



# Merrick Garland


**Merrick Brian Garland** (born November 13, 1952) is an American lawyer and jurist serving since March 2021 as the 86th United States attorney general. He previously served as a U.S. circuit judge of the U.S. Court of Appeals for the District of Columbia Circuit from 1997 to 2021.

A native of the Chicago area, Garland attended Harvard University for his undergraduate and legal education. After serving as a law clerk to Judge Henry Friendly of the Court of Appeals for the Second Circuit and Supreme Court Justice William J. Brennan Jr., he practiced corporate litigation at Arnold & Porter and worked as a federal prosecutor in the Department of Justice, where he supervised the investigation and prosecution of the Oklahoma City bombers. Garland was appointed to the D.C. Circuit in March 1997 by President Bill Clinton, and served as its chief judge from 2013 to 2020.

President Barack Obama, a Democrat, nominated Garland to serve as an associate justice of the Supreme Court in March 2016 to fill the vacancy created by the death of Antonin Scalia. However, the Republican Senate majority refused to hold a hearing or vote on his nomination. The unprecedented refusal of a Senate majority to consider the nomination was highly controversial. Garland's nomination lasted 293 days (the longest to date), and it expired on January 3, 2017, at the end of the 114th Congress. Eventually, President Donald Trump, a Republican, nominated Neil Gorsuch to the vacant seat and the Republican Senate majority confirmed him.

President Joe Biden nominated Garland as attorney general in January 2021. He was confirmed by the Senate and took office in March of that same year.

## Early life and education

<b>Merrick Garland</b>	
	
Official portrait, 2021	
<b>86th United States Attorney General</b>	
<b><u>Incumbent</u></b>	
<b>Assumed office</b>	
March 11, 2021	
<b>President</b>	<u>Joe Biden</u>
<b>Deputy</b>	<u>Lisa Monaco</u>
<b>Preceded by</b>	<u>William Barr</u>
<b>Chief Judge of the <u>United States Court of Appeals for the District of Columbia Circuit</u></b>	
<b><u>In office</u></b>	
February 12, 2013 - February 11, 2020	
<b>Preceded by</b>	<u>David B. Sentelle</u>
<b>Succeeded by</b>	<u>Sri Srinivasan</u>
<b>Judge of the <u>United States Court of Appeals for the District of Columbia Circuit</u></b>	
<b><u>In office</u></b>	
March 20, 1997 - March 11, 2021	


Merrick Brian Garland was born on November 13, 1952, in Chicago.<sup>[1]</sup> He grew up in the north Chicago border suburb of Lincolnwood.<sup>[2][3]</sup> His mother Shirley (*née* Horwitz; 1925–2016)<sup>[4]</sup> was a director of volunteer services at Chicago's Council for Jewish Elderly (now called CJE SeniorLife). His father, Cyril Garland (1915–2000),<sup>[5]</sup> headed Garland Advertising, a small business run out of the family home.<sup>[3][6][7]</sup> Garland was raised in Conservative Judaism, the family name having been changed from *Garfinkel* several generations earlier. His grandparents left the Pale of Settlement in the Russian Empire in the early 20th century, fleeing antisemitic pogroms in what is now Ukraine and Poland, and seeking a better life for their children in the United States.<sup>[7][8]</sup> Two of his grandmother's siblings were later murdered in the Holocaust.<sup>[9]</sup> He is a second cousin of six-term Iowa Governor and former Ambassador to China Terry Branstad.<sup>[10]</sup>

Garland attended Niles West High School in Skokie, Illinois, where he was president of the student council, acted in theatrical productions, and was a member of the debate team.<sup>[11]</sup> He graduated in 1970 as the class valedictorian.<sup>[3][2]</sup> Garland was also a Presidential Scholar and National Merit Scholar.<sup>[12][13]</sup>

After high school, Garland studied social studies at Harvard University.<sup>[3][14][15]</sup> He initially wanted to become a physician, but soon decided to become a lawyer instead.<sup>[11]</sup> He allied himself with his future boss, Jamie Gorelick, when he was elected the only freshman member of a campus-wide committee on which Gorelick also served.<sup>[16]</sup> During his college summers Garland volunteered as a speechwriter to Congressman Abner J. Mikva.<sup>[16]</sup> After President Jimmy Carter appointed Mikva to the D.C. Circuit, Mikva would rely on Garland when hiring law clerks.<sup>[17]</sup> At Harvard, Garland wrote news articles and theater reviews for the *Harvard Crimson* and worked as a Quincy House tutor.<sup>[18][19]</sup> Garland wrote his 235-page honors thesis on industrial mergers in Britain in the 1960s.<sup>[16][20]</sup> Garland graduated from Harvard in 1974 with an A.B., *summa cum laude*, and was elected to Phi Beta Kappa.

Garland then attended Harvard Law School,<sup>[14]</sup> where he was a member of the *Harvard Law Review*. Garland ran for the presidency of the *Law Review* but lost to Susan Estrich, so he served as an articles editor instead.<sup>[16][15]</sup> As an articles editor, Garland assigned himself to edit a submission by U.S. Supreme Court Justice William Brennan on the topic of the role of state constitutions in safeguarding individual rights.<sup>[16][17][21]</sup> This correspondence with Brennan later contributed to his winning a clerkship with the justice.<sup>[21]</sup> Garland graduated from Harvard Law in 1977 with a Juris Doctor *magna cum laude*.

## Early career

<b>Appointed by</b>	<u>Bill Clinton</u>
<b>Preceded by</b>	<u>Abner Mikva</u>
<b>Succeeded by</b>	<u>Ketanji Brown Jackson</u>
<b>Personal details</b>	
<b>Born</b>	Merrick Brian Garland November 13, 1952 <u>Chicago, Illinois, U.S.</u>
<b>Spouse</b>	<u>Lynn Rosenman</u> (m. 1987)
<b>Children</b>	2
<b>Residence(s)</b>	<u>Bethesda, Maryland, U.S.</u>
<b>Education</b>	<u>Harvard University</u> (AB, JD)
<b>Signature</b>	
<p>Merrick Garland's voice</p> <p><b>2:40</b></p> <p>Merrick Garland gives remarks on the anniversary of the September 11 Attacks Recorded September 10, 2021</p>	

After graduating from law school, Garland spent two years as a judicial law clerk, first for Judge Henry Friendly of the U.S. Court of Appeals for the Second Circuit (New York City) from 1977 to 1978 and then for Justice William J. Brennan Jr. of the U.S. Supreme Court from 1978 to 1979.<sup>[15]</sup> After his clerkships, Garland spent two years as a special assistant to U.S. Attorney General Benjamin Civiletti.<sup>[3]</sup>

After the Carter administration ended in 1981, Garland entered private practice at the law firm Arnold & Porter.<sup>[3]</sup> Garland mostly practiced corporate litigation, and was made a partner in 1985.<sup>[3]</sup> In *Motor Vehicles Manufacturers Ass'n v. State Farm Mutual Automobile Insurance Co.* (1983) Garland acted as counsel to an insurance company suing to reinstate an unpopular automatic seat belt mandate.<sup>[22]</sup> After winning the case in both the District of Columbia Circuit Court and the Supreme Court, Garland wrote an 87-page *Harvard Law Review* article describing the way courts use a heightened "hard look" standard of review and scope of review when an agency chooses deregulation, with increasing focus on the fidelity of the agencies' actions to congressional intent.<sup>[22]</sup> In 1985–86, while at Arnold & Porter, Garland was a lecturer at Harvard Law School, where he taught antitrust law.<sup>[15][23]</sup> He also published an article in the *Yale Law Journal* urging a broader application of antitrust immunity to state and local governments.<sup>[22]</sup>

Desiring to return to public service and do more trial work, in 1989 Garland became an Assistant United States Attorney in the U.S. Attorney's Office for the District of Columbia. As a line prosecutor, Garland represented the government in criminal cases ranging from drug trafficking to complex public corruption matters.<sup>[3]</sup> Garland was one of the three principal prosecutors who handled the investigation into Washington, D.C. mayor Marion Barry's possession of cocaine.<sup>[24]</sup>

Garland then briefly returned to Arnold & Porter, working there from 1992 to 1993.<sup>[16]</sup> In 1993, Garland joined the new Clinton administration as deputy assistant attorney general in the Criminal Division of the United States Department of Justice.<sup>[3]</sup> The following year, Deputy Attorney General Jamie Gorelick – a key mentor of Garland's<sup>[25]</sup> – asked Garland to be her principal associate deputy attorney general.<sup>[3][26]</sup>

In that role, Garland's responsibilities included the supervision of high-profile domestic-terrorism cases, including the Oklahoma City bombing, Ted Kaczynski (also known as the "Unabomber"), and the Atlanta Olympics bombings.<sup>[3][27]</sup>

Garland insisted on being sent to Oklahoma City in the aftermath of the attack, in order to examine the crime scene and oversee the investigation in preparation for the prosecution.<sup>[28]</sup> He represented the government at the preliminary hearings of the two main defendants, Timothy McVeigh and Terry Nichols.<sup>[28]</sup> Garland offered to lead the trial team, but could not because he was needed at the Justice Department headquarters. Instead, he helped pick the team and supervised it from Washington, D.C., where he was involved in major decisions, including the choice to seek the death penalty for McVeigh and Nichols.<sup>[28]</sup> Garland won praise for his work on the case from the Republican Governor of Oklahoma, Frank Keating.<sup>[3]</sup>

Garland served as co-chair of the administrative law section of the District of Columbia Bar from 1991 to 1994.<sup>[15][29]</sup> He is also a member of the American Law Institute.<sup>[15]</sup>

