



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

August 26, 2023

Reed Rubinstein
America First Legal Foundation
600 14th Street NW, 5th Floor
Washington, D.C. 20005
foia@aflegal.org

Re: FOIA-2022-00056
21-cv-03024 (D.D.C.)
VRB:JMB:CEY

Dear Reed Rubinstein:

This is a second interim response to your Freedom of Information Act (FOIA) request dated and received in this Office on October 7, 2021, in which you requested records of the Office of the Attorney General, Office of the Deputy Attorney General, Office of the Associate Attorney General, and Office of Public Affairs concerning the October 4, 2021 memorandum of Attorney General Merrick Garland related to violence against school administrators since September 15, 2021.¹

We previously provided you with an interim response to your request on June 9, 2023. Please be advised that we have now completed the initial processing of an additional 721 pages of potentially responsive material. At this time, I have determined that 245 pages containing records responsive to your request are appropriate for release with certain information withheld, including some withholdings made on behalf of the Federal Bureau of Investigation, pursuant to Exemptions 5, 6, and 7(C) of the FOIA, 5 U.S.C. § 552(b)(5), (b)(6), and (b)(7)(C), and copies are enclosed. An additional fifteen pages are being withheld in full pursuant to Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. Exemption 7(C) pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

Furthermore, fifty-eight pages have been removed as entirely duplicative of other processed material, including thirty-six pages that were referred to this Office by the Civil Rights Division.² Finally, 403 pages of potentially responsive material have been sent out on consultation to other Executive Branch entities. We will provide a response on those pages once the consultation process has been completed.

¹ Through counsel, the parties have subsequently reached agreements regarding the scope of this request. Consistent with the parties' agreements, the enclosed pages contain information that is not responsive to Plaintiff's request, which has not been processed and is marked accordingly. For reference purposes, where appropriate, we have also noted which FOIA exemption(s) apply to this non-responsive information.

² For your information, the Civil Rights Division request number associated with this request is 22-00004-F.

Please be advised that certain pages within this release contain highlighting. This highlighting was present on these pages as located by OIP and was not added as part of our FOIA review process.

For your information, the official Department email account of Attorney General Garland does not use his name. This practice is consistent with that of former Attorneys General and protects the privacy and security of Attorneys General, allowing them to conduct official business efficiently via email. Attorney General email account names are released once they are no longer in use, and in such circumstances, requesters are advised that the account denotes emails to or from the Attorney General. Attorney General email account names in current use are withheld pursuant to Exemption 6, and, in such instances, requesters are advised that the information withheld consists of the email address of the Attorney General. These procedures ensure that all Attorney General emails released under the FOIA are identifiable as such.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions regarding this response, please contact Michael J. Gerardi of the Department's Civil Division, Federal Programs Branch, at (202) 616-0680.

Sincerely,



Jonathan Breyan
Senior Supervisory Attorney
for
Vanessa R. Brinkmann
Senior Counsel

Enclosures

From: Co ey, Anthony D. (PAO)
Subject: FW: Questions about October 12th NSBA memo
To: Iverson, Dena (PAO)
Cc: K apper, Matthew B. (OAG)
Sent: November 12, 2021 12:38 PM (UTC-05:00)

Dena Buzzing you about this....

From: Gibson, Jake (b) (6)
Sent: Friday, November 12, 2021 10:18 AM
To: Coley, Anthony D. (PAO) (b) (6)
Cc: Iverson, Dena (PAO) (b) (6)
Subject: [EXTERNAL] Questions about October 12th NSBA memo

Hello-

Foxnews.com obtained a NSBA memo sent on October 12th where NSBA President Viola Garcia says the association was coordinating with the White House weeks before the release of the NSBA Sept 29th letter. She also says the organization was actively engaged with the DOJ. She also says AG Garland's memo was in direct response to the NSBA Sept 29 letter.

<https://www.foxnews.com/politics/nsba-coordinated-with-white-house-doj-before-sending-notorious-domestic-terrorists-letter-emails>

Questions-

NSBA President Viola Garcia says that AG Garland's Oct 4 memo was, "in response" to the NSBA Sept 29 letter. AG Garland has said he did not "rely on" the NSBA Sept 29 letter in releasing his October 4th memo. Does he stand by that statement?

Does the DOJ or AG Garland agree with Garcia that the Oct 4 AG memo was "in response" to the Sept 29 NSBA letter?

AG Garland has said he was not in contact with the White House before releasing his October 4th memo. Does he stand by that statement?

Garcia also says the NSBA has been "actively engaged" with the DOJ.
Is that accurate?

Was AG Garland, or other DOJ officials, in contact with officials from the NSBA prior to releasing his October 4th memo?

Thanks very much,

Jake Gibson
Department of Justice and Federal Law Enforcement Producer
Fox News Washington

(b) (6)
(b) (6)

From NSBA memo dated October 12th, 2021-

NSBA President Viola Garcia to State Association Officers and Executive Directors

Concern over the current climate for school board members is also a top priority as disruptions at school board meetings grow and members face growing threats.

NSBA has been actively engaged with the White House, Department of Justice, Department of Homeland Security, Department of Education, Surgeon General, and other federal agencies on pandemic related issues.

In the September 14, 2021 meeting of the OSAED liaison group, they were informed there had been a meeting with White House staff that morning and that NSBA was preparing to send a letter to the President, Subsequently, on September 17, 2021, the interim Executive Director emailed notice to the state association executive directors that indicated a letter requesting federal assistance would be sent.

“NSBA is taking a number of actions regarding calling for protection and resources to assist school board members with these threats including a call for the President and federal government for more assistance.”

That notice later stated: “Further, NSBA has drafted its own individual letter that has been in the planning for several days that will also go out next week. This is a very detailed letter calling attention to the problem and laying out some very specific requests for action. That letter will be shared out with all of you next week when it is sent out so you can share it with your members and also your Congressional Delegations. “

In response to the letter sent by NSBA, on October 4, 2021 the Attorney General announced in a memorandum widely shared throughout the U.S. Department of Justice that he was ordering all U.S. Attorney Offices and local FBI offices to reach out to local and state law enforcement officials to coordinate efforts on this problem within 30 days of the memorandum.

From AG Garland testimony before Senate Judiciary on October 27th.

Garland in response to Senator Durbin-

The letter that we that was subsequently sent does not change the association's concern about violence or threats of violence. It alters some of the language in the letter language and in the letter that we did not rely on and is not contained in my own memo, we're only concerned about violence and threats of violence [10:40:26]

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee(s). If you are not an addressee indicated in this message (or responsible for delivery of the message to an addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox Corporation, or its subsidiaries must be taken not to have been sent or endorsed by any of them. No representation is made that this email or its attachments are without defect.

From: Klapper, Matthew B. (OAG)
Subject: Fwd: AG Briefing Memo & Attachments for Nov. 8 Press Conference
To: Choi, Eun Young (ODAG)
Cc: Coley, Anthony D. (PAO); Roberts, Alivia P. (PAO)
Sent: November 6, 2021 6:40 PM (UTC-04:00)
Attached: Scoped Out Per Agreement

B - Off Topic Q&A 11.04.21.docx, Scoped Out Per Agreement

TAB

Anthony and Alicia- EYC and I just wrapped a call w/ AG. He had some feedback on on-topic Q&A and (b)(5). EYC will provide tracks and circulate.

EYC, items he was referencing are attached.

Sent from my iPhone

Begin forwarded message:

From: "Roberts, Alivia P. (PAO)" (b) (6)
Date: November 5, 2021 at 6:45:08 PM EDT
To: "Klapper, Matthew B. (OAG)" (b) (6)
Cc: "Coley, Anthony D. (PAO)" (b) (6)
Subject: AG Briefing Memo & Attachments for Nov. 8 Press Conference

Hi Matt – I have attached the below items that were included in the AG’s briefing book for Monday’s press conference. Please let us know if you need anything else.

Scoped Out Per Agreement

2. TAB B –Q&A (On-topic & Off-topic)

Scoped Out Per Agreement

Best,
Alivia

Off Topic Q&A

Scoped Out Per Agreement - Also (b)(5)

School Threats Memo

(b) (5)

(b) (5)

Scoped Out Per Agreement - Also (b)(5)

NOT RELEASED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Coey, Anthony D. (PAO)
Subject: hot topics q and a
To: Kapper, Matthew B. (OAG); Brogger, Marissa J. (PAO); Seidman, Ricki (OASG)
Cc: Iverson, Dena (PAO)
Sent: November 5, 2021 5:56 PM (UTC-04:00)
Attached: Hot Topics 11.04.21.docx

With thanks to Dena for writing most of this welcome add'l feedback

(b) (5)

Anthony D. Coey, Director
Office of Public Affairs &
Sr. Advisor to the Attorney General
U.S. Department of Justice
Direct: (b) (6)
Cell: (b) (6)
@AnthonyCoeyDOJ

Draft/Sensitive/Predecisional

Off Topic Q&A

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School Threats Memo

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(b) (5)

Scoped Out Per Agreement - Also (b)(5)

FIRST LEGAL FOUNDATION THROUGH LITIGATION

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From: Chambers, Kevin (ODAG)
Subject: Schoo Board Threats
To: Matthews-Johnson, Tamarra D. (OAG)
Sent: October 29, 2021 11:01 AM (UTC-04:00)

Let me know if you have some time today or Monday so I can pick your brain on this. Want to make sure we're doing what the boss needs done.

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Greenfeld, Helaine A. (OLA)
Subject: FW: SJC Oversight Hearing Transcript - Final
To: Kapper, Matthew B. (OAG); Goodander, Margaret V. (OAG); Heinze man, Kate (OAG); Seidman, Ricki (OASG); Hyun, Peter (OASG); Loeb, Emily M. (ODAG); Lewis, Megan (ODAG); Coey, Anthony D. (PAO); Iverson, Dena (PAO)
Sent: October 28, 2021 9:56 AM (UTC-04:00)
Attached: 2021.10.27 SJC Oversight Hearing.pdf, SJC Oversight Hearing Summary.docx

Attached is yesterday's transcript of the AG's testimony in SJC. Please forward to anyone I may have forgotten on this list.

From: Calce, Christina M. (OLA) (b) (6)
Sent: Thursday, October 28, 2021 9:10 AM
To: Greenfeld, Helaine A. (OLA) (b) (6)
Subject: SJC Oversight Hearing Transcript - Final

Attaching the full transcript (this is the final proofread version from CQ) and a summary Leah prepared noting the issues each Senator raised and promised get-backs.

Thanks,
Christina

SJC Hearing Summary: “Oversight of the Department of Justice”

October 27th, 2021

Durbin Opening Statement

- Contrasted current DOJ leadership with that of the previous administration and commended AG on steps he has taken to restore the integrity of the Department, but also asked him to go further.
 - Mentioned importance of First Step Act and the issue of gun violence in Chicago.

Grassley Opening Statement

- In opposition to Sen. Durbin’s statements, criticized the Department for its politicization under current leadership and accused DOJ of lacking transparency
 - Ran through list of his current unanswered letters and issues with the Department

AG Opening Statement

Durbin Questions

- Asked AG what will be done about gun violence. AG discussed violent crime initiative and increased police funding.
- Discussed CARES act and home confinement. AG agreed that home confinement program has been successful.
- Finally, asked AG to rescind OLC memo from end of Trump presidency and allowed him to explain decision-making process of 10/4 school board memo.

Grassley Questions

- Focused on 10/4 school board memo; asked why AG hasn’t rescinded it if school board rescinded letter. AG underscored that NSBA apologized for the language, not the intent, of the letter.
- Asked if AG authorized McCabe settlement; AG replied that the assessment was made by the litigants involved and that the DOJ does not question the IG’s findings.

Leahy Questions

- Expressed dismay over previous Administration’s DOJ. Discussed importance of protecting voting access in the wake of *Shelby*. AG agreed and explains that Congress could give the DOJ more power to protect voting access.
- Leahy brought up the FBI agents from the Nassar case. AG confirmed that the Department is reviewing the matter given new evidence that has come to light.

Graham Questions

- Immigration focus; asked AG what he thinks about migrant caravan headed for Texas, and asked whether current asylum laws are being abused.
 - AG says that he’d “tell [the caravan] not to come”, but also that if they are seeking asylum, they are able to do so, processed on a case-by-case basis.
- Graham turned to Afghanistan and probed AG’s trust of the Taliban. Asked specifically what DOJ has done to counter threat of terrorism since withdrawal from Afghanistan, and **AG promised to put it in writing for him.**

Whitehouse Questions

- Focused on executive privilege and clarifying the DOJ's role. **AG agreed to have someone be point of contact on this issue.**

Cornyn

- Focused on 10/4 school board memo; asked why AG hasn't rescinded it if NSBA rescinded letter. AG underscored that NSBA apologized for the language, not the intent, of the letter. DOJ respects right to spirited debate; the purpose of the memo is to help counter threats of violence.

Klobuchar

- Reaffirmed intention of 10/4 memo: discussing strategies and determining whether local law enforcement needs assistance. Discussed threats against local election officials.
- Raised antitrust budget. AG assured Klobuchar that DOJ is committed to antitrust enforcement but needs help expanding Antitrust division.

Lee

- Expressed concern with vaccine mandates and firing or fining those who don't comply with mandates- Lee thinks this is an overreach of federal power.
- The rest of Lee's questioning time focused on the school board memo. Lee went through every article cited by NSBA to confirm that none mentioned death threats to school board memos.

Coons

- Asked about DOJ's focus on violent crime and how increased police funding would help reduce crime. Also discussed backlog at immigration courts and humanitarian issues at the border.
 - AG said that DOJ has requested over 600 more immigration judges to address this backlog, but **that he could get a more precise number and overview of the situation to Coons in writing.**
- Coons brought up statement from Antitrust division about patent infringement, and AG agreed that he'd like to hold off on changing this policy until Senate-confirmed leadership is in place.

Cotton

- Cotton asked whether Dr. Fauci is lying to the American people and whether DOJ would investigate, and AG explained that this issue is out of his purview.
- Cotton then brought up 10/4 memo; same talking points as other members. Brought up Scott Smith case, going to school board to defend his daughter who was raped at school. AG explained that this case is separate from the threats his 10/4 memo addresses.

Hirono

- Asked for update on implementation of COVID-19 Hate Crimes Act. AG outlined the actions the Department has taken and confirmed that the DOJ has implemented everything that the statute required.
- Hirono raised China Initiative and suggested that it encourages racial profiling. AG confirmed that China represents a serious threat to American cybersecurity and that we need to protect the American people, China Initiative or not, but racial profiling should not be used.

Kennedy

- Kennedy spent his questioning time on the 10/4 school board memo, raising similar talking points as his Republican colleagues.

Booker

- Raised EQUAL Act and asked AG whether it was time to end sentencing disparity between crack and powder cocaine, and whether it affected crime rates/sentencing. AG agreed—no clear distinguishing between the two, so no grounds for disparity.
- Asked what AG thinks of 11th Circuit’s interpretation of CARES Act, as pertaining only to medical and family needs. **AG said that he would take this issue back for consideration.**

Sasse

- Sasse spent his questioning time on the 10/4 school board memo, raising similar talking points as his Republican colleagues. Sasse wants data about the threats parents pose to school boards, **and asked AG to report back to SJC with his findings.**

Blumenthal

- Focused on FBI / Nassar investigation. Blumenthal **asked AG to commit to providing a full explanation of his decision on this matter when it’s released.** AG explained that this may be difficult but recognized the institutional failure with this issue.

Tillis

- Discussed school board memo and immigration; told AG that we have a problem at the border and the DOJ needs to act.

Padilla

- **Raised 4/15 letter on Predictive Policing that he has not received a response to. AG promised that he would find out why DOJ has not yet replied.**
- Padilla asked what DOJ is doing to ensure competition in labor markets, and AG again raised request for more funding for Antitrust division.

Blackburn

- Condemned politicization of DOJ. Raised school board memo, but also focused on Durham investigation. Asked for written update to be made public. **AG assured her that he would like for as much to be public as possible, but there are privacy and clearance concerns.**
- Raised hiring of Susan Hennessey and asked how she could be bipartisan. AG responded that he has not met her.

Ossoff

- Asked AG’s opinion on whether Prison Camera Reform Act should become law—AG agrees that it should. Raised issue of lack of staff at BOP.
- Raised *Carpenter vs. US* and asked whether any component at DOJ pays for phone data. **AG promised to look into it and get back to Ossoff.**
- Ossoff also asked about the use of the phrase “news media” in an internal DOJ memo

Hawley

- Hawley spent his questioning time on the 10/4 school board memo, raising similar talking points as his Republican colleagues.

Cruz

- Cruz spent his questioning time on the 10/4 school board memo, raising similar talking points as his Republican colleagues.

Second Questioning Round

Grassley

- Asked whether operation LEGEND still exists. AG explained that operation LEGEND is a 2020 initiative, but violent crime is still a priority. AG also asked Department to prioritize Antitrust investigation of agriculture monopolies.

Hirono

- Asked AG to discuss effect of *Shelby* and *Brnovich*. AG reaffirmed Congress could reinstate Section 5 protections of VRA and bring legislation back to what it was meant to be.

Lee

- Lee asked whether DOJ has statistics about how many people are entering the country illegally and how many CBP has removed or deferred to DOJ. **AG promised to get him these numbers.**

Booker

- Asked a series of questions in support of 10/4 school board memorandum to dispel some of the misinformation the Republicans offered about it.

Cruz

- Discussed school board memo and asked if AG intends to prosecute Dr. Fauci, which AG declined to comment on.

Blumenthal

- Raised invocation of 9/11 States Secrets Privilege, asked AG to disclose as much information as possible. Also asked DOJ to comply with 2009 memo which requires periodic reports to Congress, identifying cases where privilege was invoked. **AG committed to providing Congress such reports.**

Cotton

- Discussed school board memo and pressed AG to reveal who had written it, which he declined to do.

From: (b)(6) Margaret Goodlander (OAG)
Subject:
To:
Sent: October 27, 2021 9:07 AM (UTC-04:00)

JIM JORDAN:

Oh, that was my next question. Did you or anyone at the Justice Department discussed the memo with White House personnel or with anyone at the White House before the memo was sent?

MERRICK GARLAND:

I did not. I don't know whether anyone discussed the memo. I am sure that the communication from the National Association of School Boards was discussed between the White House and the Justice Department, and that's perfectly appropriate just as --

JIM JORDAN:

With those individuals, who at the White House talked with you at the Justice Department?

MERRICK GARLAND:

I don't know. I don't know.

JIM JORDAN:

Did they talk to you, did someone call you?

MERRICK GARLAND:

I think I've answered. No one from the White House spoke to me. But the White House is perfectly appropriately concerned about violence just like they're concerned about violence in the streets, and they make a request to the Justice Department in that respect just like they're --

JIM JORDAN:

Did you or anyone at the Department of Justice communicate with the American Federation of Teachers, the National Education Association, the National School Boards Association prior to your memo?

Editorial: Mob's actions at school board meeting unacceptable

Wednesday, September 1, 2021

By The Herald Editorial Board (Washington State)

The conduct on display at a recent Marysville School Board meeting is disturbing and infuriating, particularly so for parents and students who are eager for a return this month to in-classroom instruction that was largely denied them for much of the last two school years during the coronavirus pandemic.

But it's also maddening for the troubling lack of respect shown local elected officials and school district employees whose job it is to deliver a quality education to public school students while ensuring the safety of students, teachers, staff and the public.

And it should be recognized for what it is: a threat to public meetings and local democratic decision making.

Two weeks ago, as reported last week by The Herald's Joseph Thompson, a group of protesters, organized by a nationwide group calling itself Unmask Our Kids, held a demonstration outside the Marysville School District offices, during a scheduled workshop and regular meeting of the Marysville School Board.

Prior to the board's regular meeting, protesters demonstrated against Gov. Jay Inslee's recent orders requiring students, teachers and staff to wear facemasks indoors and mandating vaccinations for teachers and other school employees. While members of the public were allowed into the meeting, others were barred from entering because they had not signed up in advance or had refused to wear masks as required.

Disruptions outside the meeting room, including protesters banging on windows, forced a recess of the meeting. Then, as shown in a Facebook Live recording, protesters, in reaction to a vote by board members to adjourn, begin yelling obscenities. "You f***ing cowards," erupts one man. "Get back here and do your f***ing job," another yells. As the shouting continues, one man, grasping a U.S. flag on a flagpole walks quickly to the dais to confront board members, followed by Marysville police officers who step between the man and board members. "Yeah, run away," taunts a protester, as board members file out of the room. "Go lick Inslee's boot," says one. As board members left the room, an object is thrown in their direction.

The confrontations continued outside as a group of protesters surrounded a district official's car, preventing the driver from leaving.

The incident has prompted district officials to close in-person meetings to the public and resume remote meetings and testimony.

Prior to the obscenities and threatening actions, the protest was merely misdirected. Marysville, as is the case for all of the state's school districts, is not in the position to defy a state order regarding masks or the vaccine mandates. Both mandates were orders recommended by the state Superintendent of Public Instruction Chris Reykdal, then made official by the governor. Any district failing to enforce either mandate — and so far no district has indicated it won't comply — faces a loss of state funds.

When the meeting devolved into shouted obscenities and physical confrontation, however, it became obstruction of a legal public meeting and a violation of democratic principles, one with all-too-familiar overtones of the Jan. 6 insurrection at the U.S. Capitol.

Simply put, the Marysville School Board was there “to do its job,” until it was shouted down, threatened and forced to adjourn to deescalate an increasingly dangerous situation.

Not that it will matter to those who continue to argue against both masks and vaccinations, but both mandates are essential to ensuring students can safely return to school campuses this month, hopefully for the entire school year. For much of the previous two school years, kids had either limited time in classrooms or were kept out all together, relegated to virtual lessons that could only provide varying levels of interaction with teachers.

Yet — prior to the widespread availability of vaccines — it was really the only option to safely continue the school day.

Since then schools have had the opportunity to make changes to ventilation and prepare other precautions for distancing and disinfection. Paired with widespread use of vaccines and masks, this is how the state and its school districts can assure the health and safety of all involved, while welcoming a return to classrooms and — it's hoped — a school year that is closer to normal.

And it must be noted that both masks and vaccinations of staff and students are made even more essential because a significant number of students — those 11 years of age and younger — are not yet eligible for vaccination. At best, some level of authorization by the Food and Drug Administration for those students is not expected until late this year or early next year.

Regarding the objections to masks because of speculation that they lower children's blood-oxygen levels, risk carbon dioxide poisoning and interfere with the facial cues students use in learning language, the arguments are not convincing.

Studies and findings by the Centers for Disease Control and Prevention, the World Health Organization and the American Lung Association — the folks who put a particular importance on the act of breathing — have found either no difference or statistically insignificant differences in oxygen saturation levels for those wearing surgical-style or cloth masks.

As for carbon dioxide, those molecules — which are far smaller than the respiratory droplets the masks are meant to trap — easily pass through the masks' material.

And as far as masks impeding a child's learning, those are obstacles that child and teacher can manage, certainly more easily than those imposed by remote learning.

Marysville, of course, is not alone in hearing from angry protesters. On the same day as the Marysville protest, similar demonstrations were seen in Snohomish and in Kennewick, although without having a public meeting shouted into adjournment. But other meetings and the work of teachers and administrators have been interrupted — sometimes violently so — by antimask protesters. A parent in Fort Lauderdale, Fla., allegedly assaulted a student who confronted him after he attempted to enter a school building without a mask. Teachers elsewhere have had masks ripped from their faces or have otherwise been assaulted by antimask protesters.

It's no surprise that school board members and others nationwide have resigned their posts or at least considered it.

But the incident in Marysville pertains specifically to Snohomish County residents and is serious enough to require some reflection by everyone, regardless of their positions on masks and vaccination.

What happened at the school board meeting is not acceptable and should not be condoned nor easily excused.

Those who object to the mandates can make their case to those who made those decisions, in this case the governor and the state schools superintendent. Peaceful protests and even pointed criticism are among the things for which statewide elected officials are paid to deal with; school board members for most districts are unpaid and serve voluntarily.

While most school board members expect little thanks for their public service, they shouldn't have to endure verbal abuse and threats of violence.

At the same time, what happened should prompt the county's other elected officials — on school boards, the county council, city councils and other public representatives — to stand with the members of the Marysville School Board and make clear to their own constituents that such disruptions — to public meetings and the testimony and participation of residents who follow the rules of basic civility — will not be tolerated.

Public meetings attended by our elected officials are the foundation for the decisions they regularly make on our behalf. If local government is going to serve us, those meetings cannot be surrendered to a mob.

Protesters disrupt Poway Unified board meeting, cause its adjournment

BY ELIZABETH MARIE HIMCHAK
SEPT. 9, 2021 7:56 PM PT

A “Let Them Breathe” rally that began an hour before Poway Unified School District’s monthly meeting on Thursday night got so disruptive that the board had to adjourn before completing its business.

According to Sharon McKeeman, the founder of “Let Them Breathe,” what happened later at the meeting by individuals in attendance was not due to the organized rally that she says concluded prior to the later situation.

The meeting was to begin at 6 p.m. in the Poway Unified district office in Carmel Mountain Ranch. It was also to be livestreamed so those interested could watch via video. However, the livestream of the meeting was not started on time due to a disruption in the board room, according to Christine Paik, PUSD’s chief communications officer. At its peak, more than 70 viewers were in the YouTube waiting room, waiting for the meeting to begin.

About 75 minutes later, the board briefly appeared on screen in order to adjourn the meeting.

According to Paik, police were called to clear the room. She later released a statement saying that “Due to the ongoing disruption of the Sept. 9, 2021 Board of Education meeting and the concerns for the safety and well-being of staff and students attending the meeting, law enforcement recommended we adjourn and reschedule the meeting.”

As of Thursday evening, Paik said she did not know when the board would schedule an emergency meeting in order to address items on its agenda. These included an informational presentation on trustee area redistricting and a Communities Facilities Districts Special Tax Reduction Plan. The latter has the potential to save district taxpayers more than \$1 billion over the life of the bonds, according to the meeting’s agenda packet.

A 5 p.m. mask-choice rally outside the district office on Thursday was promoted on social media. Paik said many of those who disrupted the meeting were carrying “Let Them Breathe” signs.

The movement, which has held rallies throughout the county, is opposed to masks mandates at campuses. Per the district’s posted reopening plan, masks are required indoors for all students and adults, regardless of COVID-19 vaccination status unless there is a valid medical exemption. Masks are optional for everyone outdoors.

Paik said she was not aware of police making any arrests at the meeting.

At 8:30 p.m. Thursday Paik released a statement signed by the PUSD board. It stated:

“Tonight, unfortunately, the Poway Unified Board of Education was advised by law enforcement to adjourn the school board meeting without conducting the business of the District.

“A small, disruptive group forced their way inside the district office, pushing past staff. The group was politely asked to leave but refused. The protestors not only prevented the Board from doing the business of the school district, which serves nearly 36 000 students, but also prevented recognition of our hardworking teachers, classified employees of the year, and student representatives.

“The Poway Unified Board of Education has a vested interest in including the public in our meetings, and we have a well-established process to do so. This meeting was clearly posted as a meeting with limited in-person attendance due to COVID safety protocols, defined under the Governor’s modified health order which temporarily allows public

comments and attendance via teleconference. The meeting is live streamed and accessible to the public, and there were dozens of members of the public who signed up in advance, waiting to speak via the online link. Just this week alone, Board members received nearly a thousand emails from our stakeholders respectfully advocating their opinions and positions on various topics.

“However, due to the ongoing presence of protestors who refused to leave the meeting room and verbally abused the staff, law enforcement advised adjourning the meeting to ensure the safety of our staff and students. This is an unfortunate example of modeling inappropriate behavior for our students and children who were present. The Board encourages civil discourse, but this type of behavior will not be tolerated at any meetings.”

McKeenman, who said she was not present at the meeting but spoke to some who were, said “Parents organized a Let Them Breathe rally previous to the Poway school board meeting but it concluded before the meeting and did not disrupt the meeting ... Let Them Breathe did not plan and was not affiliated with the actions individuals took at the Poway school board meeting. Let Them Breathe is committed to peaceful, appropriate discourse and effective legal advocacy through the judicial system, and does not condone threatening or disruptive behavior.”

Sarasota school board may limit public input after some meetings get disorderly

Ryan McKinnon

Sarasota Herald-Tribune, Sept. 20, 2021

The Sarasota County School Board is set to discuss Tuesday changes to its public comment protocol, after a year in which several meetings have included hours of public comment and squabbling between some board members and the citizens addressing them.

The policy that has been in place gives speakers up to three minutes to address the board, forbids abusive language and does not allow people to play audio recordings or yield their time to another speaker.

The proposed new policy would still allow for public comment, but the more speakers that show up, the less time each person would get. If there are between one and 10

speakers, each would get 3 minutes; between 11 and 20 speakers would mean each gets two minutes, and if there are more than 20 speakers, each person would get one minute. There are also guidelines for having one speaker represent a large group, rather than giving everyone a turn to talk.

Under the proposed policy, the main public comment portion of the meeting would also be limited specifically to items that are on the agenda.

Over the past year, large crowds have shown up to address items that are not always on the agenda, like critical race theory, masking in schools, or complaints over items in the curriculum.

Under the new rules, those speakers would have to wait until the end of the meeting to address the board, and those comments will be limited to one minute each and would not be televised.

Florida School Board Association Executive Director Andrea Messina said boards throughout the state are examining their public comment protocols. COVID-19 forced meetings online in 2020, and as school boards made major and often controversial decisions, more and more people began tuning in.

Boards across the country are under a microscope like never before, so they are trying to manage the newly impassioned crowds that want their turn at the microphone.

"They want to hear the public...but they also need to get their business done," Messina said.

The new rules also give the board chairman wide latitude to determine when a citizen is not allowed to speak any more. In recent meetings, citizens have had the mic cut off for critiquing individual board members' decisions.

School Board Chairwoman Shirley Brown said the board allows criticism of individual board members when it comes to policy decisions, but too often public comment veers into the personal.

One man at a recent meeting was threatened with removal by police after he asked if all the board members had their high school diplomas.

"If you are talking about a vote, you are talking about public business," Brown said. "If you talking about what someone posted on Facebook four years ago, that's different."

School Board member Bridget Ziegler said she was only for limiting what the public could say if they were raising safety concerns, using profanity or impeding on someone else's right to speak.

Messina said it makes sense to limit what people say to the items on the agenda because otherwise the people show up to try to persuade the board on an item up for a vote can get drowned out in a sea of people upset about something totally beyond the board's purview.

School Board members have increasingly been calling upon Sarasota County Schools Police Department officers to remove speakers if they break protocol or personally insult a board member.

On Monday Brown said part of the new policy was ensuring that officers had the authority to carry out removing someone who was being disruptive.

The new policy is up for discussion during Tuesday's 9 a.m. workshop and would need to be publicly advertised before the board can take a vote on it.

Anti-mask crowd disrupts Gwinnett school board meeting

By Alia Malik, The Atlanta Journal-Constitution

Updated May 21, 2021

Nearly 100 people refused to wear face masks as required or leave the Thursday night meeting of the Gwinnett County Board of Education, shouting and arguing until board members left and convened the meeting in another room.

Many in the crowd wore T-shirts that said, "Unmask our children," or "We the people take back our schools." They yelled, "no," when board members asked them to wear masks, and chanted, "My body, my choice."

The Centers for Disease Control and Prevention last week said fully vaccinated people no longer need to wear masks indoors or outdoors in most situations, but must abide by laws and the rules of local businesses and workplaces. However, the government agency said schools should keep their current COVID-19 mitigation efforts through the end of the year.

In Gwinnett County Public Schools, that means a mask mandate at least until the end of the academic year on Wednesday. The district [has reported](#) more than 5,000 cases of COVID-19 among staff and students since the school year began.

Board Chair Everton Blair convened the meeting by saying, “We ask everyone to remember that visitors to this facility are required to wear masks that cover their nose and mouth.”

“If you don’t have a mask covering your mouth and nose, you will be asked to leave,” Blair said as he stared across a sea of maskless faces.

When the crowd without masks didn’t budge, the five board members and Superintendent J. Alvin Wilbanks left the room. They returned 10 minutes later, huddling with one of their attorneys and Jorge Gomez, executive director of administration and policy.

Board member Steve Knudsen then told the audience, “I do not want to wear this mask,” which earned him cheers.

“We are in a very fluid situation right now,” he continued. “The current policy of Gwinnett County Public Schools through the end of the year, and what we expect of our staff and students, is that we finish the year with masks.”

Shouts of “no” drowned him out.

“We have a meeting to hold,” Knudsen told them. “We value your input. The current policy stands.”

Vice Chair Karen Watkins then asked Gomez to work with security to escort out those who were not wearing masks, but the school district employees were outnumbered.

As the crowd shouted and argued with each other, many foreign language students who were waiting to be recognized for their achievements left with their families.

School district officials directed the rest of the students to a smaller meeting room, where several dozen masked Gwinnett employees and community members applauded them.

Mandy Smith, who has two children at Dacula Middle School, went without a mask and wore an “Unmask our children” shirt. Smith said she was part of a group fighting against masks for students next school year.

“They can’t proceed with the board meeting but we’ve been in the same room for over an hour,” Smith said. “We can’t talk about the important issues we came here to talk about.”

Sam Shridhar, a 10th-grader at the Gwinnett School of Mathematics, Science and Technology, stayed with his parents to be recognized for winning first place in data

analytics and second in engineering design at a Technology Student Association competition.

In the end, Shridhar said, he was grateful to be recognized.

The school board moved back into the regular meeting room for the public comment session, where scores of people without masks still waited in the audience. Watkins and Tarece Johnson, another board member, quickly left the room.

Gabby Adams, 18, a senior at Mill Creek High School, stuck around wearing a mask to address the board on an unrelated topic during the public comment portion.

“It’s not that hard to just put on a mask and deal with it,” Adams said. “Health care workers, first responders deal with it for seven-plus hours. You can deal with it for two hours. It’s not a big deal.”

[School board meeting turns contentious over COVID-19 policies](#)

By Julie Wootton-Greener Las Vegas Review-Journal

August 12, 2021 - 10:36 am

A Clark County School Board meeting turned contentious Thursday night, with audience members yelling and a handful being escorted out by police.

More than 100 people were in the audience for the meeting at the Clark County Government Center, a different and larger venue than normal.

The majority of the time was spent on public comment, and many attendees spoke in opposition to COVID-19 mask requirements and vaccinations.

The School Board left the room three times within the first two hours of the meeting — evacuating once for about 10 minutes as shouting from the audience intensified and twice for five-minute recesses. More than 10 people who disrupted the meeting were told to leave and did, or were escorted out of the room by police, including one attendee who was handcuffed. Among them was a group of about six people wearing yellow hazmat suits.

As teacher Sarah Comroe ended her public comment about how the district should use federal coronavirus relief money, she told the audience that anyone who comments on communism during the public comment period clearly didn't pay attention during their high school social studies class

The comment was met with booing and shouting from some members of the audience. Some yelled, "Marxist."

"We will not have comments from the audience," board President Linda Cavazos said, telling police officers to remove anyone being disruptive and shouting out comments.

She told the audience it's a business meeting being held in a public venue. Cavazos also said multiple times during the meeting that face masks are required at the meeting.

About 20 minutes into the meeting, the board evacuated the room as the audience's yelling intensified. One woman shouted: "They walked out. They lost our vote."

Another attendee stood up and addressed the crowd, saying everyone drove out to the meeting and asked if there was any way people could be civil so the meeting could proceed.

A police officer announced to the audience that some were violating public meeting law and that if they continued to yell, the board wouldn't come back out and would adjourn the meeting.

After about 10 minutes, Cavazos and Superintendent Jesus Jara came back into the room.

"We are not going to have these disruptions," Cavazos said, adding those in the audience have had enough time to do their jeering and yelling.

There was business to conduct and other people have signed up to speak, she said.

"I would like to hear those voices tonight," Cavazos said.

On Wednesday night, several hundred parents and some school district employees protested the district's mask policy outside the district headquarters.

During public comment at the beginning of Thursday's meeting, attendee Bonnie Taylor told the board: "Tonight, you're being officially served," and referred to an affidavit, holding up a piece of paper.

She said it's time to bring to the board members' attention their oath of office. She told the board to cease and desist all unconstitutional policies and behaviors.

"You work for us," Taylor said. "We're not going to back down."

Some commenters said the district has no right to promote "propaganda" about getting vaccinated. Some parents said they feel their parental rights are being stripped away.

Melody Hendry, the mother of three children and a registered nurse, said masks aren't meant to be worn for an extended period of time and "the majority of us" feel this is abuse to require them for children.

Cavazos said those who weren't heard during the first public comment period were welcome to stay until the end of the meeting to comment. Some in the audience began yelling.

One woman, who spoke in favor of putting an anti-racism policy on an agenda, said she was clearly outnumbered in the audience as a Black woman.

People yelled comments at her, including "you're the racist."

Cavazos, who told the commenter she was speaking during the wrong public comment period, told the audience to refrain from yelling.

"We will clear the room and all that will available will be the streaming," she said. "The audience will be cleared."

During a COVID-19 update presentation, Jara said he's proud of the work the district has done throughout the pandemic.

He said it was a great opening of the school year this week, but there were hiccups as normal with a school opening.

COVID-19 and the delta variant "has added extra stress to our system," Jara said.

He said the district is focused on making the best decisions for students and employees, following the guidance of medical experts.

More than 300,000 students returned to campuses Monday for full-time in-person classes. There also distance learning options at 12 schools and via the district's online Nevada Learning Academy at CCSD.

Once a video began playing on the topic of “reimagining our schools” — which included statistics about the district’s pandemic response — a couple people shouted out, “reimagine the school board.”

Some in the audience were laughing. Some continued making comments during Deputy Superintendent Brenda Larsen-Mitchell’s presentation about topics such as student social-emotional health and principal mentorship.

Trustee Evelyn Garcia Morales stopped the presentation to say it’s not comedy hour and if the public is not able to control its commentary, the district needs to move forward with having the public leave the room.

Cavazos asked police officers to station themselves in different sections of the auditorium and to remove anyone who was disruptive.

Chief of Facilities Jeff Wagner said an R-Zero hospital-grade UV disinfection tower will be deployed at every campus and that training will happen by Aug. 27. The system allows for disinfecting up to 1,000 square feet of space in seven minutes, he said.

Monica Cortez, an assistant superintendent, said operating with in-person classes safely requires the accumulation of multiple COVID-19 mitigation strategies.

She said the district is promoting vaccinations for students and their families, consistent and correct mask use and physical distancing.

Some audience members began yelling when Cortez talked about mandatory COVID-19 testing for unvaccinated students and staff participating in athletics.

[As of Thursday](#), nearly 70,000 COVID-19 cases and more than 6,100 deaths have been reported in Nevada.

Trustee Danielle Ford said the audience commentary was making it hard for her to listen to the presentation and suggested that the next time staff was interrupted, the board should take a recess to discuss what to do.

About three hours into the meeting, about half of the meeting attendees had left.

Cavazos told the audience it's a business meeting and for those bent on their own agendas, "you're not helping yourselves at all" or their neighbors or children.

A few trustees said their goal is to keep schools open for in-person learning and they'll do what they can to make that happen.

Cavazos said what she saw at the meeting Thursday was very emotional, but people need to respect one another and maybe look for a commonality.

She said the biggest commonality she saw was that people don't want to see children sitting in front of a computer at home.

Cavazos also addressed issues this week with long lines at mandatory COVID-19 testing sites for unvaccinated employees.

"It did not work out because of the vendor that we had hired," Cavazos said. "We have to fix that. We are responsible for that."

Norfolk school officials, police monitoring threats made toward Norview schools

by: **Sarah Fearing**

Posted: Sep 21, 2021 /

NORFOLK, Va. (WAVY) — A Norfolk schools spokesperson says they are aware of social media posts threatening the Norview High and Middle School community.

The school district has requested more Norfolk police in that area for school Wednesday and is working to keep the community safe.

The posts have been reported to police.

The threats come as numerous schools in the region have faced similar issues. In addition, on Monday, a 15-year-old student allegedly shot and injured two other 17-year-old students at Heritage High School in Newport News.

Two [**schools in Suffolk received threats Tuesday**](#), according to an SPS spokesperson.

A [**20-year-old man was arrested Tuesday after making threats toward Phoebus High School in Hampton**](#).

Smithfield High School also planned to have a large law enforcement presence Tuesday, particularly at arrival and dismissal times, after a [**social media post was made with apparent threats to the school**](#). Police said later there was no active threat.

[**Gov. Roy Cooper addresses ‘threats, bullying, intimidation’ at school board meetings over mask requirements**](#)

By WBTV Web Staff

Published: Sep. 21, 2021

RALEIGH, N.C. (WBTV) - As schools continue to debate whether masks are required or optional inside the classroom, North Carolina Gov. Roy Cooper addressed on Tuesday the behavior he has heard about during recent school board meetings

While most school boards have voted to require face coverings in schools, there are several districts where masks are optional, including Union and Lincoln counties, in the WBTV viewing area.

There have been arguments, disruption and anger geared at school leaders based on their decision on masks.

“Many are concerned about the fevered pitch that many school board meetings have reached in recent weeks. I am, too,” Gov. Cooper said. “Threats, bullying, intimidation. None of this belongs in our public schools, particularly by adults. Remember – our children are watching.”

Gov. Roy Cooper spoke Tuesday to address the fight against COVID-19 in North Carolina.

He was joined by members of the Coronavirus Task Force to share the update at the Emergency Operations Center in Raleigh

The StrongSchoolsNC Public Health Toolkit recommends all students wear face coverings in school no matter their vaccination status.

Gov. Cooper backs those recommendations, however, it is up to the school district to decide on masks in schools.

Gov. Cooper says that, no matter what schools boards decide, it is up to the adults to set a good example.

“(Children) are absorbing everything they see and hear, even if we think they aren’t paying attention,” Gov. Cooper said. “Being civil and respectful of one another is important to navigate another COVID school year. Let’s behave the way we ask our kids to act. We owe it to them and we owe it to each other.

Gov. Cooper says masks and vaccinations are the best way to keep students in the classroom safely throughout the year, which is the state’s primary priority.

“Keeping children safe, healthy and learning, while in person, and in the classroom – that’s the number one priority,” Gov. Cooper said. “We cannot lose sight of that critically important goal.”

According to state health leaders, only 38 percent of children between the ages of 12 and 17 have been fully vaccinated in North Carolina.

“All schools should require masks to keep our students in schools,” said NCDHHS Sec. Many Cohen. “The decision to get vaccinated for some is easy. For others, it is much more difficult. Please talk to doctors and nurses or go to reliable sources. I want you to get the facts to get vaccinated.”

Earlier this week, the Union County Board of Education approved a motion to recognize quarantines of students and staff who are considered close contacts of positive COVID-19 cases, in accordance with state law.

According to the motion, the school board will continue to follow its legal obligations of reporting positive cases to Union County Public Health and provide relevant information to county health officials.

Additionally, Union County Public Schools will require students who are symptomatic or positive for COVID-19 to stay home.

During the brief public meeting, board members said Union County Public Health has taken over primary responsibilities of contact tracing and has reduced the length of the quarantine period of asymptomatic individuals, in accordance with state law.

According to the district, those in quarantine will not be allowed back in school until completion of their quarantine orders from Union County Public Health.

The board reversed course from a week ago, when the members made the controversial decision to end contact tracing and quarantining within Union County Public Schools.

Days after that decision, North Carolina State Health Secretary Dr. Mandy Cohen sent the district a letter asking Union County to comply with state guidance by Friday, Sept. 17, at 5 p.m., or legal action could be taken.

By the end of the week, officials with the North Carolina Department of Health and Human Services said their attorneys had “productive conversations” with Union County School Board attorneys about their safety protocols in order to avoid legal action against the district.

On Sept. 7, the Union County Public School Board has decided to keep masks optional in schools despite thousands of students in quarantine within the district due to COVID-19.

The last time Gov. Cooper held a press conference about COVID-19, he urged vaccinations, pushed for masks in schools and touted monoclonal antibody treatment. The governor said COVID-19 vaccines are continuing to do their job by stopping most of the severe illness and death and they remain the “best tool to end this pandemic.”

In early August, parents poured into the Union County board meeting and rallied outside before it even started.

It was a heated debate that had both sides of the spectrum fired up.

Things got heated between those wanting masks optional and those who want them to be mandatory in the classroom.

There were signs, chants -- and inside -- a packed room of parents and educators.

“Easy to see from the evidence kids don’t face real danger from this virus,” one parent said.

Others pushed to make them mandatory.

“Every medical organization in the world that says masks need to remain,” another parent said.

Back in May, [dozens of angry parents fought](#) against the required mask mandate for their students in Iredell County.

In a heated debate, those parents think their children wearing masks for eight hours a day is unnecessary.

Some parents picketed outside, with signs saying, “My child, my choice.”

Inside the Iredell-Statesville School Board, exchanges became heated.

Parents chanted, “No more masks! No more masks!”

Passions in the crowd quickly went from disappointed to angry to enraged.

“You have to take it off or it never ends,” a parent said.

Mendon man arrested following disruption at Unity School board meeting

September 2, 2021 3:26 pm Jim Roberts

MENDON, Ill. (WGEM) -- A Mendon, Illinois, man was arrested Wednesday night for aggravated battery and disorderly conduct following a disruption at a Mendon Board of Education meeting at Unity High School, according to the Adams County Sheriff's Office.

Sheriff Rich Wagner reported Thursday that Alex Felde, 30, had been removed from the board meeting and had been involved in some type of physical altercation at the school.

Sheriff Wagner stated school officials attempted to escort Felde out of the meeting when he struck one of them before leaving the school.

Deputies located Felde a short time later at his home where they said he was taken into custody.

Sheriff Wagner said the incident is still under investigation.

Nazi salute, insults hurled at chaotic Birmingham schools meeting over mask mandate

Posted By [Steve Neavling](#) on Thu, Aug 19, 2021 at 1:33 pm

Police are investigating a man who flashed a Nazi salute and chanted “Heil Hitler” during a raucous Birmingham Board of Education meeting over a mask mandate for students.

Unruly anti-maskers booed and hurled insults at board members and speakers, including a high school student, who spoke in favor of face coverings during the meeting Wednesday evening.

The anti-maskers spewed falsehoods about COVID-19, telling board members that masks are dangerous and that children aren't at risk of spreading the virus, despite a plethora of evidence to the contrary. Several parents said they're removing their children from school because of the mandate.

The remarks came after the board and superintendent announced that students, staff, and teachers will be required to wear masks indoors for the start of the school year.

Parents packed two rooms at the school, and dozens were not wearing masks.

While a Black woman and Jewish woman were addressing the board about their support for the mask policy, a man in the audience flashed the Nazi salute and repeated “Heil Hitler.” Two men behind him also uttered the phrase.

Police questioned the man during the meeting and are investigating whether he committed a crime.

Superintendent Embekka Roberson notified parents of the Nazi salute in a letter Wednesday and said the district has no tolerance for hate.

“Birmingham Public Schools emphatically denounces and will not tolerate any act of racism, disrespect, violence, and/or inequitable treatment of any person, including actions and statements made at Board of Education meetings. It is in situations when people feel strongly about a matter, and emotions run high, that we most need to model appropriate behaviors for our students,” Roberson wrote. “Last night’s meeting did not consistently display the behaviors that we expect from our students and community.”

During the meeting, some parents compared masks to child abuse.

Nicole Humphrey said she's removing her daughter from school because masks make her uncomfortable.

"Hearing that the only way she can attend in-person learning is by wearing a mask is unconscionable," she told the board. "It is not going to happen. It is like asking us to knowingly send her to a place that is abusing her and being like, 'Oh well.' ... It's not Ok."

Another parent said God didn't intend for people to wear masks, which she falsely claimed are "ineffective" and increase the risk of cancer.

"Our children will never see the freedoms we enjoyed growing up," she said. "They are not even free to breathe fresh air. If God wanted us to cover our mouth and nose, he would have made us that way."

Since masks aren't effective, parent Sarah Flynn said, the school board imposed the mask mandate "to protect yourselves politically." "COVID poses almost zero risk to children," Flynn said. "Forced mask mandates for something that has almost zero percent chance of killing them is child abuse."

During the meeting, Roberson said the mask mandate is intended "to make sure students can attend in person."

Lori Ajlouny, the board's president, repeatedly ordered anti-maskers to stop disrupting the meeting and said the mask mandate is a common sense measure to protect children from a highly contagious and dangerous virus.

"We are doing this for the safety of our children," she said. "I'm not fond of wearing masks, but I'm going to do what's best for the children."

Health experts say masks are critical to slowing the spread of COVID-19 in schools. On Sunday, Francis Collins, the director of the National Institute of Health, **warned about a sharp increase** in the number of pediatric cases from the more powerful "Delta" variant of the virus that causes COVID-19.

On Tuesday, a Republican lawmakers **introduced a bill** that would bar school districts from requiring students to wear masks.

On Thursday, two state lawmakers expressed disgust over the Nazi salute.

"I am shocked and appalled to see the use of racist, Nazi language and imagery in our community, particularly by parents attending a school board meeting. Let me be

clear: racism, anti-Semitism, and any other forms of bigotry and hate have no room in our discourse or our community, and I forcefully condemn the use of this phrase and gesture at yesterday's Board of Education meeting," Rep. Mari Manoogian, D-Birmingham, said. "For the last 18 months, our state, country, and world have suffered a collective trauma. But the use of Nazi phrases and gestures is beyond the pale in any context; it disrespects the memory of those murdered in the Holocaust and dishonors the values of our community. Actions such as these must be forced out from our society as every level, and we must resume engaging with each other in the spirit of understanding, kindness, and mutual respect – themes which form the core of the values taught within BPS."

State Sen. Jeremy Moss, D-Southfield, said, "The Holocaust was the systematic state-sponsored persecution and annihilation of European Jews and others. As someone with family members who suffered heinous and violent deaths at the hands of Nazis, I can assure this BPS community member that the Holocaust is not a school board meeting."

Grand Ledge school board goes into recess due to public "disruption"

by: [Kalie Marantette](#)

Posted: Jun 16, 2021

GRAND LEDGE, Mich. (WLNS)— Grand Ledge Public Schools Board had a meeting on Monday that had to be put into recess due to the public disrupting board members, President of the board, Sara Clark Pierson said.

This was the board's first in-person meeting this year.

During the meeting, the contract for the next superintendent, Marcus Davenport, was also planned to be voted on.

Pierson told 6 News that the board had to go into recess twice during the meeting. Once because someone went over their 3-minute time limit during public comment, and refused to sit down. There was a 5-minute recess.

The second time was after public comment, when two board members were speaking to one another and the audience kept interrupting. Pierson said after multiple warnings to the public, she announced that they would be going into recess and reconvene another day.

Pierson says the public's comments revolved around three different topics, including wanting to have kids go back to in-person learning five days a week, no mask mandate and avoiding education around critical race theory.

Except Pierson says they recently approved for students to go back in-person in the fall, and critical race theory has never been a topic of conversation and is not in the curriculum. Come June 28 though, an internal committee will make suggestions and present ideas to the board about making the curriculum more "culturally competent."

The interim superintendent, David Chapin, says they don't believe everyone at the meeting on Monday was a parent of a student at GLPS or is even affiliated with the Grand Ledge community. Chapin also said that during the meeting on June 21 and the 28, there will be police there just in case things get out of hand.

NJ mask mandate for students sparks school board disruption, suspends meeting

Joe Strupp

Asbury Park Press, Aug. 26, 2021

The fallout from Gov. Phil Murphy's school mask mandate continued this week as one school board postponed a meeting after attendees refused to wear masks and another cut short public comment after yelling and name-calling disrupted a mask discussion.

"When the argument started to ensue, I had to shut it down," said Dotty Porcaro, president of the Manalapan-Englishtown Board of Education, which had to kick out one resident Tuesday night who refused to wear a mask to its regular meeting. "They started talking about concentration camps and comparing (the mask mandate) to Nazis."

The school board eventually approved a resolution urging Murphy to reverse his mandate but stressed that it would be followed when the new school year begins Sept 9.

"They were stating that if we allow this it is the beginning of the government taking away rights," Porcaro said about some meeting attendees. "Then there was hollering back and forth. I don't want to deny anyone the right to speak, but this was a board meeting and I can't have people screaming and fighting amongst themselves."

In Wall, the regular school board meeting was suspended Tuesday just after roll call when at least 60 people refused to wear masks.

Board attorney Athena Cornell stated that due to some of those in attendance not wearing masks in violation of Murphy's executive order mandating them, it would be rescheduled to Aug 31.

"The Wall Board of Education is following Executive Order 251 (the mask mandate for schools), effective Aug. 9, and Executive Order 253 (outlining exceptions), effective yesterday," Cornell said. "While we understand many disagree, the board is required to follow the executive orders.

"Going forward all in-person meetings will require masks. As a result, the meeting will be rescheduled for Aug 31 at 6:15 p.m."

Some in the crowd yelled out, "cowards, cowards."

Wall Township Board President Ralph Addonizio said later that at least 60 people in attendance refused to wear the masks. The rescheduled meeting will be virtual-only.

He said the virtual meeting is the best way to avoid future controversy, for the moment: "It protects the district from any liability and it protects the parents who are very strongly against masks."

Addonizio had written a letter to Murphy two weeks ago opposing the mask mandate and asking that it be removed.

"Your blanket orders do not reflect what is in the best interest of the students and staff of the Wall Township Public Schools and infringe on home rule," Addonizio wrote in the letter.

He continued: "In your new executive order, you cite 'the CDC now recommends universal indoor masking for all teachers, staff, students, and visitors in K-12 schools, regardless of vaccination status.' This is a recommendation, provided to offer guidance to states and families. The district Pandemic Response Team used this guidance to make their final recommendation for the school year."

The incidents are the latest in an ongoing battle over Executive Order 251, signed Aug. 9, which requires all school staff and students to be masked in school buildings.

Opposition has also come from school administrators and board members in Holmdel, Toms River, and Middletown.

Just days after sending a letter to parents stressing that the governor's mask mandate for students will be enforced and those disobeying would be sent home, the Manalapan-

Englishtown board passed a resolution Tuesday urging the governor to rescind the directive.

Manalapan-Englishtown school leaders have had to walk a tightrope in recent weeks between a growing vocal opposition to the governor's executive order and efforts to ensure that the district does not break the law.

The conflict bubbled up several times during recent meetings, including Tuesday night's board meeting that resulted in one resident being removed for not wearing a mask. Public comment at the meeting was stopped after 40 minutes after it grew into shouting and accusations of Nazi behavior by some speakers, according to Board President Dotty Porcaro.

The mask mandate drew similar anger at the Middletown Board of Education, which reluctantly passed a resolution Tuesday mandating masks for students, teachers and staff — anyone entering a school building — when the fall term begins.

The pared-down policy was more restrictive than the board had originally intended. As originally written, it would have empowered parents to excuse their children from the mandate by asserting some medical reason why their children could not wear a mask. But it was changed after Murphy clarified that such provisions would be opposed legally.

For Manalapan-Englishtown, the mask battle dates back to June when former Superintendent John Marciante took a leave of absence rather than oversee the removal of a previous mask mandate after angry parents demanded it.

He retired just weeks later.

Since then, his replacement, Nicole Santora, has found herself in the middle of a tug of war between Murphy's mask mandate and parents opposed to it.

Things were so tense that district officials waited more than two weeks to affirm their plans for implementing the governor's mask mandate, which was announced Aug. 9. It will require all students to be masked in class, with some exceptions for excessive heat, health concerns and other specific issues.

Santora informed parents of the implementation plan in an Aug. 20 letter that stated the mask mandate would be in place when school starts on Sept. 9 and those not following it will be forced to leave school grounds.

“Students, staff, and visitors will be required to wear masks in the indoor portion of school district premises,” the letter stated. “Additionally, we recognize that the exceptions ... are there for medical necessity; and, therefore, we will be implementing the exemptions as they are part of the executive order.”

But it later made clear that anyone not wearing a mask and failing to meet an exemption would be separated from other students until a parent or guardian picks them up.

“I do not think that it is in the best interest of any child to be in a position of deciding whether they should defy their parent or the law. Nor, in this instance, will I suspend a child for listening to their parent,” the superintendent wrote.

She later explained, “If a child comes to school without a mask, they will be offered one. If they refuse we will call their parent/guardian.

“If the parent/guardian states that they will not have their child wear a mask, we will isolate the child until their parent/guardian can pick them up. The child will be given asynchronous work to complete while waiting for their parent/guardian. The child will be excluded from school until they follow Executive Order 251.”

A recent Gallup poll found that two-thirds of U.S. adults and 60% of K-12 parents support mask mandates for unvaccinated teachers and staff members. A slightly lower percentage of U.S. adults (64%) and 57% of parents of school-aged children favor mask mandates for unvaccinated students

Parents in the 5,000-student Manalapan-Englishtown district, which serves grades K-8, have made their opposition known for months at several school board meetings, with many claiming their children are unable to breath in masks, come home depressed and discouraged, or become frightened at the atmosphere.

Some even claim the masks do little to protect students or believe the virus is not as contagious as they are told.

In an apparent effort to appease those in opposition, the school board on Tuesday passed a resolution urging that opponents of the mandate reach out to the governor’s office to register complaints. It also formally asked Murphy to rescind the mandate.

“While the Board recognizes the risk of COVID-19, the Board also recognizes and acknowledges that many residents of Manalapan and Englishtown believe that individuals, parents, and health care providers should have the flexibility to make their own decisions about their health and the measures they take to protect themselves, including the decision to wear a mask,” the resolution stated.

“The Board recognizes that those residents call upon Governor Murphy to immediately rescind EO 251 and allow individuals and the parents of children to make their own decisions regarding mask wearing.”

Sheriff deputies called to tense Nordonia Hills school board meeting due to mask policy

by: Maia Belay

Posted: Aug 31, 2021 / 11:53 AM EDT / Updated: Aug 31, 2021 / 04:58 PM EDT

NORTHFIELD, OHIO – Sheriff deputies were called to the Nordonia Hills City School District board meeting Monday after a group of anti-mask protestors refused to wear masks indoors conflicting with the district mask policy.

“I asked them numerous times to please put on a mask because it is our board policy they just sat there where they argued or yelled,” said school board president Chad Lahrmer.

Lahrmer estimated a group of about 50 people protested outside prior to the meeting with a smaller number attending indoors

“They purposely came into the meeting without masks,” he said. “We called the sheriff before the meeting even started to have them ready.”

Superintendent Joe Clark said some people in attendance were angry about the district’s mask mandate even though it was in place before students returned to classes on August 25. Lahrmer said the school board implemented a mask policy for K-12 students and all people who enter school buildings earlier this month.

“I don’t know the tension can be resolved,” said Clark. “I think this issue has become so political that people have dug in and taken their stance regardless of what science is telling us. So, I don’t know if there is resolution for it.”

Clark said the mask policy has already proven to be effective in keeping students in school despite several confirmed cases of COVID.

“What you’re seeing from lots of school districts in the area is huge numbers of kids being quarantined because they’re not wearing masks,” said Clark. “Whereas here in Nordonia we’ve had five positive cases of COVID since the school year started but only three kids have had to be quarantined so it shows that the policy is working.”

Lahrmer said he was told by deputies they cannot enforce a school mask mandate, however they escorted some people out of the building who were causing the disruption of the public meeting.

Mask protest brings police to Garnet Valley School Board meeting

By PETE BANNAN

PUBLISHED: August 25, 2021

Mask protests in Garnet Valley resulted in police being called to the August School Board meeting on Tuesday evening.

A group of 30-40 parents protesting the district's mask plans for the fall appeared in person at the meeting which was held both in-person and on the meeting app Zoom.

