

Congress of the United States

Washington, DC 20515

January 17, 2023

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Attorney General Garland:

Since the beginning of the Biden Administration, we have made several requests for information and documents concerning the operations and actions of the Department of Justice. These requests remain outstanding. As we begin the 118th Congress, we write again to reiterate our outstanding requests and ask that you immediately comply in full.

The Department has been on notice about our oversight requests—and aware that the requests are outstanding—for months. For your convenience in promptly complying with our requests, we itemized our outstanding requests in letters dated October 11, 2022, October 28, 2022, and November 2, 2022. Subsequently, again for your convenience, we notified you once more about these outstanding requests in a letter dated November 18, 2022. A copy of this most recent letter, with its enclosures, is enclosed.

To date, the Department has not complied with our long-outstanding requests for information and documents. This stonewalling must stop. Accordingly, for the final time, we reiterate our outstanding requests—itemized in our letter dated November 18, 2022, and its enclosures, and incorporated herein—and ask that you provide this material immediately. The Committee is prepared to resort to compulsory process, if necessary, to obtain this material.

In addition, in our letter of November 18, 2022, we provided you with a preliminary list of Department employees from whom we require testimony to advance our oversight. We asked that you direct your staff to begin scheduling dates for the Committee to receive this testimony. Here too, the Department has ignored our requests. Please know the Committee will not be hesitant to compel testimony from Department employees if necessary.

The Judiciary Committee is authorized to conduct oversight of the Justice Department pursuant to the Rules of the House of Representatives.¹

¹ Rules of the U.S. House of Representatives, R. X (2023).

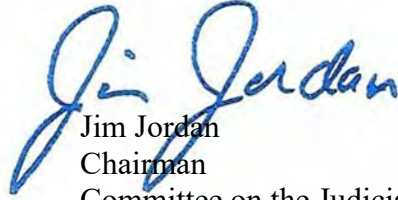
The Honorable Merrick B. Garland

January 17, 2023

Page 2

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive, flowing style. The "J" is large and loops around the "i". The "Jordan" part is also cursive and flows from the end of the first name.

Jim Jordan
Chairman
Committee on the Judiciary

cc: The Honorable Jerrold L. Nadler, Ranking Member, Committee on the Judiciary

Enclosures

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

(202) 225-3961
judiciary.house.gov

November 18, 2022

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Attorney General Garland:

As we prepare for the 118th Congress, we write again to obtain your voluntary compliance with the outstanding requests for documents and information necessary for our oversight. We appreciate your prompt attention to these outstanding matters.

Over the past twenty-one months, we have made several requests for information and documents concerning the operations and actions of the Department of Justice. We reiterated and itemized these requests in our recent letters of October 11, 2022, October 28, 2022, and November 2, 2022, which are enclosed for your convenience. To date, you have ignored these requests, or you have failed to respond sufficiently. Please be aware that if our requests remain outstanding at the beginning of the 118th Congress, the Committee may be forced to resort to compulsory process to obtain the material we require.

In addition, to advance our oversight, we require prompt testimony from Justice Department employees. We expect your unfettered cooperation in arranging for the Committee to receive testimony from Justice Department employees. As an initial matter, we anticipate requiring testimony, either in hearings or transcribed interviews, from the following employees early in the 118th Congress:

1. Attorney General Merrick B. Garland;
2. Deputy Attorney General Lisa Monaco;
3. Associate Attorney General Vanita Gupta;
4. Assistant Attorney General for the Criminal Division General Kenneth A. Polite, Jr.;
5. Assistant Attorney General for the National Security Division Matthew G. Olsen;
6. Assistant Attorney General for the Civil Rights Division Kristen Clarke;
7. Assistant Attorney General for the Antitrust Division Jonathan Kanter;
8. Brian Boynton, Principal Deputy Assistant Attorney General for the Civil Division;
9. Jacqueline C. Romero, U.S. Attorney for the Eastern District of Pennsylvania;

10. Mark H. Wildasin, U.S. Attorney for the Middle District of Tennessee;
11. Matthew M. Graves, U.S. Attorney for the District of Columbia;
12. Mark A. Totten, U.S. Attorney for the Western District of Michigan;
13. Susan Hennessey, Senior Counsel, National Security Division;
14. Margy O'Herron, Office of the Deputy Attorney General; and
15. David Neal, Executive Office for Immigration Review.

