

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6216
(202) 225-3951
judiciary.house.gov

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).

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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 legible.

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.