are hurting communities suffering from crime and why first responders — why the heroes of our communities — are the victims of Joe Biden's illegal vaccine mandate," Mr. Cruz said.

Under Mr. Biden's proposal, federal workers and companies with more than 100 employees must be vaccinated or get tested regularly for the coronavirus.

Mr. Cruz said in the video that nearly one-third of Chicago's police department could be dismissed if they do not get vaccinated.

**Washington Times:** [Chuck Grassley says AG Merrick Garland has politicized DOJ 'as far left as it can go'](#), by Emily Zantow

Sen. Charles E. Grassley on Wednesday accused Attorney General Merrick B. Garland of politicizing the Department of Justice.

"The department has moved as far left as it can go," Mr. Grassley said. "You've politicized the department in ways that shouldn't be."

The Iowa Republican's comments came during a Senate Judiciary Committee oversight hearing of the department.

"Either you run the Department [of] Justice, or the department runs you," Mr. Grassley said. "Right now, it looks like the Department of Justice is running you."

He pointed to the attorney general's school board memo as a "case in point" example of politicization.

Mr. Garland's Oct. 4 memo directs federal officials to meet with law enforcement to discuss strategies for responding to the growing number of threats against school board members and other education staff.

The call to action came days after the National School Boards Association sent a letter to President Biden asking for federal law enforcement to investigate and prevent the threats and attacks.

The association asked the federal government to "examine appropriate enforceable actions against these crimes and acts of violence" under the Patriot Act in regard to domestic terrorism and other federal laws.

The association walked back the letter Friday, saying, "There was no justification for some of the language included in the letter."

Mr. Grassley said: "The school board association has since apologized for that letter, but not before the department relied on their letter to mobilize federal law enforcement in state and local matters. Meanwhile, actual violent crime is on the rise in the country."

**Washington Times:** [AG Merrick Garland says some illegal immigrants can come: 'It depends on why they are coming'](#), by Stephen Dinan

Attorney General Merrick Garland said Wednesday that some migrants in the new mass caravan headed north should come to the U.S. if they plan to demand asylum.

Testifying to senators, Mr. Garland was asked what his message would be to the caravan. He at first said, "I would tell them not to come," but then said that's not a blanket answer.

"It depends on why they are coming," he said.

Mr. Garland said those who are coming with asylum claims are different than traditional illegal immigrants.

The answer stunned Sen. Lindsey Graham, who said when he talked to Border Patrol agents, they tell him they're overwhelmed with people lodging iffy asylum claims, knowing it can earn them a foothold in the U.S. for years as their claims are adjudicated.

Mr. Garland said he'd been in Nogales, Arizona, to talk with Border Patrol agents, but they didn't raise that issue with him.

"You don't recall being told by the Border Patrol that they're overwhelmed?" demanded Mr. Graham, South Carolina Republican.

**Washington Times:** [AG Garland defends school board memo, says he will not retract it](#), by Emily Zantow

Attorney General [Merrick Garland](#) told a Senate Judiciary Committee hearing Wednesday that [he](#) will not rescind [his](#) controversial memo discussing a federal response to purported threats to school boards and educators around the country.

Mr. [Garland](#)'s Oct. 4 memo directed federal officials to meet with law enforcement to discuss strategies for responding to the growing number of threats against [school board](#) members and other education staff. The memo came after a number of heated school board meetings, many centered on parent protests over such issues as COVID-19 prevention mandates and the teaching of critical race theory in the classroom.

The memo also came days after the National School Boards Association sent a letter to President Biden saying the threats and violence could be "equivalent to a form of domestic terrorism and hate crimes," and asking the federal government to examine if it could examine "enforceable actions" under federal laws including the Patriot Act in regard to domestic terrorism.

The association apologized for the letter on Friday, saying "There was no justification for some of the language included in the letter."

Sen. Charles E. Grassley, Iowa Republican, asked Mr. [Garland](#) if [he](#) is planning to revoke the "extremely divisive memo" since the association disavowed its letter.

"As a result of your memo, local school officials and parents may not speak up in these meetings out of fear that the federal government will do something to them," Mr. Grassley said. "So that's a poisonous, chilling effect."

Mr. [Garland](#), however, stood by [his](#) directive and said it came “in response to concerns about violence, threats of violence, other criminal conduct — that’s all it’s about.”