To avoid any unnecessary delay in receiving the testimony of these employees, we ask that you direct your staff to work with Committee staff now on scheduling these events. Please be advised that this testimony is in addition to periodic hearings we anticipate convening, if necessary, with Assistant Attorney General for the Office of Legislative Affairs Carlos Uriarte concerning the status of outstanding requests for documents and testimony.

The congressional oversight power, rooted in Article I of the Constitution, is “broad and indispensable.”¹ This authority “encompasses inquiries into the administration of existing laws, studies of proposed law, and surveys of defects in our societal, economic, or political system for the purpose of enabling the Congress to remedy them.”² The Judiciary Committee is authorized to conduct oversight of the Justice Department pursuant to the Rules of the House of Representatives.³

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Steve Chabot
Member of Congress



Louie Gohmert
Member of Congress

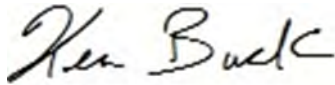


Darrell Issa
Ranking Member
Subcommittee on Courts, Intellectual
Property, and the Internet

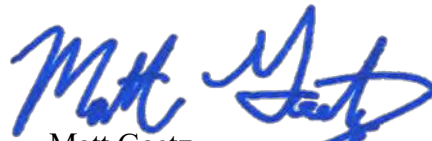
¹ See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (citing *Watkins v. United States*, 354 U.S. 178, 187, 215 (1957)) (internal quotation marks and citations omitted).

² *Id.*

³ Rules of the U.S. House of Representatives, R. X (2021).



Ken Buck
Ranking Member
Subcommittee on Antitrust, Commercial
and Administrative Law



Matt Gaetz
Member of Congress



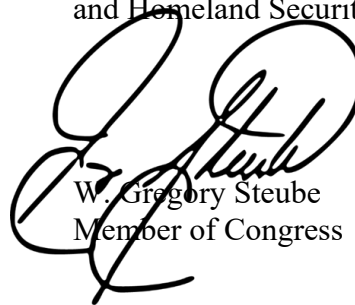
Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties



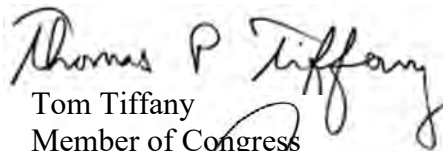
Andy Biggs
Ranking Member
Subcommittee on Crime, Terrorism
and Homeland Security



Tom McClintock
Ranking Member
Subcommittee on Immigration
and Citizenship



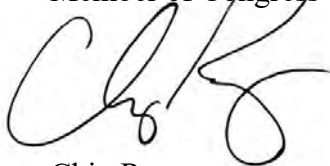
W. Gregory Steube
Member of Congress



Tom Tiffany
Member of Congress



Thomas Massie
Member of Congress



Chip Roy
Member of Congress



Dan Bishop
Member of Congress



Michelle Fischbach
Member of Congress



Victoria Spartz
Member of Congress

The Honorable Merrick B. Garland

November 18, 2022

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Scott Fitzgerald
Member of Congress



Cliff Bentz
Member of Congress



Burgess Owens
Member of Congress

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosures

ONE HUNDRED SEVENTEENTH CONGRESS

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COMMITTEE ON THE JUDICIARY

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October 11, 2022

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Attorney General Garland:

We are investigating the Biden Administration's misuse of federal criminal and counterterrorism resources to target concerned parents at school board meetings. We know from whistleblowers and publicly available information that the Biden White House colluded with the National School Boards Association to manufacture a pretext for the use of federal law-enforcement authorities against parents, which you operationalized via a memorandum dated October 4, 2021. The American people, however, deserve much more accountability and transparency.

Since October 2021, we have sent over 100 letters to Departmental components requesting documents and information regarding the Biden Administration's misuse of law-enforcement resources.¹ To date, the Department has responded to these requests with only two half-page letters, and has not produced any of the requested documents or information. These letters do not sufficiently respond to our reasonable requests or alleviate our concerns.