In 2003, Garland was elected to the Harvard Board of Overseers, completing the unexpired term of Deval Patrick, who had stepped down from the board.<sup>[30]</sup> Garland served as president of the overseers for 2009–10.<sup>[31]</sup>

# Federal judicial service (1997–2021)

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## Appointment

On September 6, 1995, President Bill Clinton nominated Garland to the U.S. Court of Appeals for the District of Columbia seat vacated by his longtime mentor Abner J. Mikva.<sup>[16]</sup> Justice Brennan, for whom Garland clerked, recommended Garland for the position in a letter to Clinton.<sup>[21]</sup> The American Bar Association (ABA) Standing Committee on the Federal Judiciary unanimously gave Garland a "well-qualified" committee rating, its highest.<sup>[32]</sup>

On December 1, 1995, Garland received a hearing regarding the nomination before the Senate Judiciary Committee.<sup>[33]</sup> In Senate confirmation hearings Garland said that the Supreme Court justices whom he most admired were Justice Brennan, for whom he clerked, and Chief Justice John Marshall. Garland also expressed admiration for the writing style of Justice Oliver Wendell Holmes Jr.<sup>[34]</sup> However, Senate Republicans did not schedule a vote on Garland's confirmation,<sup>[3]</sup> not because of concerns over Garland's qualifications, but because of a dispute over whether to fill the seat.<sup>[23][35]</sup>

After winning the November 1996 presidential election, Clinton renominated Garland on January 7, 1997.<sup>[36]</sup> He was confirmed on March 19, 1997 by a 76–23 vote.<sup>[37]</sup> The majority of Republican senators voted to confirm Garland, including Senators John McCain, Orrin Hatch, Susan Collins, and Jim Inhofe.<sup>[38]</sup> Senators Mitch McConnell, Chuck Grassley, and Jeff Sessions were among those who voted against Garland.<sup>[38]</sup> All of the 23 "no" votes came from Republicans, and all were said to be based "on whether there was even a need for an eleventh seat" on the D.C. Circuit.<sup>[39]</sup> He received his judicial commission on March 20, 1997.<sup>[40]</sup>

## Service as chief judge

Garland became chief judge of the D.C. Circuit on February 12, 2013.<sup>[41]</sup> As chief judge, Garland announced in May 2013 that the D.C. Circuit had unanimously decided to provide the public with same-day audio recordings of oral arguments in the court.<sup>[42][43][40]</sup> As chief judge, Garland was an active member of the Judicial Conference of the United States,<sup>[44]</sup> and was involved in the formulation of new rules to protect federal judicial branch employees from workplace harassment, which were adopted in the wake of multiple sexual misconduct allegations against Judge Alex Kozinski.<sup>[44][45]</sup> Garland's seven-year term as chief judge ended on February 11, 2020, with Judge Sri Srinivasan succeeding him.<sup>[44]</sup> Garland continued to serve as an active member of the court until his retirement.<sup>[46][47][40]</sup>

## Notable cases



Garland in 2016 as chief judge of the U.S. Court of Appeals for the D.C. Circuit

Garland is considered a judicial moderate and a centrist.<sup>[48]</sup> Garland has been described by Nina Totenberg and Carrie Johnson of NPR as "a moderate liberal, with a definite pro-prosecution bent in criminal cases".<sup>[3]</sup> Tom Goldstein, the publisher of SCOTUSblog, wrote in 2010 that "Judge Garland's record demonstrates that he is essentially the model, neutral judge. He is acknowledged by all to be brilliant. His opinions avoid unnecessary, sweeping pronouncements."<sup>[23]</sup> Garland has a reputation for collegiality and his opinions rarely draw a dissent.<sup>[49]</sup> As of 2016, Garland had written just fifteen dissents in his two decades on the court, fewer than his colleague Brett Kavanaugh, who wrote some 17 dissents over the previous decade.<sup>[49]</sup>

## **Administrative and environmental law**

Garland has tended to favor deference to regulatory agencies.<sup>[50]</sup> For example, in *In re Aiken County* (2013), Garland dissented when the court issued mandamus ordering the Nuclear Regulatory Commission to process the Yucca Mountain nuclear waste repository license.<sup>[51]</sup> In *Americans for Safe Access v. Drug Enforcement Administration* (2013), Garland joined a divided court upholding the DEA's classification of marijuana as a Schedule I drug.<sup>[11]</sup> However, according to Goldstein, in a number of split decisions on environmental law Garland "favored contested EPA regulations and actions when challenged by industry, and in other cases he has accepted challenges brought by environmental groups."<sup>[23]</sup> In *Rancho Viejo, LLC v. Norton* (2003), Garland found the arroyo toad was protected by the federal Endangered Species Act.<sup>[52]</sup> Circuit Judge John Roberts dissented from the denial of rehearing en banc, writing that Congress's interstate commerce power cannot reach "a hapless toad that, for reasons of its own, lives its entire life in California."<sup>[53]</sup>

## **Criminal law and whistleblower protection**

While on the bench, Garland has shown a tendency to be deferential to the government in criminal cases, siding with prosecutors in ten of the fourteen criminal cases in which he disagreed with a colleague.<sup>[54]</sup> For example, in *United States v. Watson* (1999), Garland dissented when the court concluded a prosecutor's closing argument was unduly prejudicial, objecting that a conviction should be reversed for only "the most egregious of these kind of errors."<sup>[54]</sup> In 2007, Garland dissented when the en banc D.C. Circuit reversed the conviction of a Washington, D.C. police officer who had accepted bribes in an FBI sting operation.<sup>[55]</sup>

Garland has taken a broad view of whistleblower protection laws, such as the False Claims Act (FCA),<sup>[56]</sup> which creates a private cause of action against those defrauding the federal government.<sup>[55]</sup> For example, in *United States ex rel. Yesudian v. Howard University* (1998), Garland wrote for the court in holding that a plaintiff alleging he had been fired by Howard University for whistleblowing could sue under the FCA for retaliation.<sup>[23]</sup> In *United States ex rel. Totten v. Bombardier Corp.* (2004), Garland dissented when the court, in an opinion written by Judge John Roberts, held that the FCA did not apply to false claims submitted to Amtrak because Amtrak is not the government.<sup>[55][56]</sup> Roberts justified his narrow reading by citing a book by Circuit Judge Henry Friendly.<sup>[57]</sup> In dissent, Garland (who like Roberts had clerked for Friendly), cited Friendly's book as supporting the use of legislative intent,<sup>[55]</sup> writing that Roberts was relying on "'canons' of statutory construction, which serve there as 'cannons' of statutory destruction."<sup>[56][58]</sup> Garland's dissent, expressing concerns that the court's ruling would impede the government's ability to pursue false claims cases against federal grantees, is credited with sparking the Fraud Enforcement and Recovery Act of 2009, which eliminated the loophole.<sup>[56]</sup> During confirmation hearings in 2005, Senator Chuck Grassley sharply questioned Roberts on why he had

not adopted Garland's reading.<sup>[55]</sup> Roberts replied, "Any time Judge Garland disagrees, you know you're in a difficult area."<sup>[55]</sup>

## National security

During Garland's tenure, the D.C. Circuit reviewed cases arising from the Guantanamo Bay detention camp. In *al Odah v. United States* (2003), a panel that included Garland unanimously held that federal courts could not hear challenges from Guantanamo detainees.<sup>[23]</sup> In July 2011, Garland wrote for the unanimous panel when it rejected Guantanamo detainee Moath Hamza Ahmed al Alawi's petition for *habeas corpus*.<sup>[59][60]</sup> In *Parhat v. Gates* (2008), Garland wrote for a panel that unanimously overturned the Combatant Status Review Tribunal's determination that a captured Uyghur was an enemy combatant.<sup>[61]</sup> In *Saleh v. Titan Corp.* (2009), Garland dissented from the court's holding that former Iraqi detainees at Abu Ghraib prison could not sue private military contractors who participated in torture and prisoner abuse. Garland wrote that the suit should be allowed to proceed because "no act of Congress and no judicial precedent" immunized the contractors from tort liability, the Federal Tort Claims Act specifically excludes contractors, and tort liability would not interfere with government operations.<sup>[62][63][64]</sup>

## First Amendment

According to Goldstein, Garland has "tended to take a broader view" of First Amendment rights.<sup>[23]</sup> In cases involving the Freedom of Information Act and similar provisions related to government transparency, "Judge Garland's rulings reflect a preference for open government."<sup>[23]</sup> In *ACLU v. CIA* (2013), Garland wrote for a panel unanimously rejecting the agency's Glomar response and ordering it to process the ACLU's FOIA request regarding targeted killings by CIA drones.<sup>[65]</sup> In *Cause of Action v. FTC* (2015), Garland wrote for a panel unanimously overturning the agency's limitation on FOIA fee waivers to large news outlets.<sup>[65]</sup>

In *Lee v. Department of Justice* (2005), Garland dissented from the denial of rehearing en banc after the D.C. Circuit affirmed the district court's order holding reporters in contempt of court for refusing to testify about their anonymous sources during the Wen Ho Lee investigation.<sup>[64][66]</sup> Garland wrote that the panel had erred in failing to "weigh the public interest in protecting the reporter's sources against the private interest in compelling disclosure" and that the decision "undermined the Founders' intention to protect the press 'so that it could bare the secrets of government and inform the people.'"<sup>[66]</sup> In *Initiative & Referendum Institute v. U.S. Postal Service* (2005), Garland wrote for the court, holding that a U.S. Postal Service regulation banning signature-gathering for petitions at post offices violated the First Amendment.<sup>[23][66]</sup> Garland found the regulation to be facially overbroad and not narrowly tailored.<sup>[66]</sup>