The in-person portion of the meeting never took place as people filled the room without wearing masks, which resulted in the board shifting to a fully virtual meeting and state police responding to clear the room of those who stayed.

As of Aug. 16, the district required face covering of all individuals in district buildings. Before the start of the meeting Tuesday evening officials had asked that those in attendance put on masks, but most declined.

One resident who was in attendance but didn't want his name used for fear of what he called "cancel culture" to his business told the Daily Times that the group of parents showed up not wearing masks and to voice their opinion that they want a choice for their children not to wear masks.

"When the board saw us walking in they requested we put masks on and we refused," said the Concord resident. "The board closed the meeting and then proceeded to walk out so we could not voice our beliefs."

As the board shifted to the virtual format. One resident, who identified herself as Leah Hoopes of Glen Mills, took the microphone in the boardroom and read her comments to the residents in the audience.

Hoopes said what she called "scientism" is being used when it fits the board's narrative and she questioned the changing recommendations about masking during the pandemic. She said families had done what they were asked to do over the past 18 months but the continued masking requirements are in her opinion not about safety, just liability and compliance.

“This has become psychological warfare on developing children,” said Hoopes. “Fact. masks don’t work. My son’s civil liberties, my parental discretion, are not suspended because of a virus.”

A number of residents also complained about the mask rule on the Zoom meeting.

After a few minutes a school board official addressed the residents still in the building and said that officials are not health experts but they do consult Children’s Hospital Policy lab and University of Pennsylvania doctors and experts weekly for guidance. He said those experts have suggested a layered response including masking, distancing, hygiene, ventilation and disinfectants.

“It works and schools have shown it works,” the official said.

After about 20 minutes the people left the building.

Superintendent Marc Bertrando wrote in an email Wednesday that the district will not allow individuals’ turbulent behaviors to disrupt board meetings to the extent that it prevents the board from conducting its business.

“While we appreciate the passion that our parents have in advocating for their children in these very difficult times, we will not allow the actions of some that refuse to follow the district’s health and safety rules regarding mask requirements,” Bertrando said. “The district continues to stay laser-focused on its goal: Providing full-time in person learning for all students for the entirety of the school year. We believe that masking and other mitigation strategies will help us achieve this goal as efficiently and effectively as possible.”

The District’s Health and Safety plan was updated on Aug. 15 and states in part that the CDC and the state Department of Health guidance recommend masking for all individuals, regardless of vaccination status, in communities with “substantial” or “high” transmission rates. All students, staff, and visitors K-12 will be masked when our community is in “substantial” or “high” status for rate of transmission. We may revise this requirement should the community move to a “low” or “moderate” rate of transmission.

Some of the protesters complained that masks were optional in neighboring districts including Penn-Delco; however Penn-Delco Superintendent Dr. George Steinhoff wrote in an email that his district will recommend masks.

“With respect to masks, the Penn-Delco plan indicates: “The CDC and the state Department of Health (DOH) recommends universal indoor masking for all staff, students, and visitors to K-12 schools, regardless of vaccination status,” Steinhoff wrote. “Accordingly, the district will recommend universal masking of all persons in our schools”.

The Archdiocese of Philadelphia also has issued guidance requiring masks in Catholic schools when they open in September.

“We realize that this may be difficult for our school families, however we are committed to our students’ academic, faith, social, and emotional development. Please be assured that we are doing our best to meet the varied needs,” Ken Gavin, chief communications officer for the archdiocese, said in a statement. “We hope this requirement will be temporary.”

The decision will be revisited every two weeks and updated as needed, the archdiocese announcement said.

Anti-mask mob swarms school board meeting

By **BRENLEY GOERTZEN**

PUBLISHED AUGUST 12, 2021 11:43AM (EDT)

After advocating for a mask mandate in the local school district, health care professionals were surrounded by an angry mob of parents following a Tuesday school board meeting in Tennessee.

In a video released on Twitter, a group of people in Franklin, Tenn., can be seen yelling at health care workers as they attempt to leave the building where the Williamson County School District Board meeting on school safety measures was taking place.

As the health care workers exit the building, the crowd waiting outside begins to chant, "we'll not comply." One woman yells, "take that mask off!" as a health care professional heads into the parking lot.

The footage appears to follow this health care professional as he heads to his car but is followed by an unmasked man in a black shirt.

"You're not on our side!" the unmasked man yells. "We know who you are."

"You will never be allowed in public again!" he later continues.

Another unmasked man seems to come to the aid of the man in the black. He also threatens the fleeing health care worker, pointing his finger at the driver's side window.

"We know who you are. You can leave freely, but we will find you," he says with his face up against the window.

The clash between parents and healthcare workers came after the Williamson County Schools Board of Education voted to require masks for students, staff, and visitors inside buildings and buses at the elementary school level. During the four-hour meeting, emotions ran high, and disruptions frequently occurred as members of the audience attempted to speak out against mask requirements, according to [the Tennessean](#).

The meeting attracted a mass of anti-mask parents, including Clay Travis, a former sports journalist and conservative political commentator whose children attend schools in the district, and right-wing pundit Matt Walsh, whose children are not students in the district, reported the Tennessean.

A different video released on Tuesday shows the inside of the board meeting. The footage features a man being escorted out by local authorities for being too disruptive. Enraged by his removal, other parents begin to chant "no more masks," and eventually, several stand up and follow the protester out of the meeting.

The other video published details another disruption that came moments later. "I'll see you in court," a woman from the crowd declares. "My child will not be wearing a mask."

On Thursday, the new mask mandate will go into effect in the school district. The Tennessean reported that the school board will return to vote to extend the measure at the end of September.

'The Meeting Has Degenerated': 1 Arrest, 1 Injury at Loudoun Schools Meeting on Equity

By Drew Wilder, News4 Northern Virginia Reporter, Jackie Bensen, News4 Reporter, Andrea Swalec and NBC Washington Staff • Published June 22, 2021

One man was arrested, another man was ticketed for trespassing and a third person was hurt at a chaotic public meeting Tuesday on equity issues in Loudoun County Public Schools.

Parents fired up about a proposed policy on the treatment of transgender students — as well as how schools should teach about race — held up signs, chanted and sang the national anthem at the Loudoun County School Board meeting.

Security at the Northern Virginia meeting was high after board members received death threats, as they did earlier this spring. State troopers assisted county sheriff's deputies.

The school board unanimously voted to shut down the public comment portion of the meeting after repeatedly issuing warnings about decorum and disruptions.

"The meeting has degenerated" a school district spokesperson said as the board shut down comments and ordered people to leave.

Parents chanted "Shame on you" and raised their middle fingers.

Some held signs that said "We the parents stand up," "Education not indoctrination" and "There are two genders: male and female. Trust (teach) the science."

Others indicated support for LGBTQ students. "Liberty & Justice for All. No exceptions," one sign said, with the word "All" drawn in rainbow colors.

Nearly 260 people had signed up to speak at the meeting.

Parent Beverly McCauley said she was frustrated that she was not allowed to speak.

"I'm a mom of 11. I took a lot of time to write my speech. I put a lot of heart into it. And then I'm not allowed to speak?" she said.

[School board bylaws adopted in 1979 and last reviewed in 2016](#) say the board "welcomes comments from the public and believes strong community engagement is important to a successful school system." But "the civility, decorum and respect for the functioning and dignity of the School Board shall be maintained at all times," the bylaws say. "When reasonable," the chair can warn a speaker of a breach of the rules, end speaking privileges or "take other action."

Scott T. Smith, 48, of Leesburg, was charged with disorderly conduct and obstruction of justice. The sheriff's office says he physically threatened someone and then "continued to be disorderly with the deputy" and resisted arrest. He was released. It wasn't immediately clear if he had a lawyer.

Another man received a summons for trespassing after school officials asked those in attendance to clear the room, the sheriff's office said.

A third person received a minor injury, officials said, without releasing details.

In remarks at the conclusion of the meeting, School Board Chair Brenda Sheridan said the board stands with LGBTQ students during Pride Month and will continue to work to make schools equitable.

“We will not back down from fighting for the rights of our students and continuing our focus on equity,” she said. “We will continue to work towards making Virginia, specifically Loudoun, the best place to raise a family.”

Sheridan called for an end to “politically motivated antics” and said “loud voices aiming to make our schools a political battleground will not silence the work for our students.”

Dozens of supporters and opponents of a proposed policy on the treatment of transgender students gathered outside the school board meeting earlier Tuesday afternoon to voice their concerns.

Proposed Policy 8040 on the rights of transgender and gender-expansive students became national news after [elementary school gym teacher Tanner Cross testified](#) in May that he would not follow the policy because he believed it would harm children and violate his religious beliefs.

The school district placed Cross on paid administrative leave. A District Court judge [ruled earlier this month that Cross must be reinstated](#), citing his rights to speech and religious liberty. The school board is appealing the ruling.

One student called Cross' case "disheartening."

"Teachers like Tanner Cross and parents of peers go up into these school board meetings and start talking about how someone is sinning and committing vile acts and all these bad things," the student said.

The proposed policy on transgender students calls for all students to be “treated with dignity and respect, regardless of their sex, sexual orientation, transgender status, or gender identity/expression.” It is in line with the Virginia Department of Education’s model policies on the treatment of transgender students in public schools, Loudoun officials say.

The proposed policy would affect staff use of transgender students’ names and pronouns; transgender students’ access to sports, restrooms and locker rooms; and training for school mental health professionals.

Three students who are members or allies of the LGBTQ community in Loudoun County schools spoke to News4. They asked to remain anonymous.

"It will make kids feel better about themselves and more comfortable in their own skin, which will directly, in my opinion, save kids' lives," one student told News4.

"I could rattle off probably 30, 40 people just in my grade I know who are LGBTQ," another student said.

"With the teachers I've wanted to tell, I just haven't felt comfortable enough because of, like, all the stuff that's going on with, like, people threatening school board members. I don't want to be threatened too," a third student said.

[Some parents said they were targeted online for their views](#) about lessons on race, as well as their views on reopening schools during the pandemic. Some of these parents cited critical race theory.

[Critical race theory, an academic framework for examining systemic racism](#), is not taught in Loudoun County Public Schools, Superintendent Scott Ziegler said earlier this month.

"We've had ongoing misinformation and citizens concerned that critical race theory was being taught in our schools. I will say again tonight that it is not," Ziegler said.

Unruly crowd causes Spotsylvania School Board meeting to adjourn after 13 minutes

[AdeleUphaus](#), Aug 24, 2021

Monday evening's meeting of the Spotsylvania County School Board ended after 13 minutes with no business conducted when the audience became unruly.

Chairwoman Dawn Shelley told the crowd multiple times that they were out of order. Members of the audience yelled back, "You're out of order."

Shelley asked a deputy to escort one audience member out before calling the second of two 5-minute recesses, from which the board never returned.

The meeting was a special called meeting with the stated purpose of discussing "State Health Commissioner's Order Issued July 27, 2021," according to the published agenda. On July 27, the Virginia Department of Health released guidance recommending that K-12 school divisions follow the CDC's guidance and implement universal mask mandates.

On Aug. 9, the Spotsylvania School Board amended its mask policy to require all students, staff and visitors to wear face coverings while on school property. Spotsylvania had previously allowed any student or parent to opt out of masking.

On Aug. 12, State Health Commissioner M. Norman Oliver issued a public health order requiring that all students, teachers, staff and visitors in grades K–12 age 2 and older wear masks indoors, regardless of vaccination status.

The order reinforced current state law, which says that schools must provide in-person instruction each day of the academic schedule this year and must follow the CDC’s recommended COVID-19 mitigation procedures “to the maximum extent practicable.”

The board never got to a discussion of the health commissioner’s order. The meeting began falling apart when Livingston District representative Kirk Twigg attempted to amend the agenda to add time for public comments.

Comments were not part of the published agenda, which according to state law must be made available to the public at least three working days prior to a public meeting.

At an emergency special meeting held Aug. 11, the board did vote to amend the agenda and allow public comments before it voted to remove a religious exemption to the mask ordinance.

After Twigg made his motion Monday night, Shelley and Battlefield District representative Baron Braswell said they heard from constituents after the last meeting.

“I spoke to a number of people over the last week and they asked about public comments, and I said there would not be public comments,” Shelley said. “So because it’s not on the agenda, I do not think public comments would be appropriate, because it was not advertised.

“There are a number of people here, but there are other people who asked about public comments and when they were told there would not be any, they did not attend the meeting.”

Braswell offered a substitute motion that would limit the speaking time of each citizen to 3 minutes, down from the usual time.

Twigg did not accept this substitute motion and accused Braswell of wanting to cut the time short “because things are not playing your way.”

“Mr Braswell, now is not the time to get our violins out and start playing for you and Ms. Shelley,” he said. “We have an agenda here with one item on it. I hardly think we’re gonna get past your bedtime, Mr. Braswell.”

Shelley asked Twigg to temper his remarks, and when Courtland representative Rabih Abuismail spoke up to support Twigg’s motion, Shelley told him he was “out of order” and the crowd started shouting at her.

Shelley told the crowd she would have the deputy begin escorting people out of the meeting and a woman yelled back, “We’re not going anywhere. Do you hear us?”

The board recessed for five minutes and returned to vote on Twigg’s motion, which failed 3–3. Lee Hill District representative Lisa Phelps voted with Abuismail and Twigg. Braswell, Shelley and Salem District representative Lorita Daniels opposed the motion. Berkeley District representative Erin Grampp was not at the meeting.

When people in the crowd stood up and began yelling, Shelley called another recess and, shortly afterward, the online video of the meeting said the meeting was adjourned.

Division spokesperson Rene Daniels said Tuesday, “The meeting ended with no formal adjournment made by the School Board due to the significant disruption at the meeting.”

Spotsylvania School Board meetings have increased in tension in recent months and the tension has spilled into the campaigns of the three members who are running for reelection. Grampp recently canceled a planned fundraiser after reporting trespassing on her property and a series of threatening phone calls.

The board has discussed making changes to its public comments policy in an attempt to ensure decorum, but Braswell—who has been the target of many comments—did not support making any changes.

Oak Harbor school board clears the room after audience shouts disrupt meeting

• By [Emily Gilbert](#)

• Friday, August 13, 2021 1:40pm

Oak Harbor School Board President John Diamond ordered the audience to leave Monday night's meeting after several people began shouting over board members while they were discussing COVID-19 guidance.

Some audience members called the World Health Organization and Centers for Disease Control and Prevention "liars," claimed state public health guidance "is not science" and said parents know what is best for their children.

Jessica Thompson, a candidate for the school board, was among the people asked to leave. She called the board's decision "overblown."

The audience's comments came in response to the school district's announcement that anyone, whether they are vaccinated against COVID-19 or not, will be required to wear masks while inside school buildings during the upcoming school year. The state is requiring all public school districts to abide by the mask mandate.

Some audience members began shouting during school board member Bob Hallahan's comments at the end of the meeting. The exchange can be viewed in a YouTube video posted on an account called "TNTT Truth Not Trash with Tim" which appears to be owned by Island County Republican Party Chairman Timothy Hazelo. The video can be viewed here at <https://bit.ly/3saTPf8>.

Interim Superintendent Karst Brandsma said the school district does not keep video nor audio recordings of board meetings.

Hallahan explained that he evaluates differing opinions based on a "hierarchy of credibility," adding that he considers professionals at the top of their career or who are elected by their peers to be the most credible.

He was interrupted by a male voice saying "liars" and a female voice shouting "Parents know best! Parents know best for their children!"

The speakers were off-camera, but their comments can be heard in the video.

Diamond then reminded the audience that the public comment portion was over and warned that the audience would be asked to leave if the disruptions continued.

Hallahan continued his comments, explaining that people “lower on the credibility scale would be somebody who is speaking off-the-cuff, like outside of their expertise,” which drew more responses from the crowd.

After audience members interrupted board member Jessica Aws, Diamond sent the meeting into a three-minute recess and asked anyone not on the board, invited by the board to speak or members of the media to leave the room for the rest of the meeting.

State law allows school boards and other governing bodies to clear the room if someone is interrupting the meeting.

“In the event that any meeting is interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the governing body conducting the meeting may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members,” RCW 42.30.050 states.

Oak Harbor school board policy 1400 also gives the board the final say in maintaining order and removing people who are being disruptive.

Brandsma replied on behalf of Diamond and a spokesperson for the school district when asked for a comment about Monday’s meeting and the mask mandate.

“The board recognizes and values input from students, staff, parents, and the community during the public comment portion of its meetings,” Brandsma wrote, adding that it gave the public opportunity to do so.

“However, once that portion has concluded, the Board must continue its meeting and business without disruption and disorderly conduct.”

Thompson was at the meeting and is running against Diamond for his board position in November’s election. She said she was offended by Hallahan’s comments and that the board’s decision to clear the room was “overblown.”

“I feel their reaction to adjourn the meeting and kick us out was overblown,” Thompson said. “There were just a few parents speaking out against the arrogant, offensive comment that Bob Hallahan made, me being one of them and I don’t feel that warranted them kicking us out. We were upset because Bob Hallahan implied through his diatribe about the ‘hierarchy’ of advice he considers to make a decision, that parents are at the bottom. We spoke up, advocating for parents rights and were told to leave.”

Thompson has criticized the school board before and read a letter that claimed students were being “indoctrinated” during public comment earlier this year. At least 80 people signed the letter.

In response to a question about the mask mandate, Brandsma said the school district would be following the governor’s requirements, and that the district would use the mitigation measures it used in the spring when students return in the fall. He acknowledged that some families are upset by the requirement and suggested contacting the governor’s office.

‘Critical race theory’ roils Fort Worth school board meeting as Texas braces for continued fight

By Talia Richman and Brayden Garcia

7:35 PM on Jun 22, 2021 CDT

Even before all the Fort Worth school trustees could take their seats, the chants of “No CRT!” echoed in the room only to be countered by a woman shouting out: “Stop whitewashing history!”

Parents, pastors, teachers and recent graduates packed a routine meeting that quickly transformed into one of the first major conflicts since Gov. Greg Abbott signed a law aimed at keeping “critical race theory” out of classrooms

Many of those gathered Tuesday night decried the concept, which has become a political lightning rod for conservatives. Others, however, implored trustees to push for honest conversations about America’s often painful past and present.

“Keep steadfast on this racial equity work,” parent Martina Van Norden urged the FWISD trustees.

The debate is far from over and will likely continue dominating Texas’ boardrooms. Abbott still wants legislators to do more to “abolish” critical race theory in schools — though he hasn’t yet outlined specific steps he wants taken in an upcoming special session.

Fort Worth trustees heard from parents concerned that schools are wading into divisive politics with their children as well as from many families who urged the district to take steps to make education more equitable for students of color.

The term “critical race theory” — a decades-old academic framework that explores how racism is embedded in U.S. policies and systems — recently has been co-opted by conservative pundits.

Opponents often conflate it with districts’ broader diversity and inclusion efforts, anti-racism training or multicultural curricula. In doing so, school district boardrooms have become a central battleground in this culture war even as the central issue is often misunderstood.

Some parents threatened to leave the district over this fight. They accused the district of indoctrinating students and making students feel like they are “oppressed or oppressors” based on their skin color.

“We are teaching our students that they are labeled by the color of their skin,” one speaker told the board.

Critical race theory is not taught in Fort Worth ISD, said spokesman Clint Bond. Texas educators across the state repeatedly insist that it’s not part of K-12 curriculums.

Still, dozens of people joined together for a march ahead of the meeting, saying they came out to protest “CRT” in schools, which they argue is harmful to children and is divisive. At the same time, many others gathered in support of ongoing work to reduce racial disparities in student achievement and expressed confusion about why this academic framework was the focus of the meeting.

The vast majority of Fort Worth ISD’s roughly 83,000 students — about 85% — are Black or Hispanic.

“We know that when racial equity is not consciously addressed, racial inequality is often unconsciously replicated,” Kimberly Williams, an African American educator, told the board.

FWISD created a racial equity committee in 2016, with the goal of dismantling institutional racism within the school system.

Trustees passed a resolution last year, following the murder of George Floyd by a white police officer, calling on leaders to speak up against racism, prejudice and intolerance. Across the country, some education leaders were turning inward, reevaluating everything from how they teach history to the ways in which they discipline students of color, who are overrepresented in the harshest punishments.

Dallas ISD, for example, is expected to ban most suspensions after years of data showed that the punishment was disproportionately meted out to Black children. Other districts brought elements of The New York Times’ 1619 Project — an award-winning series of

essays seeking to reframe American history around slavery's consequences and the contributions of Black people — into their classrooms.

The backlash, in many places, was swift.

Several states — including Texas — have taken steps aimed at banning their interpretation of critical race theory from classrooms. Abbott last week signed a bill that educators fear will make it harder for them to talk about race and racism in the classroom.

Abbott followed up the next day by announcing that lawmakers will revisit critical race theory during a special session. The new law “is a strong move to abolish critical race theory in Texas, but more must be done,” the Republican governor wrote in a statement. Abbott said a special session will begin July 8.

Tuesday's meeting makes clear the fight will continue dominating school district boardrooms and parents' attention.

At a recent NAACP Dallas panel, a State Board of Education member prepped audience members to speak out against legislative interference in social studies classrooms.

Aicha Davis, a Dallas-area Democrat, said she is getting ready to “rally the troops” to Austin. She joined several other high-profile education officials in opposing the bill, which was passionately decried by educators, business leaders and civic organizations.

The new law is full of vague language with a laundry list of ideas teachers should not talk about. It's reminiscent of former President Donald Trump's since-rescinded executive order targeting diversity training.

Teachers can't be “compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs,” according to the new law.

Within social studies classrooms, educators can't teach a variety of ideas, including that a person is inherently racist, sexist or oppressive, either consciously or unconsciously. School districts are also prohibited from requiring training that presents any form of race or sex stereotyping or blame on the basis of race or sex.

This comes as many districts are working on exploring how teachers' unconscious bias — the stereotypes people may not be aware they have — can negatively affect students of color.

Josiah Gaiter, program manager for the conservative organization FreedomWorks, said at Tuesday's march the final decision-maker for a child's education should be their parents not school districts.

“When you have board members who support ideologies that suggest that you’re an oppressor, or you’re oppressed based on your skin color, the problem is they’re acting more like politicians than parents,” he said.

Many academics have spoken out against the way critical race theory is being discussed, saying it’s misunderstood.

“At a fundamental level, it exposes the racism and oppression in our contemporary society,” said Jonathan Chism, a history professor at the University of Houston-Downtown, a co-editor of Critical Race Studies Across Disciplines. “It endeavors to resist it.”

Oshkosh School Board meeting postponed after protesters disrupt it, argument breaks out

By WBAY news staff and [Jason Zimmerman](#)

Published: Aug. 25, 2021 at 7:55 PM EDT|Updated: Aug. 26, 2021 at 11:41 AM EDT

OSHKOSH, Wis. (WBAY) - The superintendent of the Oshkosh Area School District says students, staff and visitors will be required to wear face coverings through Oct. 1. This comes one day after protesters stormed a school board meeting on masking, forcing the board to postpone the meeting.

A new meeting date has not been set, but the school board president and superintendent planned to meet Thursday to discuss it.

“I know that community members have differing opinions on masks, but we are committed to using face coverings as one of our key mitigation measures to keep our staff and students safe and learning in-person in our schools and classrooms. We want to provide in-person instruction while protecting our families. I hope the community health data will improve and we can move away from the face covering requirement after the first month in school,” says Dr. Bryan Davis.

Board President Bob Poeschl said he hopes community members will be respectful at the next meeting. “Let’s remember that our children are watching how we interact and learning from our example,” Poeschl said.

On Wednesday, a group of 20-30 protesters entered the room as the meeting began were asked to put on a mask by members of the school board, and they refused to do so. Afterwards, a police officer reiterated they needed to wear a mask.

An argument soon broke out between those in the audience, which included people on both sides of the mask policy.

District officials told protesters if they didn’t wear a mask, they wouldn’t hold a meeting.

Members of the school board walked out of the room soon after, and then gathered in the Superintendent’s office.

Community members in the Oshkosh School District and the surrounding area had planned a protest at 5 p.m. outside of the building where the meeting was being held. The protest was being held in regards of having the choice to have students wear a mask during the upcoming school year.

A news release issued ahead of the protest said the parents were concerned board members planned to discuss mandatory face coverings for children in the district.

The protesters who refused to put on a mask when they entered the room also challenged police when officers asked them to put on a mask, asking them if they would be arrested if they didn’t put one on.

“I have three grand daughters and grand children and I don’t want to see them wearing a mask to school, and I think it’s a freedom of choice and that’s what it should be. It’s our freedoms that we’re losing,” said Joan Gosz, who has three grand children in the school district.

However Richard Plant of Oshkosh countered, “These people are ignorant. We have to protect our kids. There is nothing wrong with having a mask on. Doctors wear masks all day long.”

Poeschl, was asked to comment on the situation and initially declined to do so.

Board members left the superintendent’s office after about 30 minutes, and Poeschl then entered the meeting room, where he announced the meeting had been postponed.

Action 2 News was able to speak with Poeschl before he left, who stated he was “disappointed” on how everyone acted.

“I’m not worried about the disruption I’m worried about the message that it sends to our community that if you’re uncomfortable with something like this you can come and disrupt public works that are taking place,” he said, adding, “It will not change that we are having masking requirements in the Oshkosh school district at this point.”

The masking policy was re-instated this past Monday, with the expectation the board would re-evaluate it in 30 days.

The item was not on the agenda for this meeting.

With the start of school being a week away, some expect the fight over masking, to intensify.

“They just got up and left without even hearing us out. I think it’s just ridiculous, and the thing is, we are not going to stop. They had to leave today, they are going to have to leave many times because we are going to be back,” said Oshkosh parent Kristy Walsh.

The building was cleared around 6:45 p.m. Wednesday.

School board meeting over COVID stopped after disruption

By: Margaret Austin, Wyoming Tribune Eagle via Wyoming News Exchange - Updated: 2 months ago

Posted Aug 4, 2021

CHEYENNE – The Laramie County School District 1 Board of Trustees shut down public comment early Monday night after a resident began yelling at trustees and refused to give up the mic when his allotted public comment period was over.

Although there were more members of the community who wished to address the school board, trustees called the meeting off due to the disruption.

LCSD1 Board Vice Chair Marguerite Herman said they welcome all public input from stakeholders, including by email and phone, but they set meeting parameters so nothing gets in the way of carrying out district business they were elected to do.

“Obviously, politics come into the boardroom, and we have to resist that temptation to get distracted from that singular duty we have to the children,” Herman said, speaking for herself, and not the entire board.

The board reserves the right, outlined in state statutes, to call recess on any public meeting that has become disruptive, and they exercised that right Monday – as the Natrona County commissioners did last year when a heckling crowd inhibited a meeting related to COVID-19 from moving forward.

The first three general public comments Monday were related to masks in schools – a conversation which is still ongoing – before the disruption came from a comment related to both critical race theory and the length of public comments, which are capped at three minutes so that everyone has a chance to speak.

(A California court upheld in 2018 that the threeminute time limits on public comments during meetings are constitutional, and it is a practice that is also followed by the Cheyenne City Council.)

“(The) First Amendment guarantees me the right to speak. You guys haven’t presented any evidence whatsoever that says that we’re going to be two to three minutes,” the unidentified man said, also noting his anger at the fact that the board asked in-person attendees not to clap after comments.

He later continued, “This is how a dictatorship is.”

When his time was nearing the three-minute mark, the man began yelling louder and louder, especially when told his time was up, and the school board members called the meeting and vacated the dias. Some people in the room clapped in approval, while others voiced their displeasure at the occurrence.

In his comment, the man also accused the school board of lying to the public, saying that critical race theory is being taught to students and pointing to the Wit and Wisdom curriculum, which is described as an “English language arts curriculum.” Administrators have repeatedly said that critical race theory is not a part of the LCSD1 curriculum.

“Everything in our curriculum meets the standards set by the State Board of Education,” Herman added.

Todd Reynolds was one of the residents who took issue with the man’s interruptions, writing a letter to the WTE editor after the meeting.

“The Board was right to go on recess. They have more important things to deal with than the performative theater of the purposefully uninformed,” Reynolds wrote. “For example,

they need to explain to the public how they will incorporate CDC guidelines, what happens when an unmasked class is exposed through close contact, whether they will require teachers to be vaccinated, and how they are going to adequately communicate with the public about testing and positive results.

“But, instead, the Board had to recess because a self-appointed few believe that their misinformation was more important than our children’s health.”

Anti-mask protesters show lack of empathy at recent Middle Tennessee school meetings

by Jackie Delpilar, Sunday, September 12th, 2021

NASHVILLE, Tenn. -- A man is now speaking out after he was seen in a viral video getting threatened by anti-mask protestors.

The video shows protestors following Michael Miller after he spoke in support of masks in a [Williamson County School Board meeting](#). Miller says a fear of his came true: [his son is now sick with COVID](#).

“In the past month I’ve never been so upset to be right,” Miller said.

Miller says thankfully his son’s case is mild, but at least one of his classmates was hospitalized with the virus.

“No child should get this sick from school,” he said.

The debate on masks in the classroom is just as heated today as it was a month ago.

This week, a [Rutherford County School Board meeting](#) went viral after people were seen laughing at a child who lost his grandmother to COVID.

Miller says that meeting looked all too familiar.

“My heart goes out to them, that is the sort of callous, insensitive behavior we saw at the meeting here on August 10, the cat calling, the absolute lack of respect to people who were speaking,” Miller said.

Fox 17 News asked Governor Bill Lee what he thinks of the national recognition Tennessee is getting surrounding mask debates in school board meetings.

Reporter Jackie Delpilar: Do you condone this behavior with people acting out at these meetings?

“I’m interested in the health and well-being of these kids, and the parents input in that is important,” Gov. Lee said. “I’m interested in parents making decisions about their children’s health, what happens at a school board meeting is not in my control.”

The governor did not condemn the bullying or threats.

Miller says he hasn’t personally heard from him or any other state leaders. But he has heard from the Commander in Chief.

“The only allusion to it was the president himself within 24 hours of the video going viral,” Miller said.

Both Williamson County and Rutherford County school boards have voted to put in temporary mask mandates with the ability for students to opt-out

‘If you give one more shot, you yourself will be executed’ Alabama man tells Missouri pharmacists

by: [Aubree Bailey](#)

Posted: Aug 24, 2021 / 12:23 PM CDT / **Updated:** Aug 24, 2021 / 12:23 PM CDT

BIRMINGHAM, Ala. (WIAT) – An Alabama man has gained national attention after he uploaded a live video on Facebook while confronting pharmacists in a Missouri Walmart who were administering the COVID-19 vaccine.

[The Washington Post](#), [Insider](#), and [Yahoo News](#) have all written articles within the past week about Christopher Key, the self-proclaimed “Vaccine Police”, whose Facebook profile states he resides in Birmingham and is from Fultondale, Ala.

Key posted a public, live video on Facebook on August 16 where he describes that he and several companions are going to pharmacies in Springfield, Missouri to inform those

administering COVID-19 vaccines that they were committing a “crime against humanity.”

Key also claims early in the video that he and his companions have a “sworn affidavit stating that 45,000 people within three days of receiving the vaccine dropped dead.”

As the video continues, Key gives his companion directions about how to confront the pharmacists and how to stream the confrontation to Facebook. Multiple people begin filming on cell phones and someone can be heard saying they can “edit anything.”

As the group continues to prepare, Key puts on sunglasses and asks, “Should I go ‘Terminator’ on them?”

“At least when we walk in ” someone responds.

In addition to the sunglasses, Key is wearing a black polo that says “Vaccine Police”, black cargo pants, several pieces of tactical gear and lace-up, military-style boots along with a metal star pin.

Before entering the store, the group prays: “Thank you Lord Jesus for waking up Springfield,” a group member says.

When the group enters Walmart, they make a B-line for the pharmacy. Workers pull down the metal divider as the group approaches and post a sign that reads “No Pharmacist on Duty.”

“I highly doubt that,” someone in the group remarks about the sign, and Key and his colleagues can be heard saying the workers are “wussing out” by closing the pharmacy.

“What about our prescriptions?” another asks.

Key walks over to a Walmart employee standing to the side, telling her the purpose of their visit.

“We wanted to put them on public notice and let them know what they’re doing is a violation of the Nuremberg Code,” he states. “If you give one more shot...you yourself will be executed as a violation of the Nuremberg Code.”

“I do this out of love and want you to know that if you, if they, give any more vaccines- the pharmacists, anybody that works here, they all will be held accountable; last time in Germany, they hung all those people,” Key reiterates.

The Walmart employee responds to Key, "I appreciate you've got a message to share. But we do have a no-solicitation policy. You can stay and shop if you want, but you can't keep doing this. You either need to shop or get off the property" she says.

Key changes his message, telling the worker, "I want to get my vaccine. Can't I talk to the pharmacist to get my vaccine?"

"Where can I get my vaccine? Why can't I get my vaccine?" he continues to fire. "All I want to do is talk to the pharmacist."

The employee tells Key the same policy, but he retorts saying she is a "mockingbird."

"She's a mockingbird; she's just repeating."

Key and other remembers of the group peer into the pharmacy, continuing to pace in front of it and claim they want a vaccine. At one point, they can be seen pointing and then heard loudly trying to speak to the pharmacists.

"Can we get our vaccine through the drive-thru?" Key shouts.

Key turns back around, speaking to the multiple cell phone cameras on him. "They're all laughing about this. They think it's funny. This is what happens when we come together and show them the truth. They can't handle the truth."

"If they don't stand down immediately," he continues, "they could be executed immediately. They could be hung at the stake just like those in Nazi Germany, just like they did the nurses, doctors, pharmacists and clergymen. What happened in Nazi Germany is happening now."

"It (the confrontation) isn't intimidation. We don't want that (execution) to happen to any of you guys. We love you and want you to be safe," he adds.

For over ten minutes, Key and the group pace in front of the pharmacy, demanding a vaccine yet commenting that the pharmacy's closure is good.

"What we're doing by having them close down is keeping people from getting the vaccine, which I think is a beautiful thing," Key says.

Eventually, the group exits the store to find a police officer outside of the door.

Key repeatedly tells a police officer he "just" wants to get the vaccine. Several Walmart employees, including the woman Key spoke with earlier, join along with three other cops.

Key continues to ask for a vaccination but when told he can schedule an appointment and come back to the site, he becomes angry.

“That is discrimination Do you want me to file a discrimination lawsuit against you? Are you going to refuse me service?” Key asks the same worker. She does not respond.

For several more minutes, Key alleges discrimination. Eventually, the scene disperses, and Key walks towards the parking lot with his companions.

“We’re headed to our next destination,” he says to the camera.

‘Disturbing’: Worthington school board member receives threats for masks in schools

Author: **Lindsey Mills**, Published: **6:23 PM EDT September 21, 2021**

WORTHINGTON, Ohio — Threatening letters are being sent to several school board members in central Ohio after those districts initiated new [COVID safety guidelines](#) in classrooms. Some districts have also had to step up security at school board meetings.

One letter sent to the Worthington Board of Education was addressed to board member Nikki Hudson specifically.

The letter, that Hudson herself [shared on Facebook](#), started with “we are coming after you.” It went on to claim "pain and suffering" has been inflicted on children regarding the subject of critical race theory and wearing masks in schools for "no reason in this world other than control."

This letter is now under investigation by police.

In sharing the letter on Facebook Hudson wrote in a recent post, “I am on the receiving end of threats and intimidation like this because I follow science-based guidance from public health experts."

"There is no place for bullying, intimidation, intentional misinformation, or hate in our community,” said Hudson in a phone interview with 10TV. "I've never seen anything like this."

Hudson said that letter is one example of how things have intensified. And she said it's not only happening in Worthington.

Chris Valentine, the board of education president for Dublin City Schools said the board has also received similar threats and has experienced intense school board meetings.

"It's unfortunate, it puts families in a difficult spot to navigate this. I have a wife, I have a family. I know others do who are in similar positions. There was never a time I thought I'd have to worry about the little things going out in public or walking down the street," he said.

Security detail has been used in recent weeks at school board meetings in Worthington and Dublin.

According to the Hilliard City School District, a school resource officer did attend one recent meeting but things have calmed down there since.

As for Hudson, she said what she has experienced has been disturbing.

"It is our responsibility to set a good example for what it looks like to engage in constructive dialogue, to have decency to treat people with civility," she said.

[Jon White resigns as Wilson County School Board member](#)

[Andy Humbles](#)

Nashville Tennessean, Sept. 8, 2021

Wilson County School Board District 3 member Jon White has resigned, according to Board Chairman Larry Tomlinson.

White cited concerns about too much time away from his family, Tomlinson said.

"My family was being impacted and I had to prioritize them above all else," White said in a text message.

White was elected as a first-time candidate in August 2020.

"He will be missed," Tomlinson said. "He was a good board member. He was level-headed, studied the issues and always came to meetings prepared."

White's resignation was effective Tuesday and he didn't take part in Wednesday's scheduled board meeting. The board approved a face mask requirement that includes a provision for parents to opt out their students based on Gov. Bill Lee's executive order.

"I wasn't comfortable voting on anything tonight, knowing I wouldn't be there to follow through," White said prior to the meeting.

The Wilson County Commission appoint White's replacement who will serve through the August 2022 election when the seat will be voted on.

Beaver Dam school board member resigns citing safety concerns for family

TERRI PEDERSON, Sep 20, 2021 Updated Oct 5, 2021

A member of the Beaver Dam Unified School Board resigned last week citing safety concerns by his family following the mask mandate in the district.

Tony Klatt has been on the board since April 2019. He posted on his Facebook page, Tony Klatt for School Board, on Thursday about his resignation from the board of education.

"From starting this position with a vehicle crashed in the middle school, the tough decision to close down a coveted elementary school, and now almost two years of COVID, this term has definitely been a challenge and none of these decisions were taken lightly and not using all of the feedback and information in front of me," Klatt wrote.

Klatt, who voted twice in favor of the mask mandate for Beaver Dam schools, said he still feels strongly it was the right decision but could not put his family through what has happened since the district made the decision.

"The decision to put our kids in masks is not a popularity contest, it's based on facts at hand," Klatt said. "With those pieced artifacts of selective information floating around and the communications that I have received as a result, my family no longer feels safe. When there is talk of protesting my house and someone later pulls in front and takes a picture of my address while my daughter is home alone, she does not feel safe. When a car sits running in front of my house late at night on a non-thoroughfare, my family does not feel safe. Therefore, I have to do what is best for my family and their well-being and resign my position on the school board effective immediately. It isn't in my family's best

interest for me to try to appease a vocal group that continue to try to intimidate, harass, insult, and throw civility to the side.”

“I hope that there is a legacy left in a visible change in transparency and communication that has improved over my tenure on the board, for our staff and for our parents,” Klatt ended his post. “I hope the staff felt more appreciation and self-worth. I hope that the parents in the community felt the Board was listening and had input, regardless of what side of any decision they were on. It was an honor to serve you as a board member.”

Klatt’s position on the board would have been up for election in April.

From: Coley, Anthony D. (PAO)
Subject: <https://nypost.com/2021/10/22/national-school-boards-association-disavows-letter-that-led-to-fbi-parent-crackdown/>
To: Klapper, Matthew B. (OAG); Seidman, Ricki (OASG)
Sent: October 23, 2021 7:43 AM (UTC-04:00)

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Coey, Anthony D. (PAO)
Subject:
To: Kapper, Matthew B. (OAG)
Sent: October 21, 2021 12:39 PM (UTC-04:00)

FOR IMMEDIATE RELEASE

Monday, October 4, 2021

Justice Department Addresses Violent Threats Against School Officials and Teachers

Citing an increase in harassment, intimidation and threats of violence against school board members, teachers and workers in our nation's public schools, today Attorney General Merrick B. Garland directed the FBI and U.S. Attorneys' Offices to meet in the next 30 days with federal, state, Tribal, territorial and local law enforcement leaders to discuss strategies for addressing this disturbing trend. These sessions will open dedicated lines of communication for threat reporting, assessment and response by law enforcement.

"Threats against public servants are not only illegal, they run counter to our nation's core values," wrote Attorney General Garland. "Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety."

According to the Attorney General's [memorandum](#), the Justice Department will launch a series of additional efforts in the coming days designed to address the rise in criminal conduct directed toward school personnel. Those efforts are expected to include the creation of a task force, consisting of representatives from the department's Criminal Division, National Security Division, Civil Rights Division, the Executive Office for U.S. Attorneys, the FBI, the Community Relations Service and the Office of Justice Programs, to determine how federal enforcement tools can be used to prosecute these crimes, and ways to assist state, Tribal, territorial and local law enforcement where threats of violence may not constitute federal crimes.

The Justice Department will also create specialized training and guidance for local school boards and school administrators. This training will help school board members and other potential victims understand the type of behavior that constitutes threats, how to report threatening conduct to the appropriate law enforcement agencies, and how to capture and preserve evidence of threatening conduct to aid in the investigation and prosecution of these crimes.

Threats of violence against school board members, officials, and workers in our nation's public schools can be reported by the public to the FBI's National Threat Operations Center (NTOC) via its national tip line ([1-800-CALL-FBI](tel:1-800-CALL-FBI)) and online through the FBI website (<http://fbi.gov/tips>). To ensure that threats are communicated to the appropriate authorities, NTOC will direct credible threats to FBI field offices, for coordination with the U.S. Attorney's Office and law enforcement partners as appropriate. Reporting threats of violence through NTOC will help the federal government identify increased threats in specific jurisdictions as well as coordinated widespread efforts to intimidate educators and education workers.

From: Chambers, Kevin (ODAG)
Subject: RE: School Board
To: Atkinson, Lawrence (ODAG); Klapper, Matthew B. (OAG)
Sent: October 21, 2021 10:04 AM (UTC-04:00)

Thanks, Rush.

And to make clear, these are based on (b) (5) [REDACTED].

From: Atkinson, Lawrence (ODAG) (b) (6)
Sent: Thursday, October 21, 2021 10:01 AM
To: Klapper, Matthew B. (OAG) (b) (6)
Cc: Chambers, Kevin (ODAG) (b) (6)
Subject: School Board

With thanks to Kevin, one possible approach and four examples:

- (b) (5) [REDACTED]
- (b) (5) [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

(b) (5)

L. Rush Atkinson

Senior Counsel

Office of the Deputy Attorney General

(b) (6) (cell); (b) (6) (office)

From Matthews-Johnson Tamarra D (OAG)
Subject Re: A few recent ones
To Goodlander Margaret V (OAG)
Sent October 21, 2021 8:24 AM (UTC-04:00)

And one more
Joint Task Force Alpha

Please note some of the ask for ces, s ke fo ces, pa ne sh ps

The Oct 4 memo and today's memo do not use the term "ask for ce"

<https://www.usdoj.gov/ag/page/file/1438986/download>

COVID Fraud Enforcement Task Force

Firearms trafficking strike forces

Task Force on the Safety of Federal Prosecutors, Law Enforcement Agents, Judges, and Members of Congress

Law Enforcement Task Force to address the rise in threats against election workers, administrators, officials, and other associated with the electoral process

Partnership among federal, state, local, Tribal, and territorial law enforcement to address threats against school administrators, board members, teachers, and staff

Tamarra Matthews Johnson

she/her/hers

Counsel

Office of the Attorney General

U.S. Department of Justice

Mobile (b) (6)

<Guidance on Implementing the Attorney General's Memorandum on Addressing Threats Against School Administrators, Board Members, Teachers and Staff.pdf>

<partnership_among_federal_state_local_tribal_and_territorial_law_enforcement_to_address_threats_against_school_administrators_board_members_teachers_and_staff_0_0.pdf>

From: Heinze man, Kate (OAG)
Subject: RE: NBC: Parents in Michigan, Virginia sue DOJ over response to school board threats
To: Good ander, Margaret V. (OAG); Kapper, Matthew B. (OAG)
Sent: October 20, 2021 9:46 PM (UTC-04:00)

Thank you Maggie. We are tracking, but didn't know this had made the news

From: Goodlander, Margaret V. (OAG) (b) (6)
Sent: Wednesday, October 20, 2021 8:09 PM
To: Klapper, Matthew B. (OAG) (b) (6); Heinzelman, Kate (OAG)
(b) (6)
Subject: NBC: Parents in Michigan, Virginia sue DOJ over response to school board threats

<https://www.nbcnews.com/news/education/parents-michigan-virginia-sue-doj-over-response-school-board-threats-n1281996>

Parents in Michigan, Virginia sue DOJ over response to school board threats

A lawsuit accuses Attorney General Merrick Garland of trying to criminalize free speech by ordering a review of threats made against school personnel.

Oct. 0, 0 1, 5:15 PM EDT

By [Erik Ortiz](#)

Parents in Washtenaw County, Michigan, have accused a school district near Ann Arbor of trying to "indoctrinate" students when it comes to transgender policies, sex education curriculum and the teaching of critical race theory. In Loudoun County, Virginia, a suburb of Washington and a [hot spot for the friction](#) surrounding diversity and equity programs, several parents claim that a school district supports critical race theory and promotes transgender policies.

Now, some of those parents with children in the Loudoun County Public Schools and Saline Area Schools in Michigan are turning their attention to a new foe: Attorney General Merrick Garland.

A federal [lawsuit filed Tuesday](#) in Washington on behalf of several parents by the American Freedom Law Center, a conservative public interest law firm based in Ann Arbor, says Garland is attempting to stifle free speech when he announced this month that he is [directing federal authorities to address a rise](#) in threats against school board members and educators at public schools across the country.

The school districts in Michigan, Virginia and elsewhere are advancing "harmful, immoral, and racist policies of the 'progressive' Left," according to the suit.

On Oct. 5, Garland asked FBI Director Christopher Wray to act within 30 days and work with various federal, state and local agencies on how best to protect school board members and school staff, possibly opening up the potential for prosecutions as well.

"While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views," Garland wrote in a memo to

Wray.

The request came days after the National School Boards Association, a federation of state associations, [wrote to President Joe Biden](#) that "education leaders are under an immediate threat."

In the wake of racial justice protests in 2020, [right-wing groups and conservative media outlets](#) seized on critical race theory, a decades-old academic framework that suggests racism is embedded in American laws and institutions, and warned it was being taught in public schools as part of a wave of diversity programs. One [nationwide study in June](#), however, found that the vast majority of teachers in public schools said the theory was not a required teaching tool.

Yet, lawsuits are mounting nationwide and attempts to recall school board members have gained traction in several states related to parents' dislike for classroom curriculum they perceive as being too progressive, discriminatory or infringing on their own rights. The pandemic has also created another layer of divide over mask enforcement at schools and other Covid-related learning requirements.

David Yerushalmi, **a co-founder** of the American Freedom Law Center, says parents are concerned that Garland's involvement shows he is seeking to effectively use the federal government to "criminalize public criticism" of local school boards, which would violate constitutional rights.

"Why is the federal government getting involved even if there are threats that would amount to criminal threats? Why is that a federal matter, and not a state law or local matter?" Yerushalmi asked.

"By announcing and putting in place a policy that politicizes the DOJ and criminalizes what is otherwise protected speech, that is clearly a chilling of free speech rights," he added. "We would think everyone — left, right and center — would be behind such a lawsuit."

One parent in Saline identified in the suit as Raelyn Davis, a mother of 10, said some of her children are now homeschooled in response to the school district's "progressive" policies. According to the complaint, her and other unnamed parents take issue with a "cultural responsive consultant" hired by the district and allowing the display of Black Lives Matter flags at school. The Justice Department did not immediately respond to a request for comment Tuesday about the suit, which seeks to have the courts halt Garland's effort and declare it unconstitutional. Garland is scheduled to testify Thursday before the House Judiciary Committee in a [hearing](#) about oversight of the agency.

Officials in Saline declined to comment, while Loudoun County did not immediately respond to an email about the suit. Neither the Loudoun County Public Schools nor the Saline Area Schools are named as defendants in the suit.

In July, Saline Area Schools Superintendent Steve Laatsch [told school board members](#) that critical race theory was not being taught in the district.

However, he said he was supportive of "focusing on diversity, equity and inclusion and culturally responsive teaching so that all of our students feel part of our schools and our curriculum."

The Loudoun County Public Schools [said in March](#) that it has not adopted critical race theory. Schools Superintendent Scott Ziegler told NBC News last spring that while he's been in multiple meetings about racial discrimination and equity with high school students, they were focused on other issues and not bothered by national debates that have consumed many other school boards.

"They want us to do something about the bullying that occurs in school and

out of school," he said. "They just want us to make the day better for them and their friends."

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Ramamurti, Arjun R. (OAG)
Subject: Example
To: Kapper, Matthew B. (OAG)
Sent: October 20, 2021 5:27 PM (UTC-04:00)
Attached: Example.docx

See attached.

Arjun

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Harwood, Stacy (OAG)
Subject: RE: 10/04/2021 Memo
To: Wallace, Miriam H (JMD)
Sent: October 20, 2021 12:11 PM (UTC-04:00)

Great!!

From: Wallace, Miriam H (JMD) (b) (6)
Sent: Wednesday, October 20, 2021 12:05 PM
To: Harwood, Stacy (OAG) (b) (6)
Subject: RE: 10/04/2021 Memo

Hi Stacy,

I was able to find the memo.

Thanks,
Miriam

From: Harwood, Stacy (OAG) (b) (6)
Sent: Wednesday, October 20, 2021 11:58 AM
To: Wallace, Miriam H (JMD) (b) (6)
Subject: RE: 10/04/2021 Memo

Yes, I took the original down to ExecSec the following day as after-the-fact. My notes says the original was sent to ExecSec. Attached is a copy. Please let me know if I can help with anything.

Thank you,
Stacy

From: Wallace, Miriam H (JMD) (b) (6)
Sent: Wednesday, October 20, 2021 11:41 AM
To: Harwood, Stacy (OAG) (b) (6)
Subject: 10/04/2021 Memo

Hi Stacy,

Do we have a copy of the 10/04/2021 memo the AG signed regarding "threats posed to school administrators board members and teachers?"

Thanks,

Miriam H. Wallace

Correspondence Management Analyst

DOJ/JMD

Executive Secretariat

Work (b) (6)

Cell (b) (6)

(b) (6)

From: Lofthus, Lee J (JMD)
Subject: IMPORTANT: Attorney General Memorandum - Partnership Among Federal, State, Local, Tribal and Territorial Law Enforcement to Address Threats Against School Administrators , Board Members, Teachers, and Staff
To: Abbate, Paul M. (DO) (FBI); Sallet, Jeffrey S. (DO) (FBI); Polite, Kenneth (CRM); Wilkinson, Monty (USAEO)
Cc: Klapper, Matthew B. (OAG); Singh, Anita M. (ODAG); Coley, Anthony D. (PAO); Iverson, Dena (PAO); Harwood, Stacy (OAG); (b)(6), (b)(7)(C) per FBI (DO) (FBI)
Sent: October 4, 2021 4:12 PM (UTC-04:00)
Attached: Attorney General Memorandum - Partnership Among Federal, State, Local, Tribal and Territorial Law Enforcement to Address Threats Against School Administrators , Board Members, Teachers, and Staff.pdf

All - please see the attached memorandum from the Attorney General. Thank you. Lee

Lee J. Lofthus
Assistant Attorney General for Administration
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

(b) (6)

From: Coey, Anthony D. (PAO)
Subject: "Parents Sue Attorney General Garland for Targeting their Right to Free Speech"
To: Kapper, Matthew B. (OAG); Seidman, Ricki (OASG)
Sent: October 19, 2021 2:00 PM (UTC-04:00)

<https://www.americanfreedomlawcenter.org/press-release/breaking-news-parents-sue-attorney-general-garland-for-targeting-their-right-to-free-speech/>

Parents Sue Attorney General Garland for Targeting their Right to Free Speech



(Washington, D.C. – October 19, 2021) – Today, the American Freedom Law Center (AFLC) filed a [federal civil rights lawsuit](#) against U.S. Attorney General Merrick Garland, alleging that Garland’s recently announced policy to effectively criminalize public criticism of local school boards by parents violates the First and Fifth Amendments to the U.S. Constitution.

The lawsuit was filed in the U.S. District Court for the District of Columbia on behalf of a group of parents from Saline, Michigan, and Loudoun County, Virginia.

Just recently, Attorney General Garland announced with some fanfare that he was calling upon the FBI and federal prosecutors to use the overwhelming power of the federal government’s criminal justice system to target those parents who dare to publicly criticize the local school boards that are indoctrinating their children with progressive claptrap disguised as school curricula. As set forth in the federal lawsuit:

In his October 4, 2021, “Memorandum For” Director, Federal Bureau of Investigation; Director, Executive Office for U.S. Attorneys; Assistant Attorney General, Criminal Division; and United States Attorneys (all responsible for investigating and prosecuting criminal activity), the Attorney General falsely states that “there has been a disturbing spike in harassment, intimidation and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation’s public schools.” In his memorandum, the Attorney General gives a meaningless nod to the Constitution, stating, “While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views.” Yet, the AG Policy is, in fact, a heavy-handed, direct threat by a powerful government agency designed and intended “to intimidate individuals based on their views.”

The AG Policy states that the Department of Justice “is committed to using its authority and resources to discourage these threats . . . and other forms of intimidation and harassment.” The

AG Policy creates a “snitch line,” by “open[ing] dedicated lines of communication for threat reporting, assessment, and response.” In short, the AG Policy is a direct threat and warning to parents and private citizens across the United States, including Plaintiffs, that the Department of Justice and its FBI will be investigating you and monitoring what you say at these school board meetings so be careful about what you say and how you say it, thereby chilling such expression.

The October 4, 2021, memorandum is a one-page screed that rubber-stamps the claims of “progressive,” left-wing activists. It fails to address the Department of Justice’s lack of jurisdiction to intrude on interactions between parents and local school boards in the absence of any federal crime, and it fails to account for the fact that the First Amendment protects political dissent—even dissent that rises to the level of intimidation or harassment.

In this lawsuit, the plaintiffs, all of whom are concerned parents, are seeking a court order to halt the recently announced policy of the Attorney General to use federal law enforcement resources to silence parents and other private citizens who publicly object to and oppose the divisive, harmful, immoral, and racist policies of the “progressive” Left that are being implemented by school boards and school officials in public school districts throughout the United States, including in the public schools in Saline, Michigan, and in Loudoun County, Virginia.

These parents publicly object to their school districts promoting the Critical Race Theory ideology, which teaches students to be racists. They object to the divisive, harmful, and immoral transgender polices that are being implemented. And in Saline, Michigan, the parents object to the immoral and pornographic sex education program that the school board is attempting to force on children in the public schools.

One of the parents suing in this case is Xi Van Fleet. Ms. Van Fleet endured Mao’s Cultural Revolution before immigrating to the United States. Based on her experience, the Attorney General is using tactics similar to ones she saw Communist China use to stop parents from speaking out, so she is fighting back.

When she was in China, Ms. Van Fleet spent her entire school years in the Chinese Cultural Revolution, so she is very familiar with the communist tactics used to divide people, to cancel the Chinese traditional culture, and to destroy its heritage. Based on her observations, all of this is happening here in the United States, and the Attorney General is providing the enforcement mechanism to stifle opposition to it.

To stifle this opposition to the “progressive” polices of the Left, the Attorney General has vowed to use federal resources to investigate and prosecute, if necessary, parents whose speech might be considered “harassing” or “intimidating” to school officials, declaring these parents to be “domestic terrorists.”

AFLC Co-Founder and Senior Counsel Robert Muise commented:

“The government is without authority to criminalize First Amendment activity that might cause another to feel ‘harassed’ or ‘intimidated,’ even if that is what the speaker intended, absent a showing that the speech itself falls within one of the very narrow, recognized exceptions, such as making a ‘true threat or engaging in ‘fighting words’ or ‘incitement’—which is not happening here. First Amendment freedoms, such as those possessed by the objecting parents and private citizens, are protected not only against heavy-handed frontal attack, but also from being stifled by more subtle government interference. There is no question that the purpose and intended effect of the Attorney General’s recent pronouncement is to silence dissenting opinions, in violation of the First

Amendment.”

While the Attorney General has set his sights on parents who object to “progressive” curricula and policies at local school board meetings, he is doing nothing to stop the actual criminal acts committed by Antifa and Black Lives Matter protestors because the Attorney General shares the political views of these left-wing organizations.

AFLC Co-Founder and Senior Counsel David Yerushalmi commented:

“AFLC is honored to represent these brave parents who are committed in their stand against the juggernaut that is the progressive movement seeking to dismantle the Constitution and the Republic. Conservative Americans are confronted today with a choice: resist or acquiesce. The Biden administration, the Obama administration before that, and the faceless bureaucrats in our nation’s capital who effectively annulled the Trump administration, are in this fight for keeps and seek a future in which free speech means ‘social justice’ speech and any and all opposition is criminalized ‘hate speech’ or ‘domestic terrorism.’ This is a battle for not just the heart and soul of this country, but its very existence. If speaking this truth can put you in jail, the future is here. AFLC stands strong and tall and will defend our Constitution at every turn.”

From: Ramamurti, Arjun R. (OAG)
Subject: FW: Materias
To: Matthews-Johnson, Tamarra D. (OAG)
Sent: October 19, 2021 1:53 PM (UTC-04:00)
Attached: Stories.docx

See attached.

From: Ramamurti, Arjun R. (OAG)
Sent: Saturday, October 16, 2021 11:31 AM
To: Seidman, Ricki (OASG) (b) (6)
Subject: RE: Materials

Hi Ricki,

Some stories are attached.

Best,
Arjun

From: Seidman, Ricki (OASG) (b) (6)
Sent: Friday, October 15, 2021 7:16 PM
To: Ramamurti, Arjun R. (OAG) (b) (6)
Subject: RE: Materials

Can you please pull together (b) (5) I think this (b) (5) example is one of them, particularly (b) (5).

From: Ramamurti, Arjun R. (OAG) (b) (6)
Sent: Friday, October 15, 2021 12:35 PM
To: Seidman, Ricki (OASG) (b) (6)
Subject: Materials

Duplicative Material, Document ID: 0.7.1451.26053

In Arizona, police arrested a father in Tucson who stormed into an elementary school principal's office with two other men. The school administration had asked the man's child to wear a mask and quarantine after close contact with a positive COVID case. One of the men carried zip-ties, and the group said that they were prepared to make a citizen's arrest if the child was not allowed back in class. In Chandler, a school board member described a "group that's been going around to all the school board meetings to take over and push out the board," and noted that she and other board members have received death threats.¹

In California, the superintendent and members of the Coronado Unified School District School Board have received threats from a group that opposes critical race theory. On the group's website, people have posted a photo of one of the board members walking with her two children. Others have posted the home addresses of some of the school board members on social media. One member reported receiving threatening messages on social media, such as "You should be kicked in the face," and "You are a bully and a disgusting human."²

In Florida, a Brevard (bre-VARD) County School Board member received threats for her support of a mask mandate. These include that people are "coming for her" and that she needs to "beg for mercy." She has been followed while driving, and she reports that people have come to her home and brandished their weapons to her neighbors. In addition, an unfounded Department of Children and Family claim was filed against her, accusing her of child abuse. Similarly, in Palm Beach County, district officials have been threatened after deciding to mandate masks. "I think most of my colleagues have been threatened," the school board chair said. He said he has received threatening emails, including that he would "soon be worm food." In Sarasota County, the school board chair reported being followed, receiving threats on social media, and having her address posted publicly.³

In Iowa, members of the school board in Ankeny received a threat from a member of the audience who said he knew where the board members lived.