¹ See Letter from Rep. Mike Johnson et al, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Oct. 13, 2021); Letter from Rep. Jim Jordan et al, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Oct. 25, 2021); Letter from Rep. Jim Jordan et al, Ranking Member, H. Comm. on the Judiciary, to Mr. E. Bryan Wilson et al, Acting U.S. Atty, District of Alaska (Nov. 1, 2021); Letter from Rep. Jim Jordan et al, Ranking Member, H. Comm. on the Judiciary, to Mr. Mark Lesko, Acting Assistant Atty Gen., Nat'l Sec. Division, U.S. Dep't of Justice (Nov. 2, 2021); Letter from Rep. Jim Jordan et al, Ranking Member, H. Comm. on the Judiciary, to Hon. Christopher Wray, Dir., Fed. Bureau of Investigation (Nov. 3, 2021); Letter from Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Nov. 16, 2021); Letter from Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Hon. Christopher Wray, Dir., Fed. Bureau of Investigation (Nov. 18, 2021); Letter from Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Hon. Christopher Wray, Dir., Fed. Bureau of Investigation (Feb. 10, 2022); Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (May 11, 2021); Letter from Rep. Jim Jordan et al, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Jun. 14, 2022).

The Honorable Merrick B. Garland

October 11, 2022

Page 2

Parents voicing their concerns at school board meetings are not domestic terrorists. Yet, your anti-parent directive remains in effect, and as a result, the threat of federal law enforcement continues to chill the First Amendment rights of American parents. We intend to continue to pursue this serious misuse of federal law-enforcement resources. We reiterate our requests, which are itemized in the attached appendix and incorporated herein, and ask that you, as the custodian of all Departmental records, produce the entirety of the requested material as soon as possible but no later than October 25, 2022.

Furthermore, this letter serves as a formal request to preserve all existing and future records and materials in your possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.



Jim Jordan
Ranking Member

Sincerely,



Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

Appendix: Document Requests to Departmental Components

Attorney General Merrick Garland

May 11, 2022:

1. All documents and materials identified in our letters to Departmental components dated November 1, 2021, November 2, 2021, November 3, 2021, and November 18, 2021, immediately; and

June 14, 2022:

1. All documents and communications between Mary Wall, Senior Policy Advisor to the President, and any Department of Justice employees referring or relating to the National School Boards Association's letter dated September 29, 2021; the Attorney General's memorandum dated October 4, 2021; or alleged threats or violence at school board meetings; and
2. All documents and communications between Department of Justice employees and National School Boards Association staff, officers, and/or executive board members, including but not limited to the communications sent or received by Anthony Coley, Senior Advisor to the Attorney General, and Alivia Roberts, Special Assistant to the Director of Public Affairs.

February 28, 2022:

1. All documents requested from various Departmental components regarding the Department's misuse of federal counterterrorism resources to target parents.

FBI Director Christopher Wray

November 3, 2021:

1. All documents and communications referring or relating to convening meeting(s) with U.S. Attorneys' Offices in accordance with the Attorney General's October 4, 2021 memorandum, the establishment of the Department's task force, or the FBI's role as a member of the task force;
2. All agendas, minutes, and notes created or relied upon by FBI employees referring or relating to meeting(s) in each judicial district in accordance with the Attorney General's October 4, 2021 memorandum or the FBI's role as a member of the task force;
3. Please explain whether you consider the Attorney General's October 4, 2021 memorandum to be lawful and whether you intend to direct FBI agents and employees to enforce the Attorney General's directives;

4. Please explain whether you have issued any internal guidance to FBI field offices or special agents in charge referring or relating to the Attorney General's October 4, 2021 memorandum;
5. Please explain the FBI's role in convening meetings as directed by the Attorney General's October 4, 2021 memorandum;
6. Please explain the FBI's role in the Department's task force, including what federal statutes the FBI intends to use in investigating concerned parents at school board meetings;
7. Please identify by name, title, and field office each FBI employee involved in the meeting(s) and task force referenced in the Attorney General's October 4, 2021 memorandum;
8. Please identify all federal, state, local, Tribal, and territorial organizations invited to or that have attended the meetings convened in accordance with the October 4, 2021 memorandum;
9. Please provide all recommendations, both formal and informal, and any meeting minutes produced at the meeting(s) in accordance with the Attorney General's October 4, 2021 memorandum; and
10. Please provide all recommendations, both formal and informal, that the FBI has made to the Department's task force.

