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November 17, 2021

The Honorable Richard Durbin
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Durbin:

I write to implore you to schedule an oversight hearing of the Department of Justice to resolve serious questions that have arisen since Attorney General Garland testified last month.

Yesterday, a whistleblower revealed that the FBI has created an internal “threat tag” to track parents who speak up at school board meetings. The email was dated October 20, *before* Attorney General Garland testified to the Judiciary Committee. Yet at the hearing, Attorney General Garland told the committee that counterterrorism tools would not be used to track parents. Now we know such tracking is already underway. And it came from the Assistant Director of the Counterterrorism Division.

When he testified, the Attorney General insisted that he never took any action to chill the free speech of parents. The actions of his department undermine that assertion and raise the alarming prospect that the Attorney General was lying or is not in control of his own department. In a November 1st letter, I asked the Attorney General why his head prosecutor in Montana issued a memo directing law enforcement to “contact the FBI” if parents “violate” a statute that was repealed a decade ago. Garland professed not to know about that memo when he testified. Weeks later, he still has not responded—to me or publicly—about that alarming memo.

This Committee cannot sit by as the Attorney General’s department asks law enforcement to investigate parents for conduct that everybody agrees is lawful and then attaches “threat tags” to those parents. The Committee must schedule a hearing for the week after Thanksgiving and must demand that the Attorney General testify.

Sincerely,



Josh Hawley
United States Senator