
From: Burton, Faith (SMO)
To: Schmalzer, Tracy (SMO); Colborn, Paul P (SMO); Bies, John; Dunbar, Kelly P. (SMO); Monaco, Lisa (ODAG); Axelrod, Matthew (ODAG)
CC: Weich, Ron (SMO); Gaston, Molly (SMO)
Sent: 6/13/2011 11:13:44 AM
Subject: FW: Today's HOCR Hearing re: DOJ and Subpeonas- FYI

From: Admin. Assistant
Sent: Monday, June 13, 2011 10:02 AM
To: Burton, Faith (SMO); Gonzales, Mary (ATF)
Subject: Today's HOCR Hearing re: DOJ and Subpeonas

1. On Monday, June 13 at **1:00 p.m.** in **Room 2154** of the **Rayburn House Office Building**, the House Oversight and Government Reform Committee will hold a hearing entitled, "Obstruction of Justice: Does the Justice Department Have to Respond to a Lawfully Issued and Valid Congressional Subpoena?"

Hearing Documents

Chairman Darrell Issa Hearing Preview Statement

June 13, 2011

Monday's hearing of the House Committee on Oversight and Government Reform follows three months of effort by congressional investigators to understand the rationale, policy, and practical execution of a controversial government program that allowed straw purchasers to buy heavy-duty arms and traffic them into Mexico to be used by drug cartels. To date, the Department of Justice and the Bureau of Alcohol, Tobacco and Firearms have refused to comply with a congressional subpoena for material documents related to this program that was issued on March 31, 2011. The administration's unwillingness to recognize the constitutional authority of the Congress to conduct investigations, and its continued refusal to provide documents necessary for the Congress to perform its essential oversight responsibility, may constitute an obstruction of justice that requires intervention of the federal judiciary or other legal action.

Regrettably, this seems to be the course preferred by the Department of Justice. Congressional investigators have learned that the administration's strategy is not to comply with the Committee's subpoena, to instruct department employees not to cooperate with Congress, and ultimately to pressure its complete withdrawal. This will not happen.

The American people have a right to know whether their government has aided and abetted crimes committed at our border with Mexico. They have a right to know what happened, why it happened, and who is responsible. In cases where the administration resists or otherwise refuses to comply with a congressional subpoena and provide answers to these questions, the Committee must enforce compliance. This, we will do.

To assist the Committee in its constitutional effort to uphold the rule of law and assert the investigative prerogatives of Congress, Monday's hearing will include testimony from leading constitutional law experts and noted authorities on the history and processes of congressional oversight.

Hearing Video

Witnesses

Professor Charles Tiefer

Commissioner
Commission on Wartime Contracting

Mr. Morton Rosenberg
Former Specialist in American Public Law
American Law Division
Congressional Research Service

Mr. Todd Tatelman
Legislative Attorney, American Law Division
Congressional Research Service

Mr. Louis Fisher
Scholar in Residence
The Constitution Project

Admin. Assistant

*Legislative Assistant
Office of Legislative Affairs
U.S. Department of Justice
Robert F. Kennedy Main Justice Building
Room 1145, 950 Pennsylvania Avenue, NW
Washington, DC 20530*

Admin. Assistant