¹ [Arizona Dad Rishi Rambaran Arrested After Angry Trio Threatens to Zip-Tie Principal Over COVID Rules \(thedailybeast.com\)](https://www.thedailybeast.com/Arizona-Dad-Rishi-Rambaran-Arrested-After-Angry-Trio-Threatens-to-Zip-Tie-Principal-Over-COVID-Rules); [How school board meetings have become emotional battlegrounds for debating mask mandates - ABC News \(go.com\)](https://abcnews.go.com/US/story?id=61111111)

² ['It's an ugliness': School officials fear for their safety amid threats, disruptions at meetings - The San Diego Union-Tribune \(sandiegouniontribune.com\)](https://www.sandiegouniontribune.com/2020/09/15/its-an-ugliness-school-officials-fear-for-their-safety-amid-threats-disruptions-at-meetings/)

³ [Brevard County school board member has faced threats over Covid safety measures \(msn.com\)](https://www.msn.com/en-us/news/education/Brevard-County-school-board-member-has-faced-threats-over-Covid-safety-measures). [\(Palm Beach Co. School outlines plan to return to optional masking | WPEC \(cbs12.com\)\)](https://www.wpec.com/story/news/education/2020/09/15/palm-beach-co-school-outlines-plan-to-return-to-optional-masking/)'Marxist, Communist': School board member describes threats made by parents (cnn.com)

Several board members reported that they had received hundreds of emails, including some threats. One board member also indicated that many of the emails came from “people not from Ankeny.”⁴

In Brownsburg, Indiana, a flyer circulated showing men in masks holding guns and calling school board members child abusers. The flyer also included pictures of the board members and their addresses.⁵

In Olathe, Kansas, board members reported that they and their families had received threats. One member reported that police officers had come to their house. Last year, school board members found signs in their yards saying that they were the reason for children not being in school.⁶

In Louisiana, a school board member in Covington received a death threat in a call to the school system’s central office.⁷

In Baltimore, Maryland, the Baltimore County School Board chairwoman described receiving messages on social media that constituted “bullying, intimidation, racism, and a safety risk” to herself and other members of the Board. The Baltimore County Police Department provided additional security to the school board meeting as a result.⁸

In Eureka, Missouri, a member of the Rockwood School District’s Board of Education report that the school district’s staff has been subject to “hateful and certainly hurtful social media posts, emails, and voicemails,” and some teachers reported that they were concerned for their safety after the district adopted “equity and inclusion” education programs. Two Rockwood administrators of color received death threats. A town spokeswoman noted that “there were a number of social media posts and voicemails directed at district administrators that our head of security deemed disturbing and categorized as indirect threats towards district personnel,” leading to security being provided at the administrators’ homes. In Columbia, Missouri, members of the Columbia Public Schools Board and administrators have been threatened and harassed for months, with some incidents reported to the police. The executive director of the Missouri School Boards’

⁴ [Ankeny school masks mandate approved, to begin on Thursday morning \(desmoinesregister.com\)](#)

⁵ [Threats, fights, a recall election: Kansas City region school boards face heat of COVID decisions \(msn.com\)](#)

⁶ [\(Kansas City school officials face threats over COVID decisions | The Kansas City Star\)](#)

⁷ [St. Tammany parents return to School Board to protest masks in schools \(Nola.com\)](#)

⁸ [\(Baltimore County school board, citing ‘safety risk’ to chair and others, requests help from law enforcement - Baltimore Sun\)](#)

Association has said that public input at school board meetings in Missouri have “cross[ed] over into violence and threats.”⁹

In Nevada, the Clark County School District Board of Trustees President received death threats after the trustees approved of a vaccine mandate for school district employees. She reported that she has received messages “saying that I should be hanged or shot, along with very disturbing images.” School district police are working with the Las Vegas Metropolitan Police to investigate these threats. A school board member in Washoe County, near Reno, resigned his position. He said that he considered suicide due to the threats he received, including from people who did not live in the county. “I was constantly looking over my shoulder,” he said.¹⁰

In Hackensack, New Jersey, two school members received threatening letters stating that “You will be taken out by vote or by force.” The letters included photos of their faces in crosshairs, with blood dripping from bullet holes on their foreheads. Local police are investigating.¹¹

In New York, members of the Guilderland Central School District Board of Education reported receiving threatening emails after a board meeting concluded. They noted that some of these emails contained “continued personalized warnings.”¹²

In North Carolina, members of the Moore County Board of Education postponed a meeting after they received a threatening letter regarding the school mask policy. The letter said that someone would show up at their homes and pressure them to drop the mask mandate. According to one board member, the letter said, “We know where you live.” In Orange County, North Carolina, the school board chairman said “board members are definitely facing [threatening language] through email and phone calls, and on social media as well.” In Stanly County, the Board chairman resigned due to the death threats he has received over the last few months. The executive director of the North Carolina School Boards Association reports that she has “talked to school board members who are getting

⁹ ([‘This is not acceptable’ – Rockwood School Board issues statement after recent threats | FOX 2 \(fox2now.com\)](#); [Rockwood teachers call for protection from harassment over diversity curriculum | Education | stltoday.com](#); [As school boards face threats, MO Republicans slam DOJ plan | The Kansas City Star](#)

¹⁰ ([CCSD board president says she's receiving death threats \(ktnv.com\)](#); [Hostile school board meetings have members calling it quits \(apnews.com\)](#)).

¹¹ ([DEATH THREATS: Troubling Images Sent To Hackensack School Board Members NOT Up For Re-Election | Hackensack Daily Voice](#))

¹² [The remedy is not to threaten, demean, and disrespect | The Altamont Enterprise](#)

death threats.” The president of the same organization said she “fear[s] that someone is going to get hurt.”¹³

In Worthington, Ohio, threatening letters were sent to several school board members due to opposition to COVID safety guidelines. The letter said, “We are coming for you.”¹⁴

In Bend, Oregon, three school board members, all people of color, were harassed and intimidated on social media and in emails to the board, apparently for their positions on CRT.¹⁵

In Pennsylvania, the Norristown Area High School was closed after a threat was made by phone to the building. In Oley, Pennsylvania, police pointed to a Facebook post in which a man said, “I’m begging ALL ARMED US CITIZENS TO TAKE CARE OF THESE PEOPLE IMMEDIATELY. Target anyone mandating, complying with or enforcing these sick crimes against all of humanity.” According to a survey by the Pennsylvania Principals Association, 44% of responding principals said they had been threatened “by a parent, student, or community member as a result of the mask mandate.” School districts across the state have reported threats of violence aimed at administrators, and many have summoned police or hired security to keep order at meetings.¹⁶

In Virginia, a Loudoun County school board member said she had received death threats. “It has an effect on you that you can’t really put into words, when someone describes the way they want to come into your home and end your life.” In Virginia Beach, comments encouraging violence against school board members were posted on TikTok.¹⁷

¹³ [Threat over mask mandate prompts Moore County school board to reschedule meeting :: WRAL.com](#); [NC school boards alarmed by aggressive anti-mask parents - Carolina Public Press](#); [Stanly County Board Chair Resigns After Receiving Death Threats - WCCB Charlotte's CW](#)

¹⁴ [\(Worthington school board member receives threats over masks | 10tv.com\)](#)

¹⁵ [Document: Chair: Board is target of effort to 'harass' - Newspapers \(newsbank.com\)](#)

¹⁶ [\(Document: Editorial: What are we doing to our children? - Newspapers \(newsbank.com\)\)](#); [Document: Survey: Nearly half of Pa. principals faced threats/ Across the nation, school administrators... - Newspapers \(newsbank.com\)](#)

¹⁷ [Threats, Violence, lead school boards to request FBI help | wusa9.com](#); [Social media threats against Virginia Beach School Board members prompts police investigation - The Virginian-Pilot \(pilotonline.com\)](#).

In Washington, a school board meeting in Wenatchee was moved online after police reviewed a credible threat against two school board members and the school superintendent. Elsewhere in the state, a Central Valley School Board member received a threat of physical violence on Facebook, in which she was called a traitor and told that she would be taken down.¹⁸

In Wisconsin, a school board member in the Beaver Dam Unified School District resigned due to concerns about the safety of his family. “When a car sits running in front of my house late at night on a non-thoroughfare, my family does not feel safe” he said.” When someone “pulls in front and takes a picture of my address while my daughter is home alone, she does not feel safe.”¹⁹

¹⁸ [Document: Opinion | Six church leaders: 'We applaud the school board'; threats of violence should concern... - Newspapers \(newsbank.com\); School Board members are resigning, questioning service as risk, harassment grows | Spokane Public Radio](#)

¹⁹ ['My Family No Longer Feels Safe': School Board Members Face Threats, Harassment Over COVID Safety Rules \(upnorthnewswi.com\)](#)

From: Coley, Anthony D. (PAO)
Subject: Fwd: [EXTERNAL] question for you
To: Klapper, Matthew B. (OAG)
Sent: October 19, 2021 11:30 AM (UTC-04:00)

I'll touch base with Alan and give you an update...

Begin forwarded message:

From: "Pietranton, Kelsey (PAO)" (b) (6)
Date: October 19, 2021 at 9:16:39 AM EDT
To: "Coley, Anthony D. (PAO)" (b) (6), "Iverson, Dena (PAO)" (b) (6), "Hornbuckle, Wyn (PAO)" (b) (6)
Subject: FW: [EXTERNAL] question for you

Anthony, would you like for me to pass Alan your way or Wyn's?

Thanks,
Kelsey

From: Alan Feuer (b) (6)
Sent: Tuesday, October 19, 2021 9:07 AM
To: Pietranton, Kelsey (PAO) (b) (6)
Subject: [EXTERNAL] question for you

Hey Kelsey,
I'm starting work on a story about threats and violence against local school boards across the country and wanted to find the right person at DOJ to speak with about the AG's recent initiative to set up a task force and create anti-violence training for school board members. Do you know a good person I can talk to?
Thanks,
Alan

From: Coley, Anthony D. (PAO)
Subject: FW: [EXTERNAL] Media Inquiry from Kerry Pickett - The Washington Times
To: Klapper, Matthew B. (OAG)
Sent: October 19, 2021 11:01 AM (UTC-04:00)

--- -Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>

Sent: Tuesday, October 19, 2021 10:52 AM

To: Press (b) (6)

Subject: [EXTERNAL] Media Inquiry from Kerry Pickett - The Washington Times

Date Tuesday, October 19, 2021 - 10:51am EDT

Name: Kerry Pickett

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: The Washington Times

Deadline: 2pm est

Inquiry:

SCHOOL BOARD INVESTIGATIONS

In response to the NSBA letter to AG Merrick Garland Related to the national organizations concerned that some parents may become a "domestic terrorism" threat to school boards across the country, a number of state school boards (almost 20) have either cut ties or distanced themselves from the NSBA. Most have cited a rejection of federal investigations into local school parents, despite AG Garland's memo to federal prosecutors as well as FBI Director Christopher Ray to pursue investigations of these individuals.

If these local and state school boards don't want any interference from federal investigators then will DOJ respect their wishes ?

From: Ramamurti, Arjun R. (OAG)
Subject: RE: possible hearing question re: school boards
To: Reich, Mitchell (OAG); Matthews-Johnson, Tamarra D. (OAG)
Sent: October 19, 2021 10:14 AM (UTC-04:00)
Attached: 10.19.21 Memorandum on Threat Statutes.docx

Further revised memo attached. Tamarra, the operative discussion of (b) (5) is on pp. 1 and 3.

From: Reich, Mitchell (OAG) (b) (6)
Sent: Tuesday, October 19, 2021 9:15 AM
To: Matthews-Johnson, Tamarra D. (OAG) (b) (6); Ramamurti, Arjun R. (OAG) (b) (6)
Subject: RE: possible hearing question re: school boards

Let's do it.

From: Matthews-Johnson, Tamarra D. (OAG) (b) (6)
Sent: Tuesday, October 19, 2021 9:14 AM
To: Ramamurti, Arjun R. (OAG) (b) (6); Reich, Mitchell (OAG) (b) (6)
Subject: RE: possible hearing question re: school boards

Can we meet at 930 in Arjun's office?

I can also retrieve a printed copy of the ODAG deck thanks! T

From: Ramamurti, Arjun R. (OAG) (b) (6)
Sent: Tuesday, October 19, 2021 8:49 AM
To: Reich, Mitchell (OAG) (b) (6); Matthews Johnson, Tamarra D. (OAG) (b) (6)
Subject: RE: possible hearing question re: school boards

Revised memo attached.

Arjun

From: Reich, Mitchell (OAG) (b) (6)
Sent: Tuesday, October 19, 2021 7:43 AM
To: Matthews-Johnson, Tamarra D. (OAG) (b) (6)
Cc: Ramamurti, Arjun R. (OAG) (b) (6)
Subject: Re: possible hearing question re: school boards

Makes sense. Arjun, do you want to add a something to the memo along these lines? I think (b) (5)

On Oct 19, 2021, at 7:39 AM, Matthews-Johnson, Tamarra D. (OAG) (b) (6) > wrote:

That works for me, Arjun?

In the meantime, I think it is worthwhile (if you agree) to add this to the memo Arjun worked up on the law. Then I think we could send the body of that to CRM/ODAG (b) (5)

To me, (b) (5)

On Oct 19, 2021, at 7:35 AM, Reich, Mitchell (OAG) (b) (6) wrote:

Great. Free to chat this morning anytime before 10 just let me know when is good for you.

On Oct 19, 2021, at 7:31 AM, Matthews-Johnson, Tamarra D. (OAG) (b) (6) wrote:

Hi -
I just responded on another chain. I think we should discuss.

And a call with CRM/ODAG would be a good idea once we have nailed this (and other TPs) down.

On Oct 19, 2021, at 7:30 AM, Reich, Mitchell (OAG) (b) (6) wrote:

Tamarra: if this looks good to you (and subject to any edits you have), do you want to quickly run this by CRM? I just want to make sure (b) (5)

On Oct 18, 2021, at 9:46 PM, Ramamurti, Arjun R. (OAG) (b) (6) wrote:

Thanks for digging into this, Mitch. This looks great to me. Happy to add more (b) (5) if Ricki wants anything else.

Arjun

On Oct 18, 2021, at 9:36 PM, Reich, Mitchell (OAG) (b) (6) wrote:

Arjun and Tamarra,

(b) (5)

(b) (5)
[Redacted]

I've poked around a little bit on (b) (5)
[Redacted]

So perhaps I'd answer the question like this:

(b) (5)
[Redacted]

-Mitch

From: Matthews-Johnson, Tamarra D. (OAG)(b) (6)
[Redacted]

Sent: Monday, October 18, 2021 7:28 PM

To: Seidman, Ricki (OASG)

(b) (6);
Ramamurti, Arjun R. (OAG)

(b) (6) >

Cc: Reich, Mitchell (OAG)

(b) (6);
Goodlander, Margaret V. (OAG)

(b) (6) >

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

Subject: Re: possible hearing question
re: school boards

+ Arjun
We can discuss live

I am on a plane that is about to take off,
but I can connect later

On Oct 18, 2021, at 6:09
PM, Seidman, Ricki
(OASG)

(b) (6)

wrote:

If asked, (b) (5)

can you please
formulate an answer? This will be
useful in answering the question, (b) (5)

Thanks!

Ricki Seidman
Deputy Associate Attorney General
U.S. Department of Justice

(b) (6)

She/her



National School Boards Association
1680 Duke St. FL2, Alexandria, VA 22314-3493
Phone: (703) 838.6722 • Fax: (703) 683.7590
www.nsba.org

September 29, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Re: *Federal Assistance to Stop Threats and Acts of Violence Against Public Schoolchildren, Public School Board Members, and Other Public School District Officials and Educators*

Dear Mr. President:

America's public schools and its education leaders are under an immediate threat. The National School Boards Association (NSBA) respectfully asks for federal law enforcement and other assistance to deal with the growing number of threats of violence and acts of intimidation occurring across the nation. Local school board members want to hear from their communities on important issues and that must be at the forefront of good school board governance and promotion of free speech. However, there also must be safeguards in place to protect public schools and dedicated education leaders as they do their jobs.

NSBA believes immediate assistance is required to protect our students, school board members, and educators who are susceptible to acts of violence affecting interstate commerce because of threats to their districts, families, and personal safety. As our school boards continue coronavirus recovery operations within their respective districts, they are also persevering against other challenges that could impede this progress in a number of communities. Coupled with attacks against school board members and educators for approving policies for masks to protect the health and safety of students and school employees, many public school officials are also facing physical threats because of propaganda purporting the false inclusion of critical race theory within classroom instruction and curricula.¹ This propaganda continues despite the fact that critical race theory is not taught in public schools and remains a complex law school and graduate school subject well beyond the scope of a K-12 class.

On behalf of our state associations and the more than 90,000 school board members who govern our country's 14,000 local public school districts educating more than 50 million schoolchildren, NSBA appreciates your leadership to end the proliferation of COVID-19 in our communities and our school districts. We also appreciate recent discussions with White House and U.S. Department of Education staff on many critical issues facing public schools, including threats school officials are receiving.

¹ The Armed Conflict Location & Event Data Project (ACLED), "Fact Sheet: Demonstrations over Critical Race Theory in the United States," July 14, 2021, https://acleddata.com/acleddatanew/wp-content/uploads/2021/07/ACLED_Fact-Sheet_CRT-Demos_2021.pdf.

The leading advocate for public education

Preclusion of Further Threats and Violence Against Students and Educators

September 29, 2021

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In addition, we applaud your actions to restore resources to school districts that have not yet received their education stabilization funding through the Project SAFE (Supporting America's Families and Educators) grant program for coronavirus recovery efforts, including the use of face masks and other precautions to help prevent COVID-19 infections among students and educators. Now, we ask that the federal government investigate, intercept, and prevent the current threats and acts of violence against our public school officials through existing statutes, executive authority, interagency and intergovernmental task forces, and other extraordinary measures to ensure the safety of our children and educators, to protect interstate commerce, and to preserve public school infrastructure and campuses.

While local and state law enforcement agencies are working with public school officials in several communities to prevent further disruptions to educational services and school district operations, law enforcement officials in some jurisdictions need assistance – including help with monitoring the threat levels. As these threats and acts of violence have become more prevalent – during public school board meetings, via documented threats transmitted through the U.S. Postal Service, through social media and other online platforms, and around personal properties – NSBA respectfully asks that a joint collaboration among federal law enforcement agencies, state and local law enforcement, and with public school officials be undertaken to focus on these threats.² NSBA specifically solicits the expertise and resources of the U.S. Department of Justice, Federal Bureau of Investigation (FBI), U.S. Department of Homeland Security, U.S. Secret Service, and its National Threat Assessment Center³ regarding the level of risk to public schoolchildren, educators, board members, and facilities/campuses. We also request the assistance of the U.S. Postal Inspection Service to intervene against threatening letters and cyberbullying attacks that have been transmitted to students, school board members, district administrators, and other educators.

As these acts of malice, violence, and threats against public school officials have increased, the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes. As such, NSBA requests a joint expedited review by the U.S. Departments of Justice, Education, and Homeland Security, along with the appropriate training, coordination, investigations, and enforcement mechanisms from the FBI, including any technical assistance necessary from, and state and local coordination with, its National Security Branch and Counterterrorism Division, as well as any other federal agency with relevant jurisdictional authority and oversight. Additionally, NSBA requests that such review examine appropriate enforceable actions against these crimes and acts of violence under the Gun-Free School Zones Act, the PATRIOT Act in regards to domestic terrorism, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, the Violent Interference with Federally Protected Rights statute, the Conspiracy Against Rights statute, an Executive Order to enforce all applicable federal laws for the

² The Herald Editorial Board, *HeraldNet*, “Editorial: Mob’s actions at school board meeting unacceptable,” September 1, 2021, <https://www.heraldnet.com/opinion/editorial-mobs-actions-at-school-board-meeting-unacceptable/>.

³ U.S. Secret Service, National Threat Assessment Center, “Averting Targeted School Violence,” March 2021, <https://www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf>.

Preclusion of Further Threats and Violence Against Students and Educators

September 29, 2021

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protection of students and public school district personnel, and any related measure. As the threats grow and news of extremist hate organizations showing up at school board meetings is being reported, this is a critical time for a proactive approach to deal with this difficult issue.

These threats or actual acts of violence against our school districts are impacting the delivery of educational services to students and families, as many districts receive federal funds and subsidies for services to millions of students with disabilities, health screenings and supplemental supports for disadvantaged students, child nutrition, broadband connectivity, educator development, school safety activities, career and technical education, and more. School board meetings have been disrupted in California⁴, Florida⁵, Georgia⁶, and other states⁷ because of local directives for mask coverings to protect students and educators from COVID-19.

An individual was arrested in Illinois for aggravated battery and disorderly conduct during a school board meeting.⁸ During two separate school board meetings in Michigan⁹, an individual yelled a Nazi salute in protest to masking requirements, and another individual prompted the board to call a recess because of opposition to critical race theory.

⁴ Elizabeth Marie Himchak, *Poway News Chieftain/ Rancho Bernardo News Journal*, "Protesters disrupt Poway Unified board meeting, cause its adjournment," September 9, 2021, <https://www.sandiegouniontribune.com/pomerado-news/news/schools/story/2021-09-09/protesters-disrupt-poway-unified-board-meeting-force-its-ag>.

⁵ Ryan McKinnon, *Sarasota Herald-Tribune*, "Sarasota school board may limit public input after some meetings get disorderly," September 20, 2021, <https://www.heraldtribune.com/story/news/education/2021/09/20/sarasota-school-board-may-limit-public-input-after-meetings-gone-wild/8417784002/>.

⁶ Alia Malik, *The Atlanta Journal-Constitution*, "Anti-mask crowd disrupts Gwinnett school board meeting," May 21, 2021, <https://www.ajc.com/news/anti-mask-crowd-disrupts-gwinnett-school-board-meeting/IYO7R6GHJ5DTLEFCQHER7V3GBA/>

⁷ Julie Wootton-Greener, *Las Vegas Review-Journal*, "School board meeting turns contentious over COVID-19 policies," August 12, 2021, <https://www.reviewjournal.com/local/education/school-board-meeting-turns-contentious-over-covid-19-policies-2418652/>.

WAVY.com, "Norfolk school officials, police monitoring threats made toward Norview schools," September 21, 2021, <https://www.wavy.com/news/local-news/norfolk/norfolk-school-officials-police-monitoring-threats-made-toward-norview-schools/>.

WBTV-Charlotte, "Gov. Roy Cooper addresses 'threats, bullying, intimidation' at school board meetings over mask requirements," September 21, 2021, <https://www.wbvtv.com/2021/09/21/gov-roy-cooper-address-fight-against-covid-19-north-carolina/>.

⁸ WGEM, "Mendon man arrested following disruption at Unity School board meeting," September 2, 2021, <https://wgem.com/2021/09/02/mendon-man-arrested-following-disruption-at-unity-school-board-meeting/>.

⁹ Steve Neavling, *Detroit Metro Times*, "Nazi salute, insults hurled at chaotic Birmingham schools meeting over mask mandate," August 19, 2021, <https://www.metrotimes.com/news-hits/archives/2021/08/19/nazi-salute-insults-hurled-at-ruckus-birmingham-schools-meeting-over-mask-mandate>.

Kalie Marantette, *WLNS.com*, "Grand Ledge school board goes into recess due to public 'disruption,'" June 16, 2021, <https://www.wlns.com/news/grand-ledge-school-board-goes-into-recess-due-to-public-disruption/>.

In New Jersey¹⁰, Ohio¹¹, and other states¹², anti-mask proponents are inciting chaos during board meetings. In Virginia¹³, an individual was arrested, another man was ticketed for trespassing, and a third person was hurt during a school board meeting discussion distinguishing current curricula from critical race theory and regarding equity issues. In other states including Washington¹⁴, Texas¹⁵, Wisconsin¹⁶, Wyoming¹⁷, and Tennessee¹⁸, school boards have been confronted by angry mobs and forced to end meetings abruptly. A resident in Alabama, who proclaimed himself as “vaccine police,” has called school administrators while filming himself on Facebook Live.¹⁹

¹⁰ Joe Strupp, *Asbury Park Press*, “NJ mask mandate for students sparks school board disruption, suspends meeting,” August 26, 2021, <https://www.app.com/story/news/education/in-our-schools/2021/08/26/nj-school-mask-mandate-sparks-disruption-boe/5585283001/>.

¹¹ Maia Belay, Fox8, “Sheriff deputies called to tense Nordonia Hills school board meeting due to mask policy,” August 31, 2021, <https://fox8.com/news/sheriff-deputies-called-to-tense-nordonia-hills-school-board-meeting-due-to-mask-policy/>.

¹² Pete Bannon, *The Delaware County Daily Times*, “Mask protest brings police to Garnet Valley School Board meeting,” August 25, 2021, Updated August 26, 2021, <https://www.delcotimes.com/2021/08/25/mask-protest-brings-cops-to-garnet-valley-school-board-meeting/>.

Brenley Goertzen, Salon.com, “Anti-mask mob swarms school board meeting,” August 12, 2021, <https://www.salon.com/2021/08/12/anti-mask-mob-swarm-school-board-meeting/>.

¹³ Drew Wilder, Jackie Bensen, Andrea Swalec and NBC4 Washington Staff, NBCWashington.com, “‘The Meeting Has Degenerated’: 1 Arrest, 1 Injury at Loudoun Schools Meeting on Equity,” June 22, 2021, Updated June 23, 2021, <https://www.nbcwashington.com/news/local/northern-virginia/loudoun-school-board-transgender-student-policy-race-equity/2708185/>.

Adele Uphaus, *The Free Lance-Star*, “Unruly crowd causes Spotsylvania School Board meeting to adjourn after 13 minutes,” August 24, 2021, https://fredericksburg.com/news/local/unruly-crowd-causes-spotsylvania-school-board-meeting-to-adjourn-after-13-minutes/article_1d39b83c-fa43-5626-acca-4e2768a811de.html.

¹⁴ Emily Gilbert, *Whidbey News Times*, “Oak Harbor school board clears the room after audience shouts disrupt meeting,” August 13, 2021, <https://www.whidbeynewstimes.com/news/oak-harbor-school-board-clears-the-room-after-audience-shouts-disrupt-meeting/>.

¹⁵ Talia Richman and Brayden Garcia, *The Dallas Morning News*, “‘Critical race theory’ roils Fort Worth school board meeting as Texas braces for continued fight,” June 22, 2021, <https://www.dallasnews.com/news/education/2021/06/22/critical-race-theory-roils-fort-worth-school-board-meeting-as-texas-braces-for-continued-fight/>.

¹⁶ WBAY news staff and Jason Zimmerman, WBAY.com, “Oshkosh School Board meeting postponed after protesters disrupt it, argument breaks out,” August 25, 2021, Updated August 26, 2021, <https://www.wbay.com/2021/08/25/oshkosh-school-board-meeting-called-off-after-protesters-enter-board-members-walk-out/>.

¹⁷ Margaret Austin, *Wyoming Tribune Eagle* via Wyoming News Exchange, *Pinedale Roundup*, “School board meeting over COVID stopped after disruption,” August 4, 2021, <https://pinedaleroundup.com/article/school-board-meeting-over-covid-stopped-after-disruption>.

¹⁸ Jackie Delpilar, WZTV Nashville, “Anti-mask protesters show lack of empathy at recent Middle Tennessee school meetings,” September 12, 2021, <https://fox17.com/news/local/anti-mask-protesters-show-lack-of-empathy-at-recent-middle-tennessee-school-meetings>.

¹⁹ Aubrey Bailey, WHNT.com, “‘If you give one more shot, you yourself will be executed’ Alabama man tells Missouri pharmacists,” August 24, 2021, <https://whnt.com/news/alabama-news/if-you-give-one-more-shot-you-yourself-will-be-executed-alabama-man-tells-missouri-pharmacists/>.

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Other groups are posting watchlists against school boards and spreading misinformation that boards are adopting critical race theory curriculum and working to maintain online learning by haphazardly attributing it to COVID-19.²⁰

In Ohio, an individual mailed a letter to a school board member labeling the return address on the envelope from a local neighborhood association and then enclosing threatening hate mail from another entity.²¹ This correspondence states that, “We are coming after you and all the members on the ... BoE [Board of Education].” This hate mail continues by stating, “You are forcing them to wear mask—for no reason in this world other than control. And for that you will pay dearly.” Among other incendiaries, this same threat also calls the school board member a “filthy traitor,” implies loss of pension funds, and labels the school board as Marxist. Earlier this month, a student in Tennessee was mocked during a board meeting for advocating masks in schools after testifying that his grandmother, who was an educator, died because of COVID-19.²² These threats and acts of violence are affecting our nation’s democracy at the very foundational levels, causing school board members – many who are not paid – to resign immediately and/or discontinue their service after their respective terms.²³ Further, this increasing violence is a clear and present danger to civic participation, in which other citizens who have been contemplating service as either an elected or appointed school board member have reconsidered their decision.

NSBA believes public discussions and transparency by local school board members are important for the safe and effective operations of schools.²⁴ It is vital that public discourses be encouraged in a safe and open environment, in which varying viewpoints can be offered in a peaceful manner. Our children are watching the examples of the current debates and we must encourage a positive dialogue even with different opinions. However, with such acute threats and actions that are disruptive to our students’ well-being, to the safety of public school officials and personnel, and to interstate commerce, we urge the federal government’s intervention against individuals or hate groups who are targeting our schools and educators.

²⁰ Nick Surgery, *Documented*, “TPUSA launches project targeting school board members,” August 20, 2021, <https://substack.documented.net/p/tpusa-school-board-watchlist>

²¹ Lindsey Mills, WBNS, “‘Disturbing’: Worthington school board member receives threats for masks in schools,” September 21, 2021, <https://www.10tv.com/article/news/local/worthington-school-board-member-receives-threats-for-masks-in-schools/530-f3c04240-76b4-456b-aad9-8555397b5427>.

²² Kim Bellware, *The Washington Post*, “Student mocked at school board meeting after sharing that his grandmother died of covid-19,” September 10, 2021, https://www.washingtonpost.com/nation/2021/09/10/grady-knox-tennessee/?utm_campaign=wp_main&utm_medium=social&utm_source=facebook&fbclid=IwAR29rIKzLY0tz4p0yB5VJdk_n_oIj5AJp6oiEvzJC1oRAYsMMMOPb8EvjY.

²³ Andy Humbles, *The Nashville Tennessean*, “Jon White resigns as Wilson County School Board member,” September 8, 2021, <https://www.tennessean.com/story/news/local/wilson/2021/09/08/jon-white-resigns-wilson-county-school-board-member/5750949001/>.

Terri Pederson, *The Daily Citizen*, “Beaver Dam school board member resigns citing safety concerns for family,” September 20, 2021, Updated September 21, 2021, https://www.wiscnews.com/bdc/news/local/education/beaver-dam-school-board-member-resigns-citing-safety-concerns-for-family/article_066fc86c-4356-5a00-9940-187e02eb7340.html.

²⁴ National School Boards Association and AASA, The School Superintendents Association, “NSBA, AASA Issue Joint Statement Calling for End to Threats and Violence Around Safe School Opening Decisions,” September 22, 2021, <https://www.nsba.org/News/2021/end-threats-violence-joint-statement>.

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NSBA is committed to working with you and your Administration as a partner to address this crisis affecting America's public schools, and greatly appreciates your prompt attention to our requests. We stand ready to work with you.

Respectfully,



Viola M. Garcia, EdD
President



Chip Slaven, Esq.
Interim Executive Director & CEO

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Seidman, Ricki (OASG)
Subject: THREATS TO EDUCATORS HEARING PREP
To: Good ander, Margaret V. (OAG)
Cc: K apper, Matthew B. (OAG)
Sent: October 18, 2021 7:25 PM (UTC-04:00)
Attached: THREATS TO EDUCATORS HEARING PREP.docx

For your review before sharing with others.

In terms of being asked what federal laws would be violated, I think (b) (5)

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: Seidman, Ricki (OASG)
Subject: to the top of your inbox -- draft schoo boards etter repy
To: Kapper, Matthew B. (OAG)
Cc: Good ander, Margaret V. (OAG)
Sent: October 18, 2021 6:28 PM (UTC-04:00)
Attached: Draft Response to Oct 4 Letters 101821.r s.docx

I made a few tweaks today on top of the suggestions I made earlier.

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: White House Press Office
Subject: [EXTERNAL] Press Briefing by Press Secretary Jen Psaki, September 30, 2021
To: Coley, Anthony D. (PAO)
Sent: September 30, 2021 5:59 PM (UTC-04:00)



FOR IMMEDIATE RELEASE
September 30, 2021

Press Briefing by Press Secretary Jen Psaki, September 30, 2021

James S. Brady Press Briefing Room

2:34 P.M. EDT

MS. PSAKI: Hi, everyone. Okay. Welcome back, Dr. Harper.

Q Thank you.

MS. PSAKI: Okay. I'm breaking my streak. I do have some items at the top for all of you. Lots going on in the world.

The U.S. government condemns in the strongest possible terms the government of Ethiopia's unprecedented action to expel the leadership of all of the United Nations organizations involved in ongoing humanitarian operations. We agree with U.N. leaders: This is a stain on our collective conscience and it must stop.

The action follows the release of reports warning that hundreds of thousands of people are starving to death in northern Ethiopia. We're deeply concerned that this action continues a pattern by the Ethiopian government of obstructing the delivery of food, medicine, and other lifesaving supplies that most -- to those most in need.

We call on the U.N. Security Council and members of the international community to take urgent action to make clear to the government of Ethiopia that impeding humanitarian operations and depriving your own citizens of the basic means of survival is unacceptable.

President Biden signed an executive order, earlier this month, enabling the U.S. government to impose financial sanctions

on those prolonging the conflict in northern Ethiopia. We will not hesitate to use this or any other tool at our disposal to respond quickly and decisively to those who obstruct humanitarian assistance to the people of Ethiopia.

One more items -- one more item. Some news from -- out of the First Lady's office: Today, Joining Forces -- the White House initiative led by the First Lady to support military families -- and the National Security Council released a White House report, signed by the President and Secretaries of 15 executive departments, which outlines the first round of administration-wide commitments and proposals to supporting military and veteran families, caregivers, and survivors.

In May of 2021, the Office of the First Lady and the National Security Council launched a Joining Forces Interagency Policy Committee with representatives from across the executive agencies to work collaboratively on priorities related to the families of service members and veterans, caregivers, and survivors.

This report details more than 800 -- 80, sorry -- specific commitments and proposals from across the administration and is the product of the Interagency Policy Committee's months of work.

Going forward, this committee will continue to advance these priorities, including those outlined in the report, through cross-agency working groups and will report results and updated plans annually.

Jonathan, why don't you kick us off.

Q Thank you, Jen. A few -- all on the dealings at Capitol Hill right now. Senator Manchin told reporters a short time ago that he told President Biden that \$1.5 trillion would be as high as he was willing to go for the reconciliation package. What was the President's reaction to that? Is that an acceptable number?

MS. PSAKI: Well, first, I would say, as we've said many times, we're not going to outline private negotiations or private discussions, and we'll let the senators speak for that, as Senator Manchin did earlier today. The way the President sees it is that this is an ongoing discussion, an ongoing negotiation.

Here's what we know: We know that timelines help make progress. We've seen that play out over the course of the last couple of days. We know that compromise is inevitable. We've also seen that play out over the last couple of days. And right now, we're clearly in the thick of it.

I'd also note that during his -- during Senator Manchin's -- and obviously, I'm not his spokesperson; he can certainly speak for himself -- but during his Q&A he did on the Hill today, he also referenced the fact that he -- that there was a document from a couple of months ago. And I'll let him and Senator -- Leader Schumer speak to that. And he was repeatedly pushed and asked, "Would you go higher than 1.5? Would you go higher than 1.5?" I will leave it to all of you to determine if he answered that question.

But this is an ongoing discussion, an ongoing negotiation. And as I said yesterday, that's going to require all sides giving a little, and we're in the midst of that right now.

Q So on that -- so, key Democratic House leaders have said they will, quote, "stay here all weekend" to work to get a deal. Does the President plan to do the same? Will he be at the White House working this weekend, having visitors, calling and hosting congressional lawmakers?

MS. PSAKI: Well, as Speaker Pelosi said earlier -- and we're following the same motto -- we're taking it hour by hour here and making a decision and determination about what's most needed.

So, as it relates to what's even going to happen this afternoon, we're open; he's available. He's been making calls this morning. He's open to having visitors. He's open to going places. But we're going to make those decisions hour by hour.

So, the weekend is a little bit away, but I will tell you that this is the President's top priority right now: getting relief to the

American people; making sure we're lowering costs for the American people; we're addressing the climate crisis; we're rebuilding our roads, rails, and bridges. We've made progress, and we're still at work at it.

Q All right. And last one from me. One of the President's central promises when he was elected was to restore Americans' ability to be confident in their government again, to believe in institutions again. What is the White House's message to Americans right now who look at this and see a mess? Nearly a government shutdown, the debt ceiling is unclear, legislation not being passed, at least not yet, even though Democrats control all the bodies of government. And those Americans don't feel that they can be confident in government.

What's the White House's response?

MS. PSAKI: Well, first, I would say: The President, the Speaker of the House, and the Leader have more experience getting legislation across the finish line than any group of Democrat -- Democratic leaders in history.

We're in the middle of it right now. It's messy, this sausage-making, on Capitol Hill. Policymaking is messy. There's negotiations. They all have representatives who are advocating for their points of view. That's democracy in action.

What I can tell them is that we're on the path to keep the government open. You just saw that pass the Senate. It was going over to the House. That's not just keeping the government open, that's getting relief to make sure we can -- we can take care of refugees, people who fought by our side in Afghanistan; that's to make sure we get relief to the Gulf Coast -- additional relief to the Gulf Coast. All important priorities.

And we would also tell them that the President is going to stop at -- he's going to use every lever at his disposal to fight to get this legislation passed -- these two pieces of legislation -- that will have a historic -- make historic investments. And he's doing it because he wants to have an impact on their lives.

But these type of packages, not a lot of precedent for them, but he's going to work at it. He's going to get it done. That's what he would tell them.

Go ahead.

Q Does the President see any strategic value in a vote failing on the House floor?

MS. PSAKI: Well, as Speaker Pelosi said earlier today, we're on a path to win. I don't want to even consider any other options than that. We're in it to win it. The President is also in it to win it. That's what we're working toward. It's only 2:40 right now; lots of time left in the day. And he's going to continue to engage -- stay closely engaged with her about the path forward.

Q You've repeatedly referred to this week -- to this moment as an "inflection point." How is the President viewing this moment, given where his caucuses are and where his members are?

MS. PSAKI: This moment as in "this moment" -- 2:40 p.m. this afternoon -- or just today?

Q As in it's deadline day for an infrastructure bill; he doesn't have the votes. One member of the United States Senate is about \$2 trillion below his topline number, and there's no clear way to bridge those gaps.

MS. PSAKI: Well, I think the President views this as the last several days and even longer than that. His view is we've made some progress. You've seen some members come down. You've seen some members come up. You've seen active negotiations. He's obviously been hard at work at them himself.

And what we clearly see is an agreement about the need to get this done, whether it's the infrastructure bill or the reconciliation practice -- package, which has key priorities for the President -- key priorities. I think the Speaker referred

to it earlier today as the cause of her -- as her public li- -- as her time in public life. That's a bit of a paraphrase. I'll leave you to her words.

So, look, he sees this moment -- he knew that as we got closer to self-imposed timelines, which are important -- often these timelines can help make progress; we've seen progress made -- that more members would be out there advocating for what was important to them. That's happening.

We saw -- we would hopefully see more willingness to compromise; that's happening too. We're hard at work. And he's been through this before, so he's not too thrown off his game on it.

Q And then just one quick last one. Do you guys see a possibility of some type of framework agreement that could unlock the infrastructure vote today?

MS. PSAKI: That's what we're working towards.

Go ahead.

Q Thank you, Jen. You talked about "self-imposed timelines" as opposed to the other real timelines for debt ceiling and the CR. The progressives don't seem to feel any sense of urgency about passing infrastructure, and the moderates, like Manchin, don't seem to feel any urgency about passing reconciliation. The only Democrat that I can think of who really has a sense of urgency is Terry McAuliffe.

Do you feel it -- does the President want this done in a certain amount of time, or does he also feel that this could play out over weeks and months and still come to the conclusion that he wants?

MS. PSAKI: Well, as I said a little bit earlier, we know -- and the President knows from his time in public office -- that timelines can help make progress. That's often how legislating happens on the Hill. And as the Speaker --

Q These ones aren't.

MS. PSAKI: Well, we would -- we would disagree with that. You've seen a lot of members out there advocating for their viewpoints, being very vocal about what they want to see; some coming up, some coming down. That's a sense of progress. And we're working at it hour by hour here.

Q But does he have -- does he feel that he needs it done by a certain time, like the end of the year?

MS. PSAKI: I'm not going to set new deadlines here for you. Obviously, we're trying to get it done now. We're working on it as of right now, today, and that's what our focus is on in this moment.

Go ahead. I'll go back to you, Weijia. Go ahead.

Q It's all right.

Q To follow up a little on what Phil was asking --

MS. PSAKI: Yeah.

Q -- what does the President want and what is he asking members of Congress to do on this infrastructure vote tonight? Is he calling progressives, and Republicans even, asking them to vote for it? Does he definitely want this vote tonight? Or is this all still this murky -- sort of trying to link these two things together and hope something emerges out of that?

MS. PSAKI: There's nothing really murky about what's going on here. I mean, we understand what progressive members

want. Right? They've been out there vocally talking to all of you about what they want.

It's clear we also need their votes in order to pass an infrastructure bill. They want to have a clear path forward on a reconciliation package. The President wants both pieces of legislation to pass. That's what he wants, bottom line. He's also going to work with the Speaker and the Leader to get that done.

So, what he's been spending his time on over the last couple of days is that -- having conversations with Senator Manchin, Senator Sinema, and others who have been very vocal about the fact that they're not quite there yet. And his objective is to try to get them there because that's what members of the Progressive Caucus are looking for in order to support an infrastructure bill, many compo- -- of components of which they support.

Q I guess, to put a finer point on it: If your choice is between a vote tonight that fails but sort of puts everybody on the record, or pulling the vote tonight and continuing deliberations despite it potentially upsetting moderates who feel like they've been promised this vote, what does the President prefer?

MS. PSAKI: We're working towards winning a vote tonight. We have several hours left in the day.

Q All right. Last one. What's the plan on the debt ceiling? I mean, Republicans have sort of made clear that they're not going to back any efforts. So it would seem at this point that Democrats' only hope here is to turn towards a reconciliation process on the debt ceiling.

I understand that you've made the point many times that Mitch McConnell is being hypocritical on this, that Republicans should support it, but it does seem now that the votes are on the table, that you're kind of pursuing this political point at the potential risk of default for the U.S. economy.

MS. PSAKI: Well, I think that's a bit of a shorthand of what's happening, which I understand; it's a bit of a complicated thing.

But first, since you gave me the opportunity, it's not just Senator McConnell; Republicans are playing politics with an economic catastrophe, and they're treating a calamity for working families like a D.C. game. There are huge impacts here.

You touched on the fact, but let me give the public a little sense of that: an instant recession, 6 million jobs lost, \$15 trillion in savings wiped out, Social Security checks and payments to our troops blocked. Those are real impacts.

Republicans in Congress are treating this like a game. Let me give you some examples. Senator Rick Scott -- and this is a real quote, I will note: "This is going to be a...ball. I'm going to have so much fun." That's about the debt limit.

Senator Kevin Kramer: "It's sort of fun to watch."

And Senator Cornyn said yesterday that Republicans would use every tool at their disposal to slow Democrats from doing this on their own.

What we're trying to do right now is do it on their own -- do it on our own. That is what Leader Schumer is working to proceed -- working to move forward on.

And, obviously, as you know, Republicans have blocked that effort. So, of course, we are going to continue to press. We're not going to let up on that, on Republicans, to do what's responsible, to protect the full faith and credit of the United States, as has been done 80 times in the past.

We've also been working to do it on our own. We're going to keep working with Leader Schumer to get that done.

Q But you're not going to ask for reconcil- -- Democrats to push on reconciliation, (inaudible)?

MS. PSAKI: I'm not going to get into additional mechanisms here. We're going to continue. I don't think -- we're not going to, nor should anyone, let Republicans off the hook here, so we're going to continue to press them on it.

Q One of the things that Senator Manchin said today was that the, kind of -- the concern that he has around the 3.5 number is about how it would impact inflation in the economy. And I'm curious what the White House thinks of that concern and what you've done to allay that concern.

MS. PSAKI: Well, we've conveyed privately what we've said publicly and what many, many economists have also conveyed publicly, which is that what these packages will do is they will address -- address inflation and costs over the long term. That's one of the core reasons that people should be supporting them. So, if you are concerned about inflation, that's exactly a reason you should support these packages.

Q And would the President sign a reconciliation bill that does not include negotiating on drug prices?

MS. PSAKI: The President has obviously proposed that. He feels strongly about the need to make drugs -- prescription drugs, I should say, more affordable to the American public. I'm not going to negotiate further from here.

Q One other thing, just on a different topic: Jake Sullivan's conversations in Saudi Arabia. Did rising oil prices come up in those conversations? What was his message to the Saudis about alleviating some of the concerns that people have as they're paying a dollar more for gasoline now than they did a year ago?

MS. PSAKI: Yeah, so, I know someone asked about this the other day. And, obviously, the focus of his trip was on Yemen and working with the Saudis on Yemen. And our -- Tim Lenderki -- Lenderking was -- joined him in those meetings, who's our envoy to Yemen, to kind of figure out the path forward.

He was -- obviously, the price of oil is of concern. We have been in touch with OPEC. And I believe it was going to be raised, but I haven't had a chance to get a readout beyond that. I can try to do that for you after the briefing.

Go ahead.

Q Thanks, Jen. So, putting the topline number aside, Senators Manchin and Sinema have been very opaque about what it is they want and do not want in this reconciliation bill. Without revealing details, does the White House and the President have a clear understanding of what it is each one of them wants?

MS. PSAKI: We've had a lot of private conversations with both of the senators about what their priorities are, as they've said publicly. And I think as Senator Manchin said publicly today, what their priorities are and what that looks like in a final package, that's still an ongoing discussion.

Q Are they asking for the same things? Are the two of them on board with the same (inaudible)?

MS. PSAKI: I'll let them speak for their priorities and how they line up with each other.

Q Okay. And then to build on what Justin was asking about --

MS. PSAKI: Sure.

Q -- decoupling these two.

MS. PSAKI: Yeah.

Q Is the President worried at all about eroding trust with Republicans who signed on to the bipartisan deal after he

reassured them that it would not be conditional on reconciliation?

MS. PSAKI: Well, let's remember what's actually going on on the Hill here. Republicans in the House, led by Kevin McCarthy, are opting to vote against rebuilding roads and railways and bridges, despite the fact that the package was sent over with the support of 69 senators.

So, I think if you're asking about trust or whether people are delivering for the American people, you should direct it at Kevin McCarthy.

Go ahead.

Q I'm asking because the progressives have made so clear that they refuse to vote on infrastructure without a vote on reconciliation first. Why doesn't the President ask them to treat them separately?

MS. PSAKI: To treat -- well, I think the --

Q To treat the two bills separately.

MS. PSAKI: The President has made clear both are his priorities. He's also made clear he wants to get them both across the finish line.

What we're talking about now is the legislative process and how you get the majority of votes to get both of them done. And that's what he's working to negotiate and working to unify the caucus around.

Go ahead.

Q Thanks. And just one more --

MS. PSAKI: Yeah.

Q -- on a separate topic.

MS. PSAKI: Sure. Go ahead.

Q The National School Boards Association has sent a letter to the President asking for help from federal law enforcement agencies because of the violence and the threats that they're seeing across the country. Has the President received that request? And are you considering offering that help?

MS. PSAKI: Well, first, let me say we take the security of public servants and elected officials across the country very seriously. And, obviously, these threats to school board members is horrible. They're doing their jobs.

Obviously, there are going to be different law enforcement authorities that will be related to each community and -- where this is happening, so we'd certainly refer you to them about any specific threats. And we'd encourage individuals to report any threats they face to local and state law enforcement agencies. And we're continuing to explore what more can be done from across the administration.

But again, a lot of this will be local law enforcement and how they can help ensure these school board members feel protected.

Q Thanks.

MS. PSAKI: Go ahead.

Q Thank you, Jen. Has the President at all lost control of his party? Depending on which perspective you're looking at this from -- you know, some people say that it appears that progressives are running the show, they're banding together and making their demands. Other people are saying it looks like Joe Manchin is playing president. So, who is in charge?

MS. PSAKI: Well, this is how democracy works. I know it feels foreign because there wasn't much that happened over the last couple of years. But how it works is the American people elect their elected officials, the President of the United States puts forward a bold and ambitious proposal, and then everybody negotiates about it, and they have different points of view. That's how democracy should work. We're in the midst of it right now. We're not trying to paint over how messy it looks from the outside. We know that.

But what -- the good news is, is that there is agreement that -- among most Democrats, if not every single one of them, that we need to get something done; that we need to do more to rebuild our roads and railways and bridges; that we need to cut costs for the American people; we need to address the climate crisis. There's agreement on that.

Now we're in the nitty-gritty details, which is very important, but that's the end stage of this process. And the American people should know that that's what the President is working on.

Q And I want to follow up on Weijia's question. So, if the bipartisan bill fails or is stalled or doesn't happen today, it would appear that these two bills -- the reconciliation and the infrastructure -- are linked. And the President, you know, made statements that Republicans should be able to vote for the bipartisan bill on its merits. He stood in front of the White House with a group of Republicans who negotiated that infrastructure bill. Is there a message that he has to those Republican senators, who voted to pass that bill on its merits, that this bill is somehow not linked with the reconciliation because of what's happening in the House?

MS. PSAKI: Well, we're working towards victory here and a win. If it doesn't pass, it's because it doesn't have enough votes. I think Republicans in the Senate understand that and know how this process works.

But that's what we're working towards now. That's what the President has been making phone calls about. That's what we have his schedule cleared for this afternoon. And I'm not going to make a prediction of what the outcome will look like several hours from now.

Q And then with the Vice President -- and she was a senator as recently as this year --

MS. PSAKI: Yeah.

Q -- why isn't she on the Hill helping to broker this deal?

MS. PSAKI: Well, the Vice President had the CBC over, the CHC last week. She's been making calls herself, just like the President. If it's constructive for her to go to the Hill or for him to go to the Hill, to have members down here, they'll do that.

We're ready and willing. This is our top priority. All hands on deck. But a lot of what's happening right now is discussions at a staff level, a senior staff level to get through these intricate details, and that's where the focus is in this moment.

Go ahead, Kelly.

Q Since we haven't seen the President much publicly this week --

MS. PSAKI: Yeah.

Q -- and you talked about leaving room in his schedule, can you paint more of a picture of what's happening behind the scenes? Are there calls happening from the Oval? Is he inviting guests to the Residence? Does he have a whiteboard with

scenes? Are these calls happening from the Oval? Is he inviting guests to the Residence? Does he have a whiteboard with his own whip count? Can you give us a picture of what it looks like (inaudible)?

MS. PSAKI: (Laughs.) I like that visual. I would say he does not have a whiteboard with a whip count. I can assure you he's more of a paper and pen kind of guy.

But, look, he's been meeting with staff, he's been getting updates from staff as they've been having engagements with the Hill. You all know who the senior members of his team are who are negotiating, whether that's Steve Ricchetti or Louisa Terrell, Brian Deese, Susan Rice.

What he's asked his team to do is -- including the policy members, which people don't always factor this in -- is be available to have conversations with members about questions they have, to help address any parts of it they have suggestions on.

So, he's getting regular updates. People are in and out of the Oval Office providing him updates on their individual conversations. And he's picking up the phone and calling people as needed, whether that's the Speaker or Leader Schumer or other members, to have a conversation about the status, to check on where they are, to follow up on maybe a conversation they may have had with his staff.

These conversations are happening from the Oval Office, but certainly he does some from the Residence; it depends on what time of day it may be.

Q And are you running your own whip count, or are you relying on Hill resources to do that?

MS. PSAKI: We're very closely in touch, as you know, with leadership on the Hill; the President himself is. Of course, we're certainly in touch with members ourselves -- ourselves about where they stand, where they may have concerns, or any hesitations.

Go ahead. I'll come back to you, Terry. I'm sorry. Go ahead.

Q We finally learned today Senator Manchin's position on his topline number. Senator Schumer has been aware of it since late July, and Senator Manchin said that he told the President already this \$1.5 trillion number. Why has the decision been made strategically to pursue Senator Manchin, Senator Sinema, and not try to, within the last couple of weeks, apply more pressure on progressives to take half a loaf and say, "This is low-hanging fruit; it's a \$1.2 trillion infrastructure plan. Let's move on that"? Why was that strategic decision made not to do that?

MS. PSAKI: Both of these are huge priorities to the President. I'd also note that when Senator Manchin was asked -- and he can obviously speak for himself -- but just since I've read the whole transcript here, he also repeatedly referred back to a document that went back to July 28th. I'd remind you all that this is an active negotiation and discussion, and it is incumbent upon members to put out where they stand and where they are. And as we've seen over the past couple days, that's an everchanging process.

So, before you make conclusions about what the end results will be, I would remind you to look at the last several days or even weeks about how these discussions have progressed.

Q But Senator Manchin said today he believes his position is -- it sounded to me like his position was firm. And he also said that if progressives feel that the Congress should spend \$3.5 trillion, that they should convince voters to send more progressives to Washington. That sounded to me like he's saying that, through the end of this Congress, he's not going to agree to \$3.5 trillion.

MS. PSAKI: We could certainly parse Senator Manchin's words, but I am certain he'll go answer questions again, and your colleagues should ask him more questions.

Q But why do you think that this is not -- why do you think that Senator Manchin's position on this is not final?

MS. PSAKI: Because this is an active negotiation, because he was pushed repeatedly during the gaggle that he did on Capitol Hill about where he stood. But again, I'm not here to speak for Senator Manchin; he is -- certainly can speak for himself and what his points of view -- views are. And I certainly encourage you all to keep asking him questions about where he stands.

Go ahead.

Q Back on the deadline that was set at the beginning of the week -- announced at -- this is a big week: Democrats are in charge here at the White House and in both houses of Congress. And they set the deadline; Democrats set the deadline. Now they --

MS. PSAKI: To be clear, they just set the date of a vote.

Q All right. You called it a "deadline." I was just using your words.

MS. PSAKI: Okay. Fair. But -- thank you for the clarification. It's -- they set the time of a vote.

Q All right. Democrats set this vote. Now they're going to miss it, fail to make it. Why is it that --

MS. PSAKI: We don't know that. It's only three o'clock.

Q Can you tell us if they're going to vote tonight?

MS. PSAKI: That's what Speaker Pelosi indicated her plan was.

Q All right. My question is: Why isn't it fair to see this as a failure of the President to get his own party to back him and his agenda?

MS. PSAKI: Why isn't it, before we've even had a vote and we don't even know where it sits, a failure of the President?

Q It feels like we're farther away today than we were on Monday.

MS. PSAKI: I don't think the President feels that way, and I don't think members of Congress feel that way.

Q You've talked about progress. Can you explain what progress is? You said it's people talking about where they are.

MS. PSAKI: Yeah.

Q That sounds like -- that sounds like an earlier part of the process when you had set a vote for the end of the week.

MS. PSAKI: Well, I would point you again to what Speaker Pelosi said earlier today: In the end stages, the later stages of a process -- where we are now -- when you get closer to a vote, a time of a vote being set, that's when the negotiations get serious. That's when people start putting down bottom lines of where they stand. You've seen some people do that publicly. A lot more of it happens behind the scenes. That's what I mean by progress.

You've seen members come down in numbers. You've seen members come up in numbers. That's what we're working on -- to get to an agreed-upon path forward.

Q So there's progress, and it's people behind the scenes saying that -- where their numbers move.

MS. PSAKI: They've also said it publicly.

Q One more. A lot of Democrats are looking at what's happening, and they're saying Senator Manchin and Senator Sinema are holding this President and his agenda hostage. What would you say to that?

MS. PSAKI: I would say we have 50 votes in the Senate -- 50 Democrats in the Senate. So, we need the majority to win. That's how a bill becomes a law.

Q They've got the leverage.

MS. PSAKI: We need all 50 votes in the Senate to move this forward. That's where we stand now.

Go ahead.

Q I just wanted to go back to the debt ceiling for a second.

MS. PSAKI: Sure.

Q Democrats control all branches of government right now. Can you assure the American people and the financial markets that the United States will not default on its debt?

MS. PSAKI: That is absolutely what we're trying to accomplish. And I'd remind you that we would have gotten that done had Republicans done what they've done 80 times before -- supporting a bipartisan vote to do something that has been pretty standard in the past -- or if they had allowed Leader Schumer to move forward.

But, absolutely, we're going to do everything to prevent the federal -- us from defaulting --

Q But does the plan involve changing Mitch McConnell's mind -- Leader McConnell's mind in some way? Or is there a plan to just go forward using either reconciliation or --

MS. PSAKI: Well, Leader Schumer has already tried to -- already been working to move things forward. And it's been blocked by Republicans -- not just their vote; an effort to move it forward has been blocked.

Q But there clearly are ways -- I mean, getting rid of the filibuster, for example, for this particular vote would be one way to move forward. And is that something that the President would consider to avoid losing, let's say, 10 percent of the value of the stock market?

MS. PSAKI: I just outlined how concerning we are -- how concerned we are, which you just echoed -- or echoed different components of it. And that's an issue we take incredibly seriously. You've also heard Secretary Yellen on the Hill talking about this. We're not going to let Republicans off the hook. We don't think they should be. This is not a game. This is the faith -- full faith and credit of the United States.

We're working with Leader Schumer on a path forward, but beyond that, I don't have more to preview for you.

Q But you can do it without Republicans if you got rid of the filibuster for this --

MS. PSAKI: We could do it if they let us move forward, and they haven't. So I have no more details on the pa- -- on the legislative process.

Q And just on the reconciliation package, is \$1.5 trillion enough in your spending to cover Biden's priorities -- the President's priorities?

MS. PSAKI: I understand that's a number that's been put out there. It's an active negotiation. I'm not going to weigh in from here on what is or isn't acceptable to the Democratic Caucus.

Go ahead.

Q A couple different topics. So, on immigration, there seems to be a real sense among advocates for immigrants -- people who have been fighting for legalization, for a pathway to citizenship -- there's a real sense of loom; people who described this, yesterday, even crying about the latest parliamentary ruling.

Do you -- what does the President -- you know, what would the President say or what does the President say if that -- if he is unable to move forward on any of the, sort of, big, sweeping promises that he made as a candidate to get -- to finally be the President to get something done on immigration?

MS. PSAKI: Well, we don't accept that. We're nine months into his presidency. And we share the disappointment. Obviously, as you know and you touched on, the parliamentarian ruled twice, in different ways, that it could be included in the reconciliation package -- or components, I should say, of immigration reform could not be included in the reconciliation practice -- process. Sorry, package.

That's disappointing to the President as well. So, clearly, now we need to figure out what the vehicle forward is.

I would say the President's plan is about certainly protecting DREAMers, farm workers, and others. It's also about investing in border security, making sure it makes sense and we're investing in it in a way that makes sense, and creating an asylum processing system that is actually functional, which I think we all agree it's not.

So there are several components of what he's proposed, and, certainly, we share the disappointment of many advocates that this wasn't included and the desire to find a vehicle to move it forward.

Q On one other separate topic: There have been a number of issues in the last, say, several weeks in which advocates -- allies of the President are describing him as "Trump-like." Most -- less in terms of his personality and sort of tone and tenor, obviously, but in terms of policy. Even today, a representative of the Cuban government describing the frustration with the President continuing to maintain Trump-era policies vis-à-vis Cuba.

Does the -- what's the President's reaction? And does he accept that in some areas of policy he is, you know, in agreement with the former President?

