

TAF

TAXPAYERS  
AGAINST  
FRAUD

THE FALSE CLAIMS ACT LEGAL CENTER

February 4, 2021

The Honorable Richard Durbin, Chairman  
Senate Judiciary Committee  
711 Hart Senate Building  
Washington, D.C. 20510

The Honorable Charles Grassley, Ranking  
Member  
Senate Judiciary Committee  
135 SH  
Washington, DC 20510

Re: **Support for Merrick Garland for United States Attorney General**

Dear Chairman Durbin and Ranking Member Grassley:

Taxpayers Against Fraud (“TAF”) writes in support of the nomination of Chief Judge Merrick Garland to be United States Attorney General.

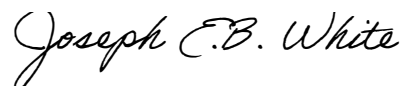
TAF is a public interest organization dedicated to combating fraud against the government and preserving public resources through public-private partnerships. Since its inception in 1986, TAF has primarily focused on strengthening the False Claims Act, the government’s primary fraud-fighting weapon.

TAF closely monitors all court decisions that interpret the False Claims Act. In this role, TAF has reviewed all D.C. Circuit court opinions addressing the Act in which Judge Garland wrote the majority or dissenting opinion. At all times, Judge Garland not only demonstrated an exceptional understanding of the False Claims Act, but he embraced a reading of the Act that honored the underlying Congressional intent and the realities of anti-fraud law enforcement.

Of particular note, in the seminal case *United States ex rel. Totten v. Bombardier Corp.*, 380 F.3d 488 (D.C. Cir. 2004), Judge Garland wrote a powerful dissent, arguing that the False Claims Act applies to government money defrauded from a government contractor. Judge Garland maintained that the statutory language of the False Claims Act protected *all* government money from fraud. Subsequently, the Fraud Enforcement and Recovery Act of 2009 included clarifying amendments that embraced Judge Garland’s reading of the False Claims Act.

If confirmed, Judge Garland will now enforce the False Claims Act. Based on his proven track record, Judge Garland will wield this important anti-fraud weapon against those who seek to steal from the U.S. Treasury. For these reasons, TAF supports Judge Merrick Garland for the position of United States Attorney General.

Respectfully yours,

A handwritten signature in cursive script that reads "Joseph E. B. White". The signature is written in black ink and is positioned above a horizontal line.

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Joseph E. B. "Jeb" White, Esq.  
President & C.E.O.  
Taxpayers Against Fraud