

Opening Statement by Senator Chuck Grassley of Iowa
Ranking Member, Senate Judiciary Committee
Executive Business Meeting
Thursday, September 15, 2022

Today, I'll be supporting Judge Douglas's nomination and opposing the other nominations. Judge Douglas has the support of both of her home state senators. In an unusual development for this administration's nominees, she actually answered whether she believes in the so-called "living Constitution" approach to judging.

I want to take a few minutes to talk about Mr. Garcia's nomination to the D.C. Circuit. He graduated from law school in 2011 and clerked for Judge Thomas Griffith and Justice Elena Kagan. He also spent a few years in private practice before joining the Justice Department earlier this year.

Now, a Trump nominee had a similar number of years of experience. She clerked for two prominent federal judges and a Supreme Court Justice. Democrats weren't impressed. One even said that she'd "demonstrated no abilities to serve" on a circuit court. So Mr. Garcia may have trouble getting those senators' votes unless they have a double standard.

My opposition isn't because of his experience. I have concerns about his judicial philosophy, including his approach to religious liberty. He litigated against Catholic elementary schools, arguing that federal courts have the power to intervene in employment disputes involving teachers responsible for instructing students in the faith.

Additionally, we can hold a voice vote on the *Speak Out Act*. I'd like to applaud Senator Blackburn for her leadership on this bill. This is a very important issue and the bipartisan bill will ensure that victims have the ability to Speak Out. I'm proud to vote yes on this bill today.

I'd also like to discuss again the Justice Department's and FBI's continued failure to respond to this committee's oversight requests. Starting on [May 31, 2022](#), I've written three letters regarding political bias that's infected the FBI. [Two of those letters](#) provided specific and credible allegations based on numerous whistleblowers. The allegations show a deeply rooted political infection that's spread to investigative activity into former President Trump and Hunter Biden. Based on allegations, the Justice Department and FBI approved investigative activity into Trump based in substantial part on liberal news articles and information derived from a liberal non-profit. The FBI shut down investigative activity, which included verified and verifiable information, relating to Hunter Biden. That activity was [separate from the ongoing probe](#) by the Delaware U.S. Attorney.

The Justice Department and FBI have failed to address the allegations that I've raised. They also haven't disputed the allegations.

In light of the FBI's failure to respond, [on August 17, 2022](#), I requested a comprehensive organizational chart for the Washington Field Office. The purpose of this request is to better understand how the Washington Field Office is staffed and who's responsible for the units and

squads within the office. Most importantly, it's to prepare for future congressional interviews. The FBI has failed to provide that organizational chart.

Also, [on August 25, 2022](#), Senator Johnson and I wrote to two FBI employees: Nikki Floris, who's the Intelligence Analyst in Charge at the Washington Field Office and Bradley Benavides, who's Deputy Assistant Director within the Counterintelligence Division. They briefed me and Senator Johnson in August 2020. That's the infamous briefing that was only done because of Democratic pressure to do it.

Simply put, the briefing was unnecessary. Certain colleagues on the other side of the aisle used that briefing to attempt to falsely paint our ongoing Biden investigation as advancing Russian disinformation. The FBI has failed to respond to our requests for information about that briefing. Therefore, Senator Johnson and I have requested that these two employees sit for a transcribed interview with us. No response.

The Justice Department and FBI continue to thumb their nose at this committee's oversight jurisdiction. This senator won't let up. My work to shine the light of transparency on the department will continue.