MS. PSAKI: So, just for the sake of argument here -- not argument, but discussion -- beyond the representative of the Cuban government who --

Q Afghanistan, immigration --

MS. PSAKI: Well, but who? Who are we talking about here?

Q Who --

MS. PSAKI: Who is saying that the President is like Trump?

Q Oh, I mean there -- there -- I mean, I could find you quotes. We have -- there have been quotes in our paper and quotes in lots of -- lots of folks have, depending on the issue, whether they are immigration advocates or, you know, folks in the Afghanistan -- who sort of watch Afghanistan. There have been numerous on-the-record descriptions of the President embracing -- and it's actually, in some ways, just a factual thing, right?

MS. PSAKI: But like on what policy?

Q Like the President has --

MS. PSAKI: On what policy? Sorry, I didn't -- you can -- you can name people but -- or what specific policies.

Q Well, I mean, for example, Afghanistan would have been the maintaining of the former President's decision to withdraw troops. On immigration, it's in maintaining Title 42 and keeping Title 42 in place. I mean they're --

Q Sub- --

Q Hm?

Q Submarines.

Q The submarine -- yeah. (Laughter.)

MS. PSAKI: Which one?

Q The submarine -- I'm just --

Q Yeah, the --

Q AUKUS.

Q The President was --

Q AUKUS.

Q -- yeah -- was compared to Trump --

Q -- to Trump. Well, the -- that's the French -- the French Foreign Minister compared him to Trump, in terms of how he handled the AUKUS negotiations.

MS. PSAKI: So, look, I'd take each one of these: On Afghanistan, the former President struck a deal without the Afghan government that, we heard the military convey yesterday, led to the demoralization of the Afghan Security Forces and the Afghan government, where he also released 5,000 Taliban fighters into Afghanistan.

I would say the President took a pretty different approach than that in ending a war that the former President didn't end -- something the American people strongly support.

As it relates to AUKUS, I'm not even sure what that's referring to, in terms of what they're comparing. The President worked with key partners -- Australia and the United Kingdom -- to come to an agreement that would help provide security in an important part of the world -- in the Indo-Pacific -- a priority that, frankly, getting out of the war in Afghanistan leaves space for us to spend more time addressing.

What was the last one? Immigration?

Q Immigration, Title 42, tariffs on China. I mean, there's --

MS. PSAKI: Title 42 is a public health -- is a public health requirement, a public health -- because we're in the middle of a pandemic, which, by the way --

Q The President and his allies --

MS. PSAKI: -- we would have made progress on had the former President actually addressed --

Q Right, but the --

MS. PSAKI: -- the pandemic and not suggested people inject bleach.

So, I think we're in a bit of a different place. I'm happy to discuss more examples. I think it's -- people would be pretty hard pressed to argue that the President has taken any aspect of the former President's playbook and used it as a model of his own.

Q Okay. Thank you.

MS. PSAKI: Go ahead.

Q Senator Manchin has also said that he wants to means test as much as possible of this reconciliation package. Without getting into or speaking for the senator, as you've said, what is the White House's position on, I guess, means testing in this package?

MS. PSAKI: Well, you can call it whatever you want. Sometimes means -- when you say "means testing" -- not you, but when -- when it's said, it sometimes has it not the right connotation or the wrong connotation.

The President's proposals, many of them have been targeted at the middle class, as have these proposals and these initiatives, which means there's a cap on income through which you can benefit. That's what -- you can call it whatever you want, if you call it "means testing." The President is very open to targeting, by income, many of his proposals. And that's something that you can see throughout many components of his agenda that have been proposed and many that have passed to date.

Q Does the White House believe that you all are currently in alignment with Manchin on what those thresholds would look like or --

MS. PSAKI: It's an ongoing discussion. But, again, our objective is to -- is to target and focus on bringing relief to the middle class. That's what the President wants to see this agenda accomplish.

Q In an op-ed for USA Today this morning, Senator Bernie Sanders defended the \$3.5 trillion price tag, asking, "Please tell me what [where] we should cut." This came out before Senator Manchin gave his line in the sand.

Does -- without speaking for either senator, does the White House believe that there's any provisions that, if we are talking about getting somewhere between 3.5 and 1.5, that are absolutely -- you all cannot stomach not having them in the final package?

MS. PSAKI: I'm not going to put anything on the table here. It's clear, as numbers come down, which they will, that there will be cuts to different components. That's just the nature of the totals here. But we'll leave those conversations private. I know you're eager [sic] -- eager to know more, and hopefully we'll have more to share soon.

Q And then just finally -- just one more point. As you all have said from here, the public -- public polling has consistently found that many parts of this -- of both packages are very supported by the American people. The American people are also very consistently pessimistic about action in Washington.

MS. PSAKI: Yeah.

Q Ahead of what we're going to be seeing, whichever way this vote goes tonight, what is your message to the public as they look at the ongoing situation in Washington about -- what is your message to the American people as they look at, as you've said, a messy situation, the chaos of democracy?

MS. PSAKI: We hope we can prove them wrong.

Q Okay.

MS. PSAKI: Go ahead, Karen.

Q Thanks, Jen. I know "hour by hour" is kind of the phrase of the day.

MS. PSAKI: (Laughs.) Yeah.

Q But given that, can we expect to hear from the President today? Or what would have to happen for us to hear from the President today?

MS. PSAKI: We'll see. I can't make a prediction for you now, but it is certainly possible. It's also possible he has more meetings. He'll certainly make more phone calls, possibly moves. But I don't have anything to predict for you at this point in time.

Q And, last night, he went to the congressional baseball game. Did he go specifically to do some arm twisting or lobbying on infrastructure? And he spent some time with Republican lawmakers -- something he really hasn't done here at the White House. Can you give us a sense of what he talked about with those Republican lawmakers? What was the interaction like, the tone of those conversations?

MS. PSAKI: I think you're undervaluing his baseball prowess -- (laughter) -- and history, which he was honored for last night.

No, look, I think what the President -- and I saw him this morning; he was reflecting on how it was -- and I think this is a tradition -- the Congressional Baseball Game. You know, it's something that has been around for some time, where Democrats and Republicans go participate in America's -- one of America's favorite pastimes.

And you saw -- I think you all saw in photos, but for people who didn't see -- he visited with some Republicans down in their area -- dugout?

Q Dugout.

MS. PSAKI: I don't even know it's called. (Laughter.) Okay, dugout. Help me out here. Thank you. He visited -- (laughs) -- with some -- my husband is going to be really mad about that.

He visited with some Republicans. You know, he wasn't -- it wasn't meant to be a negotiation; it was a discussion about, you know, how things are going and work we're all committed to and just saying hello to them. And sometimes, you know, that's important and powerful too at a time where there's been so much division, where there's a view from many in the public -- as per the question earlier -- that people can't work together, can't get things done.

And this was an opportunity to have a moment to visit with, to see people that you've known be- -- you've known a long time, to meet new people, and to move beyond partisanship to celebrate one of America's favorite pastimes.

Q Did he have a response to you about getting booed last night? Any reaction to that?

MS. PSAKI: He's been in public life long enough to know there's going to be some yays and jeers in most big, public places.

Go ahead.

Q Can I just follow up on that? Is -- in some ways, does his visit and the rituals of getting together sort of prove the point that the face time doesn't work? I mean, you still -- you referred to Leader McConnell and the Republican Party not willing to raise the debt limit. He's had plenty of face time with Leader McConnell for decades. Maybe it just doesn't matter and people are going to do what their political interests or what they believe their political interests tells them to do?

MS. PSAKI: Well, this is how the President views it: You're going to have strong disagreements, as he does with Senator McConnell about how he's approached the debt limit. You're also going to have areas where you may come to agreement on, as they do on infrastructure and the importance of rebuilding our roads, our railways, and our bridges. And it's important to maintain lines of communication and discussion to figure out where you can work together.

That's also how he views and approaches diplomacy. We can call out and -- publicly and argue strongly privately issues we have with foreign governments. But we also sometimes still look for ways -- most of the time -- for ways to work together.

That's been his approach. I would say that given the infrastructure bill passed with 69 votes, that's evidence of it working.

Go ahead.

Q Thank you, Jen. You mentioned at the top that on September 17th the President signed an executive order authorizing sanctions to be used against those undermining peace in Ethiopia.

But right now, it doesn't seem the Prime Minister of Ethiopia, Abiy Ahmed, is interested in peace. He refused to meet with Samantha Power when she was there. He has -- he is expelling U.N. staff from the country. He's taken other steps that prove that he has no interest in peace.

Why not take the sanction now? Why not impose the sanction now, or take more drastic action against not just him but also the President of Eritrea, who still have troops inside Ethiopia?

MS. PSAKI: Well, absent clear and concrete changes, we will. We're preparing to take aggressive action under this executive order to impose targeted sanctions against a range of individuals and entities. What we're communicating to the parties on the ground is that we must see meaningful steps within weeks to initiate discussions to achieve a negotiated ceasefire, allow in an unhindered humanitarian access, and ensure respect for human rights. Absent significant progress, we'll take action. And we have the methods to do that. That's why I rec- -- talked about the executive order.

Q And then on Guinea, we've had so many coups in Africa. The President of Guinea has been overthrown. The President of Mali has been overthrown. And we just had the Prime Minister of Sudan who just survived a coup attempt. And the President promised to defend democracy around the world. Is he failing in that promise?

MS. PSAKI: He doesn't expect that to be accomplished in nine months. He expects that to be accomplished over the course of time for advocating for democracy, for human rights, for imposing steps when warranted, and -- as we are considering right now in Ethiopia -- and obviously by having a strong national security team that can convey this on his behalf when he cannot.

Go ahead.

Q I just have a question on Africa.

Q Thanks, Jen. On --

MS. PSAKI: Go ahead. I'll come back to you next.

Q Thanks, Jen. Just to follow up on Mike's question on what the Cuban foreign minister said. Just to be specific, he said, "It's a pity that President Biden couldn't implement his own policy toward Cuba." And I just wondered if you had a specific response.

MS. PSAKI: I don't.

Q And there's a U.S. delegation -- top officials going to Port-au-Prince. What's the goal of that visit?

MS. PSAKI: Yeah, I have some details on this, including who is going. So, let's see. So, what they're doing -- one, we feel it's pretty pivotal to have high-level officials from here engaged in traveling back and forth to Port-au-Prince to have discussions with actors across the political spectrum to see what we can do to help support dialogue and development for the Haitian people.

We know it's clearly a profoundly challenging time on the ground, and it's crucial that we meet with a range of stakeholders to help move this process forward or help support the process moving forward in a way that's in the interest of the Haitian people. So, this is really an effort to be engaged, to be on the ground.

I can tell you -- and you may know this already -- that our newly confirmed Assistant Secretary for Western Hemisphere, Brian Nichols, is on this as a part of this delegation; our NSC Senior Director for the Western Hemisphere, Juan Gonzales, are there. They're meeting with civil society groups, political stakeholders, the Haitian government. And they're, of course, as I noted, discussing a Haitian-led process charting the path to democratic elections.

But that's the focus, as well as discussing how we can continue to help provide support for the migration response, security, recovery from the earthquake, and the COVID pandemic.

Q Jen, last question.

Q Secretary Mayorkas had said he expected the results of an investigation on the Border Patrol officers --

MS. PSAKI: Yeah.

Q -- on horseback by the end of this week. What's the status of that investigation?

MS. PSAKI: I know he said that; as I understand, it's still on track. But I would really point you to the Department of Homeland Security on any update.

Brian, why don't we go to you last?

Q Yeah, thank you.

Q Oh, you said --

Q Thank you very much. And I appreciate it. I'm -- I wanted to ask what the President's reaction is to Democratic lawmakers calling on him to lean more on Senator Manchin and Senator Sinema. What is the President's reaction to that?

MS. PSAKI: Well, I would say, first, the President's reaction is -- he's been in the -- he was in the Senate for 36 years. He knows, as does Speaker Pelosi, Leader Schumer, what it takes at this point in negotiations. They've probably done this more, and more successfully, than any combinations of Democratic leaders in history.

And his approach has been: Yes, of course, it's listening. Yes, of course, it's conveying viewpoints and having sometimes, you know, direct and candid discussions, but he knows how to do this.

And a lot of people who are throwing stones aren't a part of these negotiations. They're one on one. So, I think they should leave it to him and others to get them done.

Q But there are members of his party that want him to be more actively involved, and have come out publicly and said, "We want to see the President more actively involved." What's his response to that?

MS. PSAKI: I would say that -- as I would point to something Congresswoman Jayapal said yesterday, "Right now, it's not a secret about what is the holdup." The holdup is that we need to get 50 votes in the Senate to move the infrastructure, to move the reconciliation package forward, in order for members of the Progressive Caucus in the house to feel comfortable that there's a path forward.

As many of them have conveyed, the President's role and work in communicating with Senator Manchin and Senator Sinema to help get that done is probably one of the most constructive roles he can play. And that's what he's been focused on over the last few days.

Q My follow-up question, Jen?

MS. PSAKI: Thanks so much, everyone.

Okay, last one, because I promised you. Go ahead.

Q Thank you. Jen, the President of Angola -- President João Lourenço -- was in D.C. last week, and he met with Jake Sullivan and Madam Speaker of the House. And I just want to check with you if the President made any comment about this visit, because Jake Sullivan, on the day that he met my president, he said he would brief the President on that day. So, I don't -- I'm trying to check with you if you heard any comments from the President (inaudible).

MS. PSAKI: I don't have any additional comment. I think we put a readout out about Jake Sullivan's meeting, but I don't have any additional comments.

Thanks so much, everyone.

3:19 P.M. EDT

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FOR IMMEDIATE RELEASE

October 6, 2021

Press Briefing by Press Secretary Jen Psaki, October 6, 2021

James S. Brady Press Briefing Room

4:13 P.M. EDT

MS. PSAKI: Hi, everyone. Okay --

Q Or maybe not.

MS. PSAKI: Oh, what did you think was going to happen? (Laughter.) I'm sorry to disappoint. Okay, sorry to disappoint. You never know who's behind the door.

Okay. Okay, tomorrow -- just one item for all of you at the top: Tomorrow, the President will travel to Elk Grove Village, Illinois -- a trip he had planned to do last week -- to meet with public and private sector leaders who have implemented vaccination requirements. The President will visit with a company local to the Chicago area that is imposing its own vaccine requirement ahead of the OSHA rule.

The President's message will be clear: Vaccination requirements work. Vaccination requirements get more people vaccinated, helping to end the pandemic and strengthen the economy.

That's why he's leading and implementing on -- implementing vaccination requirements for 100 million workers, two thirds of all workers in the United States, and that's why we're seeing growing momentum for vaccination requirements across the sectors and across the country.

Alex, go ahead.

Q Thanks, Jen. I was hoping to get you to weigh in on three different debt limit scenarios since there's so many --

MS. PSAKI: Great.

Q -- developing. So, off the top, Senator Mitch McConnell has proposed for Republicans to either support a short-term hike in the debt limit through December or to support an expedited reconciliation process where Democrats would vote to hike it long term. What's the White House response to that? Is there support for either of those from the President?

And then, I was hoping to get clarification on something the President said yesterday. He seemed to suggest that he would support a carveout in the filibuster, if all else fails, to hike the debt limit. Is that where he stands? Would he be open to that?

MS. PSAKI: Well, right now -- and perhaps this the awkwardness of 4:15, while people are still meeting on the Hill -- right now, Democratic members are meeting on the Hill to discuss options on the path forward. I think Republican members may also be meeting or discussing among themselves.

My understanding, at the point I walked out here, is that there's been no formal offer made. A press release is not a formal offer.

And regardless, even the scant details that have been reported present more complicated, more difficult options than the one that is quite obvious, in the President's view, and is in front of the faces of every member up on the Hill. We could get this done today. We don't need to kick the can. We don't need to go through a cumbersome process that every day brings additional risks.

So, they're discussing up there. We'll, obviously, be in close touch with them, as we will continue to be, and we'll see where we -- where we are at the end of today.

Q And then one foreign policy question. Does the White House have a position yet on the Uyghur Forced Labor Prevention Act which passed unanimously in the Senate?

And just broadly in that same context, how do you respond to the criticism from Senator Rubio and some Republicans that the administration is sort of letting Beijing have some advantage on human rights abuses to try to win over their cooperation on climate issues?

MS. PSAKI: Well, we would absolutely dispute that notion. Unlike the former President, this President has spoken out against human rights abuses, has raised his concerns about human rights abuses directly with President Xi, and we have done that at every level from our national security team.

In terms of the legislation, obviously we have spoken out about our concerns of human rights abuses in Xinjiang. And I would also note that the President also led an effort to have coordination on the international stage to address this issue, unlike his predecessors.

But I'd have to talk to our legislative team about specific views on the -- in the piece of legislation. I know I spoke to it briefly last week, but I'll -- I'll come back to you with that.

Go ahead, Steve.

Q Jake Sullivan reached a deal with the Chinese today for President Biden and President Xi to have a virtual summit before the end of the year. Do you see this happening around the G20 Summit? And what's the advantage of them seeing each other face-to-face?

MS. PSAKI: Well, as I understand it, what came out of the discussions was an agreement to continue dialogue at a very high level.

So, what we've said, of course -- and we continue to believe -- is that leader-level engagement is an important part of our effort to responsibly manage the competition with China, especially given the coalescing of power in Chinese leadership.

We're still working through what that would look like, when, and, of course, the final details. So we don't quite have them yet.

Q Secondly, the President indicated last night that he had spoken to President Xi about Taiwan. Was this in their more recent phone call? And what exactly did he tell him?

MS. PSAKI: So just -- you didn't ask this, but some others have asked us -- he did not have a new call that you're not aware of.

Q Okay. Okay.

MS. PSAKI: So, just for full clarity on that. He has spoken with him twice, as you know.

And certainly, reiterating our position as it relates to -- you know, which is guided by the Taiwan Relations Act and our view that we need to uphold that commitment -- our commitment under the act -- that is what the President reiterated to President Xi last time he talked, and it is something that is raised nearly every time he speaks at a leader level and at other levels as well.

Q And last thing -- and sorry to prolong -- the Energy Secretary, Granholm, in a conference today did not rule out a ban on crude oil exports to keep U.S. energy prices down. Is that something that's seriously being looked at?

MS. PSAKI: I would defer to the Energy Secretary, but I don't have anything new to report on that from internally in the White House.

Q Thank you.

MS. PSAKI: Go ahead.

Q Hey, Jen. So, I understand that you're obviously waiting for more details of this proposal from the Senate Minority Leader, but, you know, would the President accept a short-term deal to raise the debt ceiling while you try and find a broader path out of this crisis?

MS. PSAKI: Well, as I said a few minutes ago, we don't need to kick the can. We don't need to go through a cumbersome process that every day brings additional risks. And you heard many of the business leaders convey that, even as we look to risk tomorrow, the next day, as American -- the American people are looking at the retirement accounts, worrying about their Social Security savings, members of the military worrying about their payments. We don't need to incur that risk uncertainty.

And I think it's important to also remember we're at this point because Republicans in Congress treated the savings accounts and retirement savings of the American people, Social Security checks of retirees, and veterans benefits like a game of Monopoly, putting the stability and security of the American people at risk.

We're at this point because Republicans in Congress blocked efforts by Democrats to raise the debt limit and protect the full faith and credit of the United States, despite having voted for it three times during the Trump administration.

So, obviously, as has been reported, and the vote has been delayed, there's still an opportunity for Republicans to join us in

being adults in the room and ensure that people have confidence in the economic security and their own retirement savings.

Q The Minority Leader's proposal, though, seems to go at one of the key arguments that the President was making yesterday about why he's opposed to using budget reconciliation, which is that it would take time, it's cumbersome, it could lead to, you know, unexpected scenarios.

So, is the Minority Leader taking off the arguments against reconciliation by offering this one-month extension? And if not, then what are your remaining objections? Is it simply that you don't want Democrats to take a vote that will put a specific dollar amount on raising the debt ceiling?

MS. PSAKI: Democrats are very willing to be the adults in the room and take a vote to raise the debt limit. They're not even asking Republicans to do that anymore, since they've clearly shown their refusal to do exactly that.

The point I'm making is that there is a very clear -- the least risky option here that can ensure that there is confidence from the American people about their own checking accounts or about their own retirement savings, that's something Republicans still have the opportunity to participate in and be a part of.

Q And just on Afghanistan, if I could. The ISIS-K suicide bomber had -- you know, who was -- who carried out the attack that resulted in the deaths of 13 U.S. service members and dozens more Afghans had been released from the Parwan prison at Bagram Air Base just days before that attack took place, when the Taliban took control of that base.

Should the Biden administration have done more to secure Bagram or transfer ISIS-K prisoners outside of that? And do you now accept that this attack would not have happened had the United States retained control of Bagram?

MS. PSAKI: Well, I can't speak to the specific case. I'd let it -- leave it to the intelligence community to speak to that. So I'd point you to them.

I'd remind you that, as it relates to Bagram, there was a decision made to close Bagram because it wasn't strategically in the interest of the United States and our national security to keep it open with 5,000 troops there protecting Bagram at a distance that was far away from the capital and far away from where people from the embassy would be evacuated. So, that was the broad-based decision.

I understand you're asking me a different question than that, but I just wanted to reiterate.

Q But would he have made the same decision had he known that it would result --

MS. PSAKI: Again, I can't speak --

Q -- in the deaths of 13 service members?

MS. PSAKI: -- to this particular report. I'd point you to the intelligence community.

Go ahead.

Q Thanks, Jen. You know, Congress has passed countless short-term government funding measures. They have funded the government for 48 hours before. Wouldn't a short-term debt ceiling hike be preferable to default?

MS. PSAKI: The preference would be just getting this done today so we can move on to more business for the American people. And that option is still on the table.

Q But you -- you know, the White House brought in all of these banking CEOs today to talk about how catastrophic it would be if the U.S. were to default. Why not send the markets that assurance, if you have the opportunity, that, at least

for the next eight weeks, the debt ceiling is going to be secure?

MS. PSAKI: Well, if we're looking at the best options, why kick the can down the road a couple of more weeks? Why create an additional layer of uncertainty? Why not just get it done now? That's what we're continuing to press for, and that's our first choice.

Go ahead.

Q Thanks, Jen. A week ago, the National School Boards Association wrote to the President to say that their teachers feel like some parents protesting recently "could be the equivalent to a form of domestic terrorism." And then, the Attorney General put the FBI on the case.

So, does the administration agree that parents upset about their kids' curriculums could be considered domestic terrorists?

MS. PSAKI: Well, let me unravel this a little bit, because the National School Board Association is not a part of the U.S. government. I'd point you to them.

What the Department of Justice said in a letter from the Attorney General is that, quote, "Threats against public servants are not only illegal, they run counter to our nation's core values." That is true. These were threats against public servants, threats against members of the school board. Regardless of the reasoning, threats and violence against public servants is illegal. That's what he was conveying from the Department of Justice.

Q But the Department of Justice does now have the FBI on this. Something that the School Boards Association is asking for is for the administration to consider using the PATRIOT Act to investigate some of these school board protestors. So, would the administration be okay with the FBI using the PATRIOT Act to surveil these parents, if that is what they decide?

MS. PSAKI: I don't speak on behalf of the National School Board Association; I speak on behalf of this government. The Attorney General has put out a letter. They will take actions they take, and I would point you to them for more information.

Q And something that you said on Monday after some protestors were hounding Kyrsten Sinema into a restroom -- you said, "The President stands for the fundamental right of people to protest, to object, [and] to criticize." So does the President support the fundamental rights of these parents to protest at school board meetings?

MS. PSAKI: Of course. But he doesn't stand for the fundamental right -- I assume you don't either -- for people to take violent action against members -- public servants. And that's what the threats are about. And so, no, he doesn't stand for that; no one should.

Q Just one more. John Kerry says that after France was cut out of the nuclear submarine deal, and they were upset enough about being left in the dark that they pulled their ambassador, he went to the President and, quote, "The President, literally, had not been aware of what had transpired." So what else are you guys not telling the President?

MS. PSAKI: Of course, he was aware of the French being upset -- let me finish --

Q No, Kerry --

MS. PSAKI: Let me --

Q -- said he "literally..." --

MS. PSAKI: Let me -- let me finish.

Q -- "had not been aware."

MS. PSAKI: I know John Kerry quite well. He, of course, was aware -- the President -- of the French being displeased about the deal with the Australians. John Kerry also speaks regularly to the French, as a part of his role as the Climate Envoy. He's someone who also served as Secretary of State. He's someone I -- alone -- traveled to France with him 25 times.

He, of course, conveyed to the President what his read is -- was of what they were specifically unhappy about and how to help address it.

Q A follow-up on France, Jen?

Q You said -- you've said this President's first love is foreign policy. So, why doesn't he know about these things in real time?

MS. PSAKI: Of course, he knew about the French being displeased about --

Q John Kerry said --

MS. PSAKI: Let me finish.

Q -- he "literally had not be aware."

MS. PSAKI: Peter, I would encourage you to ask John Kerry specifically about the context of his comments. The President and John -- and the former Secretary are also good friends. He relies on his counsel, and -- as he does with many members of his national security team. But that certainly is not what he was intending to convey.

Q Follow-up on France?

Q Jen, if I could --

MS. PSAKI: Go ahead.

Q -- let me ask you quickly: Yesterday, the President said that he would be speaking with Mitch McConnell, as it related to the debt limit. Has that conversation happened? And what did he -- what did he tell him?

MS. PSAKI: They have not spoken. I think what the President has repeatedly conveyed is that he's certainly open to, as he -- as he has shown throughout the course of his presidency, having conversations with Democrats and Republicans when he feels it would be constructive.

Q He said they will be -- he said they will be speaking. So you were saying he was saying they will at some point, but there was no --

MS. PSAKI: At some -- at some point, if it's constructive in moving things forward.

Q Okay. Does the President trust Mitch McConnell to be an honest broker in this process?

MS. PSAKI: I don't think this is about trust. This is about -- he has known him a long time, but this is about whether you're going to be a leader and take steps that are not based on -- on political calculations and more based on what's in the interest of the United States and the full faith and of the United States.

Q The President discussed that there was a possibility of a filibuster -- a carveout -- as it related to the debt ceiling. If that

were the case, would the President be open to a filibuster carveout for voting rights? Where does that line get drawn for the President?

MS. PSAKI: The President was just simply conveying that there are a range of options that leaders on the Hill are discussing. I think you all have reported that, or your colleagues on the Hill have. Nothing more than that. We'll be in touch with them, and we'll see what the next best options look like.

But what is very clear is that there is an easy, risk-free option here that Republicans could allow Democrats to vote to raise the debt ceiling. We could be done with this today.

Q Can I just follow up very quickly? Why wouldn't the President, given that relationship he has with Mitch McConnell, just call Mitch McConnell and have this conversation with him? Why do this through public events?

MS. PSAKI: What's the conversation about?

Q I don't know. They have the relationship. He's the one who said he could bring the two sides together. So, wouldn't there be some value in having that conversation with one another?

MS. PSAKI: We know what the -- we know what the risk-free option is here. We know what the clear path forward is here. And I think the President has made no secret about his belief on that.

Go ahead.

Q Has the President had time to absorb the criticism of the Fed Chairman? And then, specifically, what does the White House believe should happen -- Fed policy about investments made by top officials there?

MS. PSAKI: Well, we obviously leave the independence of the Fed to an independent Fed -- Federal Reserve. And I'm not going to speak to that from here.

The President is confident in the Chairman of the Federal Reserve, and, beyond that, I don't have any personnel announcements for you.

Q Given that confidence, and also given what you just said, I mean, how close is he to making a decision on that?

MS. PSAKI: I don't have anything to preview for you at this point.

Q Yesterday, the President said he would sign a reconciliation bill that included the Hyde Amendment. You told us earlier this week that he remains opposed to that. So, is he backtracking on a campaign promise, something that's -- a lot of his supporters believe strongly in?

MS. PSAKI: Well, the President's position hasn't changed. The context of his comments were that there is still a negotiation happening. There's a range of views. His view remains what is reflected in his budget, which is that getting rid of -- which he released in May -- which shows that getting rid of the Hyde Amendment was a priority. That remains his position. This is a package that's still being negotiated, and he said that much -- as much last night as well.

Go ahead.

Q Just confirming what you told Peter: The President, when he signaled yesterday that it's possible that the Senate could change its rules, that -- we should not read that as him expressing support for that notion?

MS. PSAKI: The President was certain simply reporting out what you already have reported out, which is that there are a range of options being discussed on Capitol Hill.

Q I want to ask you separately: The ambassador-designate to India was seen, reportedly, at an event in Los Angeles last week at an art gallery event that featured the artwork of the President's son, Hunter.

The ethicists who have pointed to this arrangement have expressed concern that the President's son selling art could potentially put the President in a situation where those who seek jobs either in this administration or favors from this administration could put this White House in an awkward position.

Should -- first of all, what is the White House's response to the fact that an ambassador nominee was at this event? And secondly, should we expect to see more people who seek jobs in this administration attending events like this in the future?

MS. PSAKI: Well, to be clear, we've spoken to the arrangement that is run by the gallerist and Hunter Biden's representatives that the White House provided suggestions for. I'd refer you to the gallerist for questions about the event and -- as well as the representatives of Mr. Garcetti, in terms of his attendance.

Q But, Jen, just to follow up: This is exactly what ethicists said they were worried about.

MS. PSAKI: What is, specifically?

Q The fact that the President's son --

MS. PSAKI: That he reportedly attended an event?

Q Well, that the President's son would be selling artwork and then meeting, potentially, with people who would seek to buy it. If you have attendees at that event who might be seeking either jobs in this administration or favors from this administration, isn't it an awkward situation to put the President in?

MS. PSAKI: Again, the gallerist has spoken to -- we've spoken to the specifics of what the gallerist has agreed to and what recommendations were made. I've done that several times. I don't have additional details for it from here. I'd point you to them.

Go ahead.

Q So -- but does this White House not have any concerns about the photos that have emerged showing Hunter Biden at that gallery alongside prospective buyers?

MS. PSAKI: I'd point you to the gallerist on specifics of the restrictions that were put in place.

Q Great. But what about the position of this White House? This is a President who ran on being transparent and you've got -- are there no concerns?

MS. PSAKI: And we were very transparent about what recommendations were made to the gallerist, and I would again point you to them or the many times I've spoken about that from here.

Q And just to clarify, has the President's position on doing away with the filibuster changed?

MS. PSAKI: Nothing has -- no, it has not changed.

Go ahead.

Q Thanks, Jen. The administration reportedly will invest \$1 billion into making rapid-testing COVID kits available. But there are concerns that the tests will be too expensive. I think a lot of Americans are wondering: Is there a universe where these available tests will be free or affordable, or at least less expensive than \$25 a pop?

MS. PSAKI: Yeah, so, there's no question, to your point, that there has been a huge increase and an interest in testing, and getting tests, and making them, and people going out and being able to get them easily.

We announced a \$2 billion investment in September. So, right now, we're on track to double [triple] the number of rapid, at-home tests on the market by early November. And we're also now on track to triple the number of rapid, at-home tests on the market by -- and thanks to the approval of ACON -- sorry -- this Monday, which accelerates the pace. We're now on track to triple the number. Triple the number, not double. I apologize.

So, right now, with these investments, we'll be at 200 million tests per month starting in December, with tens of millions more coming on the market in the coming weeks.

And we're also working to ensure that these tests, in addition to making them more available -- so you could go to CVS or Walmart, or wherever, to get them -- we've been working hard to make sure they are accessible and available in pharmacies, in community centers, in schools. So, we're also working to do that simultaneously and separate from that.

We recognize there's a need. We recognized we needed to do more. And we are pleased by the fact that we are now on track to not only triple by November but also quadruple by December.

Q There was a school shooting in Texas today. The school safety group Everytown says that this year has been the most dangerous back-to-school period for students since they began tracking the data in 2013. That's some 30 instances of gunfire on schoolgrounds since August 1st, and today's shooting means that number is out of date.

Is the administration discussing ways that schools can keep children safe from school violence -- from gun violence?

MS. PSAKI: Absolutely. I mean, one, I would say the President has been an advocate for doing more for gun safety measures through the course of his career. Not only did he fight to get the Brady Bill passed, he fought for the Assault Weapons Ban. It remains a cause of his public life in office.

We, of course, are frustrated by the inability to get commonsense gun reforms through Congress. We should be able to get universal background checks approved. They're supported by the vast majority of the public, as are assault weapons bans.

But in addition to that, we also have taken a number of steps, both by working through the Department of Justice to increase our strike force teams that are going out to specific communities and cities to help address violence. A lot of that is driven by gun violence. That's something that we've been implementing from there. And, of course, our Department of Education is engaged in this effort as well.

Go ahead.

Q Thanks, Jen. Yesterday's hearing by a Facebook whistleblower underscored several major issues with the company, including, as many senators pointed out, issues with Section 230.

On the campaign trail, Biden said that Section 230 should, quote, "immediately be revoked" and that it should be revoked because, quote, Facebook "is not just an Internet company. It is propagating falsehoods they know to be false." Does the White House stand by that assessment for Section 230, given the revelations now?

MS. PSAKI: Well, the President has long said, as you referenced, that tech platforms must be held accountable for the harms that they cause. And he has been a strong supporter of fundamental reforms to achieve that goal. This includes Section 230 reforms. It also includes privacy and antitrust reforms as well as more transparency. That should also be on the table.

And he looks forward to working with Congress on these bipartisan issues.

He's also called, I would note -- because there were a number -- a range of issues that were raised during the whistleblower's testimony yesterday -- on the FTC to adopt rules to address unfair data collection and surveillance practice -- practices in his Executive Order on Promoting Competition in the American Economy.

So, yes, more needs to be done, reform should happen. We also need to do more on privacy and antitrust. And certainly, watching testimony yesterday raised a lot of those issues again for people.

Go ahead.

Q Thanks, Jen. Does the President have any intention of speaking with Senators Manchin or Sinema at all this week?

MS. PSAKI: I can't predict for you day by day. I -- we have been in touch with Senator Manchin and Sinema at a senior-staff level, and certainly, I wouldn't rule it out.

Q I wanted to ask a follow-up question on an earlier question about the Hyde Amendment. The President has not been shy about his opposition, in recent years, to the Hyde Amendment. As you mentioned, you know, he made that clear in his budget blueprint; he made that clear as a candidate, when he was running for President.

So, can you explain why it is he's saying that he would sign this bill either way -- you know, with or without this language in it?

MS. PSAKI: He's reflecting that it's a negotiation. It's ongoing. We don't know what the final product will look like.

Go ahead.

Q Jen, can I ask a little bit about energy prices? There -- you know, gas prices in the U.S. are fairly high. We're seeing exceptionally high prices of certain energy products in --

MS. PSAKI: Yeah.

Q -- Europe right now. Is the U.S. domestically considering a release from the SPR to bring down oil prices at this time?

MS. PSAKI: I'm not going to make any prediction of that from here. I would note that we have seen, as you said, some ticks-up in parts of the country, also in re- -- as a follow-up to Hurricane Ida, because the hurricane hit a region that is a key center of the nation's oil production and refining infrastructure.

So that's something we've been working to focus on. And we took actions in the days and weeks following to help address that, including, at the time, authorizing several million barrels of the Strategic Petroleum Reserve exchanges.

We've also taken steps into -- including engaging with members of OPEC. We've also taken steps to reach out to the FTC to ensure they're using every available tool to monitor the U.S. gasoline market and address any illegal conduct. But I'm not going to make any other predictions at this point in time. We're continuously monitoring. We'll look to take additional steps as needed.

Q Are you or would you consider restricting LNG exports to, I guess, head off the type of shortages and price spikes that we're seeing in Europe -- in parts of Europe?

MS. PSAKI: I'm just not going to make any additional policy predictions at this point in time.

Q Can I, like, broadly say: Overall, these are fundamentally price crunches on, you know, nonrenewable sources of fuel. And we're heading into COP summit here.

MS. PSAKI: Yeah.

Q Do you worry that this could impact the pledges that countries are willing to make? Will other governments get weak-kneed about going green at a time when they're facing brewing, sort of, political crises at home over, really, skyrocketing prices of non-renewable fuel sources?

MS. PSAKI: We certainly hope not. I mean, I think what COP26 is about is to continue the conversation on the international stage, at the leader level -- that has been going on below the leader level continuously, basically -- about our need to work together to address the climate crisis -- one of the greatest national security crises the President sees. A number of other world leaders agree on that front.

Certainly, we all want to keep gasoline prices low, but the threat of the crisis -- the climate crisis -- certainly can't wait any longer.

Q Thank you.

MS. PSAKI: Go ahead. Oh, go ahead. Go ahead.

Q Yeah, thanks very much. On the -- you sound pretty lukewarm about the McConnell idea. If the Democratic Caucus were to get behind it, is it a given that the President will get on board? Or --

MS. PSAKI: We'll see where things are. This is an ever-moving news cycle.

Q Because, you know, as we speak, there seems to be some positive vibes there regarding this, whereas you're giving, you know, quite the opposite.

MS. PSAKI: I would say, actually, in my read of it, there's a diversity of views in the Democratic Caucus, as is to be expected. And they're meeting now. We'll be in close touch with them, so I just don't want to get ahead of that process.

Q Thank you.

MS. PSAKI: Go ahead.

Q I know we're still a few weeks away from the G20, but I wanted to see if the President would be open to meeting with Putin again at the G20. And does he feel like his last meeting with Putin was effective? Does the President feel like he's seen any change in Russia or Putin's behavior since then?

MS. PSAKI: Well, I don't have any predictions for you on the bilateral meetings. That's something that we're still working through at this point in time, every day.

And in terms of the -- how constructive his meeting was with President Putin, as he said at the time, we didn't expect it to be a light switch where, all of a sudden, everything would be hunky-dory in the relationship. It's not. We have remaining concerns, but it was an opportunity to express them at a high level, see what work could be done over the course of the long term to address it.

So I don't know that we're going to do a month-by-month assessment. It's something that we have continued conversations from -- with members of the national security team about many of the issues were raised. Those are ongoing. We're continuing to strive to make progress.

Q Can I follow up on that?

O And do you have any update on Afghanistan and how many Americans are still there? And is the -- do you -- does the

President feel the Taliban is cooperating still with efforts to get those remaining Americans out?

MS. PSAKI: We remain -- through appropriate channels of course -- in touch with Taliban officials. In terms of the specific numbers, I'd point you to the State Department. And they have the most updated number on that, given they oversee that process.

Go ahead.

Q Jen, there's been some reporting that Senate Democrats are planning to accept the short-term debt limit increase. So, given that we now have some reporting on that, can you just give us some guidance on what the White House thinks about that idea?

MS. PSAKI: Not yet. I have to -- I have to dig further into that reporting -- not to question it -- and talk to the team here about where things stand. And as far as when I came out here, they were still meeting, but we'll venture to get back to you as soon as we have something more concrete to convey.

Q Thanks, Jen. When the President was talking today about Republicans and the debt ceiling, he said, "If they don't want to do the job, just get out of the way. We'll take the heat. We'll do it." When he says, "We'll take the heat," what did he mean by that? What political risk is he acknowledging there for Democrats?

MS. PSAKI: Well, I think one of the reasons we're at this point is because Republicans in Congress would rather bet on a misleading and inaccurate campaign season talking point. We're not betting that that's going to work, but his point -- the President's point is: Regardless, we're willing -- Democrats are willing to vote alone, without any Republican votes, to raise the debt ceiling. You just need to allow us to proceed with that vote.

Q And on the testing question that had come up, on rapid tests, this \$1 billion investment will quadruple the tests by December, in addition to everything else from the past couple of weeks. But why has it taken so long to get this rapid testing to this point where it will be -- by December, when Europe is flooded with rapid tests? Is it the authorization process and the timeline on that, or is it on the production side, or both?

MS. PSAKI: Well, one of the things we've been working on is to increase production, as you know, and also increase -- I would say that the demand for these tests here has increased a lot in the last several weeks, so we're also working to meet that and ensure that we are meeting the moment here in the United States.

In terms of the specific mechanics, I would encourage you to ask the COVID team that question.

Q Is that missing the moment though by -- you know, the demand has gone up in recent weeks because kids have gone back to school. Should this have been ready for back-to-school so that you could go to a CVS or any of the pharmacies or government sites and get these tests?

MS. PSAKI: I mean, again, we just announced, last month, an enormous investment: We're quadrupling availability by December, tripling by November. I think that is speaking to how seriously we take this and how we're working to ensure there are accessible, cost-effective tests out there and available to the public.

Go ahead.

Q What plans does the White House have to address the risk of oil spills from existing platforms, existing leases that are still operating?

MS. PSAKI: You mean like the one that happened in California?

O Correct.

MS. PSAKI: I would really point you to the Department of Energy for specifics there.

Q But, you know, the White House policies on stopping future leases possibly --

MS. PSAKI: Yeah.

Q -- things like that. But, you know, this is an ongoing threat, you know, that happens as, you know, offshore drilling continues. Is there an interest in investing in the infrastructure of the pipeline to enhance their safety, shutting them down? You know, what are your thoughts on that?

MS. PSAKI: Well, again, I think there -- as we've seen, and there's been an ongoing investigation about what exactly was the root cause here, so I don't want to, kind of, speak to that as that's been ongoing. But, beyond that, I would point you to the Department of Energy.

Q And two very quick things on the spill: Does the White House have a working theory on what caused the spill? And secondly, do you have an update on federal resources that have been dispatched to respond to the spill?

MS. PSAKI: Sure. I think I do have an update on federal resources. Let me see.

On the leak, just so I don't forget to answer this part, it's still under investigation. As you may know, the oil has stopped leaking; the pipeline has been removed from service.

In terms of our government efforts, 4,788 gallons of oil have been recovered and 11,360 feet of containment boom have been deployed. As of yesterday, six miles of shoreline have been cleaned, 328 response personnel with additional assets are on -- have -- on the way have been deployed.

As we said earlier this week, the Department of Transportation's Pipeline and Hazardous Materials Safety Administration investigators are on the ground in the Unified/Incident Command Center. And on Monday, we also issued a corrective order -- action order to the operator mandating immediate corrective action, including performing a root cause failure analysis, integrity assessment, and remedial work plan.

Beyond that, Unified Command, of course, who are on the ground would have any additional steps we're taking and that are up to date.

Go ahead, April.

Q Jen, we see there are crisis moments -- everything is in crisis mode here -- but there are other issues that are percolating as well that some feel are at crisis levels -- Black agenda issues. The Vice President just had the heads of Divine Nine in a meeting -- frank, good, direct discussion, we were told -- about issues, particularly voting rights.

What is the President expecting when it comes to dealing with the Black agenda, particularly with those that have this small window, like voting rights and also the George Floyd Justice in Policing Act? What is he expected to do? What is he planning on committing to make sure these things happen?

MS. PSAKI: He wants to get both done. He wants to sign them into law. As you know, and you've told me in the past, the Black agenda is bigger than voting rights and bigger than the George Floyd Police and Justice Act.

Both are hugely important. The President has committed to getting them both done. He wants to sign them into law. We need Congress to move forward on both to get that done.

Q They are -- the Black agenda is huge. It's vast. But in this moment, there's a small window of time before elections

happen, and the concern is that this President is not doing enough; he has not armed the Vice President or helped her to be able to fight the fight for these things.

MS. PSAKI: I would say the Vice President is more than capable of fighting the fight and the lead on this particular issue and any issue.

Q So how is he --

MS. PSAKI: She's the Vice President of the United States. Pretty powerful.

Q Right, but if the President -- the argument is, if the President is not supporting her with the tools that she needs --

MS. PSAKI: Which tools is she --

Q -- i.e. the filibuster --

MS. PSAKI: -- is she -- is he not providing to her?

Q -- i.e. the filibuster for voting rights, and that is in her portfolio.

You have one of her friends -- and a Democrat, a strategist -- Bakari Sellers, who says her portfolio is trash because he's not supporting her in the way that she needs to be supported for this to pass. So, what do you say? Can he, will he, shall he push for the filibuster for voting rights, even as he's doing it -- thinking about it for the debt ceiling?

MS. PSAKI: Well, that's not exactly what I conveyed earlier, but I will say that the President has conveyed many times that getting voting rights done, signing it into law is top of his agenda.

The Vice President, one of the most powerful people in the world, is leading this effort. He is her -- she is his partner. She's the first in the room, the last in the room, and he's going to continue to work by her side to get it done.

But beyond that and the legislative process and how that will work, I don't have any update on that front.

Go ahead.

Q Sticking on voting rights, with S.4 being introduced in the Senate: The President has, over and over, talked about the pathways that voting rights legislation could take, same thing that he -- apparently, yesterday, you said he was alluding to when he said "real possibility" -- right? -- talking about what could possibly happen on the Hill.

He's never talked about voting rights with any kind of real possibility of a filibuster carveout, and there's a real frustration -- some people have got arrested just yesterday -- among activists on the voting rights issues.

So, other than, "We're frustrated; we stand with you," what do you have to say to activists who are saying this White House, the President isn't doing enough on voting rights specifically?

MS. PSAKI: I think that was just the question I just answered, no?

Q But we're trying to get an answer from you. I mean, it's a legitimate question. And we're trying to --

MS. PSAKI: I'm not saying -- I'm not saying it's not. I'm not saying it's not. I would say that the President is also frustrated that voting rights has not been done. He's also frustrated that Republicans are so afraid of making reforms that would make it easier for people to vote that they have blocked this effort.

And he is frustrated that, despite everything that's happened around the country, there isn't more of a movement to get this done -- I don't mean by activists; certainly, there's a movement there -- in Congress.

What he was certainly -- what he was speaking to yesterday was the fact that there is live conversations right now about a range of options on the debt limit. He was not speaking to anything beyond that. And that's what is happening on the -- on Capitol Hill in this particular moment. That's it.

And so, I would convey to activists that he is absolutely committed. He wants to get this done. He wants to sign it into law. The Vice President just had meetings today on it. She is in the lead on this effort, as one of the most powerful people in this country, maybe even in the world, leading this effort.

Q But, I mean, he's the President. So, when I talk to activists, you know, they say, "You're the President. If you're frustrated, do something." Right? So, I guess that is the -- that is what we're constantly hearing --

MS. PSAKI: Congress is a separate body.

Q Sure, but there's things that he could --

MS. PSAKI: It's a --

Q There are things that he --

MS. PSAKI: It's a -- it's a separate body. You need 50 votes to change the filibuster. You also need the majority of votes to pass legislation into law.

He has made clear that he wants voting rights to be passed into law. He will continue to advocate publicly, privately, and continue to be a partner to the Vice President. He absolutely feels this is essential and we need to get it done.

Go ahead, Patsy.

Q Thank you, Jen. I want to follow up on Taiwan. Administration officials -- including yourself, I believe, on Monday, and Secretary Blinken today -- essentially have issued warnings to China urging China to stop its military activities in Taiwan. However, China has ignored that. In fact, it has dialed up sending even more military jets. So, what does that say about the credibility of U.S. deterrence on this issue?

MS. PSAKI: I think the Secretary of State spoke to this earlier. I don't think I have anything more to add to what he said.

Q Can I -- can I just follow up?

MS. PSAKI: Go ahead.

Q How concerned are you that these recent activities might actually escalate and then draw the U.S. into some sort of great power war with China? And so, what are you doing to maintain tensions beyond, kind of, ad hoc meetings like the Zurich meeting that Jake Sullivan is --

MS. PSAKI: I wouldn't call a meeting with our National Security Advisor and his counterpart an "ad hoc" meeting.

Obviously, we raise our concerns through a range of channels. The State Department also put out a public statement -- a proactive statement on this, which is not something they do frequently, and the Secretary of State spoke to it today.

Q Do you have regular, you know, meetings to make sure that things like this don't escalate into something bigger?

MS. PSAKI: Of course, we do, as you well know.
Go ahead.

Q I have another debt ceiling question --

MS. PSAKI: Sure.

Q -- but zooming much farther out.

Earlier today, Jamie Dimon suggested getting rid of the debt ceiling altogether so that this scenario would not happen again.

Secretary Yellen seemed to lend her support to that idea of getting rid of the debt ceiling altogether in the past. Has she spoken with the President about that idea? And does he have a position on, sort of, the larger question of whether or not it should or should not be abolished?

MS. PSAKI: Right now, our focus is on raising the debt ceiling in the limited amount of time we have left to do that and do it without impacting the retirement savings accounts, the Social Security, and the economic security of millions of Americans. There's plenty of time to have a conversation after that.

Q And then a quick follow-up. You were asked about the -- the Uyghur anti-slave labor bill.

MS. PSAKI: Yeah. You asked me about it last week, too -- or the week before. I don't remember.

Q That's right.

MS. PSAKI: Yeah.

Q You've noted several times that the President has put out statements.

MS. PSAKI: Yeah.

Q There is sanctions as well. Does this administration -- does the President feel that there is anyone in his administration that is opposed to this kind of bipartisan legislation?

MS. PSAKI: I think it's all about taking a look at the legislation and figuring out if it's something we'd support moving forward -- every component of it -- and I'll check and see if we have a statement of administration policy on it.

Q But you don't know of anyone in the administration who currently opposes this?

MS. PSAKI: Again, we're not talking about whether or not we think the treatment of the Uyghurs is outrageous. It is. We've all said that. We're talking about a piece of legislation that has several components, and so I just want to make sure I go through the proper process with that.

Q On food shortages --

MS. PSAKI: Go ahead.

Q Hi. I was just wanting to talk to you about food shortages real quick. I'm not sure if you were looking here. But I just wanted to say that, on food shortages, we're seeing in schools the supply chain is kinked and affecting school lunches to the degree that kids are having bread -- or meat with no bread to make sandwiches, for example. And grocery stores, ahead of the holidays, are limiting the amount of food that you can actually purchase.

So, in regard to the debt ceiling talks, if the Senate votes "no" ahead of Thanksgiving, ahead of Christmas, and the coming holiday season -- if they say "no," what will that mean in the big picture for this nation and food shortages and other product delinquencies?

MS. PSAKI: Well, look, I would say -- I just want to dis- -- to make sure we're sending a clear message here about what the impacts of different things are. I know that's why you asked the question.

You'd have to get me more information about how broadly the school issue you're referencing is. I have not heard that from the Department of Education. It doesn't mean that it is not the case in certain schools, but if you have more information on that --

Q I do. (Inaudible) get it to you.

MS. PSAKI: -- come share that with me.

I would say that we know that unless Congress acts to raise the debt limit, what we're talking about here is people's retirement savings, their Social Security benefits, their economic security being at risk. That could mean all sorts of things, to your point about people's economic security, especially people who are at or below the poverty line or above the poverty line. And we're seeing the impact on markets across the country.

We don't want that to be the case, of course. That's why we're working to prevent this from happening.

I would say, in terms of the cost of meat and the cost of goods, we think -- there's a range of issues here. You referenced the supply chain. Another issue is the fact that there's not enough competition among big meat producers. It's something Secretary Vilsack spoke to when he was here just a few weeks ago and something our Department of Agriculture and the Department of Justice also are working to take steps to address.

Q Thank you for that, but just a real quick --

MS. PSAKI: Go ahead.

Q -- one -- one more on the shots. We do have an approval for FlowFlex -- I believe is the name of the rapid results test -- and we were expecting today to have -- hear more information about that. But I've written about this, and the New York Times is saying that one of the problems even in going to places like CVS to get a test is, in some places, you don't even -- you can't even buy a rapid results test. And being that school is in session and that we are going to be having more events, for example --

MS. PSAKI: So, Mona, that's exactly why we just announced a \$2 billion investment that's going to quadruple the number of tests that are available at schools, community centers, and also to purchase at home.

Q But that's future focused. I'm talking about --

MS. PSAKI: It's starting to happen now.

Go ahead.

Q Thank you, Jen. Just to follow up on John Kerry's comments.

MS. PSAKI: Yeah.

Q You mentioned that he was, of course, aware of the displeasure after the deal was announced. Was he not aware of something before the deal was announced? Was he not aware that the French weren't read in? Was he not aware of the

French deal on conventional submarines?

MS. PSAKI: Look, I think, right now, what our focus is on is moving forward. As you know and as President Macron spoke to, they're going to be meeting next month. We're working to finalize the details of that.

As you saw, our National Security Advisor and members of our national security team have met with their counterparts or high-level officials in recent weeks.

So, at this point, what our focus is on is how we work with the French moving forward.

Q Thank you, Jen.

MS. PSAKI: Thanks, everyone.

4:56 P.M. EDT

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From: Kapper, Matthew B. (OAG)
Subject: Use this version instead -- Senate Judiciary Clips Research
To: (b)(6) Attorney General Garland
Sent: October 24, 2021 7:56 PM (UTC-04:00)

Replacing the last with an easier to navigate format that doesn't require use of SharePoint (I'm not sure if you would be able to access all links in the last document I sent to you). It's a substantial volume of content, giving you the ability to go deep where you choose, but sorted by member and quite manageable.

Sophie Gelber and Kendall Mitchell from PAO put a lot of good work into this FYI I'll have them swing by before or after a prep session so you can thank them.

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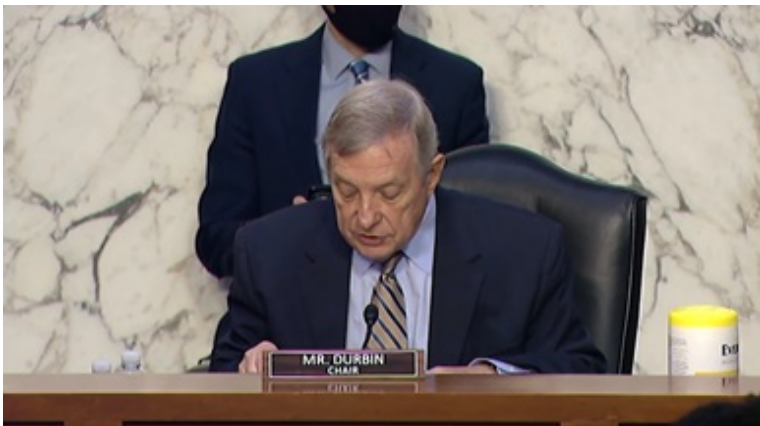
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Politico: [Biden DOJ shields ex-Trump officials from testifying about election fraud cases](#), by Kyle Cheney and Nicholas Wu, 10/7/2021

A top career official in President Joe Biden's Justice Department blocked efforts by Senate investigators to probe the handling of voter fraud complaints in the aftermath of the 2020 election, according to transcripts released Thursday. As Senate Judiciary Committee aides investigating Donald Trump's efforts to overturn the 2020 election questioned top Trump-era Justice Department officials, a DOJ attorney present for the interviews intervened repeatedly to say such questions were outside the scope of the panel's inquiry.

The official, DOJ attorney Bradley Weinsheimer—a career official who has worked under attorneys general of both parties—cited [guidance he issued in July](#) that paved the way for congressional testimony but limited the topics former DOJ officials were permitted to discuss. But his assertions drew repeated, and sometimes pointed, challenges from Judiciary Committee aides in both parties, the transcripts show.

"It strikes me as completely within the scope of this interview," said Sara Zdeb, chief oversight counsel for Senate Judiciary Committee Chair Dick Durbin (D-Ill.), after Weinsheimer intervened to block an answer from Byung Pak, a former U.S. attorney from the Atlanta area. Pak resigned on Jan. 4 under pressure from Trump to interfere in election-related matters.

The exchange, one of a dozen times that Weinsheimer blocked former officials from answering committee questions, underscores the tension facing the Biden DOJ and Attorney General Merrick Garland. Although congressional Democrats have largely hailed Garland's willingness to make witnesses available, the interviews show that the Biden administration will still move to protect Executive Branch interests.

And that tension may sharpen as House and Senate investigators begin to delve more deeply into the Trump White House's role in orchestrating efforts to overturn the 2020 election.

Nevertheless, the Biden Justice Department has taken unprecedented steps to furnish details about Trump's campaign to upend the election, including waiving questions of privilege for senior Trump DOJ officials to testify. That enabled Pak, former Acting Attorney General Jeffrey Rosen and his deputy Richard Donoghue to provide detailed testimony about Trump's pressure campaign.

Senate Democratic investigators had asked Pak specifically to indicate whether he had received any evidence that 2,560 felons voted in Georgia, a claim propagated by the Trump campaign that later proved unfounded. Weinsheimer said that the question was beyond the scope of the committee investigation, which was focused specifically on Trump's pressure campaign against Pak and other senior DOJ officials.

"You're getting into specific investigations that don't have anything to do with specific pressure put on Mr. Pak, and so I would object," Weinsheimer said.

"It seems to me that it is inherent in understanding ... whether there were particular things that [White House chief of Staff Mark Meadows], the President thought that Mr. Pak's office ought to be looking into that they were not looking into," Zdeb replied, according to the transcripts.

But Weinsheimer didn't relent, and Pak's personal attorney deferred to the Justice Department.

While DOJ has waived questions of privilege so that senior Trump DOJ officials could testify, it's simultaneously sought

to protect executive branch prerogatives. The Justice Department declined to comment, but Garland confirmed in an interview Monday that the DOJ is in regular contact with the White House on executive privilege issues related to investigations of former President Trump.

But the department is still keeping a tight lid on specific investigative steps it may have taken to pursue claims of voter fraud, even as aides in both parties said that information was essential to understanding the context of Trump's push. The Justice Department declined to comment, but Garland confirmed in an interview Monday that the DOJ is in regular contact with the White House on executive privilege issues related to investigations of former President Trump. Durbin told reporters on Thursday that he isn't concerned about the refusal to allow the witnesses to answer certain questions because the interviews themselves were extraordinary in the first place.

"What opened the door to this inquiry was the decision by the attorney general that they couldn't hide behind any type of privilege," Durbin said Thursday. "They could testify as to what happened. So I think generally speaking, just the opposite is true. I think Merrick Garland's position has really opened the door for more inquiries like this."

But a spokesperson for the Judiciary Committee's top Republican, Iowa Sen. Chuck Grassley pointed to the refusal to answer certain questions and said it contradicted DOJ's promise to be transparent.

"It's remarkable that while President Biden took the extraordinary step of waiving executive privilege to publicize the former president's deliberations with his top advisers, Biden's own Justice Department thwarted the same level of transparency when asked about records the Department provided and what it did to actually investigate claims of irregularities in the 2020 election," said Grassley spokesperson Taylor Foy.

Most of Weinsheimer's interjections came during questioning by Republican counsel Josh Flynn-Brown. During an interview with Rosen, Weinsheimer blocked Rosen from answering questions about whether the department opened election fraud cases prior to the certification of the 2020 results. He blocked Pak from answering a similar question as well.

"I would object to that question. It's beyond the scope of the authorization," Weinsheimer said.

"I think it's precisely in scope and a very critical question for him to answer," Flynn-Brown replied.

In the same interview, Flynn-Brown asked Pak for examples of the types of fraud claims he received surrounding the 2020 election. Weinsheimer again objected.

"I think in the Donoghue interview I had five objections. In the Rosen interview, I had one. I have two now. So let's see how many I can rack up today," Flynn-Brown said.

"Then I recommend you stay within the scope, and I won't object," Weinsheimer replied.

During Democrats' questioning of Pak, Weinsheimer also stopped Pak from issuing a lengthy answer about his work after Pak appeared to begin discussing efforts to investigate threats against election workers.

"At this point," Weinsheimer said, "I'm concerned that Mr. Pak may be going beyond the scope."

Sen. Patrick Leahy

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The Intercept: [The U.S. Is Organizing a \\$5 Million Gun Sale to Mexico Forces Accused of Murder and Kidnapping](#), by Ryan Devereaux, 10/6/2021

T H E B I D E N is presiding over the sale of millions of assault rifles in weapon to specialized elements of the Mexican military despite growing concern from lawmakers over the recipients' abhorrent human rights records.