In cases involving campaign finance reform laws, Garland has applied *Citizens United v. Federal Election Commission* when he believed that he was compelled to do so, but he has not sought to extend its holding.<sup>[64]</sup> In *Wagner v. Federal Election Commission* (2015), Garland wrote for the unanimous en banc D.C. Circuit in upholding a prohibition on campaign contributions from federal contractors because of the governmental interest in preventing corruption.<sup>[64][67]</sup> In *National Association of Manufacturers v. Taylor* (2009), Garland wrote for the court in a decision upholding the constitutionality of lobbyist disclosure requirements under the Honest Leadership and Open Government Act.<sup>[42][67]</sup> Professor Rick Hasen, an election-law expert, writes that Garland's opinions on election law are characterized by careful application of precedent and



indicate that Garland believes in reasonable regulation.<sup>[67]</sup>

Garland has addressed a number of religious freedom cases while on the D.C. Circuit, although several of these have been decided on procedural grounds.<sup>[68]</sup> In 2002, Garland joined a unanimous court in ruling for two federal prisoners who were denied the right to consume communion wine.<sup>[68][69]</sup> In 2010, Garland wrote the decision for a unanimous court in favor of an Interior Department employee who brought a religious-discrimination claim after the Interior Department refused to allow her to work weekdays rather than Sunday, when she wished to attend church and Bible study.<sup>[68][70]</sup>

## Second Amendment

In 2007, Garland voted in favor of *en banc* review of the D.C. Circuit's panel decision in *Parker v. District of Columbia* invalidating the D.C. handgun ban. The Supreme Court subsequently affirmed this invalidation 5–4 in an opinion by Justice Scalia.<sup>[23]</sup>

## Other cases

In *Alexander v. Daley* (2003), Garland joined a decision (authored by Judge Colleen Kollar-Kotelly), rejecting a challenge brought by District of Columbia residents seeking D.C. congressional voting rights.<sup>[24][71]</sup>

In *Hutchins v. District of Columbia* (1999), Garland concurred with four other D.C. Circuit judges (*en banc*) that D.C.'s Juvenile Curfew Act of 1995 implicated at least some significant right of minors.<sup>[72]</sup> He joined parts of a plurality opinion written by Judge Laurence Silberman that upheld the juvenile curfew under intermediate scrutiny and a vagueness challenge. Garland also joined the part of Judge Judith W. Rogers's opinion (concurring in part and dissenting in part) holding that a fundamental right to intrastate travel exists.<sup>[73]</sup>

## Retirement

Garland retired from federal judicial service on March 11, 2021, to accept appointment as the Attorney General of the United States.<sup>[40]</sup>

## Supreme Court nomination

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Garland was considered twice to fill vacated seats on the United States Supreme Court in 2009 and 2010, before finally being nominated in 2016 by President Barack Obama for the seat left vacant by the death of conservative Associate Justice Antonin Scalia.<sup>[74]</sup>

## 2009 and 2010 considerations

In 2009, following the announcement by Justice David Souter that he would retire, Garland was considered as one of nine finalists for the post, which ultimately went to Sonia Sotomayor, then a judge of the Second Circuit.<sup>[75]</sup>

After the April 2010 announcement by Justice John Paul Stevens that he would retire, Garland was again widely seen as a leading contender for a nomination to the Supreme Court of the United States.<sup>[76][77][78]</sup> President Obama interviewed Garland, among others, for the vacancy.<sup>[48]</sup> In May 2010, Senator Orrin Hatch, Republican of Utah, said he would help Obama if Garland was nominated, calling Garland "a consensus nominee" and predicting that Garland would win Senate confirmation with bipartisan support.<sup>[79][80]</sup> Obama nominated Solicitor General of the United States Elena Kagan, who was confirmed in August 2010.<sup>[48]</sup>

## Scalia vacancy and 2016 nomination



Garland with President Barack Obama in 2016

On February 13, 2016, Supreme Court Justice Antonin Scalia died.<sup>[81]</sup> Later that day, Senate Republicans led by Majority Leader Mitch McConnell issued a statement that they would not consider any nominee put forth by Obama, and that a Supreme Court nomination should be left to the next president of the United States.<sup>[82][83][84]</sup> President Obama responded that he intended to "fulfill my constitutional duty to appoint a judge to our highest court,"<sup>[85][86]</sup> and that there was no "well established tradition" that a president could not fill a Supreme Court vacancy during their last year in office.<sup>[87]</sup>

In early March 2016, *The New York Times* reported that Garland was being vetted by the Obama Administration as a potential nominee. A week later, Garland was named as one of three judges on the President's "short list" (along with Judge Sri Srinivasan, also of the D.C. Circuit, and Judge Paul J. Watford of the Ninth Circuit). Obama interviewed all three leading contenders, as well as two others who were being considered: Judge Jane L. Kelly of the U.S. Court of Appeals for the Eighth Circuit and Judge Ketanji Brown Jackson of the U.S. District Court for the District of Columbia.<sup>[88]</sup> Soon afterward, Senator Orrin Hatch, President pro tempore of the United States Senate and the most senior Republican Senator, predicted that President Obama would "name someone the liberal Democratic base wants" even though he "could easily name Merrick Garland, who is a fine man."<sup>[89]</sup> Five days later, on March 16, Obama formally nominated Garland to the vacant post of Associate Justice of the Supreme Court of the United States.<sup>[90][91]</sup>

Garland had more federal judicial experience than any other Supreme Court nominee in history,<sup>[38]</sup> and was the oldest Supreme Court nominee since Lewis F. Powell Jr. in 1971.<sup>[92]</sup> The American Bar Association (ABA) Standing Committee on the Federal Judiciary unanimously rated Garland "well-qualified" (its highest rating) to sit on the Supreme Court.<sup>[93]</sup>

Under Senate Majority Leader Mitch McConnell, the Senate's Republican majority refused to consider Garland's nomination, holding "no hearings, no votes, no action whatsoever" on the nomination.<sup>[94][95][96]</sup> McConnell's categorical refusal to hold hearings on Garland's nomination was described by political scientists and legal scholars as unprecedented,<sup>[95][97][98]</sup> McConnell's choice to lead a Republican blockade of the nomination was described as a "culmination of [his] confrontational style,"<sup>[99]</sup> and an example of constitutional hardball.<sup>[100]</sup> Yascha Mounk called it a "blatant abuse of constitutional norms."<sup>[101]</sup>

After a period of 293 days, Garland's nomination expired on January 3, 2017, at the end of the



114th Congress.<sup>[102]</sup> It was the longest confirmation delay of a Supreme Court nominee in history, far exceeding the 125-day delay faced by the ultimately confirmed Justice Louis Brandeis in 1916.<sup>[103]</sup> On January 31, 2017, President Donald Trump nominated Neil Gorsuch to fill the Court vacancy.<sup>[104]</sup> On April 7, 2017, the Senate confirmed Gorsuch's nomination to the Supreme Court.

McConnell went on to boast about stopping Garland's nomination, saying in August 2016, "one of my proudest moments was when I looked Barack Obama in the eye and I said, 'Mr. President, you will not fill the Supreme Court vacancy.'"<sup>[105][106]</sup> In April 2018, McConnell said the decision not to act upon the Garland nomination was "the most consequential decision I've made in my entire public career".<sup>[107]</sup>

## **Attorney General (2021–present)**

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President-elect Joe Biden selected Garland for the position of United States attorney general, with news of the selection coming on January 6, 2021.<sup>[108][109]</sup> He was formally nominated by Biden on January 20, after Biden took office.<sup>[110]</sup> In Senate Judiciary Committee confirmation hearings, Garland vowed to oversee vigorous prosecution of those who stormed the United States Capitol, and other domestic extremists, drawing on his experience prosecuting the perpetrators of the Oklahoma City bombing.<sup>[111][112][113]</sup> Garland said it was likely the Biden administration would place a moratorium on use of the federal death penalty and expressed reservations about the death penalty in light of the "almost randomness or arbitrariness of its application."<sup>[113]</sup> He pledged to protect equal justice under law and reinvigorate the DOJ Civil Rights Division, which, according to some media figures, languished under the Trump administration.<sup>[112][114]</sup> Garland affirmed that the Justice Department would remain independent under his leadership.<sup>[113]</sup> The Senate Judiciary Committee voted 15–7 to advance Garland's nomination to the Senate floor,<sup>[115][116]</sup> and on March 10, the Senate confirmed Garland's nomination by a vote of 70–30.<sup>[117][111][118]</sup> He was sworn in on March 11, 2021, by Assistant Attorney General for Administration Lee Lofthus.<sup>[119]</sup>



Garland is sworn in as Attorney General in March 2021.

