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United States Senate

COMMITTEES
ARMED SERVICES
JOINT ECONOMIC COMMITTEE
JUDICIARY
SELECT COMMITTEE ON INTELLIGENCE

January 31, 2022

The Honorable Merrick Garland
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Garland:

It has come to my attention that the Department of Justice may not be paying to defend from frivolous lawsuits the Deputy U.S. Marshals who protected the federal courthouse in Portland against the BLM rioters in the summer of 2020. These courageous officers were attacked by left-wing street militias with weapons such as mortar fire, ball bearings, and blinding lasers. A refusal to represent these Deputy Marshals would violate the Department's long-standing practice—not to mention its moral duty—to defend law-enforcement officers when they're sued for actions in the line of duty.

I hope these reports are mistaken. Please respond in writing no later than February 1 at 3:00 p.m. either to confirm that the Department is in fact representing these Deputy Marshals or paying the fees for their private counsel, or to explain why on earth you're not. Absent a timely and satisfactory answer, I will be compelled to object to Department nominees both in the Judiciary Committee and on the Senate floor.

Sincerely,



Tom Cotton
United States Senator

CC:

Senator Chuck Schumer
Senator Dick Durbin