If completed, Sig Sauer, a New Hampshire-based company, would sell more than \$5 million worth of assault rifles and suppressors to Mexico's navy and marines. Long considered by U.S. officials to be Washington's most trustworthy ally in the war on drugs, the Mexican navy, particularly its elite marine special operations teams, has been linked to a string of kidnappings and extrajudicial killings in recent years.

Announced in July, the State Department's approval of the sale came just months after 30 Mexican marines were arrested for orchestrating a wave of disappearances and murders in a case that has drawn international attention and condemnation. The U.S. government takes human rights into consideration in all cases involving the approval of gun

sales to foreign security forces, the State Department said in an email to The Intercept. The department refused to say how those standards were applied in Sig Sauer's sale to the Mexican navy specifically. Sig Sauer did not respond to a request for comment.

The weapons deal is a touchpoint in a wider set of concerns raised by Democratic lawmakers in recent months surrounding oversight of the multimillion-dollar flow of U.S.-made guns to the Mexican military as the two countries embark on what both have described as a new era of security cooperation. "We have a number of substantive concerns with these transfers based on recent reporting and credible documentation of abuses," a Democratic aide on the House Foreign Affairs Committee told The Intercept. "We are currently engaged with the State Department on such concerns."

This week, Secretary of State Antony Blinken, Attorney General Merrick Garland, and Homeland Security Secretary Alejandro Mayorkas will travel to Mexico City for a multiday "high-level security dialogue" with their Mexican counterparts. In recent months, Mexican Foreign Minister Marcelo Ebrard has repeatedly underscored Mexico's intention to overhaul its relationship with Washington by leaving behind a \$3 billion security aid package known as the Mérida Initiative. Senior Biden administration officials have signaled support for the idea.

The focus on the aid program, however, is somewhat misleading. Though Mérida did begin with an emphasis on sending military aid and equipment to Mexico in the mid-2000s, it has gone through various iterations since. Today, the program is more focused on reform of Mexico's judicial system and other rule of law and civil society initiatives than on hard-edged drug war operations. The militarization of Mexico that Mérida came to symbolize, and the abuses that have come with it, is arguably better reflected in the lucrative private arming of problematic security forces resulting from weapons deals like the one President Joe Biden's State Department approved this summer. As both governments' pursuit of the Sig Sauer sale suggests, that pipeline of weaponry appears well entrenched.

The visit by Biden's top Cabinet-level officials to Mexico City this week follows months of inquiries from Vermont Sen. Patrick Leahy's office concerning exactly how those deals work and whether the U.S. really knows where the weapons it is approving are going.

Last month, Leahy's office sent Blinken a letter, co-signed by Sens. Cory Booker of New Jersey, Jeff Merkley of Oregon, and Dick Durbin of Illinois, linking the Sig Sauer sale to a broader pattern of U.S.-made weapons, including those manufactured by Sig Sauer, making their way to units credibly implicated in kidnappings and massacres. If the U.S. government cannot keep track of where the weapons exports that it is approving are ultimately headed, the senators argued, then those sales should stop.

The senators' letter was based in part on Mexican military records that tie U.S.-made guns to specific and notorious cases of abuses by Mexican security forces. Those records were obtained through public records requests by John Lindsay-Poland, a researcher and analyst with Global Exchange, a nonprofit human rights organization that publishes reports on U.S. weapons exports to Mexico through its Stop U.S. Arms to Mexico initiative. (In 2018, Lindsay-Poland wrote about U.S. arms sales to Mexico for The Intercept.)

"This letter from the four senators, it was an important step," Lindsay-Poland said. "Nobody in Congress has said if certain conditions are not met, we should stop selling these weapons."

P R E S E N T E and over to the Navy SEALs, Mexico's marines have much in common with their northern counterparts, including responsibility for their country's most sensitive operations. With deep U.S. security connections, marine special forces have for years enjoyed an aura of untouchability in the face of grave human rights abuse allegations. Recently, however, that's begun to change.

In April, 30 marines from across the country were called to Mexico City under the auspices of an unspecified mission. Once on the ground, the marines were arrested on kidnapping charges. In total, 257 marines were suspected in the abduction or murder of nearly 60 men, women, and children, including American citizens, over a matter of months in early 2018.

The arrests were largely due to the efforts of families of disappeared persons and local human rights advocates in the northern Mexican state of Tamaulipas, whose decision to speak up in one of the border's most dangerous places came

at great personal risk.

In the winter of 2017, an element of marines led by a commander who was said to have a “direct line with the Pentagon’s military intelligence” was sent to the Tamaulipan city of Nuevo Laredo, just across the border from Laredo, Texas, as part of an anti-cartel offensive. By the time the unit’s six-month deployment was through, nearly 50 people last seen in marine custody were gone — some turned up dead, and others were never seen again. The victims had no evident ties to organized crime and included two 14-year-old boys, whose bodies were later found half-buried in the desert.

The following spring, families of Nuevo Laredo’s disappeared blocked the international bridge into Texas, bringing millions of dollars in trade to a halt. With activists calling the marines out by name, the action drew the attention of Mexico’s biggest newsrooms. Bit by bit, the horrors of what had happened in Nuevo Laredo came to light, as families described loved ones taken away by heavily armed marines without explanation or answers as to where they had gone. The United Nations Human Rights Office in Mexico launched an investigation and by the end of the month had confirmed 21 disappearance cases. The office’s high commissioner called on Mexico to “take urgent steps to end a wave of disappearances in and around the city of Nuevo Laredo.”

Two years later, an investigation by the human rights office of the Mexican federal government concluded that the marines had abducted 27 people in Nuevo Laredo — 12 of whom turned up dead — and perpetrated a series of “illegal searches and arbitrary detentions.” The commission has separately found evidence of widespread torture and sexual abuse in cases involving individuals in marine custody. In July of this year, in the wake of the marines’ arrests in Mexico City, the navy offered a rare acknowledgment and apology for its crimes in Tamaulipas.

In a country where 98 percent of violent crimes — including murders, go unsolved and security forces are routinely involved in some of the most heinous attacks, the fact that so many members of the military’s most elite teams were facing possible accountability marked a moment unlike anything in recent history.

It would have been all but impossible for State Department officials with an eye toward Mexico to miss one of the country’s biggest national security and human rights stories, one described in the New York Times, the BBC, and the Washington Post. Just last year, Politico Magazine published a deeply reported investigation into the case of Jorge Antonio Dominguez, an 18-year-old U.S. citizen who was snatched off the street by marines in April 2018 and remains missing to this day. In the article, a former high-ranking official in the State Department’s Bureau of Western Hemisphere Affairs described how closely the department monitors media reporting on issues like kidnapping.

And yet the State Department, in its July notification to Congress, which came less than two weeks after the Mexican navy acknowledged responsibility for the Nuevo Laredo kidnappings, listed “human rights” among the issues it reviewed in approving the sale of millions of dollars in Sig Sauer weaponry to the navy.

The Intercept asked the State Department what criteria it used to arrive at its conclusion.

“Without speaking to individual cases, all proposed defense sales and transfers are assessed on their individual merits in accordance with the Arms Export Control Act, the U.S. Conventional Arms Transfer Policy and other related law and policy guidance which accounts for a broad range of political and economic considerations including human rights,” a State Department spokesperson said in an email.

The relationship between the State Department, Sig Sauer, and the Mexican navy — and by extension the Mexican marines — long predates the sale in question today and is in fact part of a multiyear exchange of guns and cash.

In 2015, the State Department approved a license for Sig Sauer to export \$265 million worth of assembly kits for semi-automatic pistols and submachine guns to the Mexican navy through 2024. By 2018, as human rights abuses by the marines began picking up coverage, \$26.7 million in gun parts and \$4.3 million in complete guns had already been exported through the deal.

“This means that Sig Sauer has at least \$234 million left in sales to make before its license expires in 2024,” a report published by Lindsay-Poland and colleagues at the Mexican Commission for the Defense and Promotion of

Human Rights noted at the time. “If the license is completely fulfilled, the navy’s weapons purchases from Sig Sauer alone would nearly double the already elevated U.S. exports of guns and gun parts to Mexico.”

W I T H H ~~billions of Dollars in~~ EU.S.D made guns and fear on the line and repeated evidence of the recipients of that equipment engaging in murder and kidnapping, a handful of lawmakers are pushing for answers on the oversight of U.S. weapons to Mexico.

For decades, oversight of arms exports to foreign governments was the sole responsibility of the State Department. Under former President Donald Trump, elements of those responsibilities were controversially shifted to the Department of Commerce. Under the revised framework, State approves licenses and has responsibility for end-use controls for fully automatic firearms, while Commerce approves licenses and has responsibility for end-use controls for semi-automatic and nonautomatic firearms. The shift, which removed meaningful congressional oversight of the licensing process, marked the accomplishment of a long-standing goal of the arms industry.

In March, Leahy, Durbin, Merkley, and Booker sent Blinken a letter co-signed by Sens. Robert Menendez, Ben Cardin, Chris Van Hollen, and Tim Kaine seeking information on how the new oversight regime was playing out with respect to Mexico, the top government buyer of American guns in the Western Hemisphere.

The senators cited several reasons for concern. The lawmakers pointed to documents from the Mexican Secretariat of National Defense, or SEDENA, showing that U.S.-made guns, many of them manufactured by Sig Sauer and then purchased by SEDENA, were sold to security forces implicated in massacres and extrajudicial killings going back years and extending into the present day.

In September 2019, members of a U.S.-trained Tamaulipas state police special operations unit known as the GOPES massacred eight civilians in Nuevo Laredo, the same border city where the marines had carried out their abductions a year before. In the two months that followed, “SEDENA sold hundreds of Sig Sauer rifles and pistols that it imported from the United States” to the public security office under which the GOPES are housed. The senators noted: “The sale to this unit proceeded even after the United Nations announced within two weeks of these killings that it was investigating them, and prior to a trial of three officers of the Tamaulipas SSP, which has not yet taken place as of the writing of this letter.”

Twelve more members of the GOPES were arrested for another massacre in March of this year, accused of murdering 19 migrants and incinerating their remains just south of the Texas border. “Online images posted by the Tamaulipas state government show GOPES agents with Sig Sauer rifles,” the senators wrote. Despite the trail of violence, U.S. Immigration and Customs Enforcement and Drug Enforcement Administration officials in Mexico presented the commander of the GOPES with an award in August, citing his “exceptional,” “outstanding,” and “continuous contributions” to joint U.S.-Mexico law enforcement efforts.

The military documents reviewed by the lawmakers also showed that U.S.-made guns were used in one of the most notorious crimes in Mexican history: the 2014 disappearance by Mexican security forces of 43 students from the rural teachers college known as Ayotzinapa, in the state of Guerrero. Recently, leaked testimony in the case has pointed to the Mexican army’s direct involvement in the students’ disappearance. From 2010 to 2016, nearly one-fifth of guns purchased by the army and sold to police forces in Guerrero went missing or were stolen.

“The documents from SEDENA show that Colt Manufacturing was notified on February 3, 2015, that hundreds of rifles it produced were exported and destined for police forces in eight states,” the senators wrote, including the public security office in Guerrero. “That notification came only two months after public reports implicated the Guerrero SSP in the forced disappearance of 43 students in Iguala, Guerrero, on September 26, 2014. Judicial documents from the investigation of the Ayotzinapa disappearances show that municipal police in Guerrero implicated in the disappearances were armed with Colt rifles.”

Taken together, the documents pointed to a potentially systemic misrepresentation of where American guns are going in Mexico spanning more than a decade. The Mexican army provided hundreds of end-use certificates for “U.S. exported firearms destined for state and local police forces between 2008 and 2019,” the senators wrote. “Although the firearms were exported for use by police forces, in every single certificate, SEDENA listed itself the army as the

end user.”

Given the alarming picture emerging from the military’s own records, the lawmakers asked whether the government tracked U.S.-made weapons that the Mexican army sells to police units; whether embassy officials were aware of the sales to Mexican security forces accused of killings and abductions in Guerrero and Tamaulipas; and how oversight of arms exports would function with the recent transfer of responsibilities to the Department of Commerce.

The State Department, in its [reply](#) the following month, delivered just one week after the marines were taken into custody in Mexico City, [indicated](#) that its ability to track weapons once they are sold to the Mexican military is limited and deferred to the Commerce Department on matters of oversight going forward. As for whether U.S. officials were “aware that U.S. firearms were sold for use by police forces in Guerrero and Tamaulipas,” the department did not provide a direct answer, instead listing its general policies.

The lawmakers were not satisfied. “We remain concerned to learn from your response that the U.S. Embassy has not been consulted about instances regarding Mexican police forces as end users of U.S. exported firearms,” they wrote in a [follow-up letter](#) last month. “We are also concerned about a proposed license to export \$5.5 million worth of Sig Sauer automatic rifles to the Mexican Navy, whose units are implicated in forced disappearances and torture, without adequate end user controls.” The senators pointed to a 2019 report which found that more than 65 percent of “detainees over a ten-year period said that they suffered torture while in Navy custody, including asphyxia, electric shocks, burns, and rape.”

The lawmakers called on Blinken to “immediately begin a review of all existing licenses for exports of firearms to Mexico for use by the Mexican police and Navy” before and since March 2020. They also called for a suspension of licenses in cases in which end users appeared in a government database known as INVEST, which the State Department uses to monitor abuses by security units that receive U.S. training.

“Given the extensive documentation of widespread infiltration of Mexican police forces by criminal organizations, and police and military participation in atrocities, we expected the Departments of State and Commerce to establish mechanisms to ensure that U.S. firearms do not contribute to these crimes,” they wrote. Instead, they said, “the Commerce Department issued a rule change in December 2020, without public comment, that *eases* firearms exports to Mexico.”

As for guns going to problem units in Guerrero and Tamaulipas, the senators wrote that the State Department’s April response “clarified how licenses for firearms exports to Mexico should identify end users, but did not state whether this was the case for the firearms transferred in 2015 to state police in Guerrero and in 2019 to state police in Tamaulipas.”

The lawmakers demanded to know: “When were U.S. Embassy staff or other U.S. officials first aware that U.S. firearms were sold for use by police forces in Guerrero and Tamaulipas? What actions were taken, if any, to prevent further U.S.-exported firearms from ending up in the hands of these police forces? If no action was taken, why not? We asked these questions in our March letter, and ask them again.”

The senators have yet to receive answers to their questions, a spokesperson for Leahy’s office said in an email to The Intercept, though, he added, their inquiry continues.

Sen. Dianne Feinstein

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New York Times: [Justice Dept. Proposes Rule to Crack Down on ‘Ghost Guns’](#), by Katie Benner, 9/10/2021

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Sen. Dianne Feinstein: [Feinstein, Tillis Continue Bipartisan Push to Combat International Parental Child Abduction](#), 10/1/2021 (Sen. Thom Tillis)

Sen. Dianne Feinstein: [Feinstein, Blumenthal Call on Justice Department to Testify in Upcoming Judiciary Committee on Larry Nassar Case](#), 9/2/2021

Sen. Dianne Feinstein: [Feinstein: Texas Abortion Law Weakens Women's Reproductive Rights](#), 9/2/2021

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New York Times: [Justice Dept. Proposes Rule to Crack Down on 'Ghost Guns'](#), by Katie Benner, 9/10/2021

WASHINGTON The Justice Department proposed a rule on Friday that would expand the definition of a firearm and help close a loophole that has allowed people to buy so-called [ghost guns](#), firearms that are easily assembled from kits but are not regulated by federal gun laws.

The proposal was the latest effort by the Biden administration to crack down on gun deaths. President Biden [ordered the Justice Department](#) last month to find a way within 30 days to curb the spread of ghost guns, with an eye toward keeping them from criminals who might not otherwise be able to pass a background check and buy a gun.

“Criminals and others barred from owning a gun should not be able to exploit a loophole to evade background checks and to escape detection by law enforcement,” Attorney General Merrick B. Garland said in a statement announcing the proposal.

“This proposed rule would help keep guns out of the wrong hands and make it easier for law enforcement to trace guns used to commit violent crimes, while protecting the rights of law-abiding Americans,” he said.

After [mass shootings this year](#) in the Atlanta area and Boulder, Colo., Mr. Biden [issued half a dozen executive actions](#) to address gun violence, including the directive to the Justice Department aimed at stopping the proliferation of ghost guns. Such guns have no serial numbers and are not tracked by the federal government.

“Criminals are buying kits containing nearly all of the components and directions for finishing a firearm within as little as 30 minutes and using these firearms to commit crimes,” the White House said in a statement at the time. “When these firearms turn up at crime scenes, they often cannot be traced by law enforcement due to the lack of a serial number.”

In a [budget hearing](#) this week before a House appropriations subcommittee, Mr. Garland told lawmakers that it was unclear whether ghost guns “are defined as firearms themselves.”

Under the proposed rule issued on Friday, gun retailers would need to run background checks before selling kits that contain the parts necessary to make a gun, and gun kit makers would need to include a serial number for certain parts found in firearm kits that are easy to build.

The rule would also require federally licensed firearms dealers to add a serial number to any 3D-printed guns or other nonserialized firearms that they intend to sell.

After the Justice Department issues its proposed rule on ghost guns and publishes it in the Federal Register, the public will have 90 days to suggest changes, the department said in a statement.

The Justice Department said that from 2016 to 2020, law enforcement officers had recovered more than 23,000 firearms without serial numbers from potential crime scenes.

“Although this rule-making will solve only one aspect of the problem, we have an obligation to do our part to keep our families and our neighborhoods safe from gun violence,” Mr. Garland said.

Gun control advocates applauded the move. “Ghost guns undermine nearly every gun law in the country, and they are marketed and sold for that purpose,” Kris Brown, the president of Brady, an advocacy group pushing for gun control, said in a statement. “The rule proposed by the Justice Department today will have a tangible impact.”

Senator Dianne Feinstein, Democrat of California and a staunch advocate of gun control, called the new rule a “common-sense” measure that would cut down on crime and improve public safety.

“For too long, these ghost guns have plagued our streets,” Ms. Feinstein said in a statement. “I’m glad President Biden is fulfilling his promise to ban these guns and will continue to work with his administration to pass common-sense measures to end the gun violence epidemic.”

When Mr. Biden unveiled his executive actions, including the request for a proposed rule about ghost guns, the National Rifle Association vowed to fight the proposals, calling them “extreme gun control actions” that would push states to confiscate more guns.

Sen. Sheldon Whitehouse

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Hearings

[Violence Against Women Act Reauthorization Hearing question by Whitehouse on Christine Blasey Ford and Sexual Assault Allegations](#), 10/5/2021 (at 1:02:30)



TV

MSNBC: [Whitehouse on Meet the Press about report on Trump pressure on DOJ](#), 10/11/2021



MSNBC: [Rachel Maddow interview with Sen. Whitehouse after new report details Trump campaign efforts to pressure DOJ officials to overturn election](#), 10/7/2021



Print

USA Today: [We shouldn't get distracted from the IRS leak scandal](#), by Christian Schneider, 10/17/2021

Guardian: [Senate report details Trump's attempt to use DoJ to overturn election defeat](#), by David Smith, 10/7/2021

Politico: [DOJ inspector general investigating Trump-era car emissions case](#), by Leah Nylén, 10/6/2021

Releases

Sen. Whitehouse: [Whitehouse Blasts Republican Vote to Protect Dark Money, Restrict Voting Rights](#), 10/20/2021

Sen. Whitehouse: [Whitehouse Statement on SCOTUS Commission Interim Report](#), 10/15/2021

Sen. Whitehouse: [Whitehouse Statement on New Report Detailing Trump & Allies' Pressure on Department of Justice to Overturn the 2020 Election](#), 10/7/2021

Tweets

[Sen. Sheldon Whitehouse](#), 10/20/2021

Sheldon Whitehouse @SenWhitehouse

I hope our Ethics Committee, the House 1/6 Committee, and DOJ are all looking at interactions between these big donors and House and Senate members who challenged ballots, giving rioters time to break in.

propublica.org
Top Trump Fundraiser Boasted of Raising \$3 Million to Support Jan. 6 "Save A...
Caroline Wren, who had worked on the Trump campaign, told associates she distributed funds to a number of political organizations backing the rally.

7:37 PM · Oct 20, 2021 · Twitter for iPhone

[Sen. Sheldon Whitehouse](#), 10/19/2021

Sheldon Whitehouse @SenWhitehouse

Might this include a tobacco-style case on climate denial fraud at last? DOJ did zero due diligence before rolling over, despite precedent of winning tobacco case.

washingtonmonthly.com
Will Biden's Justice Department Crack Down on Corporate and White-Collar Cr...
Why encouraging words from a top DOJ official give me hope that it will.

11:53 AM · Oct 19, 2021 · Twitter Web App

[Sen. Sheldon Whitehouse](#), 10/4/2021

Sheldon Whitehouse @SenWhitehouse

The Trump admin used expanded executive privilege to dodge accountability and mislead the public about the Mueller report. To stop history from repeating itself, I'm pushing back on the DOJ for upholding such unreasonably broad standards.

1:11 PM · Sep 4, 2021 · TweetDeck Web App

Full Articles

USA Today: [We shouldn't get distracted from the IRS leak scandal](#), by Christian Schneider, 10/17/2021

What ever happened to the IRS leak scandal?

In the news cycles typical of the social media era, breakfast's outrages are typically lunchtime's old news.

Manufactured scandals are America's most plentiful natural resource, and there's typically another one coming your way on the hour. If any savvy spinmeister wants to keep a story alive for more than half a day, it might be best to give it to Kyrie Irving or Nicki Minaj's eternally newsworthy friend.

The rapid-fire scandal machine muddles our memory of true outrages that quickly disappeared. For instance, in June, ProPublica issued a report claiming America's wealthiest individuals were underpaying their taxes, based on a formula created by themselves to calculate rich folks' "true tax rate." Only, its report was based on Internal Revenue Service records leaked to the publication by a source for whom ProPublica claimed to have no identifying information.

A serious system of inequity

The reaction to the story was swift.

"Any unauthorized disclosure of confidential government information by a person with access is illegal, and we take this very seriously," said White House spokeswoman Jen Psaki.

"People are entitled, obviously, to the greatest privacy with respect to their tax returns," said U.S. Attorney General Merrick Garland, adding, "I very well remember what President (Richard) Nixon did in the Watergate period the creation of enemies lists and the punishment of people through reviewing their tax returns."

"This was a very serious situation," said Treasury Secretary Janet Yellen, vowing to get to the bottom of it.

"Trust and confidence in the Internal Revenue Service is sort of the bedrock of asking people and requiring people to provide financial information," said IRS Commissioner Charles Rettig.

But some progressives needed only the length of one morning shower to wash away their feelings of guilt to pounce on the opportunity to express anti-rich sentiment. Democratic Sens. Elizabeth Warren of Massachusetts and Sheldon Whitehouse of Rhode Island sent a letter to Finance Committee Chairman Ron Wyden of Oregon asking for a hearing on the "deeply troubling allegations" in the ProPublica report.

"This report 'demolishes the cornerstone myth of the American tax system: that everyone pays their fair share and the richest Americans pay the most,'" Warren and Whitehouse wrote, quoting the report.

But for those willing to be honest about how wealth and taxation works, the exposé itself was a dud. ProPublica tried to reverse engineer a scandal by conflating two piles of money that are taxed differently: "income" and "wealth."

The net worth of many "billionaires" is tied up in ownership of their business their wealth exists primarily on paper and will be realized only at the time they decide to sell their ownership. Many "rich" people collect very little in annual income, although their net worth remains high due to the value of their assets stocks, properties, etc.

And of course, as with most investments, the worth of those assets can go up or down. A "rich" person who invested all their money in Theranos blood machines a few years back is now likely giving their own blood on a weekly basis to scare up extra cash.

Finding the leaker

Further, the businesses these individuals create generate wealth and thus tax revenue in amounts that never would have materialized had they not taken on the risk and initiative to do something new. Without the income taxes and sales taxes generated by some major corporate giants, for instance, governments would be likely gasping for new revenue sources.

And, of course, contra Rep. Alexandria Ocasio-Cortez's conversation-starting Met Gala dress, the rich are taxed in America. The top 3% of wage earners in America pay more than 50% of the taxes in America; meanwhile, the bottom 50% of wage earners pay nearly 4% of the country's taxes.

Like a bank robber who pulls off a major heist only to realize he has stolen a truck full of [Michael Bolton's "Greatest Hits"](#) albums, the ProPublica story was likely made possible by a criminal act with underwhelming results.

It should be noted that the ProPublica leak is different than the recent "[Pandora Papers](#)" leak, in which over a dozen financial firms leaked information about how wealthy people often (legally) shield their assets in foreign countries. In that case, it was private companies doing the leaking although the principle is the same. Regardless of your income, would you want your personal information surreptitiously passed to the public?

Perhaps, true to his word, [Merrick Garland's Department of Justice](#) is working hard to find the presumed IRS leaker (I contacted the DOJ to find out and received no response).

Or maybe, like thousands of other scandals, this one has faded into history.

Guardian: [Senate report details Trump's attempt to use DOJ to overturn election defeat](#), by David Smith, 10/7/2021

Donald Trump wanted to install a loyalist as America's top law enforcement official to overturn his election defeat but was thwarted by an internal revolt, an official investigation has found.

[A 394-page report](#) by the Senate judiciary committee's Democratic majority offers the most detailed account yet of Trump's last-gasp effort to pressure the justice department to destroy democracy.

"This moment was spine-tinglingly, chillingly close to shredding the constitution because Donald Trump tried to subvert, corrupt the constitution and the Department of Justice," Senator Richard Blumenthal, a member of the committee, told reporters.

Trump declared himself, not Joe Biden, the true [winner on election night](#) in November 2020 and continued to pursue false claims of voter fraud despite a lack of evidence and repeated court defeats.

The interim Senate report describes how, at a White House meeting on the evening of 3 January, Trump considered ousting the acting attorney general, [Jeffrey Rosen](#), and appointing the acting assistant attorney general, Jeffrey Clark, in his place.

The president told Rosen: "One thing we know is [that] you, Rosen, aren't going to do anything to overturn the election."

Clark was more open to pursuing Trump's baseless allegations of fraud, and pushed Rosen and Donoghue to publicly announce that the justice department was investigating them. But several officials in the three-hour meeting told the president they would resign if he put Clark in charge at the department.

According to witnesses interviewed by the Senate committee's majority staff, White House counsel Pat Cipollone cited a draft letter from Clark urging Georgia officials to convene a special legislative session on the election results as a "murder-suicide pact," and Cipollone also threatened to quit.

Richard Donoghue, who was Rosen's deputy at the time, replied that there was "no chance" he would sign the letter or "anything remotely like that".

Donoghue told the committee that he warned Trump that all assistant attorneys general, and perhaps US attorneys and other senior department officials, would resign en masse if the president were to replace Rosen with Clark.

The preliminary Senate report also found that Trump held at least nine calls and meetings with Rosen or Donoghue or both, demanding to know why the justice department was not doing more to investigate his baseless claim of a stolen election.

And Mark Meadows, the White House chief of staff, asked Rosen to launch investigations based on at least four false election fraud claims, including a wild conspiracy theory known as "[Italygate](#)", which held that the CIA and an Italian IT contractor used military satellites to manipulate voting machines and change Trump votes to Biden votes.

The judiciary committee intends to seek further witness interviews and records from the Trump administration. Its interim report is based on interviews with Rosen, Donoghue and Byung Jin Pak, former US attorney for the Northern District of Georgia, as well as hundreds of pages of calendars, emails and other documents.

Trump forced Pak's resignation on 4 January because his investigation did not substantiate claims of fraud in Georgia. William Barr, who proved loyal to Trump on many issues, [had stepped down as attorney general](#) in December after refusing to back his groundless allegations.

The effort by Trump and his allies culminated in [a deadly insurrection](#) at the US Capitol on 6 January but ultimately failed and Biden took office on 20 January. However, the report raises concerns for future elections, suggesting that the democratic system relies in large part on the integrity of government workers and is therefore fragile. It calls for a clearer separation between the White House and justice department.

Democrat [Sheldon Whitehouse](#), a senior member of the Senate judiciary committee, said on Thursday: “These findings show just how close Donald Trump and his lackeys came to crashing through the guardrails of our democracy.

“To boost Donald Trump’s election lies, Jeffrey Clark nearly cleared himself a path to control of the Justice Department where he could have done massive, lasting damage. Jeffrey Rosen and Richard Donoghue upheld the independence of the Department in the face of that barrage of pressure. But we might not have a Rosen and Donoghue next time around.”

Politico: [DOJ inspector general investigating Trump-era car emissions case](#), by Leah Nysten, 10/6/2021

The Justice Department’s inspector general is investigating the Trump administration's decision to open an antitrust probe of four automakers that had sided with California in a feud over the state’s strict vehicle emissions standards, Sen. Sheldon Whitehouse (D-R.I.) said Wednesday.

“I believe the inspector general is investigating this matter,” Whitehouse said at a hearing on the nomination of Jonathan Kanter, President Joe Biden’s pick to helm the DOJ’s antitrust division. The IG's office has not announced that it was looking into the Trump-era probe, which Whitehouse and Gov. Gavin Newsom lambasted at the time as politically motivated.

The case: The Trump DOJ [opened its inquiry into Ford, Volkswagen, Honda and BMW](#) in 2019, investigating whether they illegally coordinated when they entered an agreement to follow California's limits on auto emissions. The probe came as the Trump administration was fighting on multiple fronts to stop the state from thwarting the president's efforts to roll back clean air rules.

The antitrust division [later closed the probe](#) without taking any action.

Last summer, a DOJ whistleblower testified before Congress that the probe was rushed, unusual and launched despite objections from career staff the day after then-President Donald Trump tweeted critically about the deal. Trump denounced the leaders of the "[politically correct Automobile Companies](#)" as "foolish" for opposing his push for laxer regulations.

Trump DOJ officials, including former antitrust division leader Makan Delrahim, denied that the probe was motivated by political bias.

Whitehouse’s interest: The Rhode Island senator has repeatedly pushed the Justice Department for information on the antitrust probe. At Wednesday’s hearing, Whitehouse said he was concerned that the inspector general’s investigation wouldn’t extend to possible White House’s involvement.

A DOJ inspector general probe “stops as soon as the White House says it stops,” he said. “If there were violations of the Department of Justice and White House counsel policy regarding contacts between the Department of Justice and White House, that would be an appropriate use of this committee’s oversight inquiries.”

Sen. Amy Klobuchar

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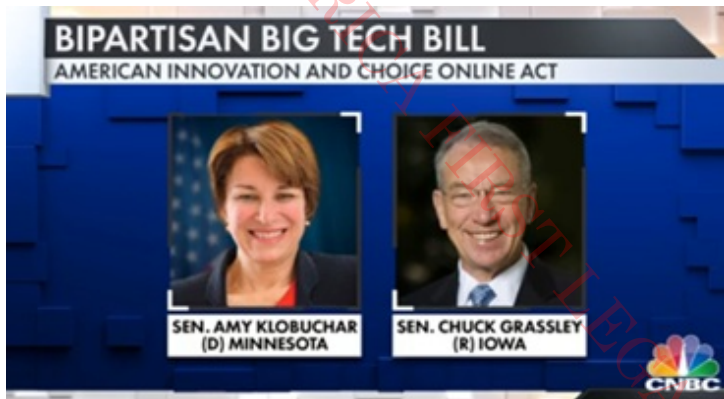
Hearings

[Violence Against Women Act Reauthorization Hearing, Klobuchar introduces her question talking about antitrust and then asks about pandemic's effect on intimate partner violence](#), 10/5/2021 (1:13:30)



TV

CNBC: [Piece on Klobuchar's Antitrust Bill quoting Klobuchar](#), 10/22/2021 (Sen. Grassley)



MSNBC: [Klobuchar on Chris Hayes After Report on Trump DOJ Pressure](#), 10/8/2021



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Washington Examiner: [Google arm-twisting of Roku draws heat from Congress](#), by Nihal Krishan, 10/22/2021

Washington Post: [Jonathan Kanter tells senators he will pursue 'vigorous' antitrust enforcement in DOJ nomination hearing](#), by Cat Zakrewski and Rachel Lerman, 10/6/2021

Releases

Sen. Jeanne Shaheen: [Shaheen, Klobuchar, Durbin Request Update from Justice Department on Efforts to Protect Election Officials and Workers | U.S. Senator Jeanne Shaheen of New Hampshire](#), 10/21/2021 (Sens. Dick Durbin, Richard Blumenthal, Jon Ossoff, Dianne Feinstein, Cory Booker, Alex Padilla, Patrick Leah)

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[Sen. Amy Klobuchar](#), 10/20/2021



[Sen. Amy Klobuchar](#), 10/6/2021



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Washington Examiner: [Google arm-twisting of Roku draws heat from Congress](#), by Nihal Krishan, 10/22/2021

New evidence emerged Friday that Google tried to force TV streaming platform Roku into giving the media giant preferential treatment for its YouTube apps in order to remain in business together.

The fight between the two tech companies escalated into a large public feud Thursday, with key members of Congress weighing in to offer their opinions and solutions to the confrontation.

Google said Thursday that it would remove its subsidiary YouTube's apps from Roku due to "baseless" claims made against it, saying it never asked for preferential treatment, but emails obtained by CNBC from 2019 show the tech giant did try to squeeze Roku into giving it a special deal to promote YouTube within Roku's search results.

A Google executive sent an email to Roku in 2019 saying the following: "YouTube Position: A dedicated shelf for YT search results is a must." A YouTube spokesperson declined to comment on the email to [CNBC](#), but said that business affiliates such as Roku can rank search results for YouTube content "as they wish."

For months, Roku and YouTube's parent company, Google, have been fighting about a 2019 agreement between the two companies that allowed YouTube's TV app to exist on Roku in exchange for prioritized search results for YouTube content on the platform.

The agreement has broken down in the past few months due to disagreements over customers' search data, and if a new deal is not struck before Dec. 9, YouTube's apps will no longer be featured on Roku's app store for consumers to use.

Google and Roku compete with each other in the marketplace for devices that stream video and also digital ads. Roku's streaming devices edge out Google's Chromecast product in popularity, but Google is a dominant player when it comes to online ad spending.

The fight between the two tech companies reached the hallways of Congress on Thursday, with anti-Big Tech leaders such as Democratic Sen. Amy Klobuchar of Minnesota and Democratic Rep. David Cicilline of Rhode Island weighing in to side with Roku in the brawl.

Members of Congress have increasingly accused Big Tech companies of monopolistic behavior toward their smaller rivals, complaints that led to the introduction of [bipartisan antitrust legislation](#).

"This is the exact type of shakedown that my bill, the American Innovation and Choice Online Act, would stop," Cicilline said in a tweet. "We cannot allow Big Tech to continue to throw its weight around, bully other businesses, and harm consumers. This must end."

Cicilline's bill, which has a companion bill in the Senate introduced by Klobuchar, would provide a big boost to tech critics and anti-monopolists by creating rules for Big Tech platforms, such as Facebook, Google, Amazon, and Apple, ensuring they cannot unfairly give preference to their own products and services.

The legislation is focused on establishing new rules to stop anti-competitive behavior among dominant online platforms, giving antitrust enforcers such as the Federal Trade Commission and the Justice Department new powers to regulate the companies, and preventing self-preferencing behavior by the tech giants.

"Roku's claim that Google requires the company to preference YouTube content over that of other providers in Roku's search results highlights why we need new laws to prevent dominant digital platforms from abusing their power as gatekeepers," Klobuchar said in a statement.

Washington Post: [Jonathan Kanter tells senators he will pursue 'vigorous' antitrust enforcement in DOJ nomination hearing](#), by Cat Zakrzewski and Rachel Lerman, 10/6/2021

Jonathan Kanter told lawmakers he would bring "vigorous" enforcement to the helm of the Justice Department's antitrust division, as they weigh his nomination to serve as one of the federal government's top competition cops.

In a Senate Judiciary Committee hearing on Wednesday, he laid out bits of his plan for lawmakers, focusing on ensuring robust competition for businesses across the country.

"Political influence should not be a relevant factor in determining whether to initiate or bring antitrust enforcement actions," Kanter said in response to questioning from Sen. Mike Lee (R-Utah). "The kinds of values are around protecting competition, and competition can yield a wide range of benefits, including protecting the free flow of information."

Kanter is among a wave of personnel choices who signal the Biden administration's eagerness to regulate the tech industry, amid criticism that the companies have flourished for years seemingly without guardrails. His nomination signals how the Democrats' relationship with the tech industry has deteriorated over the past decade, a stark shift from the Obama administration, which largely took a hands-off approach to regulating tech companies.

During the nomination hearing, Kanter pointed to a number of industries where antitrust enforcement could be appropriate, from health care to agriculture. He also affirmed that he has an eye on Big Tech.

"I've been a strong proponent of vigorous antitrust enforcement in the technology area, among others," he said.

Kanter is a known adversary of tech giants including Google and Apple. He has represented their rivals big and small, including Microsoft, NewsCorp and Yelp. His law firm, Kanter Law Group, describes itself as "an antitrust advocacy boutique." And he is under consideration for a key role at the Justice Department as the agency has brought a historic competition case against Google and is scrutinizing Apple for potential anticompetitive conduct.

Senators did not ask Kanter if his previous work for Google and Apple rivals would interfere with his ability to work on Justice Department probes involving the tech giants. Lina Khan, the chair of the Federal Trade Commission, has received petitions from Amazon and Facebook to recuse herself from investigations into the companies given her previous work.

Lawmakers are considering his nomination amid mounting bipartisan support for greater antitrust enforcement and legislation that would bolster the ability of federal enforcers, including the Justice Department's antitrust division, to rein in large tech platforms.

"That requires leadership, experienced leadership, at the antitrust division. That requires legal skill, as well as, and I

think this cannot be forgotten, the courage to take on some of the most powerful companies the world has ever seen,” said Sen. Amy Klobuchar (D-Minn.), the chair of the Senate Judiciary antitrust subcommittee, in her introduction of Kanter.

Sen. Thom Tillis (R-N.C.) said he intended to support Kanter’s nomination, signaling that his appointment will have some bipartisan backing. And Sen. Charles E. Grassley (R-Iowa) made some positive remarks.

“Mr. Kanter has been a forceful critic of big tech companies. So have I,” Grassley said. “The market size and power of companies like Facebook and Google enable them to exert substantial control over how Americans get and share information.”

Lawmakers did not directly question Kanter on how he would work with Khan, who is known for her inventive academic writing about how to regulate tech giants including Amazon. (Amazon founder Jeff Bezos owns The Washington Post.) The FTC is also tasked with competition oversight, and under the Trump administration the agencies made an agreement to divvy up work probing large tech companies. The FTC has an active antitrust case against Facebook.

Khan’s nomination process indicated there is broad bipartisan support in Congress for enforcers who signal greater regulation of the tech industry. Twenty-one Republicans joined 46 Democrats and two independents in backing Khan’s nomination.

The Biden administration has made competition policy a key priority, releasing a sweeping executive order this summer that aims to rein in competition across the economy, challenging the business practices of large firms in tech, health care, agriculture and manufacturing. Biden also tapped Tim Wu, who has called for greater antitrust enforcement of tech giants, to serve on the National Economic Council as a special assistant to the president for technology and competition policy.

“We live in a time when the president and we in the White House feel a very acute, popular demand that more be done to control corporate power and profit-taking,” Wu said at an antitrust conference in New York last week.

Kanter has strong support among liberal Democrats who have called for the break-up of major tech giants. In the months leading up to his nomination, prominent tech critics carried coffee mugs with the text “Wu & Khan & Kanter” to reflect support for tougher antitrust enforcement.

Sen. Chris Coons

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Hearings

[Violence Against Women Act Reauthorization Coons question on gun violence and domestic violence](#), 10/5/2021 (1:25:00)



[Senate Hearing on FBI Investigation of Larry Nassar's Sexual Abuse of Olympic Gymnasts 9/15/2021](#)



TV

MSNBC: [Sen. Markey and Sen. Coons discuss progress and negotiations on the Democratic agenda in the Senate 10/7/2021](#)



Tweets

[Sen. Chris Coons, 9/15/2021](#)

Senator Chris Coons @ChrisCoons · Sep 15

I was struck by the strength, determination, and persistence of these four women and others in pursuit of accountability in this investigation.

Thank you for the courage to testify today and to insist on **justice**.



npr.org
Gymnasts Blast The FBI's Mishandling Of Their Allegations About Larr...
FBI Director Christopher Wray told the gymnasts, who had testified at a Senate Judiciary hearing, he was "deeply and profoundly sorry that so ...

23 81 311

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[Sen. Chris Coons, 9/9/2021](#)

Senator Chris Coons @ChrisCoons · Sep 9

The Texas law violates constitutionally protected reproductive rights, period.

I'm glad to see Attorney General Garland bring the full force of President Biden's Justice Department to bear against the state's abortion ban.

The Recount @therecount · Sep 9
U.S. Attorney General Merrick Garland announces a federal lawsuit against the state of Texas over its new fetal heartbeat abortion bill SB8.
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17 70 335

[Sen. Chris Coons, 6/14/2021](#)



Senator Chris Coons
@ChrisCoons

...

I introduced legislation with @SenRubioPress and @SenatorMenendez to strengthen criminal justice systems and increase access to support services for survivors of violence.

It's a commonsense, bipartisan proposal that would make a real impact in Central American communities.

12:38 PM · Jun 14, 2021 · Twitter for iPhone

Sen. Richard Blumenthal

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Hearings

[Sen. Blumenthal delivers opening statements during hearing on Nassar abuse investigation](#) 9/15/2021

[Senate hearing on the John Lewis Voting Rights Act](#) 10/6/2021



[Facebook Whistleblower Testifies on Protecting Children Online](#) 10/5/2021

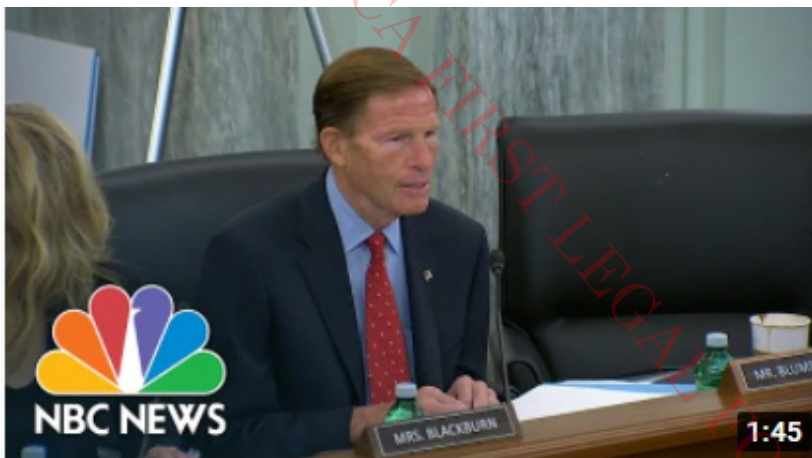


[Hearing on Protecting Children Online opening statement by Blumenthal](#) 9/30/2021



TV

NBC: [Blumenthal Questions Facebook Exec: 'Will You Commit To Ending Finsta?'](#) 9/30/2021



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The Guardian: [Senate report details Trump's attempt to use DOJ to overturn election defeat](#) by David Smith, 10/7/2021

Releases

Sen. Jerry Moran: [Sens. Moran & Blumenthal Statement on DOJ Decision to Review Prosecution Decisions for FBI Agents who Mishandled the Larry Nassar Case and Lied to Investigators](#), 10/6/2021

Tweets

[Sen. Richard Blumenthal, 10/7/2021](#)



Richard Blumenthal @SenBlumenthal · Oct 7

A spine chillingly close call that still leaves a dark cloud lingering over our democracy. Our Judiciary Committee report shows how Trump nearly destroyed the Constitution in his attempt to harness DOJ in overturning the election.



nytimes.com

Report Cites New Details of Trump Pressure on Justice Dept. Over Ele...
A Senate panel fleshed out how Donald Trump pursued his plan to install a loyalist as acting attorney general to pursue unfounded report...

83 249 464

[Sen. Richard Blumenthal, 10/6/2021](#)



Richard Blumenthal @SenBlumenthal

Access to abortion is a constitutional right. Texas' S.B.8 eviscerates reproductive freedoms & encourages vigilante retribution. Tonight, a federal judge has finally enjoined its enforcement.

AP The Associated Press @AP · Oct 6

BREAKING: A federal judge has ordered Texas to suspend the nation's most restrictive abortion law, which banned most abortions statewide. The state is expected to appeal. apne.ws/j5CQGwU

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10:32 PM · Oct 6, 2021 · Twitter for iPhone

63 Retweets 2 Quote Tweets 331 Likes

[Sen. Jerry Moran 10/6/2021](#)

Richard Blumenthal Retweeted



Senator Jerry Moran
@JerryMoran

@SenBlumenthal and I are encouraged that the Department of Justice is reviewing its earlier decision to not hold accountable the FBI agents who knew of Larry Nassar's abuse, did nothing, and then lied about it – in violation of their sworn duty and the law.

12:38 PM · Oct 6, 2021 · Twitter Web App

34 Retweets 142 Likes



Full Articles

The Guardian: [Senate report details Trump's attempt to use DOJ to overturn election defeat](#) by David Smith 10/7/2021

Donald Trump wanted to install a loyalist as America's top law enforcement official to overturn his election defeat but was thwarted by an internal revolt, an official investigation has found.

A 394-page report by the Senate judiciary committee's Democratic majority offers the most detailed account yet of Trump's last-gasp effort to pressure the justice department to destroy democracy.

"This moment was spine-tinglingly, chillingly close to shredding the constitution because Donald Trump tried to subvert, corrupt the constitution and the Department of Justice," Senator Richard Blumenthal, a member of the committee, told reporters.

Trump declared himself, not Joe Biden, the true winner on election night in November 2020 and continued to pursue false claims of voter fraud despite a lack of evidence and repeated court defeats.

The interim Senate report describes how, at a White House meeting on the evening of 3 January, Trump considered ousting the acting attorney general, Jeffrey Rosen, and appointing the acting assistant attorney general, Jeffrey Clark, in his place.

The president told Rosen: "One thing we know is [that] you, Rosen, aren't going to do anything to overturn the election."

Clark was more open to pursuing Trump's baseless allegations of fraud, and pushed Rosen and Donoghue to publicly announce that the justice department was investigating them. But several officials in the three-hour meeting told the president they would resign if he put Clark in charge at the department.

According to witnesses interviewed by the Senate committee's majority staff, White House counsel Pat Cipollone cited a draft letter from Clark urging Georgia officials to convene a special legislative session on the election results as a "murder-suicide pact," and Cipollone also threatened to quit.

Richard Donoghue, who was Rosen's deputy at the time, replied that there was "no chance" he would sign the letter or "anything remotely like that".

Donoghue told the committee that he warned Trump that all assistant attorneys general, and perhaps US attorneys and other senior department officials, would resign en masse if the president were to replace Rosen with Clark.

The preliminary Senate report also found that Trump held at least nine calls and meetings with Rosen or Donoghue or both, demanding to know why the justice department was not doing more to investigate his baseless claim of a stolen election.

And Mark Meadows, the White House chief of staff, asked Rosen to launch investigations based on at least four false election fraud claims, including a wild conspiracy theory known as "Italygate", which held that the CIA and an Italian IT

contractor used military satellites to manipulate voting machines and change Trump votes to Biden votes.

The judiciary committee intends to seek further witness interviews and records from the Trump administration. Its interim report is based on interviews with Rosen, Donoghue and Byung Jin Pak, former US attorney for the Northern District of Georgia, as well as hundreds of pages of calendars, emails and other documents.

Trump forced Pak's resignation on 4 January because his investigation did not substantiate claims of fraud in Georgia. William Barr, who proved loyal to Trump on many issues, had stepped down as attorney general in December after refusing to back his groundless allegations.

The effort by Trump and his allies culminated in a deadly insurrection at the US Capitol on 6 January but ultimately failed and Biden took office on 20 January. However, the report raises concerns for future elections, suggesting that the democratic system relies in large part on the integrity of government workers and is therefore fragile. It calls for a clearer separation between the White House and justice department.

Democrat Sheldon Whitehouse, a senior member of the Senate judiciary committee, said on Thursday: "These findings show just how close Donald Trump and his lackeys came to crashing through the guardrails of our democracy.

"To boost Donald Trump's election lies, Jeffrey Clark nearly cleared himself a path to control of the Justice Department where he could have done massive, lasting damage. Jeffrey Rosen and Richard Donoghue upheld the independence of the Department in the face of that barrage of pressure. But we might not have a Rosen and Donoghue next time around."

Sen. Mazie Hirono

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TV

MSNBC: [Sen. Hirono on Deadline talking about Trump pressure on DOJ](#), 10/7/2021



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NBC News [Asian American lawmakers urge DOJ to give updates about hate crimes law](#) by Cynthia Silva, 9/22/2021

Real Clear Politics [Mazie Hirono: Attorney General Garland Should "Weigh In" Before Supreme Court Overturns Roe v. Wade](#) by Tim Hains, 9/7/2021

Releases

Sen. Mazie Hirono: [Four Months After COVID-19 Hate Crimes Act Became Law, Hirono and Meng Ask DOJ for Updates](#)

[on Implementation, 9/20/2021](#)

Tweets

[Sen. Mazie Hirono, 10/21/21](#)



Senator Mazie Hirono @maziehirono · Oct 21

For the 3rd time this year the GOP choose voter suppression efforts over the sacred right to vote

They continue to side with special interest donors & dark money over protecting our democracy

It's time to eliminate the filibuster so we can protect voting rights

26 72 289

[Sen. Mazie Hirono, 10/15/21](#)



Senator Mazie Hirono @maziehirono · Oct 15

SCOTUS affirmed our constitutional right to an abortion 48 years ago.

Yet, extreme politicians and judges are working to undermine the right to choose.

We must stop the roll back of women's reproductive rights and pass the Women's Health Protection Act.



nytimes.com
Justice Dept. to Ask Supreme Court to Block Texas' Near-Total Aborti...
The Texas law prohibits most abortions after about six weeks, before many women are even aware they are pregnant.

[Sen. Mazie Hirono, 10/7/21](#)



Senator Mazie Hirono @maziehirono · Oct 7

Today's @JudiciaryDems report makes it clear: Trump's abuse of power knows no bounds. After fomenting an insurrection and using the Justice Department to challenge the election results, Trump and his accomplices still push the Big Lie. Their constant scheming must be stopped.

Senate Judiciary Committee @JudiciaryDems · Oct 7
BREAKING: damning new Senate Judiciary Committee report details then-President Donald Trump's repeated efforts to enlist DOJ in his scheme to overturn the 2020 election. nytimes.com/2021/10/06/us/...
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34 50 205

[Sen. Mazie Hirono, 10/6/21](#)



[Sen. Mazie Hirono, 10/5/21](#)



Full Articles

Al Dia News [Sen. Mazie Hirono and Rep. Grace Meng ask DOJ for updates on Hate Crimes Act](#) by Brittany Valentine, 9/24/2021

Two Asian American lawmakers are asking the Justice Department to provide updates on the COVID-10 Hate Crimes Act, which was signed four months ago.

On Monday, September 20, Senator Mazie Hirono and Rep. Grace Meng sent a letter to Attorney General Merrick Garland urging the implementation of key provisions of the act that are “critical to its effectiveness.”

Garland previously announced a series of steps aimed at assisting the Justice Department with implementing the Act, including assigning a deputy associate attorney general, Rachel Rossi, to arrange anti-hate crimes resources.

In the letter, Hirono and Meng highlighted the increased violence towards elderly Asian Americans and the [Atlanta spa shootings](#) that killed eight people, six of whom were women of Korean descent.

The letter comes weeks after a recent FBI report revealed that the number of hate crimes last year was the highest in more than a decade.

According to the report, more than 10,000 people reported to law enforcement last year that they were the victim of a hate crime due to their race, sexual orientation, gender, religion or disability.

“We request your attention to these matters and periodic updates on your progress as you continue to implement the COVID-19 Hate Crimes Act and work to reduce the violence from xenophobia and hate in our country,” the letter read.

President Biden signed the legislation, co-sponsored by Hirono and Meng, on May 20, after it won bipartisan support in Congress. It directed the Justice Department to speed up the review of pandemic-related hate crimes reported to law enforcement agencies to help them create ways to report these incidents online and to conduct public outreach.

Although the letter commended Garland's efforts to combat hate crimes, it requested that the Justice Department dig deeper into establishing online reporting for hate crimes and other incidents.

The letter referred to a recent analysis from the reporting tool Stop AAPI Hate, which showed that over 9,000 anti-Asian bias incidents occurred within 15 months during the pandemic.

The majority of the incidents — about 63.7% — were cases of verbal harassment, while shunning or avoidance made up about 16.5%. About 13.7% of the incidents involved physical assaults.

Hirono and Meng explained that not all of these incidents, such as shunning and verbal harassment, can be classified as hate crimes, "the impetus for these actions are the same — fear and xenophobia."

They said that in order to successfully address the root causes of this bias and animosity, there needs to be a "clear and full picture of the scope of the problem," and that hate crime data alone is not enough.

The letter also requested an increase in public education campaigns intended to raise awareness of hate crimes in multiple languages to encourage victims to come forward with their experiences.

The lawmakers also called for the law to be applied to all hate crimes occurring during the pandemic, citing antisemitic attacks in May, and the [deaths of at least 44 transgender or gender-nonconforming](#) people last year.

The letter concluded by sharing concerns that as the pandemic goes on, frustration over the virus will "undoubtedly resurface," and with it, more hate incidents.

"We fear the impact this could have on perpetuating hate-based violence against people," the letter stated. "Full implementation of the COVID-19 Hate Crimes Act will help stem the tide against further violence."

NBC News [Asian American lawmakers urge DOJ to give updates about hate crimes law](#) by Cynthia Silva, 9/22/2021

Two Asian American lawmakers are asking the Justice Department for updates on the [Covid-19 Hate Crimes Act](#) signed four months ago.

[Sen. Mazie Hirono](#), D-Hawaii, and [Rep. Grace Meng](#), D-N.Y., sent a [letter Monday to Attorney General Merrick Garland](#) urging the implementation of key provisions of the act that are "critical to its effectiveness." The letter — which highlights the increased [violence toward older Asians](#) and the [Atlanta-area spa shootings](#) that killed eight people, six of whom were women of Asian descent — follows a recent [FBI report](#) that showed that the [number of hate crimes last year was the highest](#) in more than a decade.

"We request your attention to these matters and periodic updates on your progress as you continue to implement the COVID-19 Hate Crimes Act and work to reduce the violence from xenophobia and hate in our country," the letter stated.

A Justice Department spokeswoman confirmed receipt of the letter.

President Joe Biden signed the legislation, co-sponsored by Hirono and Meng, on May 20 after it won bipartisan support in Congress. It directed the Justice Department to expedite the review of Covid-19-related hate crimes that were reported to law enforcement agencies to help them create ways to report such incidents online and to conduct public outreach.

Although the lawmakers' letter commended Garland's efforts to combat hate crimes, it asked the Justice Department to look further into establishing online reporting for hate crimes and other hate incidents. The letter referred to a recent analysis from the reporting forum [Stop AAPI Hate](#) that revealed over [9,000 anti-Asian bias incidents](#) over about 15 months during the coronavirus pandemic. Verbal harassment accounted for nearly two-thirds of the total reported incidents; shunning made up almost 17 percent.

The lawmakers explained that although not all acts of discrimination would equate to hate crimes, "the impetus for these actions are the same — fear and xenophobia."

"In order to meaningfully address the root causes of this bias and hostility, we need a clear and full picture of the scope of the problem," the letter stated. "Data on hate crimes alone is insufficient."

The letter also requested "the expansion of public education campaigns aimed at raising awareness of hate crimes" in different languages to encourage victims to come forward.

Hirono and Meng also called for the law to be applied to all hate crimes occurring during the pandemic, citing antisemitic attacks in May after "an outbreak in violence between Israel and Hamas" and the deaths of at least [44 transgender or gender-nonconforming people](#) last year, "some as the result of anti-transgender bias."

The letter ended by sharing fears that as the pandemic continues, frustration over the virus "will undoubtedly resurface."

"We fear the impact this could have on perpetuating hate-based violence against people," the letter stated. "Full implementation of the COVID-19 Hate Crimes Act will help stem the tide against further violence."

[Real Clear Politics](#) [Mazie Hirono: Attorney General Garland Should "Weigh In" Before Supreme Court Overturns Roe v. Wade](#) by Tim Hains, 9/7/2021

Sen. Mazie Hirono warned that Attorney General Merrick Garland should "intervene" with the Supreme Court in light of an "attack on women's health care" in the new Texas abortion law.

"There's been such fear and the chilling effect and the chaos that's resulting in Texas as a result of what they're doing over there, followed by other states that want to follow suit, by the way. This is an attack on women's health care. That's how I see it," Hirono said during a Monday MSNBC interview.

"There is another case that is before the Supreme Court that is going to give them the chance to overturn Roe v. Wade directly. And I would like the attorney general to weigh in. I think he should intervene in that case and argue against whatever the state is doing. I think it's Mississippi and their restrictive laws."

"I'm really glad that both the president, as well as the attorney general, is looking at using whatever tools that they have."

"Until Roe v. Wade is overturned by the Supreme Court, women's right to an abortion should still be protected. So I'm hopeful that Merrick Garland will use whatever he can," she said.

She concluded: "Every state should be codifying Roe v. Wade, as Hawaii did a number of years ago, because these restrictive laws are being enacted by state legislatures all across the country. And that's where we need to take the fight, in addition to, of course, clarifying the Roe v. Wade in the federal law."

"This is yet another reason that we should get rid of the filibuster," Hirono said.

Sen. Cory Booker

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Hearings

[Hearing on the Texas Abortion Ban, Booker asked about impact of ban on minorities](#), 9/29/2021



TV

CBS News: [Booker on CBS says he's "not giving up" on police reform after talks collapsed](#), 10/3/2021



Print

The Grio: [Biden White House weighs executive orders for police reform amid Floyd bill collapse in Congress](#) by April Ryan, 10/16/2021

Politico: [Senators unveil long-awaited antitrust bill](#) by Benjamin Din, 10/14/2021

Releases

Sen. Cory Booker: [Booker, Warren Call on DOJ to Decriminalize Cannabis](#) 10/10/2021

Tweets

[Sen. Cory Booker](#), 10/19/2021



The Administration must continue its efforts to end the Trump Administration's "Remain in Mexico" policy. This policy has created dangerous and inhumane situations for those seeking a better life in America. We need an immigration system that reflects America's values and ideals.

2:49 PM - Oct 19, 2021 - Twitter Web App

[Sen. Cory Booker](#), 10/17/2021



Sen. Cory Booker
@SenBooker

If we don't pass the John Lewis Voting Rights Advancement Act, we know what will happen.

More states will pass more restrictive voting laws, more people—disproportionately Black and Brown people—will be denied their right to vote, and locked out of our democratic process.

9:33 AM · Oct 17, 2021 · Twitter for iPhone

[Sen. Cory Booker](#), 10/7/2021



Sen. Cory Booker
@SenBooker

The hard work of @JudiciaryDems clearly illustrates how serious and dangerous the attempts by Donald Trump and his allies to subvert the 2020 election were. This effort is key to ensuring it never happens again.



nytimes.com

Report Cites New Details of Trump Pressure on Justice Dept. Over Election
A Senate panel fleshed out how Donald Trump pursued his plan to install a loyalist as acting attorney general to pursue unfounded reports of fraud.

5:22 PM · Oct 7, 2021 · Twitter for iPhone

[Sen. Cory Booker](#), 9/30/2021



Sen. Cory Booker
@SenBooker

No one should be harassed or fired for the hairstyles that are true to themselves. I applaud the House Judiciary Committee for passing the CROWN ACT. I urge my colleagues to support this bill that will allow all to wear their hair proudly without fear or prejudice.

7:24 PM · Sep 30, 2021 · Twitter Web App

Full Articles

The Grio: [Biden White House weighs executive orders for police reform amid Floyd bill collapse in Congress](#) by April Ryan, 10/16/2021

Civil Rights attorney **Ben Crump** reached out to *theGrio* Saturday morning to provide details about the White House meeting between Biden officials, civil rights attorneys and the families of Black victims of police and racial violence.

TheGrio broke the story on Friday. Crump, who attended this week's meeting, echoed that the administration is working to "move" on executive orders to enact police reform after negotiations failed on Capitol Hill.

The White House is trying to pick up the broken pieces of the [George Floyd Justice In Policing Act](#) by exploring ways President **Joe Biden** can mend together some type of police reform through presidential executive orders.

The meeting included senior-level Black members of the administration, Domestic Policy Advisor **Susan Rice** and the head of public engagement **Cedric Richmond**, who met with attorneys and the families of **George Floyd**, **Atatiana Jefferson**, **Ronald Green** and **Ahmaud Arbery**.

Knowledge of this meeting had not been previously known.

There will be separate meetings with civil rights leaders on the issue but the White House wanted to meet first with families.

Biden officials are working to address police reform through executive orders as negotiations caved on the Hill between Democrats Congresswoman **Karen Bass** and Senator **Cory Booker** and Republican Senator **Tim Scott**.

"I think the DOJ can keep track of who the police kill," Ben Crump told the *theGrio*. The civil rights lawyer, along with accompanying attorneys, submitted 10 recommendations to the White House. Crump is calling for a national federal database of an accurate accounting of the numbers of people killed by police brutality and misconduct.

Crump said he wants to know, "how many people they are killing and who they are killing." The Floyd family attorney also wants a ban on chokeholds. These are just some of the items that were in the now collapsed George Floyd Justice in Policing Act.

Democratic Senator **Cory Booker** was one of the negotiators for the police reform bill. The New Jersey lawmaker acknowledged the breakdown in five weeks of negotiations due to a "toxic culture" in the U.S. Senate. Sen. Booker spoke to the NAACP during a public meeting Saturday morning, saying that he "will not stop" on his push for a pathway forward for a national standard on policing. He told the oldest civil rights group in the nation that he worked nine months on the bill and that he and Sen. Scott could not come to terms even as the Fraternal Order of Police supported the legislation.

Booker vowed to work with President Biden to move forward on the executive orders.

Crump also wants to keep a national database of officers who use excessive force. The fatal shooting of 12-year-old **Tamir Rice** in Cleveland, Ohio serves as one of his examples for the need of this kind of database. The police officer who killed Rice was fired by one police department and then hired by another.

Additionally, he wants "the law of the land" to be that if an officer chokes a Black person or kills a Black person by choking, they have committed a violation of federal law. Crump wants a similar criminal penalty involving no knock warrants.

"Our recommendation is that policies for uniform body worn camera use are implemented for a broader scope of police activities with penalties for failing to turn on at the commencement of an encounter or for turning off during an encounter," said Crump.

The Obama administration included a recommendation for body cameras in its [21st Century Policing](#) report and the Department of Justice provided funds for some municipalities to pay for the cameras. A former Obama official source told *theGrio*, "we could not require them by executive order."

The office that oversees the programs that would implement these actions at the DOJ has not been filled by the Biden administration. *TheGrio* has confirmed that there had not yet been a nomination for the assistant attorney general in charge of the [Office of Justice Programs](#). Currently, someone is serving as head of the office in an acting capacity.

Another request out of the ten items Crump submitted to the White House is to allow state attorneys and the U.S. Justice Department to conduct "pattern and practice" investigations.

Crump asserts these are things the White House can do for them to fight against deadly and wrongful policing in court as "an executive order is authoritative and matters."

More meetings are expected with the families and the attorneys as well as civil rights leaders to move forward on the George Floyd Justice In Policing executive order.

However, the problem with executive orders is they could be changed or ended with a new president.

The happenings in Washington over police reform comes as Monday begins the jury selection process of another high-profile vigilante shooting of a Black man, Ahmaud Arbery, a year and a half ago.

As a point of reference, Sen. Scott felt the sides were too far apart on policing reform negotiations with the issue of qualified immunity being one of the major sticking points of the negotiations. President Biden is also on record saying he did not believe reform of qualified immunity, which provides legal protection for police, should be removed.

During an interview last month, Scott also said he walked away from the negotiating table because, from his view, language in the bill that would withhold federal dollars from police departments that do not comply with proposed reforms is "[defunding the police](#)."

The question of Scott being an honest broker on behalf of Republicans to come up with a bipartisan police reform bill has been a cloud over the negotiations as his claim that "[America is not racist](#)" in his Republican rebuttal to President

Biden's joint address to Congress earlier this year have loomed negatively over the negotiations considering the role race has played in the national conversation and reality about policing in America.

Sources near the police reform conversation with the White House this week tell *theGrio* that the administration can escalate prosecutions for bad actors at police departments based on current laws already on the books.

Kurt Schmoke, attorney and president of the University of Baltimore, tells *theGrio* that the U.S. Department of Justice can "direct U.S. Attorneys to give certain crimes priorities."

TheGrio exclusively asked a former high-ranking Democratic official about what teeth the executive orders could have.

"Not a huge amount. Most policing is done by states and localities. But [the president] has a huge bully pulpit," said the source. With a keen understanding of the law and how the White House works, the former official went on to say, "You can order things for federal law enforcement and you can condition the receipt of federal funds to the states on certain conditions being met."

When it comes to blame for not getting police reform done, the source lays the blame on the other end of Pennsylvania Avenue.

"Failure to come up with a bill from Congress on police reform shows how dysfunctional Congress is," the source added. "The American people, regardless of party affiliation, support meaningful reform."

Sources on this week's initial police reform call contend the civil rights lawyers had submitted to the Biden transition team a list of executive actions that could be taken on Biden's first day and or first week in office. The families and leaders resubmitted the paper during the impromptu virtual meeting. The submission included increased funding for the civil rights division of the Justice Department, and federal review for police-involved deadly and violent incidents.

TheGrio reached out to several members of the Biden White House. No comment as of yet.

Politico: [Senators unveil long-awaited antitrust bill](#) by Benjamin Din, 10/14/2021

Sens. [Amy Klobuchar](#) (D-Minn.) and [Chuck Grassley](#) (R-Iowa) are today releasing a bill barring the tech giants from favoring their own products, to be formally introduced when the Senate goes back into session next week.

The legislation mirrors what the House Judiciary Committee approved this summer with a few key tweaks: Namely, under the Senate bill, only federal and state enforcers could sue Amazon, Apple, Facebook and Google over conduct that "materially harms competition." Klobuchar, who chairs the Senate Judiciary antitrust panel, told MT those changes "will ensure companies' can improve their products without fear of violating the law."

Klobuchar said she and Grassley have been working on the bill for months and have already secured six co-sponsors, three Democrats and three Republicans: Senate Judiciary Chair [Dick Durbin](#) (D-Ill.), former chair [Lindsey Graham](#) (R-S.C.) and Sens. [Richard Blumenthal](#) (D-Conn.), [John Kennedy](#) (R-La.), [Cory Booker](#) (D-N.J.) and [Cynthia Lummis](#) (R-Wyo.). Facebook whistleblower Frances Haugen's testimony last week gave it a boost: "People are starting to disabuse themselves of what they've been told by tech lobbyists," Klobuchar said.

— **More legislation TBD:** The House Judiciary package also included bills calling for a Big Tech merger ban and requirements on compatibility across platforms. Klobuchar said some of those other House measures are likely to get their own Senate companions soon. "I don't believe we're going to have a monopoly on solutions in one bill," she said. "This is a complex part of our economy, but there have been no updates made to our privacy or competition laws since we got the internet. Our laws need to match the sophistication of our economy."

HOW CAN THE U.S BE MORE COMPETITIVE? — Lawmakers on the House Energy and Commerce consumer protection panel are convening a legislative hearing today to examine ways to boost U.S. manufacturing and competitiveness. Among the topics they'll consider in the 10 bills are supply chain resiliency, counterfeit online goods and tech companies' impact.

— **Supply chain issues:** Several of the bills on the agenda would create offices inside the Commerce Department aimed at securing supply chains. One bill would authorize \$500 million over six years for a supply chain resiliency and crisis response office, while another would authorize \$41 billion across six years for a financial assistance program to bolster supply chain resiliency and manufacturing. The slate of bills comes as a global semiconductor shortage, affecting the

chips used in everything from iPhones to automobiles, continues to rankle manufacturers.

— **Online marketplaces:** Lawmakers will also consider the INFORM Consumers Act, which subcommittee Chair [Jan Schakowsky](#) (D-Ill.) introduced last week with ranking member [Gus Bilirakis](#) (R-Fla.). The bill makes online platforms responsible for verifying the identity of high-volume third-party sellers in an effort to crack down on counterfeit goods.

“We cannot allow dangerous or stolen products sold online marketplaces like Amazon to line criminals’ pockets,” Schakowsky will say, per her prepared remarks. “Consumers deserve to shop with confidence and get what they pay for.”

In April, Amazon [said in a blog post](#) that the bill versions of which are being considered in the Senate and in state legislatures “favors large brick-and-mortar retailers, at the expense of small businesses that sell online, while doing nothing to prevent fraud and abuse or hold bad actors accountable.”

— **The tech effect:** One piece of legislation would direct the Commerce Department to produce a report related to tech startups and ways to foster their creation and growth. Another would task the department to conduct a study on the gig economy, as well as how states and the federal government can help it grow.

Sen. Alex Padilla

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Hearings

[Hearing on Independence of Inspectors General, Padilla asking about role of Inspectors general in shedding light on inhumane treatments of immigrants](#), 10/21/2021 (1:36:35)



[Senate Hearing on the John Lewis Voting Rights Act, Padilla asked AAG Clarke about Shelby County/preclearance](#), 10/6/2021 (1:42:30)



TV

MSNBC: [Padilla on Morning Joe talking about the right to vote](#), 10/22/2021



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Insider: [Lawmakers Ask Biden to Terminate ICE Contracts in California](#), by Charles Davis, 10/22/2021

Releases

Sen. Alex Padilla: [Padilla Joins Merkley, Colleagues to Press Biden Administration to Raise the Standard of Care for Migrant Children](#), 10/14/2021

Sen. Alex Padilla: [Padilla Demands Action on John Lewis Voting Rights Bill](#), 10/5/2021

Tweets

[Sen. Alex Padilla, 10/21/21](#)



[Sen. Alex Padilla, 10/14/21](#)



[Sen. Alex Padilla, 10/14/21](#)



[Sen. Alex Padilla, 10/7/21](#)



[Sen. Alex Padilla, 10/7/21](#)



[Sen. Alex Padilla, 10/5/21](#)



Full Articles:

Insider: [Lawmakers Ask Biden to Terminate ICE Contracts in California](#), by Charles Davis, 10/22/2021

Two dozen Democrats have signed on to a letter urging the Biden administration to close detention facilities where immigrants have claimed abuse at the hands of guards, including what the lawmakers say has been "retaliation after reporting sexual assault."

Sent Thursday, [the letter](#) asks Department of Homeland Security Secretary Alejandro Mayorkas to "take immediate steps" to terminate Immigration and Customs Enforcement contracts for three detention centers in California: the Yuba County Jail, the Otay Mesa Detention Center, and the Adelanto ICE Processing Facility.

"For years, under multiple administrations, these facilities have been operating in a substandard manner," the letter states, resulting in "the excessive waste of federal funds."

But the lawmakers — including California's Sen. Alex Padilla, chair of the Senate subcommittee on immigration, and Rep. Zoe Lofgren, his counterpart in the House — are concerned about more than just costs. The letter describes a pattern of abuse. At Otay Mesa, located near the US-Mexico border and run by the for-profit prison company CoreCivic, detainees have complained of overcrowding and filthy conditions. "Detainees have also reported retaliation after reporting sexual assault," the letter states.

As detailed in [a report](#) from a local chapter of the ACLU, the Otay Mesa authorities admitted "there was more than one confirmed assault every month in 2019." A lawsuit filed by women detained there alleges some detainees were put in isolation after reporting such assaults.

At the Adelanto facility, an hour inland from Los Angeles and run by the for-profit GEO Group, personnel have also been accused of using pepper spray "on detainees who were peacefully protesting COVID-19-related lockdown conditions" that had been deemed by one federal court "inconsistent with contemporary standards of human decency."

CoreCivic, in a statement provided to Insider, called the letter "misguided" and based on "false information spread by politically motivated special interests." It did not specify what it was claiming to be incorrect.

Alexandra Wilkes, a spokesperson for the Day 1 Alliance, a trade association for private prison contractors, including The GEO Group, likewise dismissed the letter as being part of "the push to 'Abolish ICE.'"

The Department of Homeland Security did not respond to a request for comment.

Sen. Jon Ossoff

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Hearings

[Hearing on Independence of Inspectors General, Ossoff reference to legislation on surveillance in BOP facilities and role of IGs in BOP](#), 10/21/2021 (1:21:00)



[Senate Hearing on the John Lewis Voting Rights Act, Ossoff asked about threats to election workers in Georgia](#), 10/6/2021 (1:30:30)



Print

Forbes: [Federal Prisons Are About To Have More Cameras](#), by Walter Pavlo, 10/21/2021

Atlanta Journal-Constitution: [The Jolt: A Democrat challenging Marjorie Taylor Greene is raising serious campaign cash](#), 10/5/2021

Releases

Sen. Jon Ossoff: [U.S. Senate Passes Sen. Ossoff's Bipartisan Bill to Reduce Violence, Civil Rights Abuses in American Prisons](#), 10/21/2021

Sen. Jon Ossoff: [WATCH: Leading on Voting Rights, Sen. Ossoff Chairs Historic Judiciary Committee Hearing on John R. Lewis Voting Rights Advancement Act - U.S. Senator for Georgia Jon Ossoff](#), 10/6/2021

Sen. Jon Ossoff: [Sen. Ossoff Introduces Voting Rights Legislation to Protect Election Workers, Polling Places from Rising Threats - U.S. Senator for Georgia Jon Ossoff](#), 10/5/2021

Tweets

[Sen. Jon Ossoff](#), 10/20/2021



BREAKING: The Senate just passed my Prison Camera Reform Act to reduce violence, crime, and civil rights abuses in American prisons.

7:26 PM · Oct 20, 2021 · Twitter for iPhone

[Sen. Jon Ossoff](#), 10/18/2021



Jon Ossoff
@ossoff

This morning I briefed Georgia faith leaders on the Right to Vote Act, my bill empowering Americans to challenge laws that make it harder to vote. Here with Bishop Ruth Smith.



9:32 PM · Oct 18, 2021 · Twitter for iPhone

Full Articles

Forbes: [Federal Prisons Are About To Have More Cameras](#), by Walter Pavlo, 10/21/2021

Senator Jon Ossoff's (D-GA) legislation to increase the number of cameras in federal prisons passed the U.S. Senate without amendment by unanimous consent, something rare in the such a partisan environment. The bill requires the Director of the Bureau of Prisons (BOP), currently Michael Carvajal, to address deficiencies and make necessary upgrades to the security camera and radio systems of the Bureau of Prisons to ensure the health and safety of employees and inmates.

The legislation, known as the [Prison Camera Reform Act of 2021](#), would require Carvajal to submit a report to Congress within 90 days detailing deficiencies and a plan to implement the necessary camera upgrade. It would require the upgrades within three years and annual progress reports to lawmakers.

While the BOP may welcome cameras when it comes to staff safety, it is also going to bring to light a lot of issues within prisons. In the past, not all inmate on staff assaults result in criminal actions. This is a problem presented by Eric Speirs, President of AFGE Local 501 in Miami (FDC Miami), who told me in an interview, *"There were over 20 inmate assaults on staff here since January 2020 and none were referred for criminal prosecution. Maybe more cameras could help with that."*

U.S. Senator Dick Durbin issued a statement that *"The health and safety of BOP inmates and staff must remain a top priority as we continue to push for criminal justice reform. Updating the communications systems and security cameras in prisons is a step forward in maintaining safe BOP facilities by deterring abuse and misconduct bringing our facilities into the 21st century while helping us achieve our goal of creating safer conditions for those at correctional facilities."*

Some of these cameras are destined to help reduce escapes from prison, which happened a bit often over the past 18 months. According to [Denver Post reporting](#), since January 2020, 29 prisoners have escaped from federal prisons, all of them from minimum security camps. Half of those inmates have still not been caught. Out of date equipment or no cameras at all were cited as a contributing factors to not detecting those escapes from minimum camps, where many do not even have a fence. However, inmates leaving is not as big a concern over the contraband that comes into prisons (primarily cell phones and drugs) that can create dangerous situations in the prison.

Cameras will bring a glimpse of prison life to the outside world. Senator Ossoff said of the bill, *"Newer cameras and communications equipment will help ensure safety, security and accountability at Federal prisons for both corrections officers and inmates."*

Cameras cannot be everywhere during incarceration. Inmates routinely go to doctor appointments in the community and some even have prison jobs that require them to be in the community (town driver, construction jobs outside of the prison, etc.). In fact, there are thousands of minimum security inmates who are on home confinement as part of the CARES Act, which thinned some of the

Technology has changed for camera security systems. In addition to having thermal imaging technology, camera systems can actually be combined with intelligent analytics software to provide warnings in certain situations, count individuals and make assessments of situations. In this way, cameras may be a practical solution to curbing the ever-increasing costs of incarceration.

We have an eye on this one ... and the stories that will result will be fascinating ... telling.

Atlanta Journal-Constitution: [The Jolt: A Democrat challenging Marjorie Taylor Greene is raising serious campaign cash](#), 10/5/2021

U.S. Sen. Jon Ossoff is introducing a bill designed to protect election workers from threats of violence, our AJC colleague Mark Niese reports.

Ossoff's new bill arrives as Congress is struggling to advance major voting rights bills that have [stalled](#) amid Republican opposition. The larger voting legislation includes new standards for early voting and automatic voter registration, campaign finance transparency rules, limits to partisan gerrymandering and ethics guidelines for federal lawmakers.

Ossoff's latest proposal would expand on federal laws that make it illegal to threaten to harm election workers. The bill bans threats to election workers' property as well as harassment of election volunteers and family members of election officials. It also prohibits intentionally damaging polling places and tabulation centers.

"Threats of violence targeting election officials and polling places are threats against our Constitution and the right to vote," Ossoff said. "At this moment of peril for our democracy, my bill will strengthen Federal laws protecting election workers and polling places from violent threats and acts of violence."

Ossoff brought the bill after Georgia election officials and poll workers received a barrage of death threats during last year's election.

Sen. Chuck Grassley

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Hearings

[Grassley on Trump Administration Justice Department](#), 10/7/21



Print

CNN: [Senate Judiciary Committee issues sweeping report detailing how Trump and a top DOJ lawyer attempted to overturn 2020 election](#), by Katelyn Polantz and Zachary Cohen, 10/7/2021

Fox News: [Senate Judiciary GOP argues claims of Trump pressure on DOJ after presidential election are overblown](#), by Tyler Olsen, 10/7/2021

CBS News: [Senate report reveals new details about Trump's efforts to push Justice Department to overturn election](#), by Mellissa Quinn, 10/7/2021


Releases

Grassley News Release: [Judiciary Republicans Push Back On Justice Department Crackdown On Free Speech Of Parents Protesting School Boards](#), 10/7/2021

Senate Judiciary Committee Press Release: [Grassley Releases Republican Report on Review of Trump's management of Justice Department following 2020 Election](#), 10/7/2021

Tweets

[Senate Judiciary Republicans, 10/22/21](#)

 **Senate Judiciary Republicans** 
@SenJudiciaryGOP

.@ChuckGrassley: "As I've said before, I hope Judge Garland meant it when he said he wants to keep politics out of the Justice Department. I'd like to see a real commitment to do that from the nominees today."



3:00 PM · Apr 14, 2021 · Twitter Media Studio

5 Retweets 3 Quote Tweets 19 Likes

[Sen. Chuck Grassley, 10/7/21](#)

 **ChuckGrassley** 
@ChuckGrassley

I led fellow Republican Judic senators in telling AG Garland to assure Americans that DOJ/law enforcement wont interfere w 1st amendment rights of parents at local school board mtgs Parents shld hv say in kids education Threatening 2 silence Americans is contrary to core of USA

6:00 PM · Oct 7, 2021 · Twitter for iPhone

327 Retweets 39 Quote Tweets 1,294 Likes

[Sen. Chuck Grassley, 9/28/21](#)

 **ChuckGrassley** 
@ChuckGrassley

I've said it once I'll say it again AG Garland should assign a federal prosecutor/special counsel to uncover what the FBI knew & when abt Nassar investigation+ seek prosecutions of those involved in the cover-up. all gymnasts/survivors deserve accountability esp from Justice Dept

2:47 PM · Sep 28, 2021 · Twitter for iPhone

68 Retweets 14 Quote Tweets 433 Likes

Full Articles

CNN: [Senate Judiciary Committee issues sweeping report detailing how Trump and a top DOJ lawyer attempted to overturn 2020 election](#), by Katelyn Polantz and Zachary Cohen, 10/7/2021

Washington (CNN) The Senate Judiciary Committee on Thursday released a [sweeping report](#) about how former President Donald Trump and a top lawyer in the Justice Department attempted to overturn the 2020 presidential election.

Trump directly asked the Justice Department nine times to undermine the election result, and his chief of staff Mark Meadows broke administration policy by pressuring a Justice Department lawyer to investigate claims of election fraud, according to the report, which is based on witness interviews of top former Justice Department officials.

The Democratic-led committee also revealed that White House counsel [Pat Cipollone](#) threatened to quit in early January as Trump considered replacing then-acting Attorney General Jeffrey Rosen with [Jeffrey Clark](#), a DOJ lawyer who supported election fraud conspiracies.

After the eight-month investigation, the findings highlight the relentlessness of Trump and some of his top advisers as they fixated on using the Justice Department to prop up false conspiracies of election fraud. The committee report, the most comprehensive account so far of Trump's efforts to overturn the election, described his conduct as an abuse of presidential power.

Soon after the release of the report Thursday morning, Republican Sen. Chuck Grassley's office issued a [GOP version](#), which pushes back on the Democrats' findings and defends Trump, saying he "listened to his senior advisors and followed their advice and recommendations."

Appearing on CNN's "New Day" Thursday morning, Senate Judiciary Chairman Dick Durbin, an Illinois Democrat, said the US was a "half a step away from a constitutional crisis, a full-blown constitutional crisis" and explained the events unfolded in three phases.

"First phase, Trump goes to court. Loses every lawsuit, which claims there was voter fraud in the election. Next, he decides he has to take over the Department of Justice and the attorney general, and have the attorney general push this narrative on to the states to tell them to stop from sending in their Electoral College vote totals. When that failed -- and our report goes into graphic detail of the efforts that were made -- the third step was to turn the mob loose on the Capitol the day we were counting the ballots," Durbin said, referring to the January 6 riot.

DOJ lawyer was crucial player, Democrats say

The 400-page report by Senate Democrats, entitled "Subverting Justice," slams the actions of Clark, who they say became a crucial player in Trump's attempt to use the Justice Department for his political gain.

The Senate Judiciary Committee announced on Thursday they were referring him to the DC Bar for a review of his professional conduct, citing rules that bar attorneys from assisting in fraud and interfering with the administration of justice.

The committee said it has not yet made findings of possible criminality, since their investigation is not complete. Clark has not been charged with any crime, and an attorney for Clark didn't immediately respond to a request for comment.

Clark was not interviewed by the committee. Instead, top Justice Department officials described in interviews his and Trump's plans to overturn the election.

Clark had pushed Rosen and Richard Donoghue, then the second-in-command at the Justice Department, to use the Justice Department to announce election fraud investigations and ask state leaders in Georgia to appoint electors, potentially disregarding the certified popular vote. Clark began making the pitch in late December after speaking with Trump directly, the committee found.

The Senate committee wrote he may have had assistance from "lower-level allies" within the Justice Department and even attempted to bargain with Rosen on his plan, saying he would turn down a chance at taking Rosen's place if Rosen would agree to support his Georgia elector initiative.

"Clark's proposal to wield DOJ's power to override the already-certified popular vote reflected a stunning distortion of

DOJ's authority: DOJ protects ballot access and ballot integrity, but has no role in determining which candidate won a particular election," the committee wrote.

Donoghue and Rosen both testified to the committee.

'Leave the rest to me'

The series of interactions between the President and Rosen and Donoghue began in mid-December with an Oval Office meeting, included several phone calls and continued through January 3.

In multiple calls, Trump claimed there was election fraud in Pennsylvania and Arizona -- both states he lost -- telling Rosen "people are saying" and asking the Justice Department to look into the rumors, according to the committee.

Trump also told the DOJ leadership, "You guys aren't following the internet the way I do," according to both Donoghue and Rosen.

Rosen told the President the department "can't and won't just flip a switch and change the election." That prompted Trump to [simply ask for an official Justice announcement](#) that the election was corrupt and then "leave the rest to me and the [Republican] Congressmen," the committee report noted.

The department hadn't found any widespread fraud in the election, and simultaneously Trump's campaign was filing lawsuits to throw out millions of votes in the swing states.

Trump had Rosen and Clark vie for the attorney general's job during the nearly three-hour meeting on January 3 before deciding not to replace Rosen with Clark, the report found. It also details how discussions about Clark's plan in Georgia became inextricably linked to talks about him replacing Rosen.

"According to Rosen, Trump opened the meeting by saying, 'One thing we know is you, Rosen, aren't going to do anything to overturn the election,'" the report says

"Over the course of the next three hours, the group had what Donoghue called 'a wide-ranging conversation' focused on whether Trump should replace DOJ's leadership, install Clark in Rosen's place, and send Clark's proposed letter -- and whether Clark was even qualified to assume the Acting Attorney General position. Rosen and Donoghue told us that by this point, Clark's proposed letter and his potential role as Acting Attorney General were intertwined," it adds.

Threat of mass resignations at Justice Department

The report goes on to note that at some point during the meeting, Donoghue and Assistant Attorney General for the Office of Legal Counsel Steve Engel made clear that there would be mass resignations at DOJ if Trump moved forward with replacing Rosen with Clark -- something he told the committee was "important context" for the then-president as he weighed his decision.

Donoghue and Rosen also recalled White House lawyers Cipollone and Patrick Philbin pushing back on the plan to replace Rosen with Clark, with Cipollone calling Clark's letter a "murder-suicide pact" and the two White House lawyers indicating that they would also resign, according to the report.

Despite the threat of mass resignations, Trump "continued for some time to entertain the idea of installing Clark in Rosen's place," the report notes. It also says that Donoghue told the panel that Trump did not reject Clark's course of action until "'very deep into the conversation,' within the final 15 minutes of the two- to three-hour meeting."

CNN [previously reported](#) that Rosen, during his closed-door interview with the committee, spoke of numerous interactions with Clark, but much of the focus of his testimony was on five episodes where Clark went out of the chain of command to push the fraud claims -- including the January 3 White House meeting.

Fox News: [Senate Judiciary GOP argues claims of Trump pressure on DOJ after presidential election are overblown](#), by Tyler Olsen, 10/7/2021

Republicans and Democrats on the Senate [Judiciary](#) Committee are releasing dueling reports on former President [Donald Trump's](#) alleged pressure on the [Justice Department](#) (DOJ) to investigate election-related claims during December 2020, with Republicans calling their counterparts' claims overblown.

The GOP report, which was spearheaded by Judiciary Committee Ranking Member Chuck Grassley, R-Iowa, cited

interviews with top Justice Department officials, including former Acting Attorney General Jeffrey Rosen, to argue that Trump and his top staffers "did not pressure" the DOJ to investigate specific election claims.

It also played down Trump's alleged zeal to follow through an idea from former Justice Department official Jeffrey Clark to send a letter asking state legislatures to consider appointing replacement electors, and to fire Rosen.

The GOP report, for example, described a much-reported Jan. 3 White House meeting as an effort to "formally and finally decide the issues at play, which were two-fold: whether to send Clark's draft letter and whether to remove Rosen as acting attorney general and replace him with Clark."

The GOP report says Trump "listened to all seven individuals" in the meeting and that it "culminated in President Trump rejecting sending Clark's draft letter and rejecting terminating Rosen."

The Republicans' report came to significantly different conclusions than the Democrats' interim report on the committee's investigation. [The New York Times](#) published many of the details of that report Thursday, including that it likely will be released to the public this week.

According to [The Times](#), the Democrats' report characterized the Jan. 3 meeting as an intense exchange in which multiple top Trump officials threatened to resign in order to stop Trump from going forward with a "murder-suicide pact."

"This report shows the American people just how close we came to a constitutional crisis," Judiciary Committee Chairman Dick Durbin, D-Ill., whose office led the committee's main report, said, as The Times reported.

The Republicans' report, meanwhile, presented the same Jan. 3 exchange noted in The Times as having happened in a more businesslike fashion.

"[Former Acting Deputy Attorney General Richard] Donoghue noted in his testimony that, until this meeting, President Trump did not fully understand the gravity of his advisors' concerns with Clark's plan, which were serious enough that they and other senior DOJ leaders had stated they would resign if Clark was made Acting Attorney General and his plan was implemented," the GOP report said.

"President Trump then turned to Donoghue and asked if he would resign if Clark became Acting Attorney General, to which he answered in the affirmative," it continued. "President Trump also asked [then-Assistant Attorney General for the Office of Legal Counsel] Steve Engel, to which he also answered in the affirmative. When he had heard all views, President Trump rejected Clark's proposals and accepted his advisors' recommendations."

"I don't know how you can reach any conclusion, except that Trump had everybody in the White House to discuss it and unanimously except for one they said you shouldn't do what the one lawyer said he thought the president ought to do. The president rejected it. The President did the right thing," Grassley said when asked about the Democrats' report.

"The president and the White House, particularly a man named Jeffrey Clark... put a full court press on the acting attorney general to try to enlist them in overturning the results of the last election," Durbin said of his interpretation of the report. "It was relentless."

The investigation is notably not over, as Democrats' report is technically an interim report. The committee still has not interviewed Clark himself, for example.

The GOP report also downplayed the alleged severity of actions by Trump and his advisers in relation to the Justice Department on several other topics.

"Witnesses testified that [then-Chief of Staff] Mark Meadows did not pressure them to take action relating to investigating election allegations and was deferential to DOJ's judgment," one line from the report's executive summary read.

"Witnesses testified that they were not pressured by President Trump or the White House to take action with respect to investigating certain election fraud claims," another line said.

"President Trump wanted to fire but did not fire [former U.S. Attorney] BJay Pak primarily because he believed Pak was a 'never-Trumper,'" added another.

But, despite the GOP's characterization of the Trump White House's interactions with the Justice Department specifically, the former president actively was pushing false claims that the presidential election was stolen during this time period. And, just days after the Jan. 3 meeting, Trump notably urged then-Vice President Mike Pence and congressional Republicans to overturn the presidential election results when Congress convened to count electoral votes.

Just eight Senate Republicans voted to do so, and Grassley was not one of them.

CBS News: [Senate report reveals new details about Trump's efforts to push Justice Department to overturn election](#), by Mellissa Quinn, 10/7/2021

Washington The Senate Judiciary Committee on Thursday released a new report shedding further light on former President Donald Trump's relentless efforts to enlist the Justice Department to challenge the results of the 2020 presidential election over baseless claims of election fraud.

Drawing from documents and interviews with three Justice Department officials who were in top roles during Mr. Trump's final chaotic weeks in office, the [394-page report](#) is the latest that seeks to recount the former president's attempts to remain in office by asserting without evidence claims of election fraud.

Senate Judiciary Committee Chairman Dick Durbin, a Democrat from Illinois, said in a statement the report shows "just how close we came to a constitutional crisis," but credited Justice Department leaders with standing firm against his pressure campaign.

"Donald Trump would have shredded the Constitution to stay in power. We must never allow this unprecedented abuse of power to happen again," Durbin said.

Republicans on the committee released their [own report](#) to counter Democrats' findings. Senator Chuck Grassley of Iowa, the top GOP member of the Judiciary panel, said transcripts from the probe paint a picture that differs starkly from Democrats' claims that Mr. Trump attempted to weaponize the Justice Department to overturn the election results.

"The available evidence shows that President Trump did what we'd expect a president to do on an issue of this importance: he listened to his senior advisors and followed their advice and recommendations," Grassley said in a statement.

The report from the Judiciary Committee's majority details an hours-long meeting in the Oval Office on January 3, when Mr. Trump gathered with acting Attorney General Jeffrey Rosen, acting Deputy Attorney General Richard Donoghue, Assistant Attorney General Steven Engel, White House counsel Pat Cipollone, his deputy, Patrick Philbin, and Justice Department official Jeffrey Clark, a key figure in raising doubts about the integrity of the election with the president.

During the meeting, Donoghue and Engel told the president there would be mass resignations from the Justice Department if he replaced Rosen with Clark, who was pushing claims about election irregularities in Georgia, according to the report. Cipollone, who also threatened to resign, told Mr. Trump his plans to fire Rosen and install Clark amounted to a "murder-suicide pact," Donoghue recalled in an [interview](#) with the committee.

Clark urged Justice Department leaders to intervene in Georgia's elections and sent Rosen and Donoghue a draft letter in late December claiming the department identified "significant concerns that may have impacted the outcome of the election in multiple states." The letter called for the Georgia legislature to consider appointing a new slate of presidential electors, according to the committee report.

But Rosen and Donoghue rejected Clark's proposal to send his letter, according to documents and testimony given to the committee. Still, Clark attempted to use the letter, and his closeness to the president, as leverage over Rosen, according to the report.

In one instance, Clark told Rosen and Donoghue that Trump offered to replace Rosen as the acting attorney general with him, but said he would reject the offer if Rosen signed his letter about the Justice Department's purported concerns about election irregularities in Georgia.

The report provides further details about Mr. Trump's interactions with the Justice Department as he sought to undermine the results of the presidential election and questioned why department officials weren't doing more to

address baseless claims of election fraud.

The committee found there were at least three calls between Mr. Trump and Rosen alone in a seven-day span in late December, as well as three meetings in the Oval Office between the president, Rosen and Donoghue.

White House chief of staff Mark Meadows also asked Rosen to open investigations into allegations of election fraud in Georgia and New Mexico, as well as an outlandish theory pushed by Rudy Giuliani that an Italian contractor used military satellites to manipulate voting machines and flip votes cast for Mr. Trump to President Biden.

The extent of Mr. Trump's efforts to challenge the results of the 2020 presidential election sounded alarm bells throughout the top ranks of the Justice Department, the report from the Judiciary Committee and an [earlier probe](#) from the House Oversight and Reform Committee indicate.

In one instance, the U.S. attorney in Atlanta, Byung Jin Pak, resigned as Mr. Trump and his allies advanced their claims of election fraud. But the Senate Judiciary report found it was the president who forced Pak's resignation, as he believed he wasn't doing enough to address his baseless allegations.

After Pak investigated and debunked Mr. Trump's theories about election fraud in Georgia, the president claimed he was a "Never Trumper" and told Rosen and Donoghue on January 3 that he wanted Pak fired, according to the committee.

But Donoghue said Pak planned to resign, and the former president agreed not to fire him if he stepped down the following day. Pak, however, had no plans to leave and intended to remain in his role as U.S. attorney until the inauguration.

While a federal prosecutor named Kurt Erskine was set to succeed Pak, as he was first assistant U.S. attorney, the president told Donoghue he was interested in another U.S. attorney in Georgia, Bobby Christine, to replace Pak, as he thought he would "do something" about the election fraud claims.

The Judiciary Committee's report makes a number of recommendations intended to shield the Justice Department from future political controversies. But the panel also suggested that some issues that arose during its investigation extend beyond its purview, and should be examined by the House Select Committee investigating the January 6 assault on the U.S. Capitol.

The committee said Mr. Trump's efforts to use the Justice Department as part of his attempt to reverse the results of the 2020 election were aided by allies with ties to the "Stop the Steal" movement and the January 6 attack. The report names three of these allies with January 6 connections that are "notable": Congressman Scott Perry of Pennsylvania, Pennsylvania state Senator Doug Mastriano and conservative attorney Cleta Mitchell.

"These ties warrant further investigation to better place Trump's efforts to enlist DOJ in his efforts to overturn the presidential election in context with the January 6 insurrection," the report states.

Perry, who led the objection to Pennsylvania's electoral votes when Congress convened to reaffirm Mr. Biden's victory January 6, introduced Clark to Mr. Trump. Perry also spoke on the phone with Donoghue on December 27 and said the Justice Department was not doing its job with respect to the election, the committee found. The GOP congressman emailed Donoghue documents detailing claims about election fraud in Pennsylvania, many of which had already been debunked.

While the Senate Judiciary panel received calendars, emails and other documents from the Justice Department as part of its investigation into Mr. Trump's election scheme, the National Archives has yet to respond to the committee's request for additional records from the Trump White House.

The committee continues to probe Mr. Trump's attempts to involve the Justice Department in his efforts to reverse the election results.

Sen. Lindsey Graham

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Daily Beast: [How Lindsey Graham's Petty Partisan Decision Stalled the DOJ](#) by Sam Brodey

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Graham Press Release: [Graham Urges U.S. Department of Justice to Investigate Improper Funding of Planned Parenthood](#), 5/21/20

Tweets

[Sen. Lindsey Graham](#), 10/20/2021



Full Articles

Daily Beast: [How Lindsey Graham's Petty Partisan Decision Stalled the DOJ](#) by Sam Brodey

What first seemed like a petty partisan power play in the U.S. Senate has escalated into a setback for [President Joe Biden's Department of Justice](#) before it even really leaves the starting block.

At the center of the imbroglio is a figure who is accustomed to being collateral damage of partisan warfare on Capitol Hill: Merrick Garland.

The former federal judge and Supreme Court nominee is [Biden's pick to serve as attorney general](#) but unlike other key Cabinet appointees, he has yet to receive a confirmation hearing in the Senate Judiciary Committee for his nomination to lead the Department of Justice.

That's because it took the parties' Senate leaders weeks to agree on how to divide resources and set the rules in the evenly split Senate. During that time, Democrats were technically in the majority, but the last session's rules were still in place, meaning Republicans ran the committees. So when the incoming Judiciary chairman, Sen. Dick Durbin (D-IL), wanted to schedule a hearing for Garland, he first had to ask the permission of the outgoing chairman, Sen. Lindsey Graham (R-SC) and Graham said no.

With the [impeachment trial of former President Trump](#) slated to take up at least all of next week, and the chamber scheduled to be in recess the following week, it's possible that another month could pass before Garland takes over as attorney general, said Sen. Chris Coons (D-DE), a member of the Judiciary panel and a close ally of Biden.

That possibly lengthy setback in installing leadership at the department is especially troubling to Democratic lawmakers and outside advocates not only because they're itching to get started on a new DOJ agenda, but because of the acute importance of its business at the moment. Among many other things, for example, the department is investigating and prosecuting the Jan. 6 insurrection at the Capitol. It's an urgent task in the eyes of Biden and his allies.

"They are trying to effectively investigate and respond to domestic terrorism," Coons said of the Justice Department on Thursday. "There are all of the usual Department of Justice burdens, and there are new filings and positions and cases of every kind and in every district... I mean, from immigration to gun violence to policing reforms, there are policy initiatives where there's work to be done."

"There is lots to do," Coons told The Daily Beast in an interview. "To have our country's chief legal officer sidelined for weeks is needlessly harmful."

The man tasked with holding that job, Garland, is a favorite among Democrats: they still haven't forgotten Sen. Mitch McConnell's (R-KY) outright refusal to hear his nomination to the Supreme Court in 2016, and that history has only added to their frustration about the holdup in his latest nomination.

But the central frustration stems from the fact that Biden's chosen team will be iced out of Main Justice during a pivotal moment for the agency. Many believe Garland is especially well-suited to this moment. As a former DOJ official himself, Garland oversaw the federal investigation into the 1995 Oklahoma City bombing and the prosecution of its perpetrator, Timothy McVeigh. Durbin has said "there is no person better qualified" to lead the investigations and prosecutions stemming from Jan. 6 than Garland.

On Capitol Hill, the dust-up also is disheartening Democrats as they retake the reins of the Judiciary Committee, after four years in which the panel served as the launching pad for Trump and McConnell's bid to reshape the federal judiciary in a markedly more conservative direction. They churned 234 judicial nominations through the committee in that time, and Democrats are anxious to start making a dent with Biden's own selections.

While the AG nomination has no bearing on the court project, it's been an ominous way to begin the task at hand for Democrats and for Durbin, who is replacing Sen. Dianne Feinstein (D-CA) as chairman. Graham is ceding the top spot on the GOP side to Sen. Chuck Grassley (R-IA), so he will no longer be his party's chief instigator on judicial matters, but his final move as chairman has made some Democrats concerned about the path forward for the next two years.

"It's a bad first step," Sen. Richard Blumenthal (D-CT), a member of the panel, told The Daily Beast on Tuesday. "It's a bad way to begin the journey."

The Senate Judiciary Committee, considered the chamber's most prestigious, can move at a more languid pace than most. While nominees for critical national security posts are typically confirmed within days of a new administration, Biden's choices to lead the Pentagon, State Department, and Office of the Director of National Intelligence have all been in place for weeks there has in the past been a 28-day period between the submission of an AG nominee's paperwork and a Judiciary hearing.

After Garland submitted his paperwork last week, Durbin would have been able to schedule a prompt hearing for him if the power-sharing agreement were not delayed and Graham were not in charge of the committee. So Durbin had to appeal to Graham, arguing in a letter that "expediting Judge Garland's confirmation is particularly urgent in the aftermath of the January 6 insurrection."

In response, Graham said the request was "highly unusual," claiming Durbin wanted senators to "rush through" Garland's hearing before Trump's impeachment trial. "An impeachment is no small thing," admonished Graham. "It requires the Senate's complete focus." On Tuesday, a defiant Graham—who said that he likes Garland and may vote in his favor—told reporters, "I didn't choose to do impeachment, they did."

Democrats find it rich that Graham, who just orchestrated the fastest Supreme Court nomination in history when he was chairman, is now saying it's time to pump the brakes. "The speed with which Judge Barrett, now Justice Barrett, was confirmed suggests the committee is fully capable of doing this in quick succession," said Coons.

It also rankles Democrats that in other committees, the top Republicans, though still nominally in charge, acquiesced to nominations hearings or in some cases, gave Democrats actual control. “There’s no reason that the committee couldn’t have moved on this quicker save for pure partisan politics,” said Jim Manley, a former top adviser to the former Democratic leader, Sen. Harry Reid (D-NV). “Other committees found themselves able to report out nominees, yet Sen. Graham found for some strange reason unable to report it, to deal with the Merrick Garland nomination in expeditious fashion.”

Democrats on the panel have suggested that they have the ability to charge forward with hearings for Garland in the coming weeks, despite the impeachment trial and the scheduled recess.

Asked by The Daily Beast on Thursday what options were available, Durbin declined to say, only offering that he wanted to speak with Grassley.

Meanwhile, outside advocates who are anxious for Democrats to get to work on the panel after watching Trump’s DOJ take actions they detested, and witnessing the GOP’s parade of judicial nominees, are urging them to move forward with all possible speed.

“There is a real urgency” to move on Garland and to get off on the right foot for judicial confirmations, said Lena Zwarenstejn of the Leadership Conference on Civil and Human Rights, a nonprofit advocacy group. The group’s CEO, Vanita Gupta, is a Biden pick for associate attorney general.

“Making sure there is a prompt hearing for Judge Garland,” said Zwarenstejn, “is incredibly important in order to start really getting, I don’t want say back on track, but getting us to fix problems we have.”

John Cornyn

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Hearings

[Violence Against Women Act Reauthorization Hearing Cornyn exchange on why DOJ was not at Nassar hearing, 10/5/2021](#)



TV

OANN: [Clip of Cornyn talking about immigration, 10/7/2021](#)



Print

Washington Examiner: [Border crisis crossfire: Top senators slam Biden administration as officials head to Mexico](#), by Joel Gehrke, 10/8/2021

Fort Worth Star Telegram: [Senate hears about sharp differences over Texas abortion law](#), by Eric Neugeborn, September 29, 2021

Releases

Sen. John Cornyn: [Cornyn Pushes Back on Biden Crackdown on Free Speech of Parents Protesting School Boards](#), 10/7/2021 (Sens. Chuck Grassley, Lindsey Graham, Mike Lee, Ted Cruz, Ben Sasse, Josh Hawley, Tom Cotton, John Kennedy, Thom Tillis, and Marsha Blackburn).

Tweets

[Sen. John Cornyn](#), 10/17/2021



Senator John Cornyn
@JohnCornyn

After our recent Senate hearings with brave survivors of Larry Nassar's abuse, the need to empower victims & ensure their stories are heard could not be clearer.

Thank you @TheCACHouston for hosting me—along with @CACofTexas & @RAINN—to discuss my bill, the Justice for All Act.



3:25 PM · Oct 14, 2021 · Twitter for iPhone

[Sen. John Cornyn](#), 10/7/2021



Senator John Cornyn
@JohnCornyn

Attorney General Merrick Garland is nosing the Justice Department into threats against school boards. But these are an issue for local law enforcement.



wsj.com
Opinion | Merrick Garland's Federal Offense
Threats against school boards are an issue for local law enforcement.

7:08 AM · Oct 7, 2021 · Twitter for iPhone

[Sen. John Cornyn](#), 9/17/2021



Senator John Cornyn
@JohnCornyn

Me too: "We await upcoming testimony from U.S. Attorney General Merrick Garland, who is expected to explain why his office is not prosecuting two FBI officials singled out in a federal report for botching the Nassar investigation and lying about their blunders."

Senator John Cornyn @JohnCornyn · Sep 17
A cautionary tale in the FBI's stunning mishandling of the Larry Nassar case
dallasnews.com/opinion/editor...

9:33 AM · Sep 17, 2021 · Twitter for iPad

Full Articles

Washington Examiner: [Border crisis crossfire: Top senators slam Biden administration as officials head to Mexico](#), by Joel Gehrke, 10/8/2021

President Joe Biden's response to the arrival of Haitian migrants at the [border](#) has angered top lawmakers in both parties, who aired a cascade of condemnations just as top officials are descending on Mexico City for a major dialogue with the southern neighbor.

"We write to add our names to the groundswell of voices expressing outrage and disappointment over the cruel treatment of Haitians at our border, and their summary deportations," Senate Foreign Relations Chairman Bob Menendez, a New Jersey Democrat, [wrote](#) in a letter co-signed by Senate Majority Leader Chuck Schumer. Texas Sen. John Cornyn and more than three dozen other Senate Republicans issued an equal and opposite rebuke. "The Administration's response to the ongoing border crisis only makes it more likely that we will continue to experience surges like the one in Del Rio," they [wrote](#).

Menendez and his allies directed their criticism at Secretary of State Antony Blinken and Homeland Security Secretary Alejandro Mayorkas. The DHS chief received their missive and Cornyn's letter on Thursday, but both sides publicized their protests on Friday, as Blinken, Mayorkas, and Attorney General Merrick Garland met with Mexican officials to coordinate migration policies and an array of other U.S.-Mexico issues.

"When they finally arrived at Del Rio, Texas, many Haitians, including family groups with children who had never even been to Haiti, were summarily expelled and deported without best interest determinations for children or screenings for international protection concerns," the Democratic lawmakers wrote.

Their dueling rebukes center on the Biden administration's stated continuation of a policy employed by former President Donald Trump's team, which invoked a provision of public health law known as Title 42 to deport incoming migrants without giving them a chance to make the case for long-term residency in the U.S. This practice, which has been justified as a way to prevent an influx of migrants whose arrival might worsen the coronavirus pandemic, turned into a political grenade in recent weeks, as two senior U.S. officials resigned over the measure, while Republicans accuse Biden of failing to carry it out.

“We are concerned that DHS did not actually carry out this plan, deployed resources in a manner that weakened border security, and undermined the deterrent effect of any future statements that the Biden Administration will enforce our immigration laws at the border,” Cornyn and the Senate Republicans wrote.

Blinken has faced substantial internal pressure to scuttle the Title 42 plan. Two senior State Department officials, including the diplomat tapped by Blinken to lead the U.S. engagement with Haiti following the assassination of Haitian President Jovenel Moise, resigned in protest of the deportations.

State Department special envoy Daniel Foote described the deportation policy as “inhumane” in a scalding resignation letter. He was followed out the door by State Department legal adviser Harold Koh, who [argued](#) that the refusal to let incoming migrants make their case for residency in the United States “violate[s] our legal obligation not to expel or return ... individuals who fear persecution, death, or torture, especially migrants fleeing from Haiti.”

Biden’s policy plans have come under further pressure from a federal judge who ordered the administration to reinstate the “Remain in Mexico” agreement on the grounds that the Biden team had not followed the proper legal process for scrapping it.

“DHS intends to comply with the court order in good faith, as we said we are going to do,” a senior administration official told reporters Thursday in a preview of the trip to Mexico City. “And we continue to have an open and robust dialogue with Mexico on that matter.”

The Democratic lawmakers, a group of 16 that includes Senate Budget Chairman Bernie Sanders of Vermont and Senate Appropriations Chairman Patrick Leahy, urged Biden to appoint a successor to Foote and abandon the policy that he and Koh criticized. Yet Republicans insisted that Title 42 remains necessary on public health grounds and as a signal to human traffickers.

“It is vital that DHS preserve this important authority as we continue to battle the COVID-19 pandemic,” Cornyn wrote. “And failing to follow through on a promise to expel or expeditiously remove migrants will only further convince them and the smuggling organizations that exploit them that the Biden Administration is not serious about enforcing our immigration laws at the southwest border.”

Fort Worth Star Telegram: [Senate hears about sharp differences over Texas abortion law](#), by Eric Neugeborn, September 29, 2021

U.S. senators sparred Wednesday over Texas’ abortion law, feuding about the government’s role over abortion and the Supreme Court’s quick decision to uphold the law.

Republican senators continued to decry abortion at the hearing, with Sen. Ted Cruz, R-Texas, saying the Democrat-run Senate Judiciary Committee hearing was about “trying to demonize Texas and trying to demagogue on the question of life.”

The law, which effectively bans abortions as early as six weeks into a pregnancy, went into effect Sept. 1. It has prompted widespread condemnation and fears among abortion advocates, who say people rarely know they are carrying a child six weeks into their pregnancy.

“[The bill] was the culmination of a decade of erosion of access to abortion health care with the intent of creating a de facto ban without actually calling it a ban,” Donna Howard, a Texas state representative from Austin, testified at Wednesday’s hearing in front of the Senate Judiciary Committee.

In a 5-4 vote Sept. 1, the Supreme Court declined to stop the ban from taking effect, but the decision left the door open for future challenges.

The debate over the ban comes at a crucial time for abortion rights in the U.S. The Supreme Court will hear arguments in December about a Mississippi law that bans most abortions after 15 weeks of pregnancy, a decision that could threaten to overturn decades of protections established under the 1973 Roe v. Wade decision.

The court’s decision earlier this month has raised concerns among Democrats about how the court deals with emergency cases. When Texas abortion providers sought emergency relief from the Supreme Court to block the state’s law, there were no oral arguments and the opinion was unsigned.

Sen. Dick Durbin, an Illinois Democrat and the chairman of the Judiciary Committee, lambasted the court for stripping away abortion rights “in the dark of night.”

This situation where decisions are made quickly and opinions are short and unsigned is commonly referred to as the “shadow docket.”

These cases often involve the court deciding whether to block a law while lower courts debate its constitutionality.

At Wednesday's hearing, Republicans accused Democrats of suddenly caring about the shadow docket, a process that is not new but became more popular under the Trump administration.

"This whole notion of the shadow docket is called an operating court that is deciding an emergency motion," Cruz said.

Sen. John Cornyn, R-Texas, added that "it's inappropriate for the federal government or the Senate Judiciary Committee to try to single out individual states."

"It's clear that this is a part of a concerted effort to intimidate and bully members of the Supreme Court," Cornyn said.

Stephen Vladeck, a professor at the University of Texas School of Law, criticized the Supreme Court's increasing use of the shadow docket

"They're doing so through unsigned, mostly unexplained and often inconsistent rulings," Vladeck told the committee. "More and more of these rulings are directly and permanently shaping state and federal policies."

A federal judge in Texas is scheduled to hold a hearing Friday concerning the Justice Department's request to halt enforcement of the law. Abortion rights groups also brought another challenge to the U.S. Supreme Court last week in an effort to stop the law's enforcement.

The House of Representatives passed the Women's Health Protection Act last week to protect a person's ability to decide whether to have an abortion. The bill counters efforts at the state level to restrict abortions.

The bill is unlikely to pass through the Senate, where it requires 60 votes to cut off debate.

Sen. Mike Lee

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Bloomberg Law: [Judge Pick Who Opposed Kavanaugh Draws Senate Panel Deadlock](#), by Madison Alder, 10/21/2021

Deseret News: [Parents protesting masks, CRT have free speech rights, Mike Lee says](#), by Dennis Romboy, 10/7/2021

Releases

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10:34 AM - Oct 8, 2021 - Twitter Web App

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Bloomberg Law: [Judge Pick Who Opposed Kavanaugh Draws Senate Panel Deadlock](#), by Madison Alder, 10/21/2021

A Biden selection for the nation's largest federal appeals court who drew Republican ire for her criticism of Brett Kavanaugh failed to advance out of the Senate Judiciary Committee, delaying the nomination for now.

The committee voted 10-10 Thursday on Oregon labor lawyer Jennifer Sung, who is nominated to the San Francisco-based U.S. Court of Appeals for the Ninth Circuit.

While Sung's nomination can't be favorably reported to the floor, it can still advance if Majority Leader Chuck Schumer (D-N.Y.) makes a "discharge motion" to move her nomination out of the committee. That would require full Senate consideration.

At her September confirmation hearing, committee Republicans grilled Sung over an [open letter to Yale Law School leadership](#) she signed opposing Kavanaugh's nomination to the Supreme Court in 2018 and calling him an "intellectually and morally bankrupt ideologue."

Democrats need Republican support to push a judicial nominee through the committee so the absence of one of their members can throw things off.

Sen. Dianne Feinstein (D-Calif.), was not at Thursday's meeting for personal reasons, and did not vote. Sen. John Cornyn (R-Texas) voted "present." Cornyn, who would have voted no, said he was abstaining as a courtesy to Feinstein, who would have voted yes.

Still, Sung's opposition to Kavanaugh stung Republicans.

"By signing the Yale letter opposing the nomination of Brett Kavanaugh to the Supreme Court that said 'people will die' if he is confirmed and calling him 'intellectually and morally bankrupt,' Ms. Sung showed a lack of judgment needed to serve as an appellate court judge," Kevin Bishop, spokesman for Sen. Lindsay Graham, said in an emailed statement after the South Carolina Republican voted no.

Before the vote, Sen. Mike Lee (R-Utah) said he wasn't satisfied with her responses to question about the letter at her hearing.

"Her signing that letter showed, I think, an exceptional lack of judgment, as does her unwillingness to apologize for the statement or alternatively her inability to back up and defend the legitimacy of the statement," Lee said.

At her confirmation hearing, Sung apologized for creating an appearance of bias by signing the letter and said she recognized "much of its rhetoric was overheated."

"If by signing that letter I created the impression that I would prejudice any case or fail to respect the authority of any Supreme Court justice or any of the court's precedents, then I sincerely apologize," Sung said.

Democrats came to Sung's defense prior to the vote. Sen. Mazie Hirono (D-Hawaii) said she explained herself well at the hearing and noted Sung wasn't alone opposing Kavanaugh.

Hirono referenced a letter that over 1,000 law professors and deans signed opposing his nomination because they thought he didn't have the judicial temperament to be on the Supreme Court.

The tie could be a preview for the same party-line split on the Senate floor.

"I'm sure she'll be confirmed, but she might be the first of President Biden's nominees to require a tie breaking vote," John Collins, a law professor at George Washington University who follows nominations, said.

Collins said he wasn't surprised by Graham's vote given his support for Kavanaugh during the confirmation process and expects him to vote no on the floor too. That issue could persuade others who also voted for Kavanaugh to vote no like

Sen. Susan Collins (R-Maine).

Sung was the first no vote for Graham on a Biden judicial nominee in committee. He'd previously passed on two nominees and supported the rest.

Nominations Moving

While Sung faces a setback, Biden's other judicial nominees moved along on Thursday.

The committee voted on Vermont Supreme Court Justice Beth Robinson's nomination to the U.S. Court of Appeals for the Second Circuit. Her nomination advanced by a 10-9 vote. In addition to Feinstein's absence, Graham and Sen. Thom Tillis (R-N.C.) both passed on Robinson's nomination.

On the floor, the Senate voted 52-45 to confirm Tana Lin to the U.S. District Court for the Western District of Washington, which covers Seattle and Tacoma. Lin is the first Asian American and first former public defender to serve as a federal judge in Washington state, according to a statement from Sen. Patty Murray (D-Wash.).

The Senate also invoked cloture 51-48 on Second Circuit nominee Myrna Perez, ending debate on her nomination. That will set up her confirmation vote for next week. Schumer on Thursday also set up cloture votes on five district court nominees, which will take place next week.

Deseret News: [Parents protesting masks, CRT have free speech rights, Mike Lee says](#), by Dennis Romboy, 10/7/2021

Utah Sen. Mike Lee has a message for the Department of Justice: Leave parents alone.

Lee is among a dozen Republican senators who are demanding the DOJ not threaten the use of federal law enforcement against parents who raise highly charged issues such as mask mandates and critical race theory in local school board meetings.

In a letter Thursday to Attorney General Merrick Garland, the senators say they are concerned about the appearance of the DOJ "policing" the speech of citizens and concerned parents.

"We urge you to make very clear to the American public that the Department of Justice will not interfere with the rights of parents to come before school boards and speak with educators about their concerns, whether regarding coronavirus-related measures, the teaching of critical race theory in schools, sexually explicit books in schools, or any other topic," the senators wrote.

Rep. Burgess Owens, R-Utah, signed onto a [letter to Garland from House Republicans](#) expressing the same sentiment.

"Parents are irreplaceable advocates for their children, and recent attempts to stifle their genuine concerns are unproductive and harmful to students," Owens [tweeted](#).

On Monday, Garland directed the FBI to work with local leaders nationwide to help address what he called a "disturbing spike in harassment, intimidation, and threats of violence" against educators and school board members over highly politicized issues relating to the coronavirus and school curriculums, the [Washington Post reported](#).

In a [memorandum](#) to FBI Director Christopher Wray and federal prosecutors, Garland wrote that the DOJ will hold strategy sessions with law enforcement in the next 30 days and is expected to announce measures in response to "the rise in criminal conduct directed toward school personnel" in the nation's public schools.

"While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views," Garland wrote. "Threats against public servants are not only illegal, they run counter to our nation's core values. Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety."

The memo comes after the National School Boards Association last month sent a letter to President Joe Biden asking for help from federal law enforcement, referencing the Patriot Act, a law used to deter and punish terrorist acts in the U.S. and abroad.

The organization highlighted situations involving angry parents often frustrated by COVID-19 mask mandates for children and the possibility of teaching critical race theory in schools.

"An angry parent is not a domestic terrorist," Rep. Chris Stewart, R-Utah, said in a tweet.

Stewart also signed the House Republicans letter to Garland.

"President Biden is using the Justice Department as a political weapon," he said, adding it's the president's most recent attempt to silence opposition to his agenda.

“The attorney general is clearly attempting to restrict speech that is protected by the First Amendment. He has no right to silence the legitimate concerns of parents. And he has no right to brand these justly concerned parents as domestic terrorists,” Stewart said.

Angry parents are not necessarily threatening parents, and those discussions are clearly protected under the First Amendment, according to the GOP senators.

“To be clear, violence and true threats of violence are not protected speech and have no place in the public discourse of a democracy,” the senators wrote. “However, the FBI should not be involved in quashing and criminalizing discourse that is well beneath violent acts. ... It is not appropriate to use the awesome powers of the federal government including the PATRIOT Act, a statute designed to thwart international terrorism to quash those who question local school boards.”

Republicans at a Senate Judiciary Committee hearing Tuesday accused the DOJ of heavy-handed tactics to try to intimidate parents speaking at school board meetings about mask mandates or academic curriculums.

“Does it raise civil rights concerns when the government attempts to intimidate citizens who are exercising their First Amendment freedom of speech?” Sen. Marsha Blackburn, R-Tenn., asked assistant attorney general Kristen Clarke during a hearing on a voting rights bill.

“The First Amendment is important, and we also do not want a society with intimidation,” Clarke said.

When pressed further about the Garland memo, Clarke said, “This is not a matter that the civil rights division handled. I am aware of the memorandum issued by the attorney general, which speaks to threats and intimidation that some school officials have experienced in our country. And that’s not activity protected by the First Amendment.”

“And so you’re saying a parent going to a school board and expressing their dismay with CRT or with the mask mandate is not protected speech?” Blackburn replied. “Is that what you’re saying?”

Lee, a Senate Judiciary Committee member, attended the hearing but confined his questions to the voting rights bill.

Sen. Ted Cruz

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TV

Fox News: [Cruz on Hannity about immigration](#), 10/20/2021



OANN: [Cruz on the administration's immigration policy](#), 10/7/2021



Print

Bloomberg Law: [GOP Presses Ninth Circuit Pick on Transgender Bathroom Access](#), by Madison Alder, 10/20/2021

Boston Herald: [Ted Cruz wants to bring immigrant ports of entry to Martha's Vineyard, other places 'Democrat elites host their cocktail parties'](#), by Erin Tiernan, 10/20/2021

New York Post: [GOP rips Garland for 'weaponizing' DOJ in anti-CRT crackdown](#), by Emily Crane, 10/6/2021

Fox News: [GOP senators grill assistant AG Kristen Clarke over DOJ school board memo](#), by Jon Brown, 10/6/2021

Releases

Sen. Ted Cruz: [Sens. Cruz, Blackburn, Cotton, Colleagues Fight For Free Speech On College Campuses](#), 10/20/2021

Sen. Ted Cruz: [Sens. Cruz, Lee, Blackburn Raise Concerns Over Conflict of Interest With AG Garland's Son-in-Law Running Organization Promoting Critical Race Theory](#), 10/8/2021

Sen. Ted Cruz: [Sens. Cruz, Crapo, Colleagues Introduce Legislation to Protect Second Amendment Rights on Federal Land](#), 10/7/2021

Tweets

[Sen. Ted Cruz](#), 10/12/2021



Ted Cruz
@tedcruz

This...is...horrific.

Why does the Biden DOJ label the father of a teen girl sexually assaulted at school a "domestic terrorist"?



hotair.com
Horror: Father accuses Loudoun school board of covering up sexual assault Cover-up.

11:47 AM - Oct 12, 2021 - Twitter for iPhone

[Sen. Ted Cruz](#), 10/4/2021



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Bloomberg Law: [GOP Presses Ninth Circuit Pick on Transgender Bathroom Access](#), by Madison Alder, 10/20/2021

A Joe Biden nominee for the nation's largest federal appeals court faced pointed questions from Republicans about her position in briefs opposing restrictions on transgender bathroom access.

Senate Judiciary Committee GOP members drew the hot-button issue into the hearing on Wednesday by asking [Holly Thomas](#), a nominee to the San Francisco-based U.S. Court of Appeals for the Ninth Circuit, whether she agreed with language in briefs she signed while working for New York State's solicitor general.

Thomas, a judge on the Los Angeles County Superior Court, declined to answer directly, citing California's code of judicial ethics and the fact that the issue could come before her in her current role or in the future if confirmed. She also drew a distinction between her role as an advocate and role as a judge.

"What my duty was to advocate zealously for my clients. I've set aside the advocacy role and I now occupy a judicial role," Thomas said in response to Sen. Ted Cruz (R-Texas), who grilled her on the transgender issue.

The briefs in question were filed in federal district courts in [North Carolina](#) and [Texas](#) in 2016. They involved North Carolina's controversial "bathroom bill" which restricted transgender access to restrooms, and a challenge to the Obama administration's guidance on transgender student access to restrooms in schools.

"You've carved out an expertise for yourself using litigation to force institutions to allow biological males to use restroom facilities and locker facilities that are also used by young girls, that are used by women. And this has been a pattern," Cruz said to Thomas at the hearing.

Sen. Alex Padilla (D-Calif.), who was standing in for Judiciary Chair Richard Durbin (D-Ill.), defended Thomas and characterized committee Republicans as unfair for trying to link the briefs from years ago to a recent incident in Virginia in which a student was allegedly assaulted in a women's restroom.

Alliance for Justice questioned the motivation of Republicans at the hearing. "Instead of focusing on her qualifications or being able to attack her record as a judge, Republicans used the opportunity to play to their base," said Daniel Goldberg, legal director of the progressive advocacy group.

Appellate and sometimes trial court nominees have faced sharp questions at hearings over positions they took on behalf of clients as the confirmation process has taken on more of a partisan edge. Thomas' responses that it wasn't ethical for her to share her opinion and that she understood her role as a judge was separate from her advocacy were in line with how other nominees have responded to those questions.

Thomas, who would be the second Black woman to serve on the Ninth Circuit, has also held positions with the NAACP's Legal Defense and Education Fund and the Justice Department's Civil Rights Division.

In her introductory statement, Thomas said that her grandmother was born a sharecropper in North Carolina and her father worked as a school custodian and then supplemented his income working nights as a chauffeur to help pay her tuition at Stanford University. Thomas also graduated from Yale Law School and clerked on the Ninth Circuit.

Boston Herald: [Ted Cruz wants to bring immigrant ports of entry to Martha's Vineyard, other places 'Democrat elites host their cocktail parties'](#), by Erin Tiernan, 10/20/2021

Texas Sen. Ted Cruz said it's time Martha's Vineyard, Nantucket, Cambridge and other blue cities "where Democratic elites host cocktail parties" share in the immigration crisis at the southern border.

Cruz's so-called "Stop the SURGE" Act calls for 13 new ports of entry to be established by the Department of Homeland Security where illegal immigrants entering the United States from Texas would be transferred for processing.

"I am introducing this crucial legislation to alleviate the massive overload at the southern border by establishing new ports of entry in Democrat-led communities such as North Hero, Vermont, where Bernie Sanders spends his summers, and Martha's Vineyard, where Democrat elites host their cocktail parties," the Texas Republican said.

In addition to the three ports in Massachusetts, three are in California, two in New York, two in Rhode Island (Newport and Block Island), and one each in Connecticut, Delaware and Vermont.

Cruz cut to the chase on Fox News saying he's proposing the change "so rich Democrats can be sitting there and suddenly see 10, 20, 30, 50,000 illegal immigrants, like we're seeing in Texas on a daily basis."

"If Washington Democrats had to endure even a fraction of the suffering South Texas families, farmers, ranchers, and small businesses have had to face, our nation's immigration laws would be enforced, the wall would be built, and the Remain in Mexico policy would be re-implemented," he said.

But Cape Cod and Islands state Sen. Julian Cyr, a Democrat, said his district which is suffering from a labor shortage would "welcome the opportunity to have more people come to our region and work and live."

"Let's figure out how we can welcome these people, get them settled and on the pathway to becoming American citizens," he said. "If we can play a part in welcoming them, we'd love to."

Despite its upper-crust reputation, Cyr said Nantucket and Martha's Vineyard are diverse communities. Nantucket's public schools are over 50% students of color, many from families who immigrated here, the Truro senator said.

"The implication that Martha's Vineyard and Nantucket are these tony places where only the most prevailed folks live just shows Sen. Cruz doesn't know what he's talking about," Cyr told the Herald.

Cruz, who was born in Canada to a Cuban father and Delaware-born mother, has been a frequent critic of Biden's border strategy, blasting the president he says has "willingly surrendered the United States' southern border to dangerous criminal cartels."

All of the communities included in Cruz's plan voted for President Biden by wide margins in the 2020 presidential election and are known for their liberal politics and upscale lifestyle.

Former [President Barack Obama hosted his 60th birthday party](#) at his sprawling compound on Martha's Vineyard in August. The guest list at the high-profile affair included Democratic stalwarts like climate czar John Kerry as well as A-list celebrities like Jay-Z and Beyonce.

The Haiti earthquake has exacerbated the situation at the border, where Customs and Border Patrol has seen a 17% jump in the number of migrants it encounters along the border compared to 2019. In fiscal 2021, CPB reported more than 1 million encounters compared with 851,513 in 2019.

Texas Gov. Greg Abbott, a Republican, is appealing after the Biden administration last month denied the Lone Star State a federal emergency declaration arguing “the federal government failed to enforce immigration laws, and in particular, failed to halt illegal crossings” that has led to a crush of immigrants illegally crossing the border, setting up encampments and draining Texas resources.

New York Post: [GOP rips Garland for 'weaponizing' DOJ in anti-CRT crackdown](#), by Emily Crane, 10/6/2021

Republicans are ripping Attorney General Merrick Garland for “weaponizing” the Department of Justice over his plan to use federal law enforcement to crack down on school parents who oppose critical race theory saying it is a bid to intimidate political opponents.

The DOJ announced this week it was bringing in the [FBI to investigate a spike in threats](#) directed at school administrators, teachers and staff amid protests over critical race theory and mandatory mask wearing for children. GOP lawmakers [and parents](#) immediately slammed the decision, accusing the Biden administration of likening their protests to “domestic terrorism.”

House Minority Leader [Kevin McCarthy](#) (R-Calif.) said the crackdown was part of a “disturbing trend” in which Democrats are trying to muzzle parents and stop them from having a say in their children’s education.

“Parents have a fundamental right to be lawfully involved in their children’s education. We should encourage family participation in our school systems not baselessly attack opposing views because some liberal education officials and special interest groups see it as a threat to the power they want to have over what children learn in America’s classroom,” he [said in a statement](#).

“This latest decision by President Biden is yet another example of him using his executive power to federalize every sector in our society. He wants to use the IRS to comb through our banking transactions, and now he wants to use his DOJ to target American families

Sen. Ted Cruz (R-Texas) accused Garland of breaking his vow not to weaponize the DOJ, [tweeting](#): “At his confirmation hearing, Merrick Garland promised not to follow the Obama model of weaponizing DOJ to target and persecute his political opponents. Just a few months in, he’s already breaking that promise.”

And Sen. Josh Hawley (R-Mo.) called Biden’s latest offensive against parents “shocking, unprecedented and wrong.”

“I just asked the Biden DOJ to name one instance in American history when the FBI has been directed to go after parents attending school board meetings to express their views. There isn’t one,” he [added in a tweet](#).

“Attorney General Garland is weaponizing the DOJ by using the FBI to pursue concerned parents and silence them through intimidation. Florida will defend the free speech rights of its citizens and will not allow federal agents to squelch dissent,” Florida Gov. Ron DeSantis [fired off in a Tuesday tweet](#).

The GOP onslaught came after Garland announced Monday the FBI would take the lead on the law enforcement response to what he described as “a disturbing spike in harassment, intimidation, and threats of violence [against school administrators](#), board members, teachers, and staff.”

In a [memo](#) to federal prosecutors and FBI Director Christopher Wray, Garland said: “While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views.

“Threats against public servants are not only illegal, they run counter to our nation’s core values.

“Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety.”

His memo came just days after the National School Boards Association [asked the Biden administration for assistance](#), suggesting teachers and school staff were under “immediate threat.”

The association, in a [Sept. 29 letter](#), suggested there have been threats and acts of violence that equate to domestic terrorism as parents grow frustrated with mask mandates being imposed on their children and critical race theory being injected into their curricula.

They blamed opposition to mask mandates and CRT in classrooms for dozens of incidents at school board meetings this year.

Garland did not specify whether incidents related to the implementation of mask mandates or critical race theory would be investigated.

His memo also did not classify the incidents as domestic terrorism.

Fox News: [GOP senators grill assistant AG Kristen Clarke over DOJ school board memo](#), by Jon Brown, 10/6/2021

Sens. Marsha Blackburn, R-Tenn., and Ted Cruz, R-Texas, grilled Assistant Attorney General Kristen Clarke on Wednesday about the controversial [Department of Justice](#) memorandum [mobilizing the FBI](#) to address alleged threats

against school board members nationwide.

Clarke, who was appearing before the Senate Judiciary Committee to discuss voting rights, was first asked by Blackburn to affirm the DOJ's commitment to the First Amendment.

"Does it raise civil rights concerns when the government attempts to intimidate citizens who are exercising their First Amendment freedom of speech?" Blackburn asked in an apparent reference to the DOJ memo, which Attorney General Merrick Garland penned after the National School Boards Association (NSBA) sent a letter to President Biden.

The [letter](#) requested help for alleged death threats to school boards over COVID-19 policies and critical race theory (CRT).

Critics have claimed the memo will effectively weaponize the FBI to investigate parents who object to the curriculum and policies of their local public schools.

"The First Amendment is important, and we also do not want a society with intimidation," Clarke told Blackburn.

When Blackburn further questioned Clarke regarding the memo, Clarke said, "This is not a matter that the civil rights division handled. I am aware of the memorandum issued by the attorney general, which speaks to threats and intimidation that some school officials have experienced in our country. And that's not activity protected by the First Amendment."

"And so you're saying a parent going to a school board and expressing their dismay with CRT or with the mask mandate is not protected speech?" asked Blackburn. "Is that what you're saying?"

Blackburn also asked if Clarke believes it is appropriate to treat parents as domestic terrorists for asking elected school board members questions about what is being taught to their children.

"While this is not an issue that the civil rights division handled, this is a memorandum issued by the attorney general, I know that the Department is committed to ensuring robust civil discourse," said Clarke.

The senator later brought up the recent [report](#) about scrutiny Garland is facing over ties to a company that promotes the type of content parents are opposing in their ongoing battle with [local school boards](#).

When Clarke again claimed that the issue was also not within her purview, Blackburn replied: "So you all work in stovepipes is what you're telling me, and that you have no knowledge or information about what is being done to parents and how they are being labeled, and this directive for the FBI to go and investigate parents who are standing up for what their children are being subjected to in some public school systems."

Cruz pressed Clarke with a similar line of questioning, alleging that neither she nor Garland have managed to uphold their promise to maintain an apolitical DOJ.

Echoing Blackburn, Cruz pressed Clarke to clarify if the DOJ believes parents questioning their school boards have civil rights, to which Clarke responded by assuring the senator that she does not view such parents as domestic terrorists.

When Clarke declined to opine regarding whether she views Antifa as domestic terrorists, Cruz said, "Miss Clarke, it is amazing that you're not willing to condemn people who are murdering police officers and firebombing cities because your politics aligns with them but at the same time, when it comes to parents at school boards, you're perfectly comfortable with calling a mom at a PTA meeting a domestic terrorist."

Ben Sasse

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CNN: [GOP senators who voted to convict Trump say it's too soon to worry that he could undermine 2024 election](#), by Jeremy Herb, 10/4/2021

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Sen. Ben Sasse: [Sasse Statement on Pro-Abortion Extremism](#), 9/24/2021

Full Articles

CNN: [GOP senators who voted to convict Trump say it's too soon to worry that he could undermine 2024 election](#), by Jeremy Herb, 10/4/2021

CNN spoke to six of the seven Republicans who voted to convict Trump about the concerns democracy experts are raising. The seventh, Sen. Ben Sasse of Nebraska, declined to answer questions when approached by CNN, and a spokesman did not respond to requests for comment.

"That's kind of premature," said Sen. Mitt Romney, a Utah Republican. "He obviously tried to miscommunicate the one that already did happen." Enter your email to sign up for CNN's "What Matters" Newsletter.

Bottom of Form

"I have no idea what President Trump's plans are," said Sen. Susan Collins, a Maine Republican. "I'm really not focused on that. I'm focused on all the issues we have going on."

The response from the Senate Republicans who voted that Trump's conduct was impeachable after the 2020 election is starkly different than the urgent warnings coming from scholars who study democracies and election law. They've [held conferences](#) about election subversion, penned [multiple opinion articles](#) asserting a constitutional crisis [is already here](#) and argued Congress [has an pressing need](#) to act to put new guardrails in place.

Democracy experts say Trump and his allies already pose a grave threat to a close 2024 election -- and American democracy. He's convinced significant chunks of the Republican Party base to buy into his lies about the 2020 election being stolen, he's got a stranglehold on the GOP to launch a presidential bid and he's endorsed candidates echoing his election conspiracies who are seeking to run elections in the key battleground states.

"What Republicans discovered in 2020, maybe to their surprise, was that it's possible to overturn the election, and that the base will not only tolerate it but support it," said Steven Levitsky, a Harvard University political scientist and co-author of "How Democracies Die."

"And now, much more than 2020, there will be Republicans on the ground ready to exploit opportunities to either toss out ballots from rival strongholds or overturn the results," he added.

Democrats say they, too, have deep concerns about Trump's actions, the implications of new restrictive voting laws and the prospect of election subversion, and a new Senate Democratic [report released Thursday revealed](#) new details about how Trump tried to use the Justice Department to help him overturn the 2020 election.

"I think what we've learned from the Trump presidency, and the behavior of his allies, is not to ever dismiss what they are seeking to do," said Rep. John Sarbanes, a Maryland Democrat who has authored voting rights legislation in the House. "Too often, when people said, 'Well, they'll never try that,' or 'He'll never do this,' or 'That would be beyond the pale,' -- they go do it."

'It's incumbent upon all of us to make sure again our systems are sound'

After Trump lost the 2020 election to Joe Biden, he began spreading false conspiracy theories of fraud in the states he lost. Trump took increasingly desperate steps to try to hold power, pressuring state election officials, state lawmakers, top Justice Department officials, congressional Republicans and even his vice president to embrace his election lies and try to overturn the election result.

His efforts were ultimately unsuccessful -- but not before thousands of his supporters descended on the Capitol to try to stop the certification of the 2020 election in a deadly insurrection on January 6. [Ten Republicans in the House](#) voted to impeach Trump a week later, and seven Senate Republicans voted to convict him on the charge of incitement. But in

the months that followed, Republicans have coalesced around Trump and his stronghold on the party's base. He's seeking revenge against all who crossed him: Rep. Liz Cheney of Wyoming was kicked out of GOP House leadership for defying Trump and is in a fight for her political life in Wyoming, while Ohio GOP Rep. Anthony Gonzalez chose to retire from Congress, citing in part [the "toxic" atmosphere](#) of the Republican Party.

[A CNN poll last month](#) found nearly 60% of Republicans and Republican-leaning independents said "believing that Donald Trump won the 2020 election" was "very" or "somewhat" important to their definition of what it means to be Republican.

Sen. Lisa Murkowski of Alaska is the only Republican out of the seven who supported impeachment up for reelection in 2022, though she hasn't yet said if she's running. Trump endorsed [her would-be challenger in June](#).

Asked if she's concerned Trump could try to overturn a future election, Murkowski told CNN this week she has concerns about efforts to subvert elections through actions like the intimidation of poll workers and foreign election interference. She said she's "not speculating about what may or may not come in 2022 or 2024," but argued there are systems in place in states to stop rogue actors who might to overturn an election result.

"You can have one election official, but that doesn't necessarily mean it's going to corrupt your entire state's process," Murkowski said. "You still have governors who are responsible to the people. You still have legislators who are responsible to the states that they serve, the districts they serve. It's incumbent upon all of us to make sure again our systems are sound and the people that have oversight of those systems are good, honest and fair and principled people."

Asked if he was concerned if Trump could try to subvert the election, Louisiana Republican Sen. Bill Cassidy told CNN, "I'm concerned if anybody would."

But he said the situation "is very different" now that Trump was out of power, because many of the actions Trump took in the lead-up to January 6, such as lobbying the Justice Department to investigate fraud and urging the vice president to intervene in Congress, could only happen as president.

"I think that was 2020 when he had the levers of power, which won't be the case then (if he runs in 2024)," Cassidy said.

Election law scholars, however, argue Trump is taking steps that would give him the ability to try to overturn the election in the states themselves, including his endorsements of candidates in typically low-key secretary of state races who have falsely claimed the 2020 election was stolen from Trump, despite no evidence of widespread fraud. If they're elected, the Trump-backed candidates would be in charge of certifying elections in states like Georgia and Arizona key to winning the White House.

The warnings from academics grew increasingly dire last month following the revelation of a [memo drafted by conservative lawyer John Eastman](#), who advised Trump in the leadup to January 6. The memo proposed a step-by-step plan for then-Vice President Mike Pence to overturn the election by throwing out electors and declaring Trump the winner when he led a session of Congress counting the Electoral College vote.

"It's chilling. It is literally a document full of lies that would have provided a way to put an end to American democracy," said Richard Hasen, a professor of law and political science and co-director of the Fair Elections and Free Speech Center at the University of California, Irvine.

The fight over voting rights

Part of the disconnect over voting and elections is explained by the fight over voting rights, where Republicans have resisted the voting laws proposed by congressional Democrats.

Sen. Pat Toomey, a Pennsylvania Republican who is retiring and voted to convict Trump, said he'd given plenty of statements on January 6 and stood by them when asked if he was concerned Trump could try to overturn another election.

Toomey dismissed efforts to change voting laws at the federal level.

"I think there's a fundamental disagreement," Toomey said. "The states are responsible for the conduct of elections. I

think it works, I think it's the right way to do it, and I think that legislation to nationalize that is misguided. It's someone's idea of a solution but it's in search of a problem, so I'm not interested."

Moderate Democratic Sen. Joe Manchin of West Virginia, who has thus far rejected voting rights activists' calls for blowing up the filibuster to pass voting legislation, introduced a compromise bill last month, the Voting Rights Act, in an effort to win over Republicans with more tailored legislation. So far, he's had little success, though he is talking to some Republicans, like Murkowski. She noted that she's also worked with Vermont Democratic Sen. Pat Leahy on the John Lewis Voting Rights Act, a bill to would restore part of the 1965 Voting Rights Act gutted [by a 2013 Supreme Court decision](#).

But so far, she's the only Senate Republican [to express support](#).

Collins said she seems some areas for bipartisan compromise on election laws, like the disclosure of campaign contributions from groups that shield their donors. But she said she's opposed to federalizing election laws that are run by the states.

"Maine has high voter turnouts, and I don't see why its laws should be replaced by federal mandates when we're doing a good job," Collins said.

'Too many potentially realistic scenarios left unaddressed'

The voting bills that have been proposed in Congress this year deal largely with voting rights, but a group of Democrats and democracy scholars say [an opaque 1800s law dictating](#) rules for Congress to certify the presidential election, the Electoral Count Act, is long overdue for a fix -- and could be exploited by bad actors.

"There are too many potentially realistic scenarios left unaddressed in the statutes ... that create unnecessary room for political manipulation and introducing uncertainty and chaos into the process," said Michael Morley, a law professor at Florida State University.

On Thursday, Senate Judiciary Chairman Dick Durbin released a staff report revealing Trump asked the Justice Department nine times to undermine the election result and considered replacing the acting attorney general with a DOJ lawyer who supported his election fraud conspiracies.

The goal, according to the report, was to convince state legislatures not to certify the results or to appoint alternate slates of electors, which could have led to Congress ultimately voting on who won the presidential election. Under the rules, each state delegation gets one vote -- and Republicans controlled 26 of the 50 delegations.

Sources close to the House select committee investigating January 6 say the panel is likely to look at ways to safeguard the system for certifying the presidential election as the panel investigates the circumstances surrounding Trump's effort to overturn the election in the lead-up to the attack on the Capitol.

"I have felt ever since the impeachment trial that there was a political coup wrapped up in a violent insurrection," said Rep. Jamie Raskin of Maryland, a Democrat on the select committee. "And we need to fortify ourselves against both of those nightmare prospects from ever taking place again."

Sen. Josh Hawley

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[DHS Secretary, FBI Director, Others Testify on Threats to the U.S. 9/21/2021](#)



[Hearing on the Texas Abortion Law, Hawley asking about shadow docket and purpose of hearing 9/29/2021](#)



[Senate Hearing on Domestic Terrorism and Violent Extremism 8/3/2021](#)



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Fox News: [Josh Hawley On Life, Liberty & Levin about how he will address DOJ officials in hearings](#), 10/10/2021



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Releases

Sen. Josh Hawley: [Hawley Slams Biden DOJ for FBI Order to Investigate Opposition to CRT at Local School Boards](#), 10/5/2021

Sen. Josh Hawley: [Hawley Bill to Allow Parents to Sue Big Tech for Harm to Children](#), 9/30/2021

Tweets

[Sen. Josh Hawley](#), 10/22/2021



Josh Hawley @HawleyMO

Merrick Garland mobilized the FBI to intimidate parents without legal basis and, we now know, premised on misinformation he didn't bother to verify. It was a dangerous abuse of authority that has badly compromised the Justice Dept's integrity and Garland's. He should resign.



10:36 PM - Oct 22, 2021 - Twitter for iPhone

[Sen. Josh Hawley](#), 10/22/2021



Josh Hawley @HawleyMO

Now Joe Biden and Merrick Garland must apologize for mobilizing the FBI against parents based on misinformation the NSBA has disavowed



10:26 PM - Oct 22, 2021 - Twitter for iPhone

[Sen. Josh Hawley](#), 10/21/2021



Josh Hawley @HawleyMO

So Garland sends out a memo weaponizing the FBI against parents, McCarthy-style, but then develops a total disinterest in school board issues and complaints - how convenient



12:33 PM - Oct 21, 2021 - Twitter for iPhone

[Sen. Josh Hawley](#), 10/20/2021



Josh Hawley
@HawleyMO

Now we learn a @Facebook lawyer is running Justice Department policy. Why has Garland been hiding it?

Sarah Miller @sarahmillerdc · Oct 20

It sure seems like Garland has been trying to hide Facebook lawyer Susan Davies' presence DOJ. Great sleuthing by @revolvingdoorDC: twitter.com/dsayer/status/...

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later, someone responded and asked, "Can you give me a little more info on what you're looking for?" Our request had seemed straightforward to us, but we hopped on the phone to explain that we were working on a piece for *The American Prospect* and were looking to learn if Davies was in the building. After that phone call,

1:30 PM · Oct 20, 2021 · Twitter for iPhone

[Sen. Josh Hawley](#), 10/5/2021



Josh Hawley
@HawleyMO

I just asked the Biden DOJ to name one instance in American history when the FBI has been directed to go after parents attending school board meetings to express their views. There isn't one. Biden's latest offensive against parents is shocking, unprecedented and wrong

Christopher F. Rufo @realchrisrufo · Oct 4

BREAKING: Attorney General Merrick Garland has instructed the FBI to mobilize against parents who oppose critical race theory in public schools, citing "threats."

The letter follows the National School Board Association's request to classify protests as "domestic terrorism."

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11:09 AM · Oct 5, 2021 · Twitter for iPhone

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Fox News: [Hawley tears into Garland for FBI crackdown on alleged harassment of school officials](#), by Tyler Olsen, 10/5/2021

Sen. Josh Hawley on Tuesday tore into Attorney General Merrick Garland over a memo he issued Monday night directing the [FBI](#) and other [Department of Justice](#) entities to focus on identifying and prosecuting threats of violence and harassment of [school officials](#) and board members.

[The memo](#) came after months of school board meetings nationwide that often featured contentious exchanges between officials and parents who oppose controversial policies like mask mandates, teaching critical race theory and more.

In some cases, parents have been kicked out of meetings for refusing to wear masks, leading to allegations that school boards were trying to silence dissent. In one specific instance, [an entire school board was forced to resign](#) after hot mic comments showed board members mocking concerned parents.

"All around the country, Americans are speaking out against the radical racist ideology sometimes called 'critical race theory.'" Hawley wrote in a letter to Garland. "Americans have responded to this radical ideology by winning elections for local school boards and protesting peacefully at school board meetings. Yet your memo yesterday to the FBI and local U.S. Attorneys ignored all of this and warned of an insurgence of 'threats of violence' and 'efforts to intimidate

individuals based on their views."

"I certainly share your view that threats of violence have no place in this country, but the backdrop of your memo strongly suggests that your concern is not violence, but democratic pushback against critical race theory," the senator continued.

Hawley said Garland and the DOJ should stay out of "regular democratic activity" and that it "provided no evidence of actual, genuine threats of violence." Instead, Hawley alleged, the DOJ is simply aiming to paint opponents of critical race theory as "enemies of the republic."

Hawley's letter asks Garland's office to provide him with any materials the DOJ plans to disseminate in connection with the attorney general's memo, and a list of who was consulted as the memo was prepared.

Garland's memo came shortly after a letter from the National School Boards Association (NSBA) to President Biden that said some rhetorical clashes between school boards and parents are going too far and amount to threats against board members.

"The National School Boards Association (NSBA) respectfully asks for federal law enforcement and other assistance to deal with the growing number of threats of violence and acts of intimidation occurring across the nation," it said in the letter last week.

"As these acts of malice, violence, and threats against public school officials have increased, the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes," it added.

The letter detailed multiple instances of this alleged pattern, including school board meetings being disrupted, a person being arrested at an Illinois school board meeting, and a letter from an individual saying a school board member will "pay dearly" for supporting mask mandates.

In a memo Monday, Garland enthusiastically agreed with the NSBA.

"While spirited debate about policy matters is protected under the Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views," Garland said. "Threats against public servants are not only illegal, they run counter to the nation's core values."

Garland told the FBI to take the lead on a task force to address threats against school officials, including creating a centralized way to report such threats.

Hawley said that the timing of the Garland memo was highly suspect because it immediately followed the NSBA letter. Hawley alleged that the NSBA letter is not really about violence and instead about school boards not being able to take criticism.

"Your announcement arrives immediately after the Biden administration received a letter from the National School Boards Association, which laid out a litany of complaints against the widespread criticisms of local school boards that are being leveled by concerned parents," Hawley wrote.

"The letter denounced as 'propaganda' the criticism that schools are pushing critical race theory into classrooms," he added. "It further asserted, without explanation, that 'extremist hate organizations are 'showing up at school board meetings' and 'spreading misinformation that boards are adopting critical race theory curriculum.' The NSBA's letter is pure gaslighting."

Hawley also questioned Deputy Attorney General Lisa Monaco about the memo during a Tuesday hearing. Hawley alleged that the memo was designed to chill parents' speech at school board meetings because the memo did not define the terms harassment and intimidation, and therefore may encompass some frustrated parents' speech depending on how it is used by the government.

Monaco shot back that the memo is only about violence and threats of violence, and it's the role of the FBI address

those threats.

Sen. Tom Cotton

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[Sen. Tom Cotton on the Violence Against Women Act \(VAWA\) Reauthorization- Deputy Attorney General Lisa Monaco testified at a Senate Judiciary Committee hearing, 10/23/21](#)



TV

Fox News (The Story): [Sen. Tom Cotton condemns Biden administration for 'sicking' Feds on concerned parents: 'Dangerous overreach', 10/23/21](#)



MSNBC: [Morning Joe Discusses Sen. Cotton, the Election and Alliance to Trump, 10/23/2021](#)



Fox News: ['Special Report' All-Star Panel on DOJ's 'war' on parents after conflicts in school board meetings](#), 10/6/21



Fox News (The Story With Martha MacCallum): [Sen. Cotton, DeVos Discuss the School Board Memo and if the FBI or the DOJ are investigating](#), 10/5/21



Print

Sierra Sun Times (North Lake Tahoe, CA): [U.S. Senators Tom Cotton and Marsha Blackburn, Colleagues Fight for Free Speech On College Campuses](#) By Staff, 10/23/2021

Fox News: [Cotton bill takes aim at school policies that 'subvert parental authority' on gender changes](#) by Houston Keene, 10/22/2021

PolitiFact (the Poynter Institute): [Fact-checking Tom Cotton on Arkansas' new congressional map](#) by Louis Jacobson, 10/22/2021

Daily Caller: [Mitch McConnell and Tom Cotton plotted behind Trump's back to stop Republican senators from overturning the election results, new book claims](#) by Rob Crilly, 10/11/2021

Vanity Fair: [How Tom Cotton And Mitch McConnell Plotted To Undermine Trump's Stolen Election Claims](#) by David M. Drucker, 10/11/2021

Fox News: [Cotton joins growing list of lawmakers demanding answers from DOJ about investigations into parents](#) by Houston Keene, 10/6/2021

Fox News: [Hawley, Cotton grill DOJ official on memo targeting threats against teachers, school board members](#) by Ronn Blitzer, 10/5/2021

Washington Examiner: [DOJ's school board violence memo targets concerned parents, GOP says](#) by Jerry Dunleavy, 10/5/2021

Breitbart: [Deputy AG Admits to Tom Cotton Not 'Domestic Extremism' for Parents to Advocate for Child's Education](#) by Dr. Susan Berry, 10/5/2021

Boston.com: ['We have the data': Rachael Rollins fires back following Tom Cotton's 'pro-criminal' criticism](#) by Nik DeCosta-Klipa, 10/4/2021

Breitbart: [Op-Ed: Exclusive Sen. Tom Cotton: Democrats' Criminal-Leniency Policies Sparked an Undeniable Crime Wave](#) 10/2/2021, by Sen. Tom Cotton

Arkansas Times: [Nasty Tom Cotton grabs spotlight again with a familiar attack on Biden nominee](#) by Max Brantley, 10/2/2021

Fox News: [Cotton, Cruz slam Biden US attorney nominee for not prosecuting drug dealers](#), by Houston Keene, 10/1/2021

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Cotton News Release: [Cotton Introduces Bill to Prevent School Par](#) 10/21/21

Cotton News Release: [Cotton, Blackburn, Colleagues Fig](#) 10/21/21

Cotton News Release: [Cotton Demands Answers from Biden DOJ](#) 10/21/21

Tweets

[Tom Cotton, 10/21/21](#)

Tom Cotton @SenTomCotton · Oct 21

Schools should work with parents to support kids. But when it comes to "gender transition," many educators believe they know better and have undermined or even outright lied to parents about their own children's welfare.



foxnews.com
Cotton bill takes aim at school policies that 'subvert parental authorit...
Sen. Tom Cotton's new bill takes aim at public school policies that "subvert parental authority" when it comes to students' gender ...

Sen. Tom Cotton, 10/21/21

Tom Cotton @SenTomCotton · Oct 21

Schools shouldn't impose radical, harmful ideologies on children—especially without parents' knowledge and consent. My bill will protect students and ensure that parents are in control of their children's education.



cotton.senate.gov
Cotton Introduces Bill to Prevent Schools from Concealing Gender Tra...
FOR IMMEDIATE RELEASEContact: James Arnold or Mary Collins Atkinson (202)...

Sen Tom Cotton, 0/20/21

Tom Cotton @SenTomCotton · Oct 20

A democracy that doesn't tolerate free speech will not remain a democracy for long. It's essential that we reclaim our colleges and universities so that they provide value to future generations of Americans, not just an exclusive safe haven for radicals.



foxnews.com
Sens. Cotton, Blackburn: Free speech is under fire on America's colle...

Sen. Tom Cotton, 10/20/21



Tom Cotton @SenTomCotton · Oct 20

Universities should encourage a variety of viewpoints—but today, colleges and students often silence classmates and faculty who disagree with ideas like Critical Race Theory. The Campus Free Speech Caucus will help return free speech to higher education.



cotton.senate.gov

Cotton, Blackburn, Colleagues Fight For Free Speech On College Cam...

[Sen. Tom Cotton, 10/17/21](#)



Tom Cotton @SenTomCotton · Oct 17

If Rachael Rollins is confirmed as a U.S. Attorney by the Senate, the residents of Massachusetts, New Hampshire and all of New England would suffer the consequences.



bostonherald.com

Cotton: Biden pick Rachael Rollins poses threat to N.E. If confirmed: President Biden recently named Suffolk County District Attorney Rachael Rollins to be the U.S. Attorney for Massachusetts. Rollins has...

[Sen. Tom Cotton 10/14/21](#)



Tom Cotton @SenTomCotton · Oct 14

These are the kind of domestic terrorists @TheJusticeDept should be investigating—not parents protesting racist school curriculum.

Jenny Young @jennytyoung · Oct 13

Night of destruction in downtown Portland. Group in black bloc shattered dozens of windows at small and big businesses & spray painted several buildings writing "kill cops" "kill all cops" "eat the rich" "anarchy means attack"

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[Sen. Tom Cotton, 10/12/21](#)

Tom Cotton @SenTomCotton · Oct 12
One of the greatest challenges we face as a country is restoring confidence and trust in our legal system. To do this, we must quickly, consistently, and reliably enforce the law against criminals of all kinds and protect victims of all backgrounds.



washingtonexaminer.com
A restored America needs law and order
Equality before the law is our nation's most fundamental principle.
Victims of crime, no matter their background, income, or political ...

[Sen. Tom Cotton, 10/6/21](#)

Tom Cotton @SenTomCotton · Oct 6
The DOJ's threat to investigate concerned parents as "domestic terrorists" will intimidate those parents, chill free speech, and discourage lawful assemblies.



cotton.senate.gov
Cotton Demands Answers from Biden DOJ About Investigations of Ant...
FOR IMMEDIATE RELEASEContact: James Arnold or Mary Collins
Atkinson (202)...

[Sen. Tom Cotton, 10/5/21](#)

Tom Cotton @SenTomCotton · Oct 5
Parents opposing Critical Race Theory in schools is not "domestic extremism" despite how activists at the Department of Justice may feel.



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[Sen. Tom Cotton, 10/5/21](#)



[Sen. Tom Cotton, 10/23/21](#)



[Sen. Tom Cotton, 10/2/21](#)



[Sen. Tom Cotton, 10/1/21](#)



Full Articles

Sierra Sun Times (North Lake Tahoe, CA): [U.S. Senators Tom Cotton and Marsha Blackburn, Colleagues Fight for Free Speech On College Campuses](#) By Staff, 10/23/2021

10/21/2021 - Washington, D.C. Senators Tom Cotton (R-Arkansas) and Marsha Blackburn (R-Tennessee) launched the Senate Campus Free Speech Caucus to defend the rights of students on college campuses. This caucus is part of a larger bicameral effort alongside the Young America's Foundation (YAF) to protect free speech. Cotton and Blackburn were joined by Senators Mike Braun (R-Indiana), Steve Daines (R-Montana), Roger Marshall (R-Kansas), and John Boozman (R-Arkansas).

In addition to the Senate Campus Free Speech Caucus, Senators Cotton and Blackburn introduced the Campus Free Speech Resolution of 2021 and Campus Free Speech Restoration Act.

The Campus Free Speech Resolution of 2021 urges greater First Amendment protection at public universities. Senators Cotton and Blackburn introduced this legislation alongside Senators Thom Tillis (R-North Carolina), James Lankford (R-Oklahoma), Mike Braun (R-Indiana), Chuck Grassley (R-Iowa), Joni Ernst (R-Iowa), Marco Rubio (R-Florida), Josh Hawley (R-Missouri), Tim Scott (R-South Carolina), and Ted Cruz (R-Texas).

The Campus Free Speech Restoration Act would protect the First Amendment rights of students at public universities

from improperly restrictive speech-codes. Senators Cotton and Blackburn introduced this legislation along with Senate Minority Leader Mitch McConnell (R-Kentucky) and Senators Roger Marshall (R-Kansas), John Boozman (R-Arkansas), Steve Daines (R-Montana), Rick Scott (R-Florida), Kevin Cramer (R-North Dakota), Cynthia Lummis (R-Wyoming), Marco Rubio (R-Florida), and Mike Braun (R-Indiana).

"Universities should encourage a variety of viewpoints but today, colleges and students often silence classmates and faculty who disagree with ideas like Critical Race Theory and the 1619 Project. Senator Blackburn and I started The Campus Free Speech Caucus to return free speech to higher education across the country," **said Cotton**.

"Free speech is under attack on college campuses," **said Blackburn**. "We must fight to ensure that our students are not silenced because of their political views. That is why I am spearheading multiple efforts alongside Senator Cotton and our colleagues to champion essential freedoms for students in Tennessee and across the nation."

"The right to freedom of speech is our most fundamental right as Americans, and I'm proud to join the Campus Free Speech Caucus to fight back against suppression of free speech on college campuses and ensure our students' First Amendment rights are not being trampled upon," **said Braun**.

"College campuses should be encouraging debate and for students to exchange political views not silencing and punishing those they disagree with. We must fight for this foundational right to free speech for our next generation, not give into the wokeness on college campuses," **said Daines**.

"Free speech is guaranteed in our Constitution. It should be revered on our college campuses. Sadly, this is where it's most at risk," **Young America's Foundation President Governor Scott Walker said**. "The Campus Free Speech Caucus will help us fight back and ensure all voices can be heard on campus!"

Fox News: [Cotton bill takes aim at school policies that 'subvert parental authority' on gender changes](#)
by Houston Keene, 10/22/2021

FIRST ON FOX: Republican Sen. [Tom Cotton](#) of [Arkansas](#) is dropping a new bill taking aim at public school policies that "subvert parental authority" when it comes to students' gender identities and gender changes.

Cotton is introducing the Empower Parents to Protect Their Kids Act on Thursday to address numerous U.S. [public school](#) "policies to allow students of any age to change their name, pronouns, gender identity and even sex-based accommodations (e.g. locker rooms) without parental notice or consent," according to a bill summary exclusively obtained by Fox News.

"Schools should work with parents to support kids," Cotton told Fox News in a Thursday email. "But when it comes to 'gender transition,' many educators believe they know better and have undermined or even outright lied to parents about their own children's welfare."

"That's wrong my bill will help moms and dads fight back against schools that try to take away parents' responsibility for their children," the senator continued.

The summary points to [New Jersey](#) state policy stating a "school district shall accept a student's asserted gender identity" without requiring "parental consent" as well as the Madison, Wisconsin, school district's policy that disallows school staff sharing "any information that may reveal a student's gender identity to others, including parents or guardians."

"These policies subvert parental authority and subject children to an experimental psychological intervention that has a high likelihood of changing their life path," the summary reads. "Schools should never be allowed to infringe upon the sacred bonds of family life and confuse children."

Legislatively, Cotton's bill would stop federal funds from going to public schools if they do not follow three "requirements regarding minor students": obtaining "parental consent before facilitating a student's gender transition in any way," not withholding "information from parents or coerce students to withhold information from their parents about their purported gender identity," and not pressuring "parents or students to proceed with any specific treatment for gender dysphoria."

In addition to barring taxpayer dollars from going to public schools that do not comply with the requirements, the bill would establish a "private right of action to empower parents to enforce these policies in court, with attorney's fees

granted to the prevailing plaintiff."

The new legislation would also require schools to give parents a copy of their policies to parents as well as publish said policies on school websites, and report their compliance to the secretary of education.

PolitiFact (the Poynter Institute): [Fact-checking Tom Cotton on Arkansas' new congressional map](#) by Louis Jacobson, 10/22/2021

Sen. Tom Cotton, R-Ark., took a swipe at Illinois on Twitter, painting the two states as taking radically different approaches to redistricting — the once-every-decade practice of redrawing congressional and legislative lines in response to the latest census.

Cotton's Oct. 21 [tweet](#) argued that Arkansas' new congressional district map, drawn by Republicans in an overwhelmingly Republican state, was superior to the one drafted by Democrats, who control the levers of redistricting in Illinois.

"Arkansas Republicans made a compact and fair map that keeps communities together," Cotton tweeted. "Illinois Democrats created an atrocious gerrymander to take power. Yet the Dems are shamelessly attacking Arkansas. Their crocodile tears should be ignored."

For starters, we should note that the Arkansas map shown in Cotton's tweet was final and had been enacted, whereas the Illinois map was a draft that may or may not be made official. Cotton didn't mention that. (It's also worth noting that when population is distributed unevenly within a state — as is the case with metropolitan Chicago in the northeast corner of Illinois — the maps will tend to look messier than in states with smaller variances in population.)

Meanwhile, critics of excessive partisanship in redistricting would find common cause with Cotton on the shape of the Illinois map. Illinois' draft map — which would likely produce a delegation of 14 Democrats and just three Republicans, in a state that Joe Biden won by a 57%-40% margin — is a "gerrymander that would make deceased Gov. Elbridge Gerry blush," wrote David Wasserman, who tracks redistricting for the Cook Political Report with Amy Walter. (Gerry was an 18th- and 19th-century Massachusetts politician whose reputation for drawing creative district lines produced the term "gerrymandering.")

Still, one of Cotton's key assertions — that the new Arkansas congressional map "keeps communities together" — is inaccurate, as long as you consider the largest metropolitan area in the state to be a "community." (Cotton's office did not respond to an inquiry for this article.)

Specifically, the new Arkansas map splits up the largest county in the state — Pulaski County, which includes the state's capital, Little Rock, which is more than twice as big as the state's second-largest city, Fayetteville.

Pulaski County is also more racially diverse than the state as a whole. The county is 52% non-Hispanic white and 38% Black, while the state is 70% non-Hispanic white and 15% Black.

This diversity had electoral implications: It helped make Pulaski County one of only eight counties out of Arkansas' 75 to back Biden in 2020. The Democratic nominee won 60% of the vote in Pulaski County.

For the past decade, Pulaski County has been fully part of the 2nd district, represented by Republican French Hill. Wasserman [noted](#) that in recent elections, Hill's seat has been at least somewhat competitive — Hill won by six points in 2018 and 11 points in 2020.

But by adding rural Cleburne County, where Donald Trump won 81% of the vote in 2020, and subtracting Black neighborhoods in Pulaski County, the Republican map-drawers appear to have succeeded in "downgrading Democrats from a nuisance to total irrelevance" in Hill's district, Wasserman concluded.

"On the surface, it's pure gerrymandering," said state Senate minority leader Keith Ingram, according to [the Hill](#). "They took high minority populations and split them. They have diluted the overall impact of the minority vote by doing this."

In fact, the new map doesn't just divide Pulaski County — it splits it three ways. Under the new map, only one of Arkansas' four U.S. House seats doesn't have a piece of Pulaski County.

That's a major departure from past practice. The county has never been split between multiple districts "in any decade since the modern redistricting process began in the 1960s," [wrote](#) political analyst Reid Wilson after the map was

finalized.

Even the state's Republican governor, Asa Hutchinson, expressed reservations about the map design.

Hutchinson let the map become law without his signature; if he had vetoed it, his veto would have been easily overridden.

"I am concerned about the impact of the redistricting plan on minority populations," Hutchinson [told reporters](#). "While the percentage of minority populations for three of the four congressional districts do not differ that much from the current percentages, the removal of minority areas in Pulaski County into two different congressional districts does raise concerns."

Hutchinson all but encouraged critics of the map to file a lawsuit seeking to overturn it. "This will enable those who wish to challenge the redistricting plan in court to do so," [Hutchinson said](#).

Other Republican officials rejected Hutchinson's view of the map and echoed Cotton's assertion that the redraw kept jurisdictions whole.

"The new congressional districts are compact and keep community interests together," state GOP chair Jonelle Fulmer [said in a statement](#). "These lines are largely consistent with the existing lines, which were drawn by Democrats in 2010."

The new map [does split fewer counties](#) than the previous map did, cutting the number from five to two. The other split county in the new map is Sebastian County which includes Fort Smith.

However, splitting Pulaski County has a far bigger impact. At almost 400,000 residents, Pulaski County accounts for 13% of the state's population. Ranking second is Benton County, which includes Bentonville and Rogers and has 284,333 residents, or 9% of the state's population.

In the meantime, the Black percentage in Pulaski County is also twice as high as it is in any of the other nine most populous counties in the state, which increases the impact of the split on minority voters.

"There is an argument to be made that the decision to split Pulaski allows for some of the more rural counties to avoid splits, but in terms of population impact, it is clearly divisive," said Hal Bass, an emeritus political scientist at Ouachita Baptist University.

It's worth noting that in another state where redistricting was controlled by Democrats, Oregon, lawmakers used a similar tactic to produce a favorable map. Democrats enacted a map that split the state's largest city, Portland, into three districts.

Our ruling

Cotton said that the newly drawn congressional district map in Arkansas "keeps communities together."

The newly drawn map does reduce the number of split counties in Arkansas compared with the previous decade's map. However, Cotton ignores the most significant impact: For the first time, the map splits Pulaski County three ways. Pulaski is easily the state's most populous county, as well as the most racially diverse (and most Democratic) big county in the state.

Cotton's claim has an element of truth but leaves a misleading impression about the impact of redistricting. We rate the statement Mostly False.

Daily Caller: [Mitch McConnell and Tom Cotton plotted behind Trump's back to stop Republican senators from overturning the election results, new book claims](#) by Rob Crilly, 10/11/2021

Senate Minority Leader Mitch McConnell and Sen. Tom Cotton schemed to prevent Republican senators joining President **Donald Trump's** effort to overturn the result of the 2020 presidential election, according to a new book.

It describes how McConnell believed Cotton's conservative credentials would make him a useful ally in persuading the G.O.P. not to go along with Trump's plan to prevent certification of the results.

The tale is revealed in journalist David Drucker's book, 'In Trump's Shadow: The Battle for 2024 and the Future of

the [GOP](#), ' which is published next week by Twelve.

Helpfully for a Republican often talked of as a possible 2024 contender, it suggests Cotton - who had courted Trump personally and remained close to him politically up to the end - was never convinced by the president's argument that Congress could invalidate an election result.

'But as is his habit, he wanted to be thorough,' writes Drucker in an excerpt published by [Vanity Fair](#).

'In early December, Cotton directed legislative aides on his Senate staff to research the matter extensively and prepare an exhaustive memorandum.

'As the senator suspected, it made plain that the Constitution had not, in fact, built in a secret back door for Congress or the vice president to invalidate presidential election results.

'In mid-December, after the states had certified their results and the Electoral College had voted, Cotton read in McConnell.

'Together, they plotted to countermand Trump's bid to overturn the election and neutralize interest in objecting to Biden's victory that was developing in some quarters of the Republican conference.'

McConnell, after allowing Trump's legal challenges to run their course, had already declared Biden the victor.

But Cotton, senator for Arkansas, planned to stay quiet ahead of the Jan. 6 certification by Congress, fearful that infighting could undermine crucial Senate runoff elections in Georgia.

But the plan was upended when Sen. Josh Hawley - a young senator in a Trumpian mold - declared publicly that he would object to certification.

Sen. Ted Cruz was next, bringing along another 10 senators.

With Trump already promising to back anyone who primaried Sen. John Thune, who said he would not try to block Biden's win - McConnell decided it was time to move.

'The majority leader had been aggressively whipping the issue,' writes Drucker.

'But he believed that Cotton, with his conservative bona fides and reputation as a Trump loyalist, might be more effective at talking teetering Senate Republicans off the ledge by providing cover to those who privately wanted to stand behind the certification of Biden's victory but feared the consequences back home.'

Cotton's plan to publish an op-ed in an Arkansas paper on the morning of Jan. 6th was brought forward three days.

It read in part: 'I'm grateful for what the president accomplished over the past four years, which is why I campaigned vigorously for his reelection. But objecting to certified electoral votes won't give him a second term.'

The violence of Jan. 6 when a mob of Trump supporters attacked the U.S. Capitol in an effort to prevent certification of the result also had an impact on senators.

Instead of 12, just six voted to throw out Biden's win in Arizona; seven voted to reject the Pennsylvania result.

But members of McConnell's leadership team, Thune and Sen. John Barrasso, of Wyoming, told Drucker the number of dissenters never snowballed out of control, thanks to Cotton.

'Tom played a very important role, especially as people were starting to waver,' Thune told me on January 8, with the shock of what amounted to an attempted coup, albeit an amateur one, still fresh in the air,' wrote Drucker.

'He took a risk coming out Sunday rather than waiting quietly until Wednesday; he knew it wouldn't be popular with the base.'

Nor indeed Trump, who warned Cotton on Twitter that Republicans 'never forget.

'The 'Surrender Caucus' within the Republican Party will go down in infamy as weak and ineffective 'guardians' of our Nation, who were willing to accept the certification of fraudulent presidential numbers!' he wrote.

Vanity Fair: [How Tom Cotton And Mitch McConnell Plotted To Undermine Trump's Stolen Election Claims](#) by David M.

Drucker, 10/11/2021

On Sunday, January 3, 2021, at 10:09 p.m., a political hand grenade exploded in my inbox. In a carefully crafted 327-word statement, Tom Cotton announced that he would support the certification of Joe Biden's Electoral College victory when Congress met in joint session on Wednesday, January 6. The senator would vote against any objections.

Trump, in a last-ditch attempt to overturn the 2020 election, had issued a clarion call for Republicans to object to state-certified electoral votes from six swing states that had voted narrowly for Biden, delivering him the presidency. The majority of Republicans in the House, led by Minority Leader Kevin McCarthy and Minority Whip Steve Scalise or was it the other way around? answered the call. In the Senate, Ted Cruz and Josh Hawley, whip-smart constitutional lawyers both, did the same. Between the two of them, they managed to recruit about a dozen Senate Republicans to join them.

Cotton, stunningly, gave Trump the Heisman. It was not a spur-of-the-moment calculation. For weeks leading up to the January 6 vote, Trump had ratcheted up conspiratorial claims that the election would be stolen. It was a fantastical sundae, cooked up by Trump's calamitous legal team and served up by the president to the rank-and-file voters who backed him. The cherry on top was Trump's assertion that Congress, and Vice President Mike Pence, were empowered by the Constitution to sidestep the Electoral College and install the losing candidate as president. In the midst of all this, Cotton, in league with Senate Majority Leader Mitch McConnell of Kentucky, was maneuvering behind the scenes to derail the outgoing president's effort to remain in office, and marginalize those Republicans who were abetting him.

From the inception of Trump the politician, Cotton exhibited an understanding of the future president's psychological peculiarities, and an intuitive grasp of the fervor he inspired among his MAGA fan base. For Trump, all politics was, and still is, intensely personal. More than commitment to the agenda that revved up so many of his loyal voters early on the border wall, the Muslim ban, trade protectionism Trump valued deference to himself. Treat Trump "nice" a word he used ubiquitously in tweets and interviews and he was happy with you. Likewise, treat Trump "nice," and his legion of grassroots supporters were happy with you, too.

And so from the earliest days of Trump's first campaign, amid the occasional policy disagreement or reluctance to follow Trump down the road of this or that issue, Cotton courted Trump personally and avoided breaking with him politically. In July 2015, roughly one month after Trump entered the race for the GOP presidential nomination, the Arkansas Republican Party invited the upstart candidate to headline its big annual "Reagan-Rockefeller" fundraising dinner in Hot Springs. As it turns out, Cotton couldn't make it; he was scheduled to travel to Europe with Kansas congressman Mike Pompeo. (Today, Cotton and Pompeo are budding rivals for the Republican presidential nomination, but back in 2015, they were simply close friends who collaborated on foreign-policy matters.) Aware that Trump might interpret his absence as a personal snub, Cotton telephoned him in advance to explain. The senator reassured Trump that his trip abroad was not one of those convenient tricks politicians use to avoid politically uncomfortable situations, nor was it a silent protest against the Arkansas GOP's decision to tap Trump to keynote the Reagan-Rockefeller dinner. Cotton told the seemingly longshot presidential contender that he was glad the party asked him to headline the event and pleased he'd agreed to it. It was their first conversation.

Trump, satisfied, talked Cotton's ear off about Iran and immigration. He praised the senator for his hardline opposition to the Iran deal and made mention, approvingly, of their shared approach to immigration policy. But just in case, to buy a little insurance, Cotton told Trump that he was sending his parents to the fundraising gala as proxies. From then on, whenever they talked, Trump would ask the senator about his parents.

For the next five and a half years, through scandal and controversy and tweets, Cotton navigated the Trumpian minefield in much the same way. He worked proactively to preserve their rapport, and by extension, to preserve his connection with the potent movement of voters Trump had inspired, encouraging the president to [attack](#) Iran and aggressively [siding with Trump](#) and police during a historic wave of racial-justice protests. His strategy worked until it didn't.

In the weeks after the 2020 election, as Trump's aggressive, multistate effort to overturn his defeat foundered in court after court, the outgoing president and his supporters zeroed in on a new remedy: overturning the Electoral College. To say that Cotton was not swayed by Trump's theory of the case is an understatement. But as is his habit, he wanted to be thorough. In early December, Cotton directed legislative aides on his Senate staff to research the matter extensively and prepare an exhaustive memorandum. As the senator suspected, it made plain that the Constitution had not, in fact,

built in a secret back door for Congress or the vice president to invalidate presidential election results. In mid-December, after the states had certified their results and the Electoral College had voted, Cotton read in McConnell. Together, they plotted to countermand Trump's bid to overturn the election and neutralize interest in objecting to Biden's victory that was developing in some quarters of the Republican conference.

The majority leader had stubbornly refused to acknowledge Biden's victory, or to refer to his former Senate colleague as president-elect, prior to the December 14 Electoral College vote. McConnell insisted that Trump's legal challenges were a normal part of the process and that the results would not be set in stone until then. Once things were official according to that standard, McConnell declared the election decided and congratulated Biden. It was at this point that he moved aggressively, and very openly, to discourage Republicans from objecting to the electoral count.

Publicly, Cotton remained noncommittal, worried that Republican infighting could tank the party's chances in two January 5 runoff elections in Georgia that would determine the balance of power in the Senate. So even as he privately counseled colleagues to follow the majority leader's prompts and ignore Trump's pleadings, he urged that they all keep their powder dry until January 6 to avoid an intra-party row that might blow up in their faces in Georgia.

That was Cotton's original strategy: say nothing until the 6th. That morning, in an op-ed the senator planned to publish in the *Arkansas Democrat-Gazette*, he would argue that objections to state-certified electoral votes were unconstitutional and threatened the viability of the Electoral College, and declare his intent to support certification.

But Cotton's strategy was derailed. On December 30, Hawley became the first fly in the ointment. Despite harboring little desire to run for president, the young, intellectual populist is often mentioned as a 2024 contender because of his telegenic looks, Ivy League pedigree, and attempts to channel Trumpism into a coherent ideological framework and tangible legislative agenda. One week before certification, Hawley announced that he would object. He singled out Pennsylvania's 20 electoral votes but signaled he might try to throw out votes from several more states.

A few days later, on January 2, Ted Cruz one-upped Hawley. The Texas Republican, a traditional Reagan conservative with a combative streak, was runner-up for the GOP presidential nomination in 2016 and is almost assuredly running again in 2024. Rather than act as a lone gunman, Cruz brought reinforcements, announcing plans to object to Biden's Electoral College victory with the backing of 10 Senate colleagues. Rather than target one state's results, Cruz and his crew would seek to block half a dozen, making the baseless claim that they were not "lawfully given" or "legally certified." They were also pushing a detailed plan to delay certification while an audit was conducted by a government-appointed panel.

With 25 percent of the Senate Republican Conference now on record as planning to object, what started out as a trickle with Hawley threatened to become a flood as members worried how they would explain to voters in the next GOP primary that they had abandoned Trump in his most desperate hour. The lame duck president had already threatened John Thune, the Republican whip and No. 2 senator in the conference behind McConnell. When reporters started peppering Senate Republicans with questions about whether they would bow to Trump's demands, Thune, who for four years offered nary a criticism of the president, responded bluntly that there was no basis for Congress to toss Biden's victory and that objection efforts would fail "like a dog."

Trump responded swiftly, vowing on Twitter to back any South Dakota Republican who challenges Thune in 2022. With momentum building, Cotton reevaluated. He hopped on the phone with McConnell, and the two mulled strategic options for undercutting what they feared would be a "bandwagon effect" in favor of objecting. After some discussion, McConnell urged Cotton to speed up his timeline for announcing his opposition. The majority leader had been aggressively whipping the issue. But he believed that Cotton, with his conservative bona fides and reputation as a Trump loyalist, might be more effective at talking teetering Senate Republicans off the ledge by providing cover to those who privately wanted to stand behind the certification of Biden's victory but feared the consequences back home.

Cotton agreed. On Sunday, January 3, two days before the Georgia runoffs and three days before the certification vote, the senator dropped his bombshell statement. It read in part: "I share the concerns of many Arkansans about irregularities in the presidential election, especially in states that rushed through election-law changes to relax standards for voting-by-mail. I also share their disappointment with the election results...Nevertheless, the Founders entrusted our elections chiefly to the states not Congress. They entrusted the election of our president to the people, acting through the Electoral College not Congress...I'm grateful for what the president accomplished over the past four years, which is why I campaigned vigorously for his reelection. But objecting to certified electoral votes won't give

him a second term.”

Three days later, the violent siege of the U.S. Capitol, perpetrated by Trump supporters, ended up changing a few minds. Rather than a dozen Republican objectors, just six voted to throw out Biden’s win in Arizona, with the same six, plus a seventh, voting to excise his victory in Pennsylvania. While Republicans in the House were unmoved by the insurrection and continued with attempts to force a debate over the results, Republicans in the Senate declined to join them in that effort, save for Hawley. He insisted on following through with plans to object to the tally in Pennsylvania, even after the Capitol was ransacked and members of Congress, and Pence, were sent fleeing for their lives.

But even before the riot, the number of objectors never snowballed beyond Cruz and his compatriots, Hawley, Senator Kelly Loeffler, who had been ousted the day before in one of the Georgia runoffs, and Senator Rick Scott of Florida, an aspiring 2024 contender and the incoming chairman of the National Republican Senatorial Committee. Scott, a former governor, revealed in a statement the morning of January 6 that he would support objections to Pennsylvania’s electoral votes only.

Two senior members of McConnell’s leadership team, Thune and Senator John Barrasso of Wyoming, emphasized that the whole thing would have gotten completely out of hand if not for the stand taken by Cotton. “Tom played a very important role, especially as people were starting to waver,” Thune told me on January 8, with the shock of what amounted to an attempted coup, albeit an amateur one, still fresh in the air. “He took a risk coming out Sunday rather than waiting quietly until Wednesday; he knew it wouldn’t be popular with the base.”

At the zenith of Trump’s power over the GOP, some Republican insiders were sure they were spotting the seeds of discontent. The 45th president was stuck in the past. Voters, as they are wont to do, were shifting their gaze to the future. What were the Republicans in Washington, or Republicans like Trump, who claimed or vied to be in charge, doing about today’s problems? What were they doing about Biden?

Cotton is no-frills. He doesn’t scream larger-than-life and will never be all things to all people—a helpful skill when running for president that some of his competitors do in fact bring to the table. But if there’s a market for a “tastes great, less filling” version of Trump, and sales take off, Cotton, or a Republican a lot like him, could hit the jackpot.

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Fox News: [Cotton joins growing list of lawmakers demanding answers from DOJ about investigations into parents](#) by Houston Keene, 10/6/2021

Reprint: [Yahoo News](#)

Senator [Tom Cotton](#), R-Ark., joined the growing list of lawmakers demanding answers from the [Department of Justice](#) (DOJ) about the memo [mobilizing the FBI](#) nationwide to address alleged threats against school board members.

Cotton sent a letter to Attorney General Merrick Garland on Wednesday, pummeling him with questions about his widely-panned memo that has a growing list of lawmakers speaking out.

The memo came after a National School Boards Association (NSBA) letter to President Biden requesting help for alleged death threats to school boards across the country amid debates over COVID-19 policies and ideologies such as critical race theory.

"The NSBA letter requested that the Biden administration examine whether these purported acts violated several statutes, including the Patriot Act and the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act," Cotton wrote. "The letter further asserted that these acts may amount to a form of 'domestic terrorism.'"

"Your memo, issued just five days after the NSBA letter and copying some of its recommendations, certainly appears to be a response to and tacit approval of that letter," the [letter](#) also says. "The Department of Justice’s endorsement of such outlandish allegations threatens to intimidate parents, chill free speech and discourage lawful assemblies."

Cotton asked Garland if the NSBA letter prompted the FBI memo as well as if the attorney general agreed "with the NSBA’s assessment that protests against school district policies and curricular instruction may amount to domestic terrorism."

The Arkansas Republican is the latest GOP lawmaker speaking out against DOJ's memo.

Rep. Ken Buck, R-Colo., slammed Garland over the memo in a Tuesday letter, accusing the attorney general of using the FBI and DOJ "to intimidate and silence parents who are exercising their First Amendment rights."

Additionally, Sen. Josh Hawley, R-Mo., [tore into](#) Garland in his own letter over the memo.

"All around the country, Americans are speaking out against the radical racist ideology sometimes called 'critical race theory.'" Hawley wrote in a Tuesday letter to Garland.

"Americans have responded to this radical ideology by winning elections for local school boards and protesting peacefully at school board meetings. Yet your memo yesterday to the FBI and local U.S. attorneys ignored all of this and warned of an insurgence of 'threats of violence' and 'efforts to intimidate individuals based on their views.'"

Fox News: [Hawley, Cotton grill DOJ official on memo targeting threats against teachers, school board members](#) by Ronn Blitzer, 10/5/2021

Reprint: [Yahoo News](#)

Republican senators challenged Deputy Attorney General Lisa Monaco on a new memo from Attorney General Merrick Garland to Justice Department employees that discussed federal intervention in state and local school board meetings.

The [memo](#) condemned violence against officials, and while the GOP senators agreed with that sentiment, they expressed concern over other language Garland used in reference to "intimidation" and "harassment" that they worried was vague and problematic for potentially leading to First Amendment infringements.

"Tell me where the line is with parents expressing their concerns," Sen. Josh Hawley, R-Mo., said, questioning what sort of behavior might warrant federal intervention.

Hawley, who called the memo "wrong" and "dangerous," said that parents sometimes wait for hours to ask questions about school policies regarding mask wearing and critical race theory. He asked what the DOJ's memo means when it refers to harassment and intimidation, claiming that these are vague terms that will have a chilling effect on school board meeting participation.

The senator asked if Monaco was aware of any time in American history when the FBI was getting involved in school board meetings.

"That is not going on," she replied.

Monaco said that the attorney general's memo clearly stated that violence is inappropriate but "spirited debate" is permitted.

Earlier in the hearing, however, Sen. Tom Cotton, R-Ark., noted that Garland's memo came days after the National School Boards Association sent a [letter](#) to President Biden asking the administration to look into using the PATRIOT Act against domestic terrorism as well as other measures to combat what it said were "threats or actual acts of violence against our school districts."

In discussing past instances, the NSBA did reference a number of cases of violence, but it also cited an instance when someone "prompted the board to call a recess because of opposition to critical race theory," and referred to how in states including New Jersey and Ohio, "anti-mask proponents are inciting chaos during board meetings."

"Is it domestic extremism for a parent to advocate for their child's best interests?" Cotton asked.

NSBA interim Executive Director and CEO Chip Slaven called Garland's memo "a strong message to individuals with violent intent who are focused on causing chaos, disrupting our public schools, and driving wedges between school boards and the parents, students, and communities they serve."

Sen. Marsha Blackburn, R-Tenn., who did not get to ask questions during the hearing, approached Monaco after it had ended. Their conversation was caught on camera.

"The implication of all of this is you all expect parents that do not take the progressive agenda to be violent," Blackburn

said, stating that "it's not always what you say it's what people perceive that you are saying."

"The message that you are sending to parents, to individuals is you take everything that we say or we're not going to be able to protect you," Blackburn added, "and I think that that is a very dangerous place to be."

"I hear you on the misperception," Monaco said, but she insisted that the FBI would only be investigating crimes, and that the memo is "about violence, and that's it."

Washington Examiner: [DOJ's school board violence memo targets concerned parents, GOP says](#) by Jerry Dunleavy, 10/5/2021

Reprint: [Yahoo News](#)

Republican senators criticized the Justice Department over Attorney General Merrick Garland's [new memorandum](#) related to alleged violence and intimidation at school board meetings, calling it an attempt to target concerned parents.

The back and forth came during a Senate Judiciary Committee [hearing](#) Tuesday in which Deputy Attorney General Lisa Monaco [faced questions](#) about the DOJ's recent actions, with Garland announcing that the DOJ would soon "announce a series of measures designed to address the rise in criminal conduct directed toward school personnel."

Sen. Tom Cotton, an Arkansas Republican said the National School Boards Association asked President [Joe Biden](#) "to bring the full force and weight of the feds down onto parents who are protesting various school policies at school board meetings, including the indoctrination of children with an anti-American doctrine known as critical race theory or protesting that children as young as two be required to wear masks." Cotton added that "violence is not an acceptable form of political protest" and asked Monaco if she believes it is "domestic extremism" for a parent to advocate for his or her child's best interests.

Monaco replied: "There can be very spirited public debate, and there should be very spirited public debate on a whole host of issues, but when that tips over into violence or threats, there is a role for law enforcement."

Cotton cut her off and asked again, and she responded: "What you have described, no, I would not describe as domestic extremism."

The senator then asked if it is domestic extremism for a parent "to want to have a say" in what his or her child is taught, and Monaco replied, "It's important for parents' voices to be heard."

Cotton asked if it is domestic extremism for parents "to oppose their children being taught to treat people differently because of race."

Monaco said the DOJ's job "is to apply facts to law, not to opine on letters that are put forward."

Monaco told Cotton that Garland's memo aims "to make sure there's awareness about how to report threats that may occur and to ensure that there's an open line of communication to address threats, to address violence, and to address law enforcement issues in that context, which is the job of the Justice Department nothing more."

Garland's [memo](#) claimed that "there has been a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff," and it argued that "while spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals."

The attorney general said the DOJ will "discourage these threats, identify them when they occur, and prosecute them when appropriate."

Sen. Josh Hawley, a Missouri Republican, said the Biden administration is "weaponizing the bureaucracy to go after political opponents."

Hawley concluded, "All I can say is this is truly extraordinary. ... I think parents across this country are going to be stunned to learn, stunned, that if they show up at a local school board meeting by the way, where they have the right to appear and be heard, where they have the right to say something about their children's education, where they have

the right to vote. And you are attempting to intimidate them. You are attempting to silence them. And you are attempting to interfere with their rights as parents and, yes, with their rights as voters.”

The leaders of the NSBA sent a Sept. 29 letter to Biden, arguing that America's public schools are "under an immediate threat" and requesting assistance from federal law enforcement.

The NSBA letter said, “Coupled with attacks against school board members and educators for approving policies for masks . . . many public school officials are also facing physical threats because of propaganda purporting the false inclusion of critical race theory within classroom instruction and curricula.”

The group specifically requested a “joint collaboration among federal law enforcement agencies, state and local law enforcement, and with public school officials.”

The NSBA argued that “the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes” and called upon the Justice Department to review whether the PATRIOT Act “in regards to domestic terrorism” or a presidential executive order could be deployed.

Breitbart: [Deputy AG Admits to Tom Cotton Not ‘Domestic Extremism’ for Parents to Advocate for Child’s Education](#) by Dr. Susan Berry, 10/5/2021

It is not “domestic extremism” for a parent to advocate for their child’s best interests at local school board meetings, admitted Deputy Attorney General Lisa Monaco to Sen. Tom Cotton (R-AR) during a Senate Judiciary Committee [hearing](#) Tuesday.

Cotton questioned Monaco about the Department of Justice’s mobilization of federal law enforcement, at the [recommendation](#) of the National School Boards Association (NSBA), against parents who voice opposition to mask mandates and the teaching of concepts of Critical Race Theory at local school board meetings.

“Is it domestic extremism for a parent to advocate for their child’s best interests?” Cotton asked Monaco.

“I think the, what you have described, no I would not describe as domestic extremism,” she responded.

The full exchange between Cotton and Monaco is below:

Senator Cotton: Ms. Monaco, last week the National School Boards Association wrote to President Biden asking the administration to bring the full force and weight of the feds down onto parents who are protesting various school policies at school board meetings, including indoctrination of children with an anti-American doctrine known as Critical Race Theory, or protesting the requirement that children as young as two be required to wear masks. Now, I think we can all agree that violence is not an acceptable form of political protest and violence can never be used to achieve policy or political goals, but that’s not what the school board association letter focuses on. In fact, in one example of what the association thinks warrants federal criminal charges, they cite and this is a direct quote, “An individual who prompted a school board to call a recess because of opposition to Critical Race Theory.” A recess. The association is asking the administration to use the Patriot Act, a law that this Congress passed and has repeatedly reauthorized, primarily to stop the threat of Islamic Jihadists, to bring criminal charges for domestic terrorism against parents who attend school boards to oppose things like Critical Race Theory or mask mandates resulting in a recess being called. Ms. Monaco is it domestic extremism for a parent to advocate for their child’s best interests?

Lisa Monaco: Well Senator, as you rightly point out that violence is not the answer, there can be very spirited public debate and there should be very spirited public debate on a whole host of issues, but when that tips over into violence or threats there is a role for law enforcement.

Senator Cotton: But Ms. Monaco, I’m sorry but my time is limited here, and I asked a simple yes or no question and I have several of them that I would like to ask. So, I would like a yes or no answer. Is it domestic extremism for a parent to advocate for their child’s best interests?

Lisa Monaco: I think the, what you have described, no I would not describe as domestic extremism.

Senator Cotton: Is it domestic extremism for a parent to want to have a say in what their child is taught at school?

Lisa Monaco: I think it’s important, although obviously not my field in the Justice Department, to opine on education policy. It’s important for parents’ voices to be heard but Senator I want to talk about what the Attorney General did do in response to that, the issue of threats...

Senator Cotton: Ms. Monaco, I want to get through my question, I grant you that no one, no one should ever threaten violence or use violence to try to achieve political or policy goals. They shouldn’t for instance follow Democratic

Senators into the bathroom, violating state laws. No one should ever use threats of violence or violence to achieve political goals. I'm asking very simple questions here and trying to get to the bottom of what was on the Attorney General's mind or the Department's mind. Is it domestic extremism for parents to oppose their children being taught to treat people differently because of race?

Lisa Monaco: The Justice Department's job, Senator, is to apply facts to law not to opine on letters that are put forward or you know I think it's very important for the Justice Department to...

Senator Cotton: Ms. Monaco, it is a fact that the school board association just sent this letter to President Biden and then conveniently the Attorney General released his letter yesterday describing his "series of measures" to confront this grave and growing threat of parents protesting their kids being indoctrinated and the school board having to call a recess. Is there any connection between those two things?

Lisa Monaco: I want to be very clear on the memorandum that is publicly available the Attorney General issued talks about the importance of bringing federal, state, local law enforcement together to make sure that there is awareness on how to report threats that may occur and to ensure that there's an open line of communication, to address threats, to address violence, and to address law enforcement issues in that context which is the job of the Justice Department, nothing more.

Senator Cotton: The United States just saw the largest single year increase in murders on record. Has the Attorney General issued a memorandum describing a special "series of measures" that the Department of Justice should take to try to address this record increase in murders?

Lisa Monaco: Yes, indeed Senator, and in fact I issued a directive to the field earlier this year.

Senator Cotton: You did? As the Attorney General.

Lisa Monaco: It was on behalf of the Attorney General and the rest of the leadership of the Justice Department to address the alarming rise in violent crime and to lay out a strategy for violent crime reduction which includes going after and using federal resources to target the most violent offenders, including those operating with guns, including those responsible for murders and violence in our communities. So, absolutely we take the alarming rise in violent crime exceptionally seriously, and indeed I have heard from the many hours I have spent with law enforcement leaders across this country how urgently they feel it is to address this rise in violent crime, and we are working every day to address that challenge.

Senator Cotton: My time is almost up and I just want to finish with one final question. Did anyone at the FBI express disagreements or any reticence at all about investigating disagreements between parents and school boards over curriculums and school policies?

Lisa Monaco: I don't understand that to have been the, it absolutely was not the subject of the Attorney General's memorandum, but the answer to your question is no.

Senator Cotton: Nobody at the FBI expressed any reticence?

Lisa Monaco: I'm sorry, Senator, if you are asking me what was the response to the Attorney General's memorandum, I've heard no reticence, no concern. The job of U.S. Attorneys and FBI special agents in charge to be conveners in their community, to address violent issues in their community, is the core job of the Justice Department

Senator Cotton: Alright then.

In response to a letter last week by NSBA, in which the school boards organization asked President Joe Biden for "federal law enforcement and other assistance" to cope with frustrated parents at local school board meetings, Attorney General Merrick Garland [mobilized](#) the FBI working with U.S. attorneys across the country against parents based on NSBA reports of incidents, such as these below, which the group characterizes as "threats or actual acts of violence against our school districts":

An individual was arrested in Illinois for aggravated battery and disorderly conduct during a school board meeting. During two separate school board meetings in Michigan, an individual yelled a Nazi salute in protest to masking requirements, and another individual prompted the board to call a recess because of opposition to critical race theory.

In New Jersey, Ohio, and other states, anti-mask proponents are inciting chaos during board meetings. In Virginia, an individual was arrested, another man was ticketed for trespassing, and a third person was hurt during a school board meeting discussion distinguishing current curricula from critical race theory and regarding equity issues. In other states including Washington, Texas, Wisconsin, Wyoming, and Tennessee, school boards have been confronted by angry mobs and forced to end meetings abruptly. A resident in Alabama, who proclaimed himself as "vaccine police," has called school administrators while filming himself on Facebook Live.

"Other groups are posting watchlists against school boards and spreading misinformation that boards are adopting critical race theory curriculum and working to maintain online learning by haphazardly attributing it to COVID-19,"

NSBA continued in its letter to Biden.

“These incidents are beyond random acts,” NSBA CEO Chip Slaven [told Education Week](#). “What we are now seeing is a pattern of threats and violence occurring across state lines and via online platforms, which is why we need the federal government’s assistance.”

NSBA also asked Biden to issue an executive order that would serve to protect school officials and school board members from parents after review of “appropriate enforceable actions against these crimes and acts of violence under the Gun-Free School Zones Act, the PATRIOT Act in regards to domestic terrorism, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, the Violent Interference with Federally Protected Rights statute, the Conspiracy Against Rights statute.”

The school boards organization complained in its letter that parents are objecting to the teaching of concepts of Critical Race Theory.

“This propaganda continues despite the fact that critical race theory is not taught in public schools and remains a complex law school and graduate school subject well beyond the scope of a K-12 class,” NSBA asserted.

Last month, however, the United States Conference of Mayors [adopted](#) a resolution during its annual convention in which its members pledged to support the teaching of CRT in K-12 schools.

“NOW, THEREFORE, BE IT RESOLVED, the nation’s mayors support the implementation of CRT in the public education curriculum to help engage our youth in programming that reflects an accurate, complete account of BIPOC history,” the mayors stated.

In July, the National Education Association (NEA), the nation’s largest teachers’ union, also [moved](#) to openly promote the teaching of Critical Race Theory in K-12 schools and to oppose any bans on instruction in both the Marxist ideology and the widely discredited *New York Times*’ “1619 Project.”

The union [agreed](#) to “research the organizations attacking educators,” doing what it referred to as “anti-racist work,” as well as to “use the research already done and put together a list of resources and recommendations for state affiliates, locals, and individual educators to utilize when they are attacked.”

NEA dismissed the outrage of grassroots parents, claiming the main critics of Critical Race Theory are “well-funded” conservative groups.

“The attacks on anti-racist teachers are increasing, coordinated by well-funded organizations such as the Heritage Foundation,” the union said. “We need to be better prepared to respond to these attacks so that our members can continue this important work.”

Boston.com: [‘We have the data’: Rachael Rollins fires back following Tom Cotton’s ‘pro-criminal’ criticism](#) by Nik DeCosta-Klipa, 10/4/2021

Rachael Rollins isn’t going to be confirmed as the next U.S. attorney for Massachusetts silently.

While President Joe Biden’s nominees typically [go quiet](#) as they await Senate confirmation, Rollins lit into Republican attacks on her record [during a GBH radio interview Monday](#), after her nomination was [unusually deadlocked in a Senate committee last week due to GOP opposition](#), forcing a full Senate vote in order to appoint her as the top federal law enforcement officer in Massachusetts.

“I refuse to be silent to benefit me,” Rollins said Monday, arguing that local crime told a different story than the one told by Republican critics.

“This is about my job,” she said. “This isn’t about U.S. attorney. This is about what I do every single day as the district attorney of Suffolk County.”

Her appearance Monday on GBH’s Boston Public Radio came after Republicans in the Senate Judiciary Committee banded together last Thursday to at least delay her confirmation as potentially the first Black woman to serve as U.S. attorney for the District of Massachusetts. The effort was led by Sen. Tom Cotton, an Arkansas Republican who is [laying the groundwork for a potential 2024 presidential run](#), who labeled Rollins as a [“radical, pro-criminal prosecutor.”](#)

Cotton specifically took issue with Rollins’s [list of low-level crimes](#) that she pledged her office would generally decline

to prosecute, which he blamed for [the increase in homicides and shootings in Boston in 2020](#).

However, that increase, which came amid a [national surge in killings](#), followed a 20-year low in Boston homicides in 2019, which was Rollins's first year in office. And while the national increase in murders has continued, homicides in Boston are down again through the first nine months of 2021, [according to Boston Police Department data](#). So were [shootings](#) and [most other violent crimes](#).

"Boston remains one of the only if not the only major city in the United States of America where violent crime is down," Rollins said Monday, calling it "astonishing" that critics could suggest otherwise.

"I wish I lived a life where I could just say something out loud, wouldn't have to cite a single thing in support of it, and the media just gobbled it up like delicious peach cobbler," she continued. "But for me, we have the data."

"It's important that we are factual," she noted during the interview.

Rollins, who [moved to Roxbury in 2018](#), said the subject is "deeply personal to me."

"Why would I have wasted six months of my life to work harder than I've ever worked at anything in my life ... to like, what? Promote lawlessness?" she asked. "I live in Suffolk County. I chose to live in the very community where the most homicides and violent crimes happen because I am so invested in making sure we change this system, and I live here with my three girls."

Rollins noted that there is research specifically in Suffolk County suggesting the not prosecuting low-level crimes like shoplifting, drug possession, and minor driving offenses [effectively led to lower overall crime rates](#). Individuals who were not charged were 58 percent less likely to return to the criminal justice system for a subsequent offense within the next two years, compared to individuals whose misdemeanors were prosecuted, [the study found](#).

"When people say like, 'It's gonna be lawless,' they've been saying it for years, and it just isn't true, because guess what the people that are being murdered and assaulted these Part 1 crimes overwhelmingly are the poor people of every color and people in the BIPOC community," Rollins said. "And so those very communities want the police to be coming to their community, but they want them there for the violent crimes."

Rollins compared the approach to how police in wealthier suburbs handle low-level offenses.

"When kids shoplift ... you know what the police do? They don't arrest them; they call their parents," she said. "And they talk sternly to them, they don't violate their constitutional rights, the kids go home and they end up going back to Exeter, and then Yale, and then Harvard Medical School, and now they're doing something else or they're working for their parent's company, right? So, I am not saying this is lawlessness. What I'm saying is, there are other mechanisms by which we can try to cure these alleged problems or social ills."

Rollins added that she wanted to focus on "violent, serious crimes," noting that her office has been "fighting like hell" to [successfully uphold the 2015 conviction](#) of Edwin Alemany for [kidnapping and murdering Amy Lord](#).

"That's very different than being anti-law enforcement," Rollins said. "I look at this and I say I am pro-justice."

Rollins whose nomination has [received support from a litany of local law enforcement leaders](#) says she remains "optimistic" about the process moving forward.

Following the 11-11 committee vote, Democratic leaders will have to hold an additional vote in the evenly divided Senate, where she'll need support from 50 senators. Assuming that Republicans again unanimously vote against her nomination, Rollins would need support from every single Democratic senator.

"And it's a tie," Rollins said Monday. "It's not a loss."

Breitbart: Op-Ed: Exclusive Sen. Tom Cotton: Democrats' Criminal-Leniency Policies Sparked an Undeniable Crime Wave, by Sen. Tom Cotton

The numbers are in, and the debate is over. Our nation is in the midst of one of the worst crime waves in American history.

New nationwide data from the Federal Bureau of Investigation [reveals](#) that last year the number of murders rose by 29

percent, drug overdose deaths increased 30 percent, and the number of gang-related killings skyrocketed more than 55 percent. To put this carnage into context, a [29 percent increase](#) in murder isn't simply bad, it's the [worst single-year increase](#) in American history. Similarly, the drugs flooding into our communities aren't only deadly, they are the deadliest drugs ever sold. For the first time ever, over 100,000 Americans lost their lives to [drugs](#) and [homicide](#) in 2020.

The number of assaults [rose](#) by 12 percent last year and criminal assailants committed nearly 75,000 more violent crimes than they committed in 2019. Although the [total number](#) of property crimes fell, the [total cost](#) of those crimes rose by nearly \$2 billion. Recorded cases of arson also rose by nearly [35 percent](#), a trend that is likely associated with last summer's BLM riots, which were the [most destructive](#) in American history.

In Democrat-dominated cities, violent crime rose far more than the national average. Last year, murder rose [50 percent in Chicago](#), [44 percent in New York](#), and [38 percent in Los Angeles](#). The murder rate in Baltimore was [higher](#) than El Salvador's or Guatemala's — nations from which citizens can [claim asylum](#) purely based on gang violence and murder.

Initial estimates also reveal evidence of a shrinking American police presence. Even though the FBI gathered data from over 100 additional law-enforcement agencies than it [did in 2019](#), it [estimated](#) 1,000 fewer police officers. This isn't surprising; 86 percent of police chiefs [report](#) being short-staffed. Between April 2020 and April 2021, the rate of hiring in mid-sized departments [dropped](#) 29 percent and plummeted 36 percent in large departments. Equally concerning, initial data shows that the number of police killed by criminals has [increased 46 percent](#) compared to this time last year.

For months, the media has tried to deny and downplay this disaster because they know Democrat mayors, progressive prosecutors, and liberal governors are to blame.

Last spring, Democrats led the charge in [releasing](#) 200,000 state and local prisoners under the guise of "coronavirus protocols"—including 18 percent of felons [held](#) in state jails. During the summer, they embraced the cause of anti-police rioters and allowed crime to envelope American cities. Progressive prosecutors in many cases [refused](#) to [charge](#) looters and further [curtailed](#) the types of misdemeanor offenses that they were willing to charge. During the Fall and Winter, mayors and governors [waged](#) a relentless campaign to defund, disarm, and defame police officers, which predictably [resulted](#) in a massive [surge](#) in police retirements.

After trying to cover up last year's shocking rise in violent crime, the liberal media is now trying to spin this year's increase in crime. The *New York Times* headline announcing the worst increase in murder in American history [read](#): "*Murder Rose by Almost 30% in 2020. It's Rising at a Slower Rate in 2021.*" This transparent attempt to add a positive spin to a worsening situation insults the intelligence of the American people. Of course, murder is rising at a slower rate after the largest increase in history, it would be nearly impossible to rise faster. The fact that it is remaining at stratospheric levels is what warrants alarm.

In 2016, I warned that the Democratic Party's criminal-leniency policies "threaten a return to the worst days of the 1990s." Last year, the murder rate [returned](#) to 1997 levels. This year it is [expected](#) to descend deeper into the 1990s. This devastation and the devolution of the rule of law will continue until we change course.

Arkansas Times: [Nasty Tom Cotton grabs spotlight again with a familiar attack on Biden nominee](#) by Max Brantley, 10/2/2021

The tweet by Laurence Tribe, a renowned law professor at Tom Cotton's college and law school alma mater, Harvard, caught my attention today.

It links to an Adrian Walker opinion column in the Boston Globe lambasting Cotton for arousing Republican opposition to block President Biden's nomination of **Rachael Rollins as a U.S. attorney for Massachusetts**.

To hear Cotton tell it, Rollins is a criminal-loving pushover. Example:

You can't trust Tom Cotton, of course. Writes Walker:

We knew Cotton to be a comprehensively appalling, partisan hack, but here he has outdone himself.

To tie up Rollins's appointment in the Senate Judiciary Committee, Cotton painted a mostly imaginary picture of the Suffolk district attorney, someone so far to the left that her office barely prosecutes crimes at all.

It was infuriating — not least for its sheer dishonesty ...

The cudgel used against Rollins was familiar. It was the memo she released during her transition in 2018 describing the comparatively minor crimes her office was not necessarily going to prosecute.

The truth is, prosecutors exercise discretion every day, and always have. Most of the offenses she didn't want to prosecute weren't necessarily going to court under her predecessor, either. Rollins had just taken the daring step of saying it aloud and putting it in writing.

But Rollins has a record now, nearly three years after taking office.

Here's a fact that may not have come to Senator Cotton's attention: At a time when violent crime is up in most major cities, Boston has seen a substantial drop.

Another fact not mentioned — Rollins's office has prosecuted thousands of criminal cases since she's been in charge.

So, no, she isn't some pro-criminal crazy. By any measure she's been effective in the job, and a perfectly valid nominee to run the US attorney's office. She wouldn't have the support of both US senators and a bunch of former US attorneys — Bill Weld among them — if that weren't the case.

Walker touches lightly on a familiar aspect of Cotton's tantrums. He is particularly harsh on Democrats, from Kamala Harris on down, who happen to be women of color. The column continues:

I don't want to make Rollins sound like a conventional district attorney, because she hasn't been one. She has been vocal about addressing issues of race and class, issues that are personal to her.

She has refused to turn a blind eye to police or prosecutorial misconduct — past or present — or tried to explain it away. That's why Sean Ellis — who spent more than two decades in prison for the murder of a Boston police detective that he didn't commit — is a free man today.

You can't lock up enough people to suit Tom Cotton, particularly black men such as Sean Ellis. And you usually aren't good enough for Tom Cotton if you happen to look like Rachael Rollins. She'd be the first Black woman to serve as a U.S. attorney in Massachusetts. A full Senate vote should eventually give her that position, no thanks to Ranger Tom.

Here's another commentator from Massachusetts on an embarrassment to Arkansas, which elected him.

Fox News: [Cotton, Cruz slam Biden US attorney nominee for not prosecuting drug dealers](#) by [Houston Keene](#), 10/1/2021

[Republican Sens.](#) Tom Cotton of Arkansas and Ted Cruz of Texas slammed [President Biden's](#) nominee for U.S. attorney for Massachusetts for failing to prosecute drug dealers.

The two Republican senators tore into Biden's controversial nominee Rachael Rollins, pointing to the list of non-prosecutable offenses that she implemented while Boston's district attorney.

"Even before she became a district attorney in Boston, she put out a list of 15 crimes that, by default, she will not allow her prosecutors to pursue without supervisor approval," Cotton said during the Senate Judiciary Committee hearing on Thursday.

Cotton noted that Rollins' list includes crimes varying in severity, ranging from "trespassing" and "disorderly conduct" to "malicious destruction of property, threats, resisting arrest and even drug trafficking."

"She has issued that list as the do-not-prosecute directive once she took office," Cotton said. "That's right, in the midst of a national drug crisis with more than 90,000 of our fellow Americans killed by a drug overdose in the last year alone, Joe Biden's nominee for U.S. attorney openly says that she does not believe that we should prosecute drug possession with intent to distribute substances like fentanyl and heroin."

Cruz also went after Rollins' non-prosecutable list, following through on a committee room pledge to tweet out the

documents he ran through during the Senate Judiciary Committee.

"Today, in the Judiciary Committee, I walked through a document showing that Rachael Rollins, Joe Biden's extreme nominee to be U.S. Attorney for Massachusetts, will refuse to prosecute crimes," Cruz tweeted, including pictures of the document in question.

"Democrats will try to deny this, but here is the evidence," he continued.

Rollins' nomination is the next in a line of controversial nominees, including the president's eco-terrorist-linked nominee to lead the Bureau of Land Management, Tracy Stone-Manning.

Rollins' list of crimes not to prosecute could prove problematic for the nominee as her confirmation process moves forward.

The White House [touted Rollins' resume](#) during her nomination on July 26.

"These individuals many of whom are historic firsts were chosen for their devotion to enforcing the law, their professionalism, their experience and credentials in this field, their dedication to pursuing equal justice for all, and their commitment to the independence of the Department of Justice," said the White House about Rollins and the other U.S. attorney nominees.

Sen. John Kennedy

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TV

Fox News: [Kennedy on 'Hannity' talking about Biden's handling of crises, Brian Laundrie latest](#), 10/22/21



OANN: [Kennedy talking about Bipartisan Bill to clamp Down on Big Tech \(the American Innovation and Choice Online Act\) \(bill is being pushed for by Senators John Kennedy, Amy Klobuchar and Chuck Grassley\)](#) 10/19/2021



Releases

Sen. John Kennedy: [Kennedy, Judiciary Republicans push back on Biden Justice Department crackdown on parents' freedom of speech, 10/7/2021](#)

Tweets

[Sen. John Kennedy, 10/23/2021](#)



John Kennedy @SenJohnKennedy · Oct 13
Pres. Biden's response to parents taking an interest in their kids' education is to sic the FBI on them. File that under "things that make no sense."



131 184 605

[Sen. John Kennedy, 10/23/2021](#)



John Kennedy @SenJohnKennedy · Oct 7

The DOJ has no business interfering with parents' right to come before school boards with their concerns about mask mandates, teaching critical race theory in schools, using sexually explicit books in schools, or any other topic.

None.



kennedy.senate.gov

Sen. Thom Tillis

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Hearing

[Sen. Thom Tillis on the Violence Against Women Act \(VAWA\) Reauthorization- Deputy Attorney General Lisa Monaco testified at a Senate Judiciary Committee hearing, 10/23/21](#)



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Washington Examiner: [Biden DOJ antitrust nominee critical of Big Tech has bipartisan backing.](#) by Nihal Krishan, 10/6/2021

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Tillis News Release: [Tillis, Judiciary Republicans Push Back on DOJ Overreach of Policing Parents' Free Speech](#)
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Tillis News Release: [Tillis and Feinstein Continue Bipartisan Push to Combat International Parental Child Abduction](#)
10/1/2021

Full Articles

Washington Examiner: [Biden DOJ antitrust nominee critical of Big Tech has bipartisan backing](#) by Nihal Krishan,
10/6/2021

Reprint: [Yahoo News](#)

President Joe Biden's pick to lead the Justice Department's Antitrust Division, liberal Big Tech critic Jonathan Kanter, received bipartisan support for his confirmation during a Senate hearing Wednesday. Kanter's confirmation is expected in the coming weeks and would signify a major step by Biden to rein in Big Tech companies. It comes after Biden nominated vocal anti-monopolist [Lina Khan](#) to lead the Federal Trade Commission and announced an executive action earlier this summer to [foster more competitiveness](#) in the U.S. economy, particularly the tech industry.

"I've been a strong proponent of vigorous antitrust enforcement in the technology area among others," Kanter said during the Senate Judiciary Committee [hearing](#) Wednesday. Republican Sens. Thom Tillis of North Carolina and Chuck Grassley of Iowa indicated their support for his nomination.

"I intend to support your nomination. I don't know if my staff know that, but you do," Tillis said during the hearing.

Grassley also supported Kanter, saying he looked forward to talking to Kanter about how to tackle the tech industry's monopoly power.

As an antitrust lawyer, Kanter has previously represented companies, such as Yelp and Microsoft, that have accused Google of unfair and anti-competitive behavior. He has also worked for a firm representing Amazon, Uber, and Mastercard on antitrust issues.

This [background](#) could provide grounds for tech giants such as Google, Amazon, and Uber to ask him to recuse himself from antitrust cases involving their companies due to conflicts of interest.

Nevertheless, if confirmed by the Senate, Kanter is expected to go after illegal monopolies aggressively and stop anti-competitive mergers, particularly within the tech industry.

"We're at a critical moment in antitrust" due to anti-competitive behavior in various industries, said Democratic Sen. Amy Klobuchar, chairwoman of the Senate antitrust panel, adding that the problem requires "the courage to take on the most powerful companies the world has ever seen ... Jonathan Kanter possesses the skills to do this."

IAM Live- Auto IP Europe 2021: [DOJ antitrust chief nominee dodges detailed FRAND talk during Senate hearing](#) By Staff

Jonathan Kanter's nomination hearing before the Senate Judiciary Committee shed little light on his SEP views, but he nevertheless won the support of ranking IP Subcommittee member Thom Tillis

Senator Thom Tillis, the ranking Republican on the Senate's IP sub-committee, has pledged to support Jonathan Kanter's nomination to be the antitrust chief of the US Department of Justice. This follows a back-and-forth over the intersection of antitrust and IP law as well as government policies on standard essential patents and FRAND obligations.

Although Kanter would not give direct answers to the North Carolina lawmaker's specific queries, the nominee did lay out his broad stance on patent rights during a Senate Judiciary Committee hearing on Wednesday. In addition to winning the senator's support, IAM has learned that major SEP owners would welcome Kanter's confirmation.

"I have tremendous respect for intellectual property and the important role that it plays," said Kanter. "My view is antitrust enforcement authorities should enforce the law and address conduct that has an anticompetitive effect."

Kanter wrote an article in 2013 about SEP policy rejecting the idea that restricting rights holders' access to injunctions weakened their negotiating positions and gave them less incentive to play a part in standard-setting initiatives.

Tillis appreciated the thoughtful and constructive dialogue with Kanter during the hearing, according to Adam Webb, the senator's spokesman.

"While the senator does not agree with some of his views on competition policy or the administration's approach to intellectual property rights, he does believe Mr Kanter is eminently qualified for this position and is someone who will be willing to engage in thoughtful conversations, compromise when necessary, and ultimately take appropriate steps to restore competition in a number of industries," Webb said via email. "He looks forward to supporting Mr Kanter's nomination."

In the course of the hearing, Tillis observed that during the Trump administration the antitrust division took the view that patent and antitrust laws should be used to foster competition and promote the innovation economy. But he noted that in June, Acting Assistant Attorney General Richard Powers said the antitrust division would rethink its approach.

Specifically, Powers [indicated](#) that the division would look again at the New Madison Approach espoused by Trump appointee Makan Delrahim. This holds that there is no place for antitrust law in disputes concerning SEPs that do not touch on pricing collusion.

Tillis asked Kanter: "Do you agree that reliable, predictable, quality patent rights promote vigorous dynamic competition for the benefit of consumers and that the antitrust division should continue to support patent rights as a key driver of innovation in a competitive American economy?"

Kanter replied that he could not weigh in on that question since he was not part of the antitrust division yet.

"It is something that I would look forward to examining if I have the opportunity to work at the antitrust division," he added.

Kanter gave a similar answer when Tillis asked if Kanter would [withdraw or revise the 2019 joint policy statement](#) by the US Patent and Trademark Office and the Department of Justice that said that "antitrust law should not normally play a role in FRAND licensing disputes between SEP holders and potential licensees".

Kanter stated that he would examine the policy if confirmed, but "would not want to prejudge any of it".

Although Kanter laid out few substantive thoughts on FRAND matters during the hearing, *IAM* has received indications from multiple SEP owners that they would support his nomination.

InterDigital is one such, according to [Rob Stien](#), the company's executive vice president and chief communications and public policy officer.

"We welcome Jonathan Kanter's nomination and look forward to working with him to ensure that antitrust policy supports US companies' ongoing investment in key standardized technologies such as 5G wireless," Stien said via email.

"In recent years there has been a growing acknowledgement from policymakers and courts around the world that the concerns of innovators need to be given full consideration alongside those of implementer companies and we hope that Mr Kanter will enhance how the Biden Administration can support ongoing innovation through the careful application of antitrust law to standard essential patents. It is only through a balanced approach that the US will be able to lead in the next generation of technologies," Stien added.

Speaking at a recent online event organised by *IAM* and its sister platform *Global Competition Review*, Jeffery Wilder, the economics director of enforcement in the antitrust division, provided the most detailed outline yet of the Biden Administration's views on antitrust, FRAND and SEPs. He made clear that the laissez faire Delrahim days were numbered, with balance becoming the guiding principle. What that balance entailed, though, was not set out, though further details were promised. "Watch this space," Wilder said.

[Delrahim joined eight other former antitrust chiefs to sign a letter](#) that supported Kanter's nomination. They wrote that he had the talent and leadership skills for the job.

“Some of us may not share the policy positions Mr. Kanter has taken in the past and some of us may disagree with decisions he will take if confirmed,” the former assistant attorneys general wrote. “But we share the view, based on seeing him in action for almost 25 years, that the nominee possesses the qualities that will make him an effective assistant attorney general.”

Sen. Marsha Blackburn

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Hearings

[Senator Blackburn on the John Lewis Voting Rights Act, 10/6/21](#)



TV

Faulkner Report on Fox News: [Blackburn Confronts DOJ Defying Deputy AG Over Deployment Of FBI Against School Parents](#) 10/6/2021



Print

New York Post: [Watchdog probes 'ethical conflicts' tied to AG Garland, son-in-law's company](#) by Callie Patteson, 10/14/2021

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Fox News: [GOP senators grill assistant AG Kristen Clarke over DOJ school board memo](#) by Jon Brown, 10/6/2021

Fox News: [Blackburn questions Deputy AG Monaco over crackdown on alleged harassment of school officials](#) by Jessica

Chasmar, 10/5/2021

Releases

Sen. Marsha Blackburn: [Blackburn, Judiciary Republicans Push Back On Justice Department Crackdown On Free Speech Of Parents Protesting School Boards](#) 10/7/2021

Tweets

[Sen. Marsha Blackburn](#)



Sen. Marsha Blackburn @MarshaBlackburn · Oct 9

.@SecBlinken, @SecMayorkas, and AG Merrick Garland should be joining me at the southern border.

Instead, they are in Mexico City attempting to do damage control.

147 188 679

[Sen. Marsha Blackburn](#), 10/8/2021



Sen. Marsha Blackburn @MarshaBlackburn · Oct 8

Joe Biden wants to remake the **Department of Justice** into the **Department of Social Justice**.

319 447 1.6K

[Sen. Marsha Blackburn](#), 10/7/2021



Sen. Marsha Blackburn @MarshaBlackburn · Oct 7

Joe Biden's DOJ is weaponizing the FBI against parents for exercising their First Amendment rights.

Biden's message is clear: Support critical race theory in your children's schools or we will come after you.



foxnews.com
GOP senators grill assistant AG Kristen Clarke over DOJ school board ...
Sens. Marsha Blackburn, R-Tenn., and Ted Cruz, R-Texas, grilled Assistant Attorney General Kristen Clarke on Wednesday about the ...

[Sen. Marsha Blackburn](#), 10/7/2021



Sen. Marsha Blackburn @MarshaBlackburn · Oct 7

We are not going to stop asking questions until we get to the bottom of why the people's **Justice Department** is being used to interfere with free speech and our children's learning curriculum.

468

1.6K

5.8K



[Sen. Marsha Blackburn](#), 10/6/2021



Sen. Marsha Blackburn @MarshaBlackburn · Oct 6

It is an abuse of power that the FBI wants to intimidate parents concerned about Critical Race Theory and simply looking out for their child's best interest.



273

799

2.5K



[Sen. Marsha Blackburn](#), 10/5/2021



Sen. Marsha Blackburn @MarshaBlackburn · Oct 5

Under President Biden's watch, the **Department of Justice** is making the FBI an enforcement arm for progressive policies and using federal law enforcement to intimidate concerned parents into silence.



foxnews.com

Blackburn questions Deputy AG Monaco over crackdown on alleged h...
Sen. Marsha Blackburn, R-Tenn., on Tuesday questioned U.S. Deputy Attorney General Lisa Monaco over the Justice Department's new ...

Full Articles

New York Post: [Watchdog probes 'ethical conflicts' tied to AG Garland, son-in-law's company](#) by Callie Patteson, 10/14/2021

Conservative government watchdog America First Legal is looking into whether there are "ethical conflicts" stemming from Attorney General Merrick Garland's family financial interests, following reports that his son-in-law is the co-

founder of an education company that some speculate could benefit from [his recent crackdown on protesting parents](#). On Wednesday, [AFL filed a Freedom of Information Act request](#) with the Department of Justice “seeking records bearing on potential conflict of interest concerns created by Attorney General Merrick Garland’s 10/4/2021 memorandum mobilizing the Department’s National Security Division and the FBI against parents speaking out against Critical Race Theory and extreme gender ideology indoctrination in public schools.”

The request comes after several lawmakers claimed Panorama Education, co-founded by Xan Tanner, supports critical race theory curricula while servicing 23,000 schools in the nation, costing taxpayers hundreds of thousands of dollars. The watchdog organization cited public corporate data that showed as much as \$100 million had been invested in Panorama Education, despite the company claiming it depends on payments from school boards.

“Panorama and its billionaire investors, it seems, aim to profit by “transforming” America’s children through woke indoctrination, while sticking their parents with the bill,” AFL said in a statement.

“Accordingly, Mr. Tanner’s financial interest in a business that benefits from CRT and gender ideology indoctrination might render the Attorney General’s participation in measures to promote or protect such activities, including the 10/4/2021 memorandum, ethically problematic.”

On Oct. 4, Garland issued a memo in which he tasked the FBI with investigating an alleged recent spike in violence against school staff amid backlash from parents over CRT being injected into school curricula, however, the memo did not specify what those acts or who the perpetrators were.

Amid criticism from parents and politicians over the intentions behind the order, some are questioning whether Garland has a conflict of interest due to his son-in-law’s company, in part of the Republican accusation that Panorama Education supports CRT curricula.

With contracts in more than 50 of the 100 largest school districts in the U.S., Panorama Education claims to be supporting “13 million students in 23,000 schools and 1,500 districts across 50 states.”

In an Oct. 8 letter, several Republican lawmakers wrote to Garland expressing concern over “reporting about an alleged connection between your family members and controversial curricula that will directly benefit from this memorandum and the chilling of speech.”

“Your daughter, Rebecca Garland, married Alexander (“Xan”) Newman Tanner in 2018.3 Mr. Tanner is a co-founder of Panorama Education (“Panorama”), a “social learning” provider that provides consultancy services that reportedly aids schools in teaching critical race theory under the guise of “equity and inclusion” to America’s children,” US Sens. Ted Cruz (R-Texas), Marsha Blackburn (R-Tenn.) [and Mike Lee \(R Utah\) wrote](#).

Panorama Education has denied any affiliation with CRT, saying on their website, “Panorama Education is not affiliated with any particular academic or legal philosophy, including critical race theory (CRT). Panorama is not connected to CRT and it is not a tool for teaching CRT.”

“Panorama Education does not sell critical race theory (CRT) to schools. Panorama is not connected to critical race theory (CRT) and is not a tool for teaching critical race theory (CRT),” the company continued.

The company did say their products, including surveys, help “support school climate and social-emotional learning.” Their products are then meant to help school personnel to determine what if any action needs to be taken to support their students.

Stephen Miller, founder of America First Legal and adviser to former President Donald Trump, has said it is “exceptionally urgent” for the DOJ to release all records related to Garland’s family’s financial interest in CRT.

“AG Garland ordered the DOJ to use its vast national security powers to target parents who object to Critical Race Theory being forced onto innocent children. It is therefore exceptionally urgent that the Department disclose all records pertaining to the Garland family’s financial interest in Critical Race Theory and any and all ethical conflicts that arise from that financial interest,” [Miller told Fox News](#).

The DOJ has defended the order, saying it is aiming to root out “criminal threats of violence, not about any particular ideology,” calling claims about efforts to silence those with specific views on coronavirus policies, CRT or other school curricula “misinformation.”

Overton County News: [DOJ planned parental protest crackdown alarms Senators](#) by Staff, 10/12/2021

U.S. Senators Marsha Blackburn (R-TN.) and Chuck Grassley (R-IA), along with all Republican members of the Senate Judiciary Committee, Thursday, Oct. 7, excoriated the Department of Justice (DOJ) for threatening the use of federal law enforcement to deter parents’ free speech. This comes after DOJ issued a memorandum suggesting the FBI may need to assist with policing local school board meetings.

“We are concerned about the appearance of the Department of Justice policing the speech of citizens and concerned parents. We urge you to make very clear to the American public that the Department of Justice will not interfere with

the rights of parents to come before school boards and speak with educators about their concerns, whether regarding coronavirus-related measures, the teaching of critical race theory in schools, sexually explicit books in schools, or any other topic,” the senators wrote.

“To be clear, violence and true threats of violence are not protected speech and have no place in the public discourse of a democracy... However, the FBI should not be involved in quashing and criminalizing discourse that is well beneath violent acts... It is not appropriate to use the awesome powers of the federal government including the PATRIOT Act, a statute designed to thwart international terrorism to quash those who question local school boards,” the senators continued.

Last month, National School Boards Association (NSBA) sent a letter to President Biden asking for help from federal law enforcement, referencing the PATRIOT Act, a statute that helps the federal government fight international terrorism. NSBA highlighted situations involving parents frustrated by COVID-19 mask mandates for children and Critical Race Theory in the classroom and equated those parents to domestic terrorists.

Sens. Blackburn and Grassley maintain that concerned parents are not domestic terrorists, and the reported heated exchanges at school board meetings are clearly protected under the First Amendment.

In addition to Blackburn and Grassley, the letter is signed by Senators Lindsey Graham (R-SC), John Cornyn (R-TX), Mike Lee (R-UT), Ted Cruz (R-TX), Ben Sasse (R-NE.), Josh Hawley (R-MO), Tom Cotton (R-AR), John Kennedy (R-LA), and Thom Tillis (R-NC).

Clarkesville Online (Tennessee): [Marsha Blackburn Report: Discussing Children’s Online Safety With The Facebook Whistleblower](#) by Staff, 10/10/2021

Washington, D.C. During Breast Cancer Awareness Month, we honor those in the fight against breast cancer and pray for healing. Make sure to schedule your routine screening this month and encourage the ladies in your life to do the same!

For too long, Big Tech has demonstrated disregard for our children’s online safety. Facebook in particular failed to implement significant changes to their platforms when it negatively impacted their bottom line. This week, I [asked Facebook whistleblower Frances Haugen](#) to detail the full scope of Facebook’s refusal to prioritize safety.

Fighting DOJ’s Free Speech Crackdown On Parents

Parents have a right to know what their children are learning in school, and to question radical or controversial additions to the curriculum. Organizations representing school boards should be listening to parents, not looking for ways to hide what’s happening in the classroom.

My colleagues on the Senate Judiciary Committee and I are [pleased to lead an effort](#) to push back on the U.S. Department of Justice and protect parental rights.

Requesting Transparency On Resettlement of Afghans in Tennessee

While Tennessee is ready to welcome those Afghans who put their lives on the line to help U.S. troops abroad, the Joe Biden administration must publicly notify state officials before resettling evacuees into our communities.

This week, I joined Senator Bill Hagerty and Governor Bill Lee in [sending a letter](#) to Department of Homeland Security Secretary Alejandro Mayorkas seeking answers regarding the Biden administration’s plan to resettle more than 400 Afghans in Tennessee without providing transparency on their status or qualification threshold.

Addressing The Border Crisis

Illegal immigration is at a 21-year high, and just last month, we witnessed an unprecedented number of Haitian migrants attempt to cross our southern border in Del Rio, Texas.

Following reports that thousands of those migrants were released into our country, Senator John Cornyn and I, along with 36 of our Senate colleagues, sent a letter this week to DHS Secretary Mayorkas [demanding more information](#).

Pushing For Greater Opportunity In The Delta Region

Tennesseans deserve access to targeted grant opportunities. However, President Joe Biden has failed to appoint a

Federal Co-Chair for the Delta Regional Authority (DRA). The person who holds this post would be responsible for specific grant funding in the eight-state Delta region, which includes Tennessee.

This week, I [sent a letter](#) to the White House demanding that the administration fill this critical position and expand grant access for the Volunteer State.

Marsha's Roundup

Washington radicals want to transform America into a socialist country via Biden's "Build Back Broke" agenda.

Facebook made their platform more addicting to kids...and it lined their pockets with cash.

The American dream is worth protecting for our children and grandchildren.

Facebook is not interested in making significant changes to improve safety on their platforms if it means they will lose money.

Facebook is prioritizing profit over the well-being of our children.

Under President Joe Biden's watch, the DOJ is making the FBI an enforcement arm for progressive policies and using federal law enforcement to intimidate concerned parents into silence.

The world is watching to see how the United States responds to the Taliban one of the most anti-equality, anti-peace, anti-freedom organizations on the planet

The United States must stand strong against Chinese aggression. Joe Biden needs to provide diplomatic and military support to protect our friends in Taipei.

Fox News: [Sen. Blackburn on 'Faulkner Focus': This is 'cancel culture writ large, from coast to coast'](#) by Staff, 10/6/2021

Republican Tennessee Senator Marsha Blackburn joined "[The Faulkner Focus](#)" Wednesday, and ripped the [Biden administration's](#) decision to call on Attorney General Merrick Garland to direct the FBI to investigate "threats of violence" at [school board meetings](#).

SEN. MARSHA BLACKBURN: *Well, it is the cancel culture writ large from coast to coast. This is what they are trying to do. They want everyone to agree with them in total. And if you challenge them, you are a bad actor. Well, they don't want robust, respectful, political debate, which has served our nation well since our founding. Doing exactly what you are talking about, sitting down, discussing the issues, hashing it out. A government that is accountable to the people. As I said they don't want 'the people' to be 'the people'. What they are saying is you take what we are going to give you. If you challenge a government takeover of your children, if you challenge what we are doing, we're going to turn you over to the FBI.*

Fox News: [GOP senators grill assistant AG Kristen Clarke over DOJ school board memo](#) by Jon Brown, 10/6/2021

Sens. Marsha Blackburn, R-Tenn., and Ted Cruz, R-Texas, grilled Assistant Attorney General Kristen Clarke on Wednesday about the controversial [Department of Justice](#) memorandum [mobilizing the FBI](#) to address alleged threats against school board members nationwide.

Clarke, who was appearing before the Senate Judiciary Committee to discuss voting rights, was first asked by Blackburn to affirm the DOJ's commitment to the First Amendment.

"Does it raise civil rights concerns when the government attempts to intimidate citizens who are exercising their First Amendment freedom of speech?" Blackburn asked in an apparent reference to the DOJ memo, which Attorney General Merrick Garland penned after the National School Boards Association (NSBA) sent a letter to President Biden.

The [letter](#) requested help for alleged death threats to school boards over COVID-19 policies and critical race theory (CRT).

Critics have claimed the memo will effectively weaponize the FBI to investigate parents who object to the curriculum and policies of their local public schools.

"The First Amendment is important, and we also do not want a society with intimidation," Clarke told Blackburn.

When Blackburn further questioned Clarke regarding the memo, Clarke said, "This is not a matter that the civil rights division handled. I am aware of the memorandum issued by the attorney general, which speaks to threats and intimidation that some school officials have experienced in our country. And that's not activity protected by the First Amendment."

"And so you're saying a parent going to a school board and expressing their dismay with CRT or with the mask mandate is not protected speech?" asked Blackburn. "Is that what you're saying?"

Blackburn also asked if Clarke believes it is appropriate to treat parents as domestic terrorists for asking elected school board members questions about what is being taught to their children.

"While this is not an issue that the civil rights division handled, this is a memorandum issued by the attorney general, I know that the Department is committed to ensuring robust civil discourse," said Clarke.

The senator later brought up the recent [report](#) about scrutiny Garland is facing over ties to a company that promotes the type of content parents are opposing in their ongoing battle with [local school boards](#).

When Clarke again claimed that the issue was also not within her purview, Blackburn replied: "So you all work in stovepipes is what you're telling me, and that you have no knowledge or information about what is being done to parents and how they are being labeled, and this directive for the FBI to go and investigate parents who are standing up for what their children are being subjected to in some public school systems."

Cruz pressed Clarke with a similar line of questioning, alleging that neither she nor Garland have managed to uphold their promise to maintain an apolitical DOJ.

Echoing Blackburn, Cruz pressed Clarke to clarify if the DOJ believes parents questioning their school boards have civil rights, to which Clarke responded by assuring the senator that she does not view such parents as domestic terrorists.

When Clarke declined to opine regarding whether she views Antifa as domestic terrorists, Cruz said, "Miss Clarke, it is amazing that you're not willing to condemn people who are murdering police officers and firebombing cities because your politics aligns with them but at the same time, when it comes to parents at school boards, you're perfectly comfortable with calling a mom at a PTA meeting a domestic terrorist."

Fox News: [Blackburn questions Deputy AG Monaco over crackdown on alleged harassment of school officials](#) by Jessica Chasmar, 10/5/2021

Sen. Marsha Blackburn, R-[Tenn.](#), on Tuesday questioned U.S. Deputy Attorney General Lisa Monaco over the [Justice Department's](#) new crackdown on the alleged harassment of [school](#) officials, saying it will unfairly target parents who oppose the progressive agenda.

Monaco approached Blackburn following a hearing before the Senate Judiciary Committee and asked about the [DOJ's memo](#). The memo directed the [FBI](#) and U.S. attorney offices to hold meetings with federal, state and local law enforcement leaders within 30 days to discuss ways to combat what the DOJ described as an "increase in harassment, intimidation and threats of violence against school board members, teachers and workers in our nation's public schools."

C-SPAN cameras captured the exchange between Blackburn and Monaco.

The senator said the "implication" of the memo was that parents who do not adhere to the progressive agenda are to be considered by the state as "violent."

Monaco attempted to protest, but Blackburn continued, "It's not always what you say, it's what people perceive that you are saying. So, I think this is an incredibly dangerous precedent.

"And this coupled with the lack of respect for these young women that came for the Larry Nassar hearing is something that's not very good for the DOJ right now," Blackburn added, referring to the FBI's mishandling of the sexual abuse of Olympic gymnasts.

"The message that you are sending to parents, to individuals, is, 'You take everything that we say or we're not going to be there to protect you.' And I think that's a very dangerous place to be," the senator continued. "This memo last night looks as if you are second-guessing every parent who is asking the question about what is being taught."

Monaco repeatedly offered to get Blackburn a copy of the one-page memo "right away," suggesting she hadn't read or understood it.

"So, I hear you on the misperception, but I would ask you to look at the memo," Monaco said.

Blackburn pushed back, saying, "the FBI has no business doing this anyway. Casting doubt on parents because they are going to question and trying to make certain how they're being taught. I just think "

"The FBI is not doing that," Monaco interjected. "The role of the Justice Department is to, as you well know, investigate crimes. It's about violence and that's it."

Blackburn said she would follow up with the DOJ later on the issue but added that parents just want their kids to learn in school and not be "indoctrinated."

The exchange occurred after Blackburn arrived at the hearing late because she had been attending the Senate Commerce subcommittee hearing of Facebook whistleblower Frances Haugen.

Blackburn told Fox News in a statement that the DOJ's message in the memo is clear: "Accept the progressive indoctrination of your children or we will come for you."

"I was shocked last night to see the Department of Justice announce that it is deploying the FBI against parents who have legitimate concerns about what is being taught to their children in public schools," the senator said, in part. "This announcement which came in direct response to the demands of teachers unions is a blatant suppression tactic and a dangerous abuse of power. Under President Biden's watch, the Department of Justice is making the FBI an enforcement arm for progressive policies and using federal law enforcement to intimidate concerned parents into silence."

The memo came four days after the National School Boards Association, which represents more than 90,000 school board members, [called on the Biden administration](#) and federal law enforcement agencies to assist school boards reporting an increase in violent threats in response to COVID-19 restrictions and critical race theory curriculum.

Sophie Gelber
Press Assistant, Office of Public Affairs
U.S. Department of Justice

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