In April 2021, Russia imposed sanctions against Garland, including prohibiting him from entering Russia. This was in retaliation for U.S. expulsion of 10 Russian diplomats, a sanction imposed by the United States against Russia for its SolarWinds hack, aggression against Ukraine, and interference in the 2020 U.S. election.<sup>[120]</sup>

In May 2021, the DOJ appealed in part a ruling by Judge Amy Berman Jackson of the District Court for the District of Columbia to make public most of a DOJ memo detailing former Attorney General Bill Barr's legal rationale for clearing President Trump of obstruction of justice in the Special Counsel investigation.<sup>[121][122][123][124]</sup>

On June 7, 2021, the Justice Department continued its defense of a defamation lawsuit by E. Jean Carroll, arguing that President Trump could not be sued because he had denied her rape allegation in offending statements in his presidential capacity. Garland had been deeply involved in the decision. The White House quickly distanced itself from the decision.<sup>[121][122][125]</sup> Garland in a House Judiciary Committee hearing on October 21 stated that the DOJ's briefing was solely on the question of the application of the Federal Tort Claims Act.<sup>[126][127]</sup>

On July 1, 2021, Garland imposed a moratorium on all federal executions pending a review of relevant policies and procedures.<sup>[128]</sup> The review will examine "the risk of pain and suffering associated with the use of pentobarbital," "regulations made in November 2020 that expanded the permissible methods of execution beyond lethal injection, and authorized the use of state facilities and personnel in federal executions", and "December 2020 and January 2021 changes to expedite execution of capital sentences."<sup>[128][129][130]</sup> This was consistent with Biden's pledge to push for legislation to end the federal death penalty. In spite of this, Garland has continued to pursue the death penalty in cases wherein a previous administration had sought the death penalty against a suspected terrorist.<sup>[131]</sup> The Trump administration resumed federal executions in 2019, and executed 13 inmates in total, the first in 17 years and including the first woman in 70 years.<sup>[129][130]</sup>

## **Voting rights**

In June 2021, Garland pledged to double the department's enforcement staff for protecting the right to vote, in response to Republican Party efforts to restrict voting following the 2020 presidential election,<sup>[132][133]</sup> The same month, Garland announced a DOJ lawsuit against the state of Georgia over its newly passed restrictions on voting; the DOJ complaint said that the state targeted Black Americans in violation of the Voting Rights Act of 1965.<sup>[134]</sup>

In July 2021, the Justice Department released two guidance documents regarding election law changes and post-election audits, reminding states that the DOJ was closely observing states' compliance with federal election and civil rights laws.<sup>[121][135][136]</sup>

In November 2021, the DOJ sued Texas over Senate Bill 1 which required rejection of mail ballots "for immaterial errors and omissions," alleging it would restrict voting for those with limited English proficiency, soldiers deployed and voters overseas.<sup>[137][138]</sup>

In a separate suit filed by DOJ against Texas the following month, the federal government alleged that Texas' redistricting plans discriminated against Latino and Black voters in violation of the Section 2 of the Voting Rights Act.<sup>[139][140][141][142]</sup>

## **Civil rights**

During Garland's tenure as AG, the Justice Department has emphasized protection of civil rights.<sup>[143]</sup> Garland rescinded a Trump administration policy (imposed by Jeff Sessions) that curtailed DOJ investigations into police department misconduct ("pattern-and-practice" investigations) and restricted the use of consent decrees to reform police departments.<sup>[143][144][145]</sup>

On April 21, 2021, Garland subsequently announced that the DOJ was opening a pattern-and-practice investigation into the Minneapolis Police Department after former officer Derek Chauvin was convicted for the murder of George Floyd, examining the use of force by officers and discriminatory conduct, its treatment of people with behavioral health issues, and the department's current accountability systems.<sup>[146]</sup> On April 26, Garland announced another investigation into the Louisville Metro Police Department in the aftermath of the killing of Breonna Taylor, examining the execution of search warrants.<sup>[147][148]</sup> On August 5, Garland opened another investigation into the Phoenix Police Department over its policies on dealing with the homeless.<sup>[149][150]</sup> On December 3, the DOJ opened another investigation into the Mount Vernon Police Department to assess if it engaged in discriminatory policing, involving its use of force, strip and body cavity

searches, how it handles evidence, and its systems of accountability.<sup>[151][152]</sup>

In June 2021, the DOJ, through a memo issued by Deputy Attorney General Lisa Monaco, reversed a Trump-era policy that banned federal officers and agents from using body-worn cameras; the memo also mandated the use of body-worn cameras for federal law enforcement in certain circumstances (including when carrying out planned arrests or executing search warrants).<sup>[153][154][155]</sup>

On September 14, 2021, the DOJ announced a civil investigation into prisons in Georgia, focusing on prison violence and sexual abuse of LGBTQ prisoners by prisoners and staff, continuing with an initial investigation launched in 2016.<sup>[156][157][158]</sup>

In September, 2021, the DOJ in a memo limited the use of chokeholds and carotid restraints by federal officers during arrests, prohibiting such tactics unless deadly force is authorized (i.e., unless the officer reasonably believes "that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person"). The memo also limited the use of unannounced ("no-knock") entries when executing warrants, directing officers to knock-and-announce except "where an agent has reasonable grounds to believe that knocking and announcing the agent's presence would create an imminent threat of physical violence to the agent and/or another person."<sup>[159][160][161]</sup>

On October 13, 2021, the DOJ launched another investigation into five juvenile detention facilities in Texas for systemic physical or sexual abuse of children.<sup>[157][162]</sup>

## **January 6 U.S. Capitol attack**

On July 26, 2021, the DOJ sent letters to former DOJ officials of the Trump administration, including Acting Attorney General Jeffrey A. Rosen, Acting Deputy Attorney General Richard Donoghue, Associate Deputy Attorney General Patrick Hovakimian, U.S. Attorney for the Northern District of Georgia Byung J. "BJay" Pak, Acting U.S. Attorney for the Northern District of Georgia Bobby L. Christine, and United States Assistant Attorney General for the Environment and Natural Resources Division and Civil Division Jeffrey Clark.<sup>[163]</sup> The letters relayed that the DOJ would not exert executive privilege over their testimony as witnesses to Trump's attempts to overturn the 2020 United States presidential election or the 2021 United States Capitol attack, and that they were free to provide "unrestricted testimony" and "irrespective of potential privilege" to the House Oversight Committee and Senate Judiciary Committee.<sup>[163][164][165][166]</sup>

On July 28, 2021, the DOJ further rejected Rep. Mo Brooks's request to protect him in Eric Swalwell's civil lawsuit against him and President Trump concerning his comments and actions in the attack. The DOJ in a court filing determined that Brooks' relevant comments and actions were outside the scope of his official responsibilities as a member of Congress.<sup>[167]</sup>

On October 21, 2021, the U.S. House of Representatives voted to refer Steve Bannon, the adviser to former President Donald Trump, to the DOJ for criminal contempt of Congress due to defying a subpoena from the House's January 6 select committee over claims of executive privilege. After Speaker Nancy Pelosi certified the contempt referral, it was sent to the U.S. Attorney for DC, who will then decide whether to send the referral to a grand jury for indictment, with Garland having the final say.<sup>[168]</sup> Garland told lawmakers that the Justice Department "will apply the facts and the law and make a decision" when considering a criminal contempt referral for Bannon. He stated

that "the Department of Justice will do what it always does in such circumstances, we'll apply the facts and the law and make a decision, consistent with the principles of prosecution."<sup>[126][127][168][169]</sup>

In November 2022, days after Trump announced his 2024 presidential campaign, Garland appointed Jack Smith to serve as special counsel for the investigations of Trump.<sup>[170][171]</sup>

## Criticism

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### School board memo

In October 2021, amid a surge of threats against school board members across the country, Garland issued a memorandum addressing an "increase in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff"; the memo directed the FBI and US attorneys' offices to set up meetings with federal, state and local law enforcement leaders for establishing tiplines for threat reporting and discussing strategies to address such threats.<sup>[172][173][126][174]</sup> He issued the memo soon after the National School Boards Association wrote to Biden to request a federal response to the protests and threats against school officials and investigations into whether they constituted as forms of domestic terrorism and hate crimes.<sup>[175][176][177][178]</sup>

The memo prompted criticism from Republicans in the House and Senate, who accused Garland of treating parents like domestic terrorists, although the memo did not mention either terrorism or parents.<sup>[174]</sup> McConnell wrote to Garland that parents "absolutely should be telling" local schools what to teach regarding contentious public issues.<sup>[173][179]</sup> In House and Senate Judiciary Committee hearings, Garland pushed back on Republicans' claims that the DOJ were treating parents like "domestic terrorists" and investigating political speech, testifying that the DOJ "[were] not investigating peaceful protest or parent involvement at school board meetings."<sup>[126][127][180][181]</sup> Numerous Senate Republicans called on Garland to resign over the memo.<sup>[182]</sup> Seventeen Republican state attorneys general led by Todd Rokita, and numerous House Republicans, separately wrote to Biden and Garland requesting the memorandum be immediately withdrawn.<sup>[174][178][180]</sup>

## Personal life

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Garland and his wife, Lynn, were married at the Harvard Club in Manhattan in September 1987. Lynn Rosenman Garland's grandfather, Samuel Irving Rosenman, was a justice of the New York Supreme Court (a trial-level court) and a special counsel to presidents Franklin D. Roosevelt and Harry S. Truman. She graduated from the Brearley School in Manhattan and cum laude from Harvard University, and received a Master of Science degree in operations management from the MIT Sloan School of Management. Her father, Robert Rosenman, was a partner in the New York law firm of Cravath, Swaine & Moore.<sup>[6]</sup> As of June 2018, she advised government and nonprofit groups on voting systems security and accuracy issues.<sup>[183]</sup> The couple lives together in Bethesda, Maryland.<sup>[184]</sup>

Garland and his wife have two daughters, Rebecca and Jessica; both are graduates of Yale University.<sup>[185]</sup> Justice Elena Kagan hired Jessica Garland, a 2019 graduate of Yale Law School, as

one of her law clerks in early July 2020, before Biden's election and Garland's appointment, to serve as a law clerk in 2022–2023. The Supreme Court said that "in light of the potential for actual or apparent conflicts of interest," Jessica Garland will not serve as Kagan's law clerk while her father remains as attorney general.<sup>[186]</sup> Garland took part in the ceremony when his daughter Rebecca married Xan Tanner in June 2018.<sup>[183]</sup>

Financial disclosure forms in 2016 indicated that Garland's net worth at the time was between \$6 million and \$23M.<sup>[17]</sup> As of 2021, his net worth was estimated by *Forbes* at \$8.6-33M.<sup>[187]</sup>