**Washington Times:** [Garland deflects questions on Fauci allegedly lying to Congress](#) by Emily Zantow

Attorney General Merrick Garland on Wednesday deflected questions on allegations that Dr. Anthony Fauci lied to Congress about gain-of-function research in China.

Sen. Rand Paul, Kentucky Republican, claims a letter released last week by the NIH proves that Mr. Fauci lied to Congress when he said that the agency was not funding the research at the Wuhan Institute of Virology in China. Mr. Paul called on President Biden to fire Mr. Fauci, who serves as his chief medical adviser.

During a Senate Judiciary hearing on Wednesday, Sen. Tom Cotton asked Mr. Garland if he is investigating Mr. Fauci for lying to Congress.

Mr. Garland dodged the question, saying the Justice Department does not discuss pending or potential investigations.

Mr. Cotton, Arkansas Republican, then asked if Mr. Garland believes Mr. Fauci was “truthful” when he said the NIH never funded gain-of-function research.

“This is outside of my scope,” the attorney general said.

According to the National Center for Biotechnology Information, gain-of-function research in virology “refers to a type of mutation that results in an altered gene product that possesses a new molecular function or a new pattern of gene expression.”

Dr. Fauci defended himself in an interview with ABC’s George Stephanopoulos on Sunday, saying he did not lie to Congress. He added that it is impossible for bat coronaviruses studied in Wuhan to develop into the SARS-CoV-2 virus that caused the pandemic.

Nearly half of U.S. voters think Mr. Fauci lied about the research, according to a poll released Wednesday by Rasmussen Reports.



The polling firm found that 49% of voters believe Mr. Fauci has not told the truth about funding gain-of-function research. Meanwhile, 33% do believe he told the truth and 19% are not sure.

The telephone and online survey of 1,000 likely voters was conducted between Oct. 25-26 and had a margin of error of +/- 3 percentage points, with a 95% level of confidence.

**National Review:** [Democrats Close Ranks around Garland's Politicization of DOJ](#) by Andrew McCarthy

Attorney General Merrick Garland [is testifying today](#) at an oversight hearing convened by the Senate Judiciary Committee. Chairman Dick Durbin (D., Ill.) did not take long to project the Democrats' strategy for fending off rebukes of Garland over his [memo threatening to investigate parents](#) who protest progressive indoctrination in the schools.

In his opening statement, Senator Durbin first insisted that Garland has stressed that the First Amendment protects dissent, but then maintained that violence in school-board meetings is a serious problem throughout the country, and that threats of violence were the true motivation for Garland's memo.

[As I've explained](#), there is no federal jurisdiction over even actual violence that is local in nature, much less over threats of such violence — and even if that weren't the case, the First Amendment would still drastically limit what types of speech are subject to criminal prosecution.

Senate Democrats, echoed by Garland himself, have adopted three approaches to deal with this jurisdictional problem.

First, they calculate that most Americans are unaware that local violence and threats of violence are not federal crimes and will approve of any law-enforcement monitoring meant to prevent violence, even in cases when such monitoring would suppress constitutionally protected dissent. Democrats insist that violence is rampant at school-board meetings — even though the examples they offer are overwhelmingly *threats* of violence, rather than actual violence. Their assumption is that under these claimed circumstances, people will figure it is only natural for the DOJ to threaten FBI monitoring of interactions between parents and school administrators.

Second, echoing Garland’s memo, Democrats claim that the attorney general was merely encouraging federal law-enforcement agencies to support state and local law-enforcement efforts to address threats of violence against school boards. What they conveniently leave unmentioned is that Garland framed the issue in this manner because the state and local authorities have jurisdiction over such threats, and the feds do not.

To be clear, *federal criminal jurisdiction is determined by the Constitution and congressionally enacted statutes*. Claiming to “partner” with state and local officials does not give the feds jurisdiction over state and local matters. The federal government has many task-force arrangements with state and municipal authorities — genuine partnerships in, e.g., the fights against terrorism and drug trafficking. But those arrangements are permissible only because there is, in the first place, concurrent federal and state jurisdiction over terrorism and drug crimes. There is no federal jurisdiction over interactions between parents and their local school boards.

Third, Garland and Senate Democrats are attempting to conflate school boards with other potential targets of violence, such as the Capitol, other federal facilities, and federal officials. This is thin camouflage. When federal prosecutors and investigators consider taking a case, the first question they must ask is whether there is federal jurisdiction. If there is no potential federal crime, then there is no federal jurisdiction and no cause for federal law-enforcement action, period.