November 18, 2021:

1. Provide the number of parents who have been tagged by FBI with the EDUOFFICIALS threat tag;
2. All documents and communications referring or relating to the EDUOFFICIALS threat tag;
3. All documents and communications referring or relating to investigations identified and labeled with the EDUOFFICIALS threat tag; and
4. All documents and communications referring or relating to FBI investigations of school board threats sent or received by the following individuals:
 - a. Carlton L. Peebles, Deputy Assistant Director, Criminal Investigative Division;
 - b. Jay Greenberg, Deputy Assistant Director, Criminal Investigative Division;

- c. Calvin A. Shivers, Assistant Director, Criminal Division;
- d. Brian M. Cohen, Criminal Division;
- e. Timothy R. Langan Jr., Assistant Director, Counterterrorism Division; and
- f. Kevin Vorndran, Deputy Assistant Director, Counterterrorism Division.

February 10, 2022:

1. All documents and materials requested in the November 3 and November 18, 2021 letters.

All 93 U.S. Attorneys' Offices

November 1, 2021:

1. All documents and communications referring or relating to convening meeting(s) in your judicial district in accordance with the Attorney General's October 4, 2021 memorandum;
2. All agendas, minutes, and notes created or relied upon by U.S. Attorney's Office employees referring or relating to meeting(s) in your judicial district in accordance with the Attorney General's October 4, 2021 memorandum;
3. Please explain when meeting(s) in your judicial district in accordance with the Attorney General's October 4, 2021 memorandum have occurred or will occur;
4. Please identify by name and title of all U.S. Attorney's Office employees involved in the meeting(s) in your judicial district in accordance with the Attorney General's October 4, 2021 memorandum ;
5. Please identify all federal, state, local, Tribal, and territorial organizations invited to or that have attended the meetings convened in your judicial district in accordance with the October 4, 2021 memorandum; and
6. Please provide all recommendations, both formal and informal, and any meeting minutes produced at the meeting(s) in your judicial district in accordance with the Attorney General's October 4, 2021 memorandum.

Assistant Attorney General of the National Security Division

November 2, 2021:

1. All documents and communications referring or relating to the establishment of the Department's task force and the National Security Division's role as a member of the task force;
2. All documents and communications between employees of the Department of Justice and U.S. intelligence agencies referring or relating to alleged threats posed by concerned parents at local school board meetings, the NSBA's letter dated September 29, 2021, or the Attorney General's memo dated October 4, 2021;
3. All agendas, minutes, and notes created by or relied upon by National Security Division employees referring or relating to the Department's task force;
4. Please explain the National Security Division's role in the Department's task force, including what federal statutes within the Division's jurisdiction it intends to use in investigating concerned parents at school board meetings;
5. Please identify by name and title all National Security Division employees involved in the Department's task force; and
6. Please provide all recommendations, both formal and informal, that the National Security Division has made to the Department's task force.

ONE HUNDRED SEVENTEENTH CONGRESS

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October 28, 2022

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Attorney General Garland:

We are investigating the Biden Administration's callous disregard for the safety and security of our southern border, including the Justice Department's abuse of U.S. immigration law and policy to advance the Biden Administration's political interests. Since your confirmation we have written to you requesting information about the Administration's use of federal taxpayer dollars to pay settlements to illegal aliens who violated U.S. law, and your purge of immigration judges appointed by former President Trump for political reasons. Our letters have gone unanswered. The American people deserve better than to be ignored by an Administration intent on undermining the rule of law and erasing our national borders.

Committee Republicans will continue to pursue these matters, including into the 118th Congress if necessary. Accordingly, we reiterate our outstanding requests, which are itemized in the attached appendix and incorporated herein, and ask that you, as the custodian of all Departmental records, produce the entirety of the requested material as soon as possible but no later than November 11, 2022.

Furthermore, this letter serves as a formal request to preserve all existing and future records and materials in your possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.



Jim Jordan
Ranking Member

Sincerely,



Tom McClintock
Ranking Member
Subcommittee on Immigration and
Citizenship

The Honorable Merrick B. Garland

October 28, 2022

Page 2

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

**Appendix: Outstanding Immigration-Related Documents and Information Requests to the
Department of Justice**

November 5, 2021:

1. All documents and communications referring or relating to the decision(s) to make payments to illegal aliens encountered at the southern border in 2017 and 2018, including the authorization of any payments, between or among Attorney General Merrick Garland, Deputy Attorney General Lisa Monaco, Principal Deputy Assistant Attorney General Brian Boynton, or Director of the Office of Immigration Litigation William Peachey.
2. All documents and communications referring or relating to the decision(s) to make payments to illegal aliens encountered at the southern border in 2017 and 2018 between or among employees of the Department of Justice and employees of the Executive Office of the President.
3. All documents and communications referring or relating to the decision(s) to make payments to illegal aliens encountered at the southern border in 2017 and 2018 between or among employees of the Department of Justice and employees of the Department of Homeland Security.
4. All documents and communications referring or relating to the decision(s) to make payments to illegal aliens encountered at the southern border in 2017 and 2018 between or among employees of the Department of Justice and employees of the Department of Health and Human Services.
5. Is the Department considering payments to alien parents or legal guardians whose child was removed from their custody after a determination by U.S. Customs and Border Protection that the parent or legal guardian presented a danger to the child?
6. Is the Department considering payments to alien parents or legal guardians whose child was removed from their custody after a determination by U.S. Customs and Border Protection that the parent or legal guardian had a conviction for an offense relating to child abuse or neglect?
7. Is the Department considering payments to alien parents or legal guardians whose child was removed from their custody after a determination by U.S. Customs and Border Protection that the parent or legal guardian had a conviction for an offense relating to sexual abuse of a minor?
8. Is the Department considering payments for aliens who do not meet the requirements of the class certified in the *Ms. L. v. U.S. Immigration and Customs Enforcement*, et. al litigation?

9. Is the Department considering payments to alien parents or legal guardians who, after being provided the chance to take their child with them when returning to their home country, chose instead to leave their child in U.S. government custody or in the care and custody of another individual inside the United States?
10. Out of what fund(s) will the payments to aliens be paid?
11. For how many aliens who are outside the United States is the Department considering payments pursuant to the litigation described above?
12. For how many aliens inside the United States is the Department considering payments pursuant to the litigation described above?

July 20, 2022:

1. The number of immigration judges whose employment was terminated during or at the end of their probationary period between January 20, 2021, and the present.
2. The number of immigration judges who resigned during or at the end of their probationary period between January 20, 2021, and the present.
3. The number of immigration judges whose employment was terminated during or at the end of their probationary period, each fiscal year for FY 2007 through to-date FY 2022.
4. The termination letter provided to each immigration judge whose employment was terminated during or at the end of their probationary period between January 20, 2021, and the present.
5. The termination letter provided to each immigration judge whose employment was terminated during or at the end of their probationary period between October 1, 2006, and January 20, 2021.
6. All documents and communications referring or relating to the decision(s) to terminate the employment of each immigration judge whose employment was terminated during or at the end of their probationary period, between January 20, 2021, and the present, sent or received by the following individuals:
 - a. Attorney General Merrick Garland;
 - b. Deputy Attorney General Lisa Monaco;
 - c. Principal Deputy Assistant Attorney General Brian Boynton;
 - d. Director of the Executive Office for Immigration Review David Neal;
 - e. Deputy Director of Executive Office for Immigration Review Mary Cheng;
 - f. Chief Immigration Judge Tracy Short;
 - g. Principal Deputy Chief Immigration Judge Daniel Weiss;

- h. Senior Counsel to the Deputy Attorney General Margy O'Herron;
 - i. Assistant Chief Immigration Judge Rebecca Walters;
 - j. Assistant Chief Immigration Judge David Cheng; and
 - k. Former Acting Deputy Director of the Executive Office for Immigration Review Charles Adkins-Blanch.
7. All documents and communications referring or relating to the decision(s) to terminate the employment of each immigration judge whose employment was terminated during or at the end of their probationary period, between January 20, 2021, and the present, sent or received by the then-Assistant Chief Immigration Judge for the immigration court at which the terminated immigration judge worked.
8. All documents and communications referring or relating to the decision(s) to terminate the employment of each immigration judge whose employment was terminated during or at the end of their probationary period, between January 20, 2021, and the present, between or among Department employees and immigration-related non-governmental groups, including but not limited to the American Immigration Lawyers Association, the Capital Area Immigrants' Rights (CAIR) Coalition, Ayuda, and the Immigration and Human Rights Clinic at the University of the District of Columbia.
9. All documents and communications referring or relating to the decision(s) to terminate the employment of each immigration judge whose employment was terminated during or at the end of their probationary period, between January 20, 2021, and the present, between or among Department employees and any private bar immigration attorney, immigration law professor (full-time or adjunct), immigration author, and immigration blogger.

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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November 2, 2022

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Attorney General Garland:

We are conducting oversight of the Department of Justice's operations and actions concerning various matters. As a part of this oversight, Committee Republicans have sent letters to Departmental components requesting documents and information on several issues,¹ including but not limited to the Department's targeting of journalists with Project Veritas, the shuttering of the Department's China Initiative, the Department's one-sided enforcement of the FACE Act, and the Department's unprecedented raid on President Trump's residence. Our requests to you or your subordinates remain outstanding.

The American people deserve transparency and accountability from our most senior law-enforcement official in the executive branch. Committee Republicans intend to continue to examine these matters, including into the 118th Congress if necessary. We reiterate our requests, which are itemized in the attached appendix and incorporated herein, and ask that you, as the custodian of all Department records, produce the entirety of the requested material as soon as possible but no later than November 16, 2022.

Furthermore, this letter serves as a formal request to preserve all existing and future

¹ Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (June 8, 2021); Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Nov. 18, 2021); Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Matthew G. Olsen, Assistant Atty Gen., U.S. Dep't of Justice (Feb. 17, 2022); Letter from Rep. Andy Biggs, *et al.*, Ranking Member, Subcomm. on Crime, Terrorism, and Homeland Security of the H. Comm. on the Judiciary, to Hon. Matthew G. Olsen, Assistant Atty Gen., U.S. Dep't of Justice (Mar. 30, 2022); Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Apr. 27, 2022); Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (June 23, 2022); Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice (Aug. 15, 2022); Letter from Rep. Jim Jordan, *et al.*, Ranking Member, H. Comm. on the Judiciary, to Hon. Jacqueline C. Romero, Atty Gen., U.S. Atty, U.S. Dep't of Justice, Eastern District of PA (Oct. 7, 2022).

The Honorable Merrick B. Garland

November 2, 2022

Page 2

records and materials in your possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is fluid and cursive, with the first name "Jim" and last name "Jordan" clearly distinguishable.

Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman

Enclosure

Appendix: Outstanding Oversight Requests

June 8, 2021

1. Explain the Justice Department's current efforts to identify and prosecute individuals involved in the assaults of Mr. Andy Ngo and other journalists in violation of federal statutes securing their civil rights; and
2. Explain how the Justice Department, in coordination with other relevant federal and state law enforcement agencies, is working to prevent individuals from engaging in violence and intimidation designed to impair the free exercise and enjoyment of rights and privileges that Mr. Andy Ngo and other journalists possess under the Constitution and laws of the United States.

November 18, 2021

3. Explain when and how the FBI became aware of the diary purportedly belonging to President Biden's daughter and describe when and why it opened an investigation into the matter;
4. Provide copies of the search warrants, affidavits, and all other supporting documents related to the FBI's search of residences of James O'Keefe and other current or former journalists or employees of Project Veritas;
5. Explain the factual and legal predicate for the FBI to conduct raids at the homes of James O'Keefe and other current or former journalists or employees of Project Veritas;
6. Describe the process the Department followed when obtaining subpoenas for the FBI to obtain information from, or records of, James O'Keefe and other current or former journalists or employees of Project Veritas, including whether you and/or any other Department officials approved the decision to obtain such subpoenas;
7. Explain what steps, if any, the Department has taken or will take to investigate the leaking of Project Veritas' information to the *New York Times*; and
8. Explain whether any official or employee of the Executive Office of the President communicated with the Department and/or the FBI about investigating or searching the residences of James O'Keefe and other current or former employees of Project Veritas.

February 17, 2022

1. All documents and communications referring or relating to the creation of the Department of Justice's new domestic terrorism unit within the Counterterrorism Section of the National Security Division;

2. All documents and communications between or among officials or employees of the Executive Office of the President and the Department or National Security Division about the creation of the new domestic terrorism office within the Counterterrorism Section of the National Security Division;
3. An explanation as to why you decided to establish a new domestic terrorism office within the Counterterrorism Section of the National Security Division, in contravention of prior advice of career Department of Justice officials;
4. An explanation as to whether you or your staff consulted with the Department's career lawyers in the Counterterrorism Section or elsewhere in the Department prior to the establishment of this new office. If so, provide all recommendations and advice, both formal and informal, that was made to the National Security Division about the newly-formed office;
5. An explanation whether the resources and personnel of this new domestic terrorism office is being used or will be used to target concerned parents at local school board meetings;
6. Quantify the number of personnel assigned to the newly-formed domestic terrorism office within the Counterterrorism Section of the National Security Division; and
7. Quantify the number of active domestic terrorism investigations, including by type of case, for the period of January 1, 2021, to the present.

March 30, 2022:

1. All documents and communications referring or relating to the decision to end the Department's China Initiative, to include an unredacted copy of the Department's three-month internal review initiated by you in November 2021;
2. An explanation as to whether you or your staff consulted with the Department's career lawyers or other personnel in the Department prior to the decision to end the Department's China Initiative. If so, provide all recommendations and advice, both formal and informal, that was provided to you or your staff; and
3. An accounting of the Department's resources dedicated to combating national security threats posed by the People's Republic of China.

April 27, 2022:

1. Preserve all records relating to the Department's disciplinary and personnel actions against Deputy U.S. Marshals who defended federal property in Portland, Oregon from far-left rioters in the summer of 2020.

June 23, 2022:

1. All documents and communications between or among the Department of Justice and the Executive Office of the President referring or relating to the harassment and intimidation campaign outside justices' homes; and
2. All documents and communications between or among employees of the Department of Justice referring or relating to the harassment and intimidation campaign outside justices' homes, including those sent or received by employees of the United States Attorney's Office for the District of Maryland and the United States Attorney's Office for the Eastern District of Virginia.

August 15, 2022:

1. All documents and communications referring or relating to the execution of a search warrant on President Trump's residence;
2. All documents and communications referring or relating to the decision to seek a search warrant for President Trump's residence;
3. All documents and communications referring or relating to the use of confidential human source(s) in connection with the search of President Trump's residence;
4. All documents and communications between or among the Department of Justice, Federal Bureau of Investigation, or the Executive Office of the President about a search of President Trump's residence;
5. All documents and communications between or among the Department of Justice, Federal Bureau of Investigation, or the United States Secret Service about a search of President Trump's residence; and
6. All documents and communications between or among the Department of Justice, the Federal Bureau of Investigation, or the National Archives and Records Administration about a potential search of President Trump's residence.

October 7, 2022:

1. All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania and other components of the Department of Justice referring or

relating to enforcement of the Freedom of Access to Clinic Entrances Act between May 2, 2022, and present;

2. All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania, the Department of Justice, or the Executive Office of the President referring or relating to the Department's Reproductive Rights Task Force;
3. All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania and the Department of Justice referring or relating to investigations of attacks on pregnancy resource centers between May 2, 2022, and the present;
4. All documents and communications referring or relating to the attack on the HOPE Pregnancy Center in Philadelphia, Pennsylvania, that occurred on June 10, 2022; and
5. All documents and communications between the U.S. Attorney's Office for the Eastern District of Pennsylvania and the Federal Bureau of Investigation referring or relating to the arrest of Mark Houck.