

House committee plans for contempt of Congress vote

Written by Grassley Press
Monday, 11 June 2012 09:16

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Senator Chuck Grassley, Ranking Member on the Senate Committee on the Judiciary, issued the comment below about the announcement by House Oversight and Government Reform Committee Chairman Darrell Issa that the House committee will vote next week on whether to hold Attorney General Eric Holder in contempt of Congress for failing to turn over documents subpoenaed in October 2011 regarding the government's Fast and Furious operation. The House investigation stemmed from Senator Grassley's inquiry into whistleblower allegations that the government had allowed the transfer of illegally purchased weapons found at the scene of the murder of U.S. Border Patrol Agent Brian Terry. The Department of Justice denied the allegations to Senator Grassley for 10 months before being forced to withdraw its denial in face of evidence to the contrary.

Grassley statement:

"This action is straightforward and necessary. Contempt is the only tool Congress has to enforce a subpoena. The Department of Justice can avoid the action by complying with its legal obligation. It's not about personalities. It's a procedural mechanism in our system of checks and balances. If Congress is afraid to pursue answers to questions, it's not doing its job. People deserve transparency from their government. Transparency leads to the truth about what's going on. It puts people in a position to defend their rights. It protects our freedoms.

"The only constitutionally viable exception to the Department of Justice's obligation under the

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subpoena would be executive privilege. The President hasn't asserted that privilege, presumably because the vast majority of the documents at issue aren't related to communications with the White House. Because the documents don't fit the category of executive privilege, the department is obligated to turn over the documents. To date, the Department of Justice has refused even to provide a privileged log describing what it wants to withhold and why. The House committee can't make a judgment about whether there are valid arguments for withholding documents if the department refuses to provide such a log. That kind of fundamental refusal to even participate in any sort of a process of negotiation is what forced the House committee to move toward contempt to require the Justice Department to respond in a meaningful way."