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Grassley asks US Attorney Machen about independence in handling contempt citation

Senator says Deputy AG response is invalid without review of executive privilege claim

WASHINGTON – Senator Chuck Grassley is asking U.S. Attorney Ronald C. Machen, Jr. to explain whether he has had the opportunity to demonstrate the independence required of his position in handling the contempt resolution adopted yesterday by the House of Representatives, given that there has been no determination that every single document sought by the House subpoena is protected by the President’s claim of executive privilege. Ignoring the contempt citation before even seeing it or reviewing the particular circumstances of this case would be a sharp contrast to the independence and integrity for which Machen has been praised by many in his assignment to investigate national security leaks that may have been politically motivated.

Grassley raised these issues and asked for responses to specific questions in a letter this afternoon to Machen. Grassley’s inquiry follows last night’s letter to the Speaker of the House of Representatives from the Deputy Attorney General stating that the Department of Justice would take no action in response to the House resolution.

“The Deputy Attorney General’s letter has put the cart before the horse,” Grassley wrote today. Grassley also said that without a particularized description of the documents being withheld or a description of the documents over which executive privilege has been asserted,

Grassley challenges U.S. Attorney to act independently, meet responsibilities in contempt case

Written by Grassley Press
Monday, 02 July 2012 10:07

the U.S. Attorney cannot reasonably make an intelligent judgment as to the validity of any privilege claim and his duty to present the citation to a grand jury.

Last week, [Grassley wrote to President Obama](#) asking for a description of the scope of the executive privilege claim he made for documents in the congressional investigation of the Fast and Furious program. He has not received a response.

Urging independence by the U.S. Attorney as the law and accountability in government demand, Grassley also wrote, “Your independence and integrity were cited as the reason that there was supposedly no necessity to appoint a special prosecutor. This matter [the congressional contempt citation] gives you an opportunity to live up to that high praise and prove your independence.”

Click [here](#) to read the letter from Grassley to Machen.