Garland is partially colorblind, so he uses a list to match his suits and ties.<sup>[17]</sup>

## Selected publications

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- Garland, Merrick B. (1985). "Deregulation and Judicial Review" (<https://core.ac.uk/doi/pdf/160249399.pdf>) (PDF). *Harvard Law Review*. **98** (3): 505–591. doi:10.2307/1340869 (<https://doi.org/10.2307%2F1340869>). JSTOR 1340869 (<http://www.jstor.org/stable/1340869>).
- ——— (1987). "Antitrust and Federalism: A Response to Professor Wiley" (<https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=7078&context=ylij>). *The Yale Law Journal*. **96** (6): 1291–1295. doi:10.2307/796386 (<https://doi.org/10.2307%2F796386>). JSTOR 796386 (<https://www.jstor.org/stable/796386>).
- ——— (1987). "Antitrust and State Action: Economic Efficiency and the Political Process" (<https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=7053&context=ylij>). *The Yale Law Journal*. **96** (3): 486–519. doi:10.2307/796502 (<https://doi.org/10.2307%2F796502>). JSTOR 796502 (<https://www.jstor.org/stable/796502>).
- ——— (April 22, 1985). "Courts Give Deregulatory Policies New Hard Look". *Legal Times*. Vol. 8, no. 32.
- ———; Pitofsky, Robert (1984). "Chapter 48: Federal Trade Commission Investigations". In von Kalinowski, Julian O. (ed.). *Antitrust Counseling and Litigation Techniques*. Vol. 4. New York: Bender. OCLC 917754819 (<https://www.worldcat.org/oclc/917754819>).
- Fitzpatrick, James F.; Garland, Merrick B. (August 20, 1983). "The Court, 'Veto' and Airbags" (<https://www.nytimes.com/1983/08/20/opinion/the-court-veto-and-airbags.html>). *The New York Times*. Retrieved September 11, 2021.
- Garland, Merrick B. (1976). "The Supreme Court, 1975 Term: Commercial Speech". *Harvard Law Review*. **90** (1): 142. doi:10.2307/1340306 (<https://doi.org/10.2307%2F1340306>). JSTOR 1340306 (<https://www.jstor.org/stable/1340306>).
- ——— (1976). "The State Action Exemption and Antitrust Enforcement under the Federal Trade Commission Act". *Harvard Law Review*. **89** (4): 715–751. doi:10.2307/1340219 (<https://doi.org/10.2307%2F1340219>). JSTOR 1340219 (<http://www.jstor.org/stable/1340219>).
- "Merrick Garland collected writings" ([https://www.thecrimson.com/writer/5773/Merrick\\_Garland/](https://www.thecrimson.com/writer/5773/Merrick_Garland/)). *The Harvard Crimson*. 1972–73.

## See also

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- Barack Obama Supreme Court candidates

- [Barack Obama judicial appointment controversies](#)
- [List of law clerks of the Supreme Court of the United States \(Seat 3\)](#)
- [List of nominations to the Supreme Court of the United States](#)
- [List of Jewish American jurists](#)

## References

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1. *Biographical Directory of the Federal Judiciary* (<https://books.google.com/books?id=2LxFAQAAIAAJ>). Bernan Press. 2001. p. 511. ISBN 978-0890592588. Archived (<http://web.archive.org/web/20161102134130/https://books.google.com/books?id=2LxFAQAAIAAJ>) from the original on November 2, 2016.
2. Sweet, Lynn (March 16, 2016). "Obama Supreme Court pick: Chicago native Merrick Garland" (<https://chicago.suntimes.com/2016/3/16/18392101/obama-supreme-court-pick-chicago-native-merrick-garland>). *Chicago Sun-Times*. Archived (<https://web.archive.org/web/20160320015933/http://chicago.suntimes.com/news/obama-supreme-court-pick-lincolnwoods-merrick-garland/>) from the original on March 20, 2016. Retrieved March 20, 2016.
3. Totenberg, Nina; Johnson, Carrie (March 16, 2016). "Merrick Garland Has A Reputation of Collegiality, Record of Republican Support" (<https://www.npr.org/2016/03/16/126614141/merrick-garland-has-a-reputation-of-collegiality-record-of-republican-support>). *NPR*. Archived (<https://web.archive.org/web/20160320100539/http://www.npr.org/2016/03/16/126614141/merrick-garland-has-a-reputation-of-collegiality-record-of-republican-support>) from the original on March 20, 2016. Retrieved March 20, 2016.
4. "Garland (obituary)" (<https://www.chicagotribune.com/news/ct-xpm-2000-11-27-0011270039-story.html>). *Chicago Tribune*. November 27, 2000. Archived ([https://web.archive.org/web/20160222171812/http://articles.chicagotribune.com/2000-11-27/news/0011270039\\_1\\_weinstein-chapel-service-roter](https://web.archive.org/web/20160222171812/http://articles.chicagotribune.com/2000-11-27/news/0011270039_1_weinstein-chapel-service-roter)) from the original on February 22, 2016. Retrieved September 11, 2021.
5. "GARLAND" (<https://www.chicagotribune.com/news/ct-xpm-2000-11-27-0011270039-story.html>). *Chicago Tribune*. November 27, 2000.
6. "Lynn Rosenman is Married" (<https://www.nytimes.com/1987/09/20/style/lynn-rosenman-is-married.html>). *The New York Times*. September 20, 1987. Archived (<https://web.archive.org/web/20100414200345/http://www.nytimes.com/1987/09/20/style/lynn-rosenman-is-married.html>) from the original on April 14, 2010. Retrieved April 10, 2010.
7. Nathan-Kazis, Josh (March 16, 2016). "Merrick Garland Offers Poignant Story About Anti-Semitism as Supreme Court Battle Looms" (<https://forward.com/news/336091/can-merrick-garland-fair-minded-mensch-of-a-judge-win-spot-on-the-supreme/>). *The Forward*. Archived (<https://web.archive.org/web/20160320090502/http://forward.com/news/336091/can-merrick-garland-fair-minded-mensch-of-a-judge-win-spot-on-the-supreme-c/>) from the original on March 20, 2016. Retrieved March 20, 2016.
8. Margolick, David (March 18, 2016). "What's in Merrick Garland's Name?" (<https://www.tabletmag.com/scroll/198684/whats-in-merrick-garlands-name>). *Tablet*. Archived (<https://web.archive.org/web/20160324190834/http://www.tabletmag.com/scroll/198684/whats-in-merrick-garlands-name>) from the original on March 24, 2016. Retrieved August 18, 2016.



9. Garland, Merrick (September 17, 2022). "Attorney General Merrick B. Garland Administers the Oath of Allegiance and Delivers Congratulatory Remarks at Ellis Island Ceremony in Celebration of Constitution Week and Citizenship Day" (<https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-administers-oath-a-llegiance-and-delivers>). *Justice.gov*. Retrieved September 19, 2022. "My grandmother was one of five children born in what is now Belarus. Three made it to the United States, including my grandmother who came through the Port of Baltimore. Two did not make it. Those two were killed in the Holocaust."
10. McKinney, Kait (March 16, 2016). "Branstad Has Unique Connection to SCOTUS Nominee Merrick Garland" (<http://whotv.com/2016/03/16/branstad-has-unique-connection-to-scotus-nominee-merrick-garland/>). *WHO-HD Channel 13*. Archived (<https://web.archive.org/web/20160321000616/http://whotv.com/2016/03/16/branstad-has-unique-connection-to-scotus-nominee-merrick-garland/>) from the original on March 21, 2016. Retrieved March 16, 2016.
11. Stolberg, Sheryl Gay; Liptak, Adam (March 16, 2016). "Merrick Garland's Path to Nomination Marked by Deference, With Limits" (<https://www.nytimes.com/2016/03/17/us/politics/merrick-garland-supreme-court-nominee.html>). *The New York Times*. p. A1. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved March 20, 2016.
12. "145 in Chicago, Suburbs Awarded Merit Scholarships" ([https://web.archive.org/web/20110525082340/https://pqasb.pqarchiver.com/chicagotribune/access/630230392.html?dids=630230392:630230392&FMT=ABS&FMTS=ABS:AI&type=historic&date=Apr+30%2C+1970&author=&pub=Chicago+Tribune+\(1963-Current+file\)&edition=&startpage=A10&desc=145+in+Chicago%2C+Suburbs+Awarded+Merit+Scholarships](https://web.archive.org/web/20110525082340/https://pqasb.pqarchiver.com/chicagotribune/access/630230392.html?dids=630230392:630230392&FMT=ABS&FMTS=ABS:AI&type=historic&date=Apr+30%2C+1970&author=&pub=Chicago+Tribune+(1963-Current+file)&edition=&startpage=A10&desc=145+in+Chicago%2C+Suburbs+Awarded+Merit+Scholarships)). *Chicago Tribune*. April 30, 1970. Archived from the original ([https://pqasb.pqarchiver.com/chicagotribune/access/630230392.html?dids=630230392:630230392&FMT=ABS&FMTS=ABS:AI&type=historic&date=Apr+30%2C+1970&author=&pub=Chicago+Tribune+\(1963-Current+file\)&edition=&startpage=A10&desc=145+in+Chicago%2C+Suburbs+Awarded+Merit+Scholarships](https://pqasb.pqarchiver.com/chicagotribune/access/630230392.html?dids=630230392:630230392&FMT=ABS&FMTS=ABS:AI&type=historic&date=Apr+30%2C+1970&author=&pub=Chicago+Tribune+(1963-Current+file)&edition=&startpage=A10&desc=145+in+Chicago%2C+Suburbs+Awarded+Merit+Scholarships)) on May 25, 2011.
13. "Nixon Urges Scholars to Take Active Role in Communities" ([https://web.archive.org/web/20170729173230/https://pqasb.pqarchiver.com/chicagotribune/doc/169837904.html?FMT=ABS&FMTS=ABS:AI&type=historic&date=Jun%205,%201970&author=ALDO%20BECKMAN&pub=Chicago%20Tribune%20\(1963-Current%20file\)&edition=&startpage=2&desc=Nixon%20Urges%20Scholars%20to%20Take%20Active%20Role%20in%20Communities](https://web.archive.org/web/20170729173230/https://pqasb.pqarchiver.com/chicagotribune/doc/169837904.html?FMT=ABS&FMTS=ABS:AI&type=historic&date=Jun%205,%201970&author=ALDO%20BECKMAN&pub=Chicago%20Tribune%20(1963-Current%20file)&edition=&startpage=2&desc=Nixon%20Urges%20Scholars%20to%20Take%20Active%20Role%20in%20Communities)). *Chicago Tribune*. June 5, 1970. Archived from the original ([https://pqasb.pqarchiver.com/chicagotribune/access/598206112.html?dids=598206112:598206112&FMT=ABS&FMTS=ABS:AI&type=historic&date=Jun+5%2C+1970&author=ALDO+BECKMAN&pub=Chicago+Tribune+\(1963-Current+file\)&edition=&startpage=2&desc=Nixon+Urges+Scholars+to+Take+Active+Role+in+Communities](https://pqasb.pqarchiver.com/chicagotribune/access/598206112.html?dids=598206112:598206112&FMT=ABS&FMTS=ABS:AI&type=historic&date=Jun+5%2C+1970&author=ALDO+BECKMAN&pub=Chicago+Tribune+(1963-Current+file)&edition=&startpage=2&desc=Nixon+Urges+Scholars+to+Take+Active+Role+in+Communities)) on July 29, 2017.
14. Elving, Ron (April 9, 2010). "A Short List: Who Will Succeed Justice Stevens?" (<http://www.npr.org/templates/story/story.php?storyId=125766967>). NPR. Retrieved September 11, 2021.
15. *Official Congressional Directory: 116th Congress (2019 - 2020)* (<https://www.govinfo.gov/content/pkg/CDIR-2020-07-22/pdf/CDIR-2020-07-22-JUDICIARY.pdf>) (PDF). U. S. Government Printing Office. 2020. p. 870. ISBN 9780160953866. Archived (<https://web.archive.org/web/20210913130443/https://www.govinfo.gov/content/pkg/CDIR-2020-07-22/pdf/CDIR-2020-07-22-JUDICIARY.pdf>) (PDF) from the original on September 13, 2021. Retrieved March 16, 2016.

