

Prepared Statement by U.S. Senator Chuck Grassley (R-Iowa)
Ranking Member, Senate Judiciary Committee
Executive Business Meeting
Thursday, February 3, 2022
[VIDEO](#)

I'd like to say a few words about the *Open App Markets Act*. While I have some concerns with the private right of action in the bill, I'll vote to move this bill forward. I appreciate Senators Blackburn and Blumenthal's work on this bill. Also, I'm encouraged that the committee is taking a hard look at the dominance and control that Big Tech has over American consumers and smaller businesses, starting with us successfully reporting out the *American Innovation and Choice Online Act* two weeks ago and taking up this bill today.

I'd also like to discuss a joint oversight request to the Justice Department from me and Senator Johnson. On January 19, 2021, then-President Trump issued a memorandum to the Attorney General, Director of National Intelligence and the Director of the Central Intelligence Agency. It directed them to declassify certain Crossfire Hurricane records. The next month, my staff reached out to the Justice Department requesting an update on where that directive stood. My staff and Senator Johnson's staff repeated that request through the year.

On October 13, 2021, Senator Johnson and I wrote to the Attorney General requesting an update on the declassification process. In response, on January 20, 2022, the Department stated that it had yet to determine exactly which materials are subject to declassification. That's one year after the declassification directive was issued. The Department has yet to produce a single record to Congress and the American public.

Further, the Department has yet to confirm that these Crossfire Hurricane productions to Congress won't include Freedom of Information Act (FOIA) redactions. As we all know, Congress didn't create FOIA for it to be used to hide information from Congress. Yet the executive branch – Republican and Democratic – uses FOIA as a shield in that way.

Accordingly, Chairman Durbin, this presents a perfect bipartisan opportunity to assert this committee's authority over the Justice Department. I encourage you to join my efforts to ensure that this committee is provided productions free from FOIA redactions.

I'd also like to speak briefly about the Supreme Court. On Tuesday, Chairman Durbin and I discussed the nomination process with President Biden. I thank the president for taking the time to meet with us.

I also thank him for making it clear that we will have a process that allows us to diligently and fairly review the nominee's record. Our job is to carefully scrutinize the nominee's qualifications, temperament and commitment to our Constitution. We'll do exactly that, and we will treat the nominee with dignity, fairness and respect while we do so.

But what we won't do is rubber stamp someone committed to implementing a radical progressive agenda by legislating from the bench. Liberal dark money groups have already made it clear that's what they expect. I hope the president rejects these demands and picks someone committed to interpreting the Constitution and our laws according to their text and original meaning.