It is not appropriate for federal law-enforcement agencies to proceed against non-federal investigative subjects just because, in similar contexts, there could be proper federal subjects. Unless there is a legitimate federal jurisdictional hook — e.g., threats communicated via the U.S. mail or involving interstate commerce — there is no basis for a federal investigation.

In 1963, when the Supreme Court was developing the legal doctrine that guards against the “chilling” of First Amendment–protected speech, the justices [explained](#) that “the threat of sanctions may deter . . . almost as potently as the actual application of sanctions.” The Court’s jurisprudence, moreover, establishes an “overbreadth doctrine,” which invalidates sweeping regulations that target criminal speech if they have the natural effect of suppressing protected speech.

Free speech is a constitutional right. Garland has more responsibility to safeguard it than he does to police what Democrats claim are widespread threats of local violence, because even if those claims were not dubious, they would not implicate federal law. Garland’s memo represents an abdication of that responsibility, patently chilling First Amendment–protected dissent by raising the specter of federal law enforcement in an area where there is no federal jurisdiction. Garland and Senate Democrats can try to obfuscate that fact, but it remains a fact.

**Daily Caller:** [EXCLUSIVE: Ted Cruz Lists Five Questions AG Garland Must Answer During Senate Testimony](#), by Michael Ginsberg and Henry Rodgers

Ahead of General Merrick Garland's appearance in front of the Senate Judiciary Committee on Wednesday, Republican Texas Sen. Ted Cruz listed five questions the embattled attorney general needed to be asked.

"Number one, why did the Department of Justice cater to the wishes of partisan activists who want to teach critical race theory in schools and think that parents are domestic terrorists? Number two, the Loudoun County School Board covered up a sexual assault by a gender fluid individual against a ninth grade girl. And instead of going after the school board, Merrick Garland attacked the victim's father in his memo against parents. Did Merrick Garland know about this cover-up and the brutal sexual assault when he issued that political and partisan memo?" Cruz asked in a video, obtained exclusively by the Daily Caller.

Garland wrote in a letter to top FBI officials that field agents should "convene meetings with federal, state, local, Tribal, and territorial leaders in each federal judicial district" for the purpose of "addressing threats against school administrators, board members, teachers, and staff." Garland sent his letter shortly after the National School Board Association (NSBA) submitted a letter to President Joe Biden claiming that "acts of malice, violence, and threats against public school officials" could constitute "domestic terrorism."

Following public outcry and reports that the group had coordinated with the White House on messaging, the NSBA walked back the letter.

Cruz also cited reports that Garland's son-in-law profits from an education company that promotes concepts associated with critical race theory. Garland has denied any conflict of interest between his son-in-law's business and the NSBA messaging.

"Number three, there are troubling questions about Garland's apparent conflict of interest with his son-in-law. His son-in-law makes a whole bunch of money with a company teaching critical race theory — do ethics matter to the Biden administration?" Cruz asks.

"Number four, Garland also needs to answer questions about whether the Department of Justice is investigating Anthony Fauci for lying to Congress," Cruz continued. "Fauci told Congress that the administration had not funded gain of function research on the Wuhan virus. That is a lie. Will the Biden administration pursue charges?"

During a May appearance in front of the Senate Committee on Health, Education, Labor and Pensions, White House Chief Medical Advisor Dr. Anthony Fauci denied that his agency, the National Institute on Allergy and Infectious Disease, funded gain-of-function research in the Wuhan Institute of Virology through a grant to the non-profit EcoHealth Alliance. Fauci described Paul's questioning as "entirely and completely incorrect."

However, National Institutes of Health Principal Deputy Director Lawrence Tabak admitted in an Oct. 21 letter to House Oversight and Reform Committee Ranking Member and Republican Kentucky Rep. James Comer that EcoHealth Alliance's experiments should be considered gain-of-function research, and that the organization had not been fully transparent with the U.S. government.

Finally, Cruz addressed reports that first responders could resign or be fired due to non-compliance with COVID-19 vaccine mandates.

“Number five, finally, in America’s second city, nearly a third of Chicago’s Police Department could be dismissed due to vaccination status. Garland needs to answer if Biden’s COVID mandates are hurting communities suffering from crime and why first responders, why the heroes of our communities are the victims of Joe Biden’s illegal vaccine mandate,” he concluded.