16. Goldstein, Amy; Hamburger, Tom (March 27, 2016). "For Merrick Garland, a methodical life of ambition" ([https://www.washingtonpost.com/politics/for-merrick-garland-a-methodical-life-of-ambition-without-sharp-elbows/2016/03/26/e53becc6-f062-11e5-89c3-a647fcce95e0\\_story.html](https://www.washingtonpost.com/politics/for-merrick-garland-a-methodical-life-of-ambition-without-sharp-elbows/2016/03/26/e53becc6-f062-11e5-89c3-a647fcce95e0_story.html)). *The Washington Post*. p. A1. Retrieved March 29, 2016.
17. Stolberg, Sheryl Gay; Apuzzo, Matt; Seelye, Katharine Q. (March 27, 2016). "Merrick Garland Is a Deft Navigator of Washington's Legal Circles" ([https://www.nytimes.com/2016/03/27/us/politics/merrick-garland-obama-supreme-court-nominee.html?\\_r=0](https://www.nytimes.com/2016/03/27/us/politics/merrick-garland-obama-supreme-court-nominee.html?_r=0)). *The New York Times*. p. A1. Retrieved March 29, 2016.
18. Parker, Claire E. (March 17, 2016). "Supreme Court Nominee Maintains Close Harvard Ties" (<https://www.thecrimson.com/article/2016/3/17/Garland-maintains-Harvard-ties/>). *Harvard Crimson*. Retrieved March 20, 2016.
19. Rosen, Andy; Ellement, John R. (March 16, 2016). "Obama Supreme Court nominee Merrick Garland has strong ties to Harvard University" (<https://www.bostonglobe.com/metro/2016/03/16/obama-supreme-court-nominee-has-strong-ties-harvard-university/wE7cgF8qRokW2A9Vq5ygEO/story.html>). *Boston Globe*. Retrieved March 20, 2016.
20. Garland, Merrick Brian (1974). *Industrial reorganization in Britain; an interpretation of government/industry relations in the 1960's* (<https://www.worldcat.org/oclc/76985796>) (Thesis). Harvard University. OCLC 76985796 (<https://www.worldcat.org/oclc/76985796>). Retrieved February 22, 2021.
21. Mauro, Tony (March 26, 2018). "How Merrick Garland Landed a Supreme Court Clerkship With Brennan" (<https://www.law.com/nationallawjournal/2018/03/26/how-merrick-garland-landed-a-supreme-court-clerkship-with-brennan/>). *National Law Journal*. Retrieved September 11, 2021.
22. Garland, Merrick B. (1985). "Deregulation and Judicial Review". *Harvard Law Review*. **98** (3): 505–591. doi:10.2307/1340869 (<https://doi.org/10.2307%2F1340869>). ISSN 0017-811X (<https://www.worldcat.org/issn/0017-811X>). JSTOR 1340869 (<https://www.jstor.org/stable/1340869>).
23. Goldstein, Tom (April 26, 2010). "The Potential Nomination of Merrick Garland" (<http://www.scotusblog.com/2010/04/the-potential-nomination-of-merrick-garland/>). *SCOTUSBlog*. Retrieved April 30, 2010.
24. Perry, Stein (March 17, 2016). "Merrick Garland and D.C. politics: His role in voting rights and Marion Barry's imprisonment" (<https://www.washingtonpost.com/news/local/wp/2016/03/17/merrick-garland-and-d-c-politics-from-voting-rights-to-marion-barry/>). *The Washington Post*. Washington DC. Retrieved March 18, 2016.
25. "Washington Insight" (<https://www.latimes.com/archives/la-xpm-1995-07-06-mn-20694-story.html>). *Los Angeles Times*. July 6, 1995. Archived ([https://web.archive.org/web/20160323101953/http://articles.latimes.com/1995-07-06/news/mn-20694\\_1\\_washington-appellate](https://web.archive.org/web/20160323101953/http://articles.latimes.com/1995-07-06/news/mn-20694_1_washington-appellate)) from the original on March 23, 2016. Retrieved March 16, 2016.
26. "Merrick B. Garland: Selected Primary Material" (<https://fas.org/sgp/crs/misc/garprim.pdf>) (PDF). *U.S. Congressional Research Service*. March 17, 2016. Retrieved August 27, 2018.
27. Lee, Carol E.; Peterson, Kristina; Bravin, Jess (March 16, 2016). "Obama Picks Merrick Garland to Fill Supreme Court Seat" (<https://www.wsj.com/articles/obama-to-pick-merrick-garland-to-fill-supreme-court-seat-sources-say-1458136919>). *The Wall Street Journal*. Retrieved March 20, 2016.

28. Savage, Charles (April 27, 2010). "How Bombing Case Helped Shape Career of a Potential Justice" (<https://www.nytimes.com/2010/04/28/us/politics/28garland.html>). *The New York Times*. Retrieved April 30, 2010.
29. "Hon. Merrick B. Garland" (<https://fedsoc.org/contributors/merrick-garland>). *Federalist Society*. November 19, 2012. Retrieved March 16, 2016.
30. "Harvard Board of Overseers announces election results" (<https://news.harvard.edu/gazette/story/2003/06/harvard-board-of-overseers-announces-election-results/>). *Harvard Gazette*. June 12, 2003. Retrieved July 1, 2010.
31. "Board of Overseers elects senior officers" (<https://news.harvard.edu/gazette/story/2009/04/board-of-overseers-elects-senior-officers/>). *Harvard Gazette*. April 23, 2009. Retrieved September 11, 2021.
32. "Ratings of Article III Judicial Nominees (105th Congress) (1997-1998)" ([https://www.americanbar.org/content/dam/aba/administrative/federal\\_judiciary/ratings105.pdf](https://www.americanbar.org/content/dam/aba/administrative/federal_judiciary/ratings105.pdf)) (PDF). *ABA Standing Committee on the Federal Judiciary*. American Bar Association. 1997. Retrieved March 1, 2012.
33. "104th Congress (1995-1996): January 4, 1995 - January 3, 1996: Senate Committee Meetings by Date" (<https://web.archive.org/web/20051110124053/http://www.lib.ncsu.edu/congbibs/senate/104dgst1.html>). January 4, 1995. Archived from the original (<http://www.lib.ncsu.edu/congbibs/senate/104dgst1.html>) on November 10, 2005.
34. Palazzolo, Joe (March 16, 2016). "Judge Merrick Garland, In His Own Words" (<https://blogs.wsj.com/law/2016/03/16/judge-merrick-garland-in-his-own-words/>). *The Wall Street Journal*. Retrieved March 16, 2016.
35. Lewis, Neil A. (November 30, 1995). "Partisan Gridlock Blocks Senate Confirmations of Federal Judges" (<https://www.nytimes.com/1995/11/30/us/partisan-gridlock-blocks-senate-confirmations-of-federal-judges.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved March 16, 2016.
36. "President Nominates Twenty Two to the Federal Bench" (<https://clintonwhitehouse6.archives.gov/1997/01/1997-01-07-names-of-twenty-two-for-federal-bench-resubmitted.html>) (Press release). The White House. January 7, 1997. Archived (<https://web.archive.org/web/20200923160447/https://clintonwhitehouse6.archives.gov/1997/01/1997-01-07-names-of-twenty-two-for-federal-bench-resubmitted.html>) from the original on September 23, 2020.
37. "U.S. Senate: Roll Call Vote: PN6" ([https://www.senate.gov/legislative/LIS/roll\\_call\\_lists/roll\\_call\\_vote\\_cfm.cfm?congress=105&session=1&vote=00034](https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=105&session=1&vote=00034)). U.S. Senate. January 27, 2015.
38. Wheaton, Sarah; Gerstein, Josh; Seung Min, Kim (March 16, 2016). "Obama picks Merrick Garland for Supreme Court" (<https://www.politico.com/story/2016/03/obama-to-announce-supreme-court-pick-at-11-am-220851>). *Politico*. Retrieved March 16, 2016.
39. Steigerwalt, Amy (2010). *Battle over the Bench: Senators, Interest Groups, and Lower Court Confirmations* (<https://books.google.com/books?id=LU7Xs6Mf8EQC&pg=PA224>). University of Virginia Press. p. 224. ISBN 9780813929989.
40. Merrick Garland (<https://www.fjc.gov/node/1381046>) at the *Biographical Directory of Federal Judges*, a public domain publication of the Federal Judicial Center. Retrieved September 11, 2021.

41. "Merrick B. Garland" (<https://www.cadc.uscourts.gov/internet/home.nsf/content/VL+-+Judges+-+MBG>). United States Court of Appeals for the District of Columbia Circuit. Retrieved March 16, 2016.
42. "Judge Merrick Garland's media law cases: A summary of First Amendment and Freedom of Information Act cases decided by U.S. Supreme Court nominee Merrick Garland" (<https://www.rcfp.org/judge-garland>). Reporters Committee for Freedom of the Press. March 18, 2016. Retrieved March 20, 2016.
43. Cheung, Kelly (May 30, 2013). "More Public Access to Court: D.C. to Release Oral Argument Audio" ([https://blogs.findlaw.com/dc\\_circuit/2013/05/more-public-access-to-court-dc-to-release-oral-argument-audio.html](https://blogs.findlaw.com/dc_circuit/2013/05/more-public-access-to-court-dc-to-release-oral-argument-audio.html)). *FindLaw*. Retrieved June 20, 2013.
44. Ann E. Marimow (February 13, 2020). "Merrick Garland passes gavel to Sri Srinivasan to lead influential appeals court" ([https://www.washingtonpost.com/local/legal-issues/merrick-garland-passes-gavel-to-sri-srinivasan-to-lead-influential-appeals-court/2020/02/13/2bb5e316-4e77-11ea-b721-9f4cdc90bc1c\\_story.html](https://www.washingtonpost.com/local/legal-issues/merrick-garland-passes-gavel-to-sri-srinivasan-to-lead-influential-appeals-court/2020/02/13/2bb5e316-4e77-11ea-b721-9f4cdc90bc1c_story.html)). *Washington Post*. Retrieved September 11, 2021.
45. Ann E. Marimow (March 12, 2019). "Federal judiciary leaders approve new rules to protect court employees from workplace harassment" ([https://www.washingtonpost.com/local/legal-issues/federal-judiciary-leaders-approve-new-rules-to-protect-court-employees-from-workplace-harassment/2019/03/12/588a7208-44c3-11e9-8aab-95b8d80a1e4f\\_story.html](https://www.washingtonpost.com/local/legal-issues/federal-judiciary-leaders-approve-new-rules-to-protect-court-employees-from-workplace-harassment/2019/03/12/588a7208-44c3-11e9-8aab-95b8d80a1e4f_story.html)). *Washington Post*.
46. "Press Release" ([https://www.cadc.uscourts.gov/intranet/home.nsf/Content/Announcement+-+Chief+Judge+Succession+2020/\\$FILE/ChiefChangePressRelease2020.pdf](https://www.cadc.uscourts.gov/intranet/home.nsf/Content/Announcement+-+Chief+Judge+Succession+2020/$FILE/ChiefChangePressRelease2020.pdf)) (PDF) (Press release). United States Courts for the D.C. Circuit. February 11, 2020.
47. Thomsen, Jacqueline (January 24, 2020). "Merrick Garland's Time as Chief Judge of the DC Circuit Is Ending. Sri Srinivasan Is Up Next" (<https://www.law.com/nationallawjournal/2020/01/24/merrick-garlands-time-as-chief-judge-of-the-dc-circuit-is-ending-sri-srinivasan-is-up-next/>). *National Law Journal*. Archived (<https://web.archive.org/web/20210109213714/https://www.law.com/nationallawjournal/2020/01/24/merrick-garlands-time-as-chief-judge-of-the-dc-circuit-is-ending-sri-srinivasan-is-up-next/?slreturn=20210009163712>) from the original on January 9, 2021. Retrieved May 12, 2020.
48. Shear, Michael D.; Harris, Gardiner (March 16, 2016). "Obama to Nominate Merrick Garland to Supreme Court" (<https://www.nytimes.com/2016/03/17/us/politics/obama-supreme-court-nominee.html>). *The New York Times*. Archived (<https://web.archive.org/web/20160316121409/http://www.nytimes.com/2016/03/17/us/politics/obama-supreme-court-nominee.html>) from the original on March 16, 2016. Retrieved March 16, 2016.
49. Taylor, Tom P. (March 8, 2016). "Garland Brings Centrist Flair to D.C. Circuit With Laissez-Faire Approach to Agency Action" (<https://web.archive.org/web/20160318050740/http://www.bna.com/garland-brings-centrist-n57982068551/>). *Bloomberg BNA United States Law Week*. Archived from the original (<http://www.bna.com/garland-brings-centrist-n57982068551/>) on March 18, 2016. Retrieved March 24, 2016.
50. Savage, David G. (March 18, 2016). "Analysis: Supreme Court nominee Merrick Garland has a record of restraint, not activism" (<https://www.latimes.com/nation/la-na-garland-legal-analysis-20160318-story.html>). *Los Angeles Times*. Retrieved March 20, 2016. "Garland 'is almost always deferential to agency interpretations of statutes,' UCLA law professor Ann Carlson wrote"

51. Cicero, Rita Ann (September 4, 2013). "D.C. Circuit orders completion of Yucca Mountain nuclear facility review" (<https://content.next.westlaw.com/Document/Idfa7a32415eb11e38578f7ccc38dcbec/View/FullText.html>). *Westlaw Journal Environmental*. Thomson Reuters. Retrieved September 30, 2013.
52. Rosen, Jeffery (March 17, 2016). "The Nomination of Merrick Garland is a Victory for Judicial Restraint" (<https://www.theatlantic.com/politics/archive/2016/03/why-merrick-garland-is-a-judges-judge/474246/>). *The Atlantic*. Retrieved March 31, 2016.
53. Bravender, Robin (March 17, 2016). "Garland and the case of the 'hapless toad' " (<https://web.archive.org/web/20160320233929/http://www.eenews.net/stories/1060034204>). *Greenwire*. Archived from the original (<http://www.eenews.net/stories/1060034204>) on March 20, 2016. Retrieved March 31, 2016.
54. Savage, Charlie (March 23, 2016). "In Criminal Rulings, Garland Has Usually Sided With Law Enforcement" ([https://www.nytimes.com/2016/03/23/us/politics/merrick-garland-supreme-court-nominee.html?\\_r=0](https://www.nytimes.com/2016/03/23/us/politics/merrick-garland-supreme-court-nominee.html?_r=0)). *The New York Times*. p. A13. Retrieved March 24, 2016.
55. Barnes, Robert (March 18, 2015). "The respectful disagreements of Judge Merrick Garland" ([https://www.washingtonpost.com/politics/courts\\_law/the-respectful-disagreements-of-judge-merrick-garland/2016/03/18/7f8eee4e-ed17-11e5-b0fd-073d5930a7b7\\_story.html](https://www.washingtonpost.com/politics/courts_law/the-respectful-disagreements-of-judge-merrick-garland/2016/03/18/7f8eee4e-ed17-11e5-b0fd-073d5930a7b7_story.html)). *The Washington Post*. Retrieved March 23, 2016.
56. Loughran, Matthew; Swann, James (March 18, 2016). "Judge Garland Would Be Good for HHS, CMS, Attorneys Say" (<http://www.bna.com/judge-garland-good-n57982068731/>). *Bloomberg BNA*. Retrieved March 20, 2016.
57. *US ex rel. Totten v. Bombardier Corp.*, 380 F.3d 488 ([https://scholar.google.com/scholar\\_case?case=17401514961045059989&hl=en&as\\_sdt=2006](https://scholar.google.com/scholar_case?case=17401514961045059989&hl=en&as_sdt=2006)) (D.C. Cir. 2004). (citing Henry J. Friendly, *Benchmarks* (1967)).
58. Palazzolo, Joe (March 17, 2016). "Judge Garland's Career in Dissent" (<https://blogs.wsj.com/law/2016/03/17/judge-garlands-career-in-dissent/>). *The Wall Street Journal*. Retrieved March 23, 2016.
59. Note, *Recent Case: D.C. Circuit Holds the Government's Authority Has Not Unraveled* ([https://harvardlawreview.org/wp-content/uploads/2019/03/1542-1549\\_Online.pdf](https://harvardlawreview.org/wp-content/uploads/2019/03/1542-1549_Online.pdf)), 132 HARV. L. REV. 1542 (2019).
60. *Al-Alwi v. Obama*, 653 F3d 11 ([https://scholar.google.com/scholar\\_case?case=11940843200338139849](https://scholar.google.com/scholar_case?case=11940843200338139849)) (D.C. Cir. 2011).
61. Glaberson, William (June 24, 2008). "Court Voids Finding on Guantánamo Detainee" (<https://www.nytimes.com/2008/06/24/washington/24combatant.html>). *The New York Times*. Retrieved June 24, 2008.
62. Richey, Warren (June 27, 2011). "Supreme Court declines to take up Abu Ghraib detainee lawsuit" (<http://www.csmonitor.com/USA/Justice/2011/0627/Supreme-Court-declines-to-take-up-Abu-Ghraib-detainee-lawsuit>). *Christian Science Monitor*. Retrieved July 1, 2011.
63. Gibney, Mark (2015). "Litigating Transnational Human Rights Obligations" (<https://books.google.com/books?id=zKTwCQAAQBAJ&pg=PA103>). In Vandenhoe, Wouter (ed.). *Challenging Territoriality in Human Rights Law: Building Blocks for a Plural and Diverse Duty-Bearer Regime*. Routledge. p. 103. ISBN 9781317628965.
64. Liptak, Adam (March 18, 2016). "Where Merrick Garland Stands: A Close Look at His Judicial Record" (<https://www.nytimes.com/2016/03/18/us/politics/merrick-garlands-record-and-style-hint-at-his-appeal.html>). *The New York Times*. p. A1. Retrieved March 24, 2016.

65. "Judge Merrick Garland's media law cases" (<https://www.rcfp.org/garland/>). *Reporters Committee for Freedom of the Press*. March 18, 2016. Retrieved June 8, 2016.
66. *Almanac of the Federal Judiciary* (<https://books.google.com/books?id=1PW0pzLIL2cC&pg=RA1-PA7>). Vol. 1. Aspen Publishers. 2011. p. 7. ISBN 978-0735568891.
67. Hasen, Rick (March 17, 2016). "Judge Merrick Garland: A Moderate Liberal on Election Law Issues, With Questions About Boldness" (<http://electionlawblog.org/?p=80981>). *Election Law Blog*. Retrieved March 20, 2016.
68. Zauzmer, Julie (March 16, 2016). "Merrick Garland's record on religious freedom cases, including the contraception case now before the Supreme Court" (<https://www.washingtonpost.com/news/acts-of-faith/wp/2016/03/16/merrick-garlands-record-on-religious-freedom-cases-including-the-contraception-case-now-before-the-supreme-court/>). *The Washington Post*. Retrieved March 20, 2016.
69. *Leviton v. Ashcroft*, 281 F.3d 1313 (<https://www.cadc.uscourts.gov/internet/opinions.nsf/0F5CDE85D8BFCF3A85256F82005D20B9/%24file/00-5346a.txt>) (D.C. Cir. 2002).
70. *Payne v. Salazer*, 619 F.3d 561 ([https://www.cadc.uscourts.gov/internet/opinions.nsf/D71826B2C2A341D98525780700718A04/\\$file/09-5291-1264254.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/D71826B2C2A341D98525780700718A04/$file/09-5291-1264254.pdf)) (D.C. Cir. 2010).
71. Cavendish, Steve (March 16, 2016). "Obama to Nominate Merrick Garland, Who Wrote Decision Opposing D.C. Voting Rights" (<http://www.washingtoncitypaper.com/blogs/citydesk/2016/03/16/obama-to-nominate-merrick-garland-who-wrote-decision-opposing-d-c-voting-rights/>). *The Washington City Paper*. Washington DC. Retrieved March 18, 2016.
72. Gabrielle M. Duvall, *Recent Decisions: From Dusk Till Dawn: The D.C. Circuit's Examination of Juvenile Nocturnal Rights*, 68 *George Washington Law Review* 710 (2000).
73. Chudy, Patryk J. (2000). "Doctrinal Reconstruction: Reconciling Conflicting Standards in Adjudicating Juvenile Curfew Challenges" (<http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=2782&context=clr>). *Cornell Law Review*. **85** (518): 541-48.
74. Harris, Gardiner (March 16, 2016). "For Garland, Third Time Was Charm" (<https://www.nytimes.com/live/obama-supreme-court-nomination/garland-had-been-on-obamas-short-list>). *The New York Times*. Retrieved March 20, 2016.
75. Baker, Peter; Nagourney, Adam (May 27, 2009). "Sotomayor Pick a Product of Lessons From Past Battles" (<https://www.nytimes.com/2009/05/28/us/politics/28select.html>). *The New York Times*. Archived (<https://web.archive.org/web/20150316085646/http://www.nytimes.com/2009/05/28/us/politics/28select.html>) from the original on March 16, 2015. Retrieved June 1, 2009.
76. "Profiles of three possible successors to Justice John Paul Stevens" (<https://www.latimes.com/archives/la-xpm-2010-apr-10-la-na-stevens-thumbs10-2010apr10-story.html>). *Los Angeles Times*. April 10, 2010. Archived (<https://web.archive.org/web/20210109213717/https://www.latimes.com/archives/la-xpm-2010-apr-10-la-na-stevens-thumbs10-2010apr10-story.html>) from the original on January 9, 2021. Retrieved May 12, 2010.
77. de Vogue, Ariane (February 4, 2010). "White House Prepares for Possibility of 2 Supreme Court Vacancies" (<https://abcnews.go.com/print?id=9740077>). *ABC News*. Retrieved March 1, 2010.



78. Bravin, Jess (February 8, 2010). "Democrats Divide on Voice of Possible Top-Court Pick" ([https://www.wsj.com/articles/SB10001424052748703894304575047603606503576?mod=WSJ\\_newsreel\\_us](https://www.wsj.com/articles/SB10001424052748703894304575047603606503576?mod=WSJ_newsreel_us)). *The Wall Street Journal*. Retrieved March 1, 2010.
79. Ferraro, Thomas (May 6, 2010). "Republican would back Garland for Supreme Court" (<https://www.reuters.com/article/us-usa-court-hatch-idUSTRE6456QY20100506>). *Reuters*. Retrieved March 16, 2016.
80. Burr, Thomas (March 16, 2016). "White House notes Hatch called Supreme Court nominee a 'consensus' pick in 2010" (<https://archive.slttrib.com/article.php?id=3670228&itype=CMSID>). *Salt Lake Tribune*. Salt Lake City. Retrieved March 16, 2016.
81. Hirschfeld Davis, Julie (March 4, 2016). "Three More Judges Said to be Vetted for Supreme Court" (<https://www.nytimes.com/2016/03/05/us/politics/three-more-judge-s-said-to-be-vetted-for-supreme-court.html>). *The New York Times*. Archived (<https://web.archive.org/web/20180824165143/https://www.nytimes.com/2016/03/05/us/politics/three-more-judges-said-to-be-vetted-for-supreme-court.html>) from the original on August 24, 2018. Retrieved February 11, 2017.
82. Everett, Burgess (February 13, 2016). "McConnell throws down the gauntlet: No Scalia replacement under Obama" (<https://www.politico.com/story/2016/02/mitch-mcconnell-antonin-scalia-supreme-court-nomination-219248>). *Politico*. Archived (<https://web.archive.org/web/20200919045954/https://www.politico.com/story/2016/02/mitch-mcconnell-antonin-scalia-supreme-court-nomination-219248>) from the original on September 19, 2020. Retrieved March 16, 2016.
83. Chait, Jonathan (February 23, 2016). "No, the Senate's Supreme Court Blockade Has Never Happened in American History" (<https://nymag.com/intelligencer/2016/02/senate-court-blockade-has-never-happened-before.html>). *New York*. Retrieved March 1, 2016.
84. McAuliff, Michael; Bendery, Jennifer (March 10, 2016). "Republican Admits Supreme Court Blockade Is Unprecedented" ([https://www.huffpost.com/entry/lindsey-graham-supreme-court-blockade\\_n\\_56e1a57fe4b065e2e3d504b4](https://www.huffpost.com/entry/lindsey-graham-supreme-court-blockade_n_56e1a57fe4b065e2e3d504b4)). *The Huffington Post*. Retrieved March 30, 2016.
85. Obama, Barack (February 24, 2016). "A Responsibility I Take Seriously" (<https://www.scotusblog.com/2016/02/a-responsibility-i-take-seriously/>). *SCOTUSBlog*. Retrieved March 1, 2016.
86. Liptak, Adam (February 24, 2016). "Obama's Scotusblog Post: Reading Between the Lines" (<https://www.nytimes.com/2016/02/25/us/politics/obama-scotus-post-nominee-translated.html>). *The New York Times*. Retrieved March 1, 2016.
87. Ramsey, David (February 24, 2016). "President Obama responds to Mitch McConnell on Supreme Court vacancy" (<https://arktimes.com/arkansas-blog/2016/02/24/president-obama-responds-to-mitch-mcconnell-on-supreme-court-vacancy>). *Arkansas Times*. Retrieved March 1, 2016. "The one thing I think is important to dispel is any notion that somehow that this is some well established tradition, or some constitutional principle, that a president in his last year in office cannot fill a Supreme Court vacancy."
88. Totenberg, Nina (March 8, 2016). "President Obama Meets With Supreme Court Candidates" (<https://www.npr.org/2016/03/08/469722360/president-obama-meets-with-supreme-court-candidates>). NPR. Retrieved March 30, 2016.

89. Shepherd, Alex (March 16, 2016). "Orrin Hatch once said there was "no question" Merrick Garland could be confirmed to the Supreme Court" (<https://newrepublic.com/minutes/131676/orrin-hatch-said-no-question-merrick-garland-confirmed-supreme-court>). *The New Republic*. Retrieