

Prepared Opening Statement of Senator Chuck Grassley of Iowa  
Ranking Member, Senate Judiciary Committee  
“Oversight of the Department of Justice”  
October 27, 2021

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.