**Daily Caller:** [‘These Are Not Routine People’: Dick Durbin Compares Parents Shouting Profanities And Ripping Off Masks To Jan. 6 Rioters](#), by Virginia Kruta

Democratic Illinois Sen. Dick Durbin compared parents shouting profanities and ripping off masks to Capitol Hill rioters during a Wednesday hearing.

Durbin opened the Senate Judiciary Committee hearing with Attorney General Merrick Garland by doubling down on language that even the National School Boards Association had walked back and suggesting that concerned parents were committing acts of domestic terror. (RELATED: ‘It’s A Challenge’: Dick Durbin Says Filibuster Flip-Flop Is Necessary To ‘Produce Something’)

“I invite the members of this committee, if you don’t believe me, type school board violence into your computer and take a look at what is happening,” Durbin began, reading off several examples of parents who had engaged in disruptive and in some cases violent behavior.

Durbin’s examples included parents who had shouted profanities at school board members, a parent who ripped the face mask off a Texas teacher and a few instances where parents had physically struck school board members or made additional threats.

“These are not routine people incensed or angry, these are people who are acting out their feelings in a violent manner, over and over again. The same people we see on airplanes and other places, some of whom we saw here on Jan. 6,” Durbin continued, noting that the NSBA had initially compared such instances to domestic terror in a letter requesting help from the Justice Department but then had walked back that language in a follow-up letter.

“So when you responded as quickly as you did to that school board request, did you have second thoughts after they sent a follow-up letter saying they didn’t agree with their original premise in the first letter?” Durbin asked, turning to Garland.

“I think all of us have seen these reports of violence and threats of violence. That is what the Justice Department is concerned about,” Garland replied, arguing that the language was less important than the potential threat of violence. “The letter that was subsequently sent does not change the association’s concern about violence or threats of violence. It alters some of the language in the letter. Language in the letter that we did not rely on and is not contained in my own memorandum. The only thing the Justice Department is concerned about is violence and threats of violence.”

**Daily Caller:** [Garland Promises To Provide Report On Threats Against Public Education Officials](#) by Michael Ginsberg

Attorney General Merrick Garland promised to provide a report to Republican Nebraska Sen. Ben Sasse detailing the results of any investigations into threats against public education officials.

“Will you pledge you will report back to this committee with the results of your investigation about how big a threat the American parent class is to school boards in the country?” Sasse asked, questioning why threats against local officials are a concern for federal law enforcement.

“I’m pretty sure you believe that local law enforcement is more than able to handle some one idiot or twelve idiots at school board meetings, but you made it a federal issue and I don’t have any idea why, and at no point today have you offered us a shred of data,” he continued.

“I will be happy to get a report back to you, but this is not about the American parent class,” Garland answered.

“I know it’s about the politicization of DOJ, and you decided to submit as a vessel, and you know better,” Sasse responded.

Garland defended the contents of his Oct. 4 [memo](#) to Sasse, arguing that it was “aimed at violence and threats of violence.”

“I don’t care whether they come from the left or from the right or from up or from down. I don’t care if they’re in favor of curriculum or against a particular kind of curriculum. We can imagine all these kind of arguments against school boards coming from either the left or the right. It doesn’t matter. Arguments against a school board are protected by the First Amendment, threats are not by the First Amendment. We received a letter from the national association of school boards—” the attorney general said, before Sasse cut him off.

“No, you didn’t receive an anonymous letter,” Sasse shot back. “White House political staff co-wrote it with this organization, which is why the organization has rejected it. You know these facts to be true, yet you still won’t disavow your memo. Why?”

Parents Defending Education, an advocacy organization, obtained emails through the Freedom of Information Act [showing](#) that National School Board Association officials were in contact with White House staffers before the group sent a letter to President Joe Biden requesting that federal law

enforcement officials address unruly behavior, including threats, directed toward public education officials.

One email, from NSBA CEO Chip Slaven, explains that White House staffers “requested additional information on some of the specific threats.”

“Public reporting has shown that the NSBA was in contact with the White House in the weeks leading up to the letter. Chip Slaven, the NSBA’s CEO, told his board of directors that the final letter included details that were requested by the administration during their conversations. The NSBA’s letter was the pretext for Attorney General Garland’s memo less than a week later,” a spokesman for Sasse told the Daily Caller.

