

November 17, 2021

The Honorable Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Garland:

Nearly every week, we discover new information that undermines your assertion that you are not using the FBI to target parents who wish to speak up in response to school boards that are pushing divisive ideologies like critical race theory or other highly controversial measures.

An email leaked days ago is just the latest incident. It reveals that the FBI, in response to your October 4th memo about parents and school boards, created an internal “threat tag” to track parents who speak up at school board meetings. And that email comes on the heels of a revelation, which I explained in my November 1st letter to you, that your head prosecutor in Montana has instructed law enforcement to “contact the FBI” if a parent “violates” a statute that was repealed a decade ago. What possible law-enforcement purpose is there for surveilling parents who engage in conduct that everybody agrees is lawful and then attaching “threat tags” to those parents? I am calling for the Judiciary Committee to expeditiously schedule a hearing so you can answer these questions.

In the meantime, kindly provide responses to the following questions by November 24:

1. Have you reviewed the October 14th memo from the Acting U.S. Attorney in Montana, which you professed not to know about last time you testified?
2. Have you instructed the Acting U.S. Attorney in Montana to withdraw his memo because it asks law enforcement to “contact the FBI” when parents “violate” a statutory provision that does not exist?
3. How many U.S. Attorneys have sent memos similar to the one sent by the Acting U.S. Attorney in Montana?
4. What steps are you taking to ensure that other prosecutors do not target parents for conduct that is indisputably lawful?
5. How many parents have been branded with the new “threat tag” created by the FBI?
6. Why did you not respond to my November 1st request for information about memos that

officials in your office have issued in response to your October 4th memo?

7. Why should the Senate continue to confirm nominees to your department if you are unwilling to respond to legislative oversight?

I await the Department's response.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping underline.

Josh Hawley
United States Senator