“How big is the threat American parents pose right now? You lead a big organization. You have 100,000-plus employees. You have a lot of violence to go after. Are parents at school boards one of the top three concerns you face right now?” he continued.

“The purpose of this memorandum is to get our law enforcement to assess the extent of the problem, and if there is no problem, if states and local law enforcement are capable of handling the problem, then there is no need for our involvement,” Garland answered. “This memo does not say to begin prosecuting anybody. It says to make assessments.”

**New York Post:** [AG Merrick Garland appears before Senate Judiciary Committee](#), by Callie Patteson

Attorney General Merrick Garland is appearing before the Senate Judiciary Committee Wednesday to face questions about the politicization of the Justice Department amid several controversies — including his memo ordering the FBI to investigate parents protesting school boards and probes into Hunter Biden.

Sen Chuck Grassley (R-Iowa), the top Republican on the Committee, will slam the administration for moving the Department of Justice “as far left as it can go,” according to several reports.

“In less than a year the Department has moved as far left as it can go,” Grassley is expected to say. “You’ve politicized the Department in ways it shouldn’t be.”

“You’ve created a Task Force that includes the Department’s Criminal Division and National Security Division to be potentially weaponized against parents,” Grassley plans to say. “The last thing the Justice Department and FBI need is a vague memo to unleash their power — especially when they’ve shown zero interest in holding their own accountable.”

The memo in question was highlighted during [last week’s House Judiciary hearing](#) where Rep. Jim Jordan accused Garland of creating a “snitch line” on parents.

Issued earlier this month, Garland's memo announced the federal investigation of "a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff."

Garland's memo did not detail what the "threats of violence" were, but many parents and Republican politicians have accused him of targeting parents for speaking out against the implementation of mask mandates and [critical race theory](#) in K-12 schools.

In recent months, many parents have spoken out against both at school board meetings, with some interactions turning raucous.

Shortly before Garland issued the memo, the National School Boards Association asked the federal government to get involved, comparing the threats of violence to ["domestic terrorism."](#)

But the NSBA board of directors on Friday said ["we regret and apologize"](#) for the letter that was co-signed by association CEO Chip Slaven and President Viola Garcia.

"To be clear, the safety of school board members, other public school officials, and students is our top priority, and there remains important work to be done on this issue," the board wrote. "However, there was no justification for some of the language included in the letter."

Garland has defended his memo, saying he "defends the First Amendment right of parents to complain as viscerally as they wish, about the education of their children, about the curriculum taught in their schools."

During Wednesday's hearing, the attorney general is also expected to face questions about Hunter Biden. Last week, House Republicans pressed Garland to [appoint a special counsel](#) to investigate the president's son and [his business endeavors](#).

Grassley is expected to bring attention to links in the ["communist Chinese regime that are connected to the Biden family,"](#) specifically noting Patrick Ho, a Chinese national whom Hunter Biden reportedly previously agreed to represent.

According to Grassley, Garland previously blocked an attempt for more information on Ho after the DOJ revealed it sought information on him writing, "we are not in a position to confirm the existence of the information that is sought, if it exists in the Department's possession."

Garland could also face questions about his son-in-law and the education company he co-founded, Panorama Education. Some Republicans have accused the attorney general of [conflict of interest](#), claiming his son-in-law's company will benefit from the controversial memo.

Last week, Garland denied those claims saying "This memorandum does not relate to the financial interests of anyone," adding that the memo is aimed at the threats of violence.

**New York Post:** [AG Merrick Garland refuses to retract controversial school board memo](#), by Callie Patteson

Attorney General Merrick Garland is refusing to retract his controversial memo issued earlier this month, which announced that federal law enforcement would be involved in investigations pertaining to parents protesting local school boards.

During a Wednesday [hearing with the Senate Judiciary Committee](#), Sen. Chuck Grassley (R-Iowa) pressed Garland on the memo, saying local school officials and parents would no longer speak up during school board meetings “out of fear” following the memo.

Grassley, the ranking member of the committee, noted that Garland’s memo followed a request by the National School Boards Association, which asked the federal government to get involved, [comparing alleged threats of violence to “domestic terrorism.”](#)

Last week, Grassley noted, the NSBA board of directors “disavowed” their letter [saying “we regret and apologize for the letter”](#) that was co-signed by association CEO Chip Slaven and President Viola Garcia.

“To be clear, the safety of school board members, other public school officials, and students is our top priority, and there remains important work to be done on this issue,” the board wrote. “However, there was no justification for some of the language included in the letter.”

“So last week, the organization disavowed it, sent you and the White House, based your memo on this delegitimize letter. I assume you’re going to revoke your extremely divisive memo that you said was instigated because of that letter. That’s a question,” Grassley said to Garland.

“Senator, the memo — which I refer to as one page — that responds to concerns about violence, threats of violence, other criminal conduct,” Garland responded. “That’s all it’s about and all it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance if it is necessary.”

Grassley pressed further saying, “Presumably, you wrote the memo because of the letter. The letter is disavowed now, so you’re going to keep your memo going anyway, right? Is that what you’re telling me?”

Garland did not directly answer Grassley’s question but acknowledged the letter from the NSBA board. He noted that while the board apologized for the language, they can still voice concern about the safety of school board officials and school staff.

“The language in the letter that they disavow is language was never included in my memo and never would have been. I did not adopt every concern that they had in their letter. I thought that only the concern about violence and threats of violence that hasn’t changed,” Garland said.

Sen. John Cornyn (R-TX) also pressed the attorney general on why he has not rescinded or apologized the memo given the NSBA’s board’s apology.

“You did not apologize for your Memorandum of October the fourth even though the National School Board Association did, why didn’t you rescind that memorandum and apologize for your for the memorandum or responsibility of the Justice Department,” Cornyn asked.

Garland again, did not directly respond to the Senator’s question saying, “As I said in my opening, [the memo] is protecting Americans from violence and threats of violence.”

The memo in question, issued earlier this month, announced the federal investigation of “a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff.”



Garland's memo did not detail what the "threats of violence" were, but many parents and Republican politicians have accused him of targeting parents for speaking out against the implementation of mask mandates and [critical race theory](#) in K-12 schools.

**New York Post:** [Ted Cruz presses AG Garland on possible conflict of interest over son-in-law's education company](#) by Callie Patteson

Sen. Ted Cruz blasted Attorney General Merrick Garland for refusing to answer his questions during a Senate hearing Wednesday — as Cruz pressed on Garland's son-in-law's education company and its potential influence over his recent memo involving the FBI in disputes between parents and school boards.

Garland was grilled by Cruz over a controversial memo released earlier this month that announced federal law enforcement's involvement in investigations of "a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff."

Cruz, along with several other Republican lawmakers during the hearing, accused Garland of targeting parents for speaking out against the implementation of mask mandates and critical race theory in K-12 schools.

The Texas Senator went a step further, questioning the attorney general on his son-in-law's education company, Panorama Education.

Cruz asked Garland whether he sought an ethics opinion given his son-in-law's company and claims that the company supports issuing critical race theory curricula.

Garland pushed back, telling the Texas Republican that the memo had nothing to do with critical race theory.

"Are you refusing to answer if you found an ethics telling you —" Cruz said.

"There's no possible —" Garland attempted to respond.

"So you're saying no, just answer it directly. You know how to answer a question directly. Did you seek an ethics opinion?"

"I'm telling you that if I thought there was any reasonable — if there was a conflict of interest, I would do that," Garland said.

Cruz and Garland continued to go back and forth, with the Texas senator repeating the question and urging Garland to answer.

As Cruz's time for questioning expired, he said "Let the record reflect the Attorney General refuses to answer whether he sought, sought an ethics opinion and apparently ethics are not a terribly high priority of the — by the Justice Department."

Panorama Education has denied any affiliation with CRT, saying on their website, "Panorama Education is not affiliated with any particular academic or legal philosophy, including critical race theory (CRT). Panorama is not connected to CRT and it is not a tool for teaching CRT."

“Panorama Education does not sell critical race theory (CRT) to schools. Panorama is not connected to critical race theory (CRT) and is not a tool for teaching critical race theory (CRT),” the company continued.

During his line of questioning, Cruz also blasted Garland for not having done independent research on any instances of alleged violence before issuing the hotly debated memo.

“You’re the Attorney General of the United States. This was not a tweet you sent. This is a memo to the Federal Bureau of Investigations saying go investigate parents as domestic terrorists,” Cruz said.

Cruz cited a letter from the National School Boards Association, that was sent just days before Garland’s memo and requested assistance from the federal government to combat the alleged violent acts they compared to “domestic terrorism,” — the NSBA board has since apologized for the language in the letter.

The senator noted that in the letter, the NSBA cited 20 incidents of violent acts against school personnel.

“Did you look up the 20 instances?” Cruz asked.

“I did not —” Garland said before Cruz cut back in saying, “Did anyone on your staff look them up?”

“I don’t know the answer but it’s up —” Garland started to say.

“But of course you don’t, General,” Cruz said.

The Texas senator went on to accuse Garland of failing to do any independent research before issuing the memo and asked the attorney general several times if he did.

Garland failed to provide Cruz with a direct answer on the subject.

**Politico:** [Morning Tech: With new nominations, Democrats lock down their telecom wish list](#)

**DOJ BACK ON THE HILL** — Attorney General Merrick Garland is set to testify before the Senate Judiciary Committee today, where he will likely mention antitrust matters in his remarks. Today’s hearing follows his appearance before the House Judiciary Committee last week, where he told lawmakers that he generally supports updating the antitrust laws.

**Politico:** [Garland defends \\$700K McCabe settlement](#), by Josh Gerstein

The Justice Department agreed to pay former acting FBI Director Andrew McCabe and his attorneys over \$700,000 because lawyers for the government concluded that they were likely to lose a lawsuit McCabe filed over his firing by the Trump administration just hours before he was set to retire, Attorney General Merrick Garland told lawmakers on Wednesday.

During a Senate Judiciary Committee oversight hearing, Sen. Chuck Grassley (R-Iowa) expressed outrage over the settlement, calling the move “beyond incredible” and noting that a Justice Department inspector general review found McCabe lied to investigators on seven occasions.

"The McCabe settlement was a recommendation of the career lawyers litigating that case based on their prospects of success in the case," Garland said.

Garland contended that McCabe's suit wasn't focused on the issue of whether the former FBI official lied, but whether the department followed the proper process when [then-Attorney General Jeff Sessions fired him](#) amidst numerous calls from former President Donald Trump for such an action.

"It involved a claim that he was not given the amount of time necessary to respond to allegations," Garland said. "The litigators concluded they needed to settle the case because of the likelihood of loss on the merits of that claim."

McCabe has denied lying to FBI or Inspector General investigators. The 21-year FBI veteran contended that any misstatements he made about his knowledge of media contacts were the result of the overwhelming number of issues he was handling as a top executive at the nation's premier law enforcement agency.

McCabe's suit was broader than Garland stated, including claims that his firing was an act of political retaliation and violated his First Amendment rights.

**Raw Story:** [Merrick Garland bursts into laughter at GOP senator's question](#) by Travis Gettys

Attorney General Merrick Garland laughed at a Republican senator's question during a hearing before the Senate Judiciary Committee on Wednesday.

Sen. John Kennedy (R-LA), like every other GOP senator before him, used his allotted time to pepper Garland with questions about an Oct. 4 memo directing the Department of Justice to investigate threats against local school board members after a national organization asked President Joe Biden for federal intervention.

"The National School Board Association sent the letter to the White House and the White House promptly called you and said, 'Sic the FBI on parents at school board hearings, and that's what I mean,'" Kennedy said. "The White House is the prophet here and you're just the vessel, correct?"

Garland insisted he did not coordinate with the White House on the memo, which he said reflected his own views on protecting public officials from violence and threats while protecting parents' rights, but Kennedy pressed on.

"I get that, I heard your testimony," Kennedy said. "Were you worried you'd be fired if you didn't issue the memorandum?"

Garland laughed out loud before continuing.

"I'm not -- I signed on this memorandum on my own," Garland said. "I said from the very beginning, I've taken this job to protect the Department of Justice and make independent determinations with respect to prosecution, and I will do that."

### **Full Releases**

**Sen. Chuck Grassley:** [Grassley Statement at Justice Department Oversight Hearing](#)

Attorney General Garland, this Committee has a constitutional obligation to ensure the Department complies with the laws that we write and executes them according to our intent. In the performance of our constitutional duties, we often write letters seeking answers and records from the Department and its component agencies to better understand what they're doing. Likewise, the Executive Branch, not just the Department, has an obligation to respond to congressional oversight requests.

Today, I can say with confidence that under your leadership the Department has failed – across the board – to comply with this committee's Republican oversight requests. In contrast, you've provided my Democratic colleagues with thousands of pages of material. Moreover, President Biden has politicized and inserted himself into Department policy-making, notably directing the end of compulsory process for reporter records in criminal leak investigations. And most recently when he said the Department should prosecute anyone who defies compulsory process from the January 6 committee.

At your confirmation hearing, I read to you what I told Senator Sessions at his confirmation hearing:

"If Senator Feinstein contacts you, do not use this excuse, as so many people use, that if you are not a chair of a committee you do not have to answer the questions. I want her questions answered just like you would answer mine."

You said to me, "I will not use any excuse to not answer your questions, Senator." You've failed to satisfy that statement. For example, I've asked the Department for records relating to Hunter Biden's October 2018 firearm incident where his gun ended up in a trash can near a school. Your ATF used the Freedom of Information Act to refuse producing the records, when that law doesn't even apply to Congress.

I've also asked for information relating to Chinese nationals linked to the communist Chinese regime that are connected to the Biden family. One individual, Patrick Ho, was not just linked to the Chinese regime, he was apparently connected to its intelligence services. Hunter Biden reportedly represented him for \$1 million.

Even though the Department already made public in a court filing that it possesses FISA information relating to Patrick Ho, in response, you stated, "Unfortunately, under the circumstances described in your letter, we are not in a position to confirm the existence of the information that is sought, if it exists in the Department's possession."

Now, with respect to the criminal investigation into Hunter Biden, Senator Johnson and I wrote to you twice this year regarding Nicholas McQuaid. Mr. McQuaid was employed at a law firm until January 20,

2021, when he was hired to be the then-Acting Assistant Attorney General for the Department's Criminal Division. Before he was hired, he worked with Christopher Clark, who Hunter Biden reportedly hired to work on his federal criminal case a month before President Biden's inauguration.

The Department hasn't disputed those facts. However, you refuse to confirm whether Mr. McQuaid is recused from the Hunter Biden case. The son of the President of the United States is under criminal investigation for his financial matters. A senior attorney under your command has apparent conflicts with that matter.

Your refusal to answer threshold questions casts a very public cloud over the entire investigation. A cloud that you could easily do away with if you were a little bit transparent. When I placed holds on your nominees for the Department's failure to comply with Republican oversight requests, I said either you run the Department or the Department runs you. Right now, it looks like the Justice Department is running you.

Since your confirmation, in less than a year the Department has moved as far left as it can go. You've politicized the Department in ways it shouldn't be. Case in point, your infamous School Board Memo.

You publicly issued this memo merely five days after the National School Boards Association wrote a letter to President Biden. Incredibly, they asked the administration to use the anti-terrorist PATRIOT Act against parents speaking their minds to local school officials. They've since apologized for that letter, but not before the Department relied on their letter to mobilize federal law enforcement in state and local matters.

Meanwhile, actual violent crime is on the rise in this country. Your memo treats parents speaking freely to be worthy of the Department's heavy investigative and prosecutorial hand. You've created a Task Force that includes the Department's Criminal Division and National Security Division to be potentially weaponized against parents.

Your memo also creates specialized training and guidance for local school boards and school administrators to recognize "threats" against them. According to your memo, these "threats" include an undefined category of "other forms of intimidation and harassment."

The last thing the Justice Department and FBI need is a vague memo to unleash their power—especially when they've shown zero interest in holding their own accountable.

Let's not forget about the Obama-Biden Administration FISA abuses during Crossfire Hurricane—abuses that the Department and FBI for years denied were even possible. And, then you allowed a disgraced former FBI official off the hook, paying him hundreds of thousands of dollars in taxpayer money, when the Inspector General determined that he lied to investigators seven times over the course of three different occasions! Or the FBI's and Department's total failure to protect hundreds of kids from abuse by Larry Nassar, and then cover it up. When we had a bipartisan hearing to learn from those courageous survivors, your Deputy Attorney General didn't even show up.

These parents are trying to protect their children. They're worried about divisive and harmful curricula based on critical race theory. They're speaking their mind about mask-mandates. This is the very core of constitutionally protected free speech. And free speech is deadly to the tyranny of government and is the lifeblood of our constitutional republic.

To say your policies are outside the mainstream would be an understatement. Mothers and fathers have a vested interest in how schools educate their children. They're not, as the Biden Justice Department apparently believes them to be, national security threats.

What is a national security threat is MS-13. What is a national security threat is our open southern border. What is a national security threat is the federal government failing to adequately vet individuals from Afghanistan. I suggest that you quickly change your course, because you're losing your credibility with the American people, and with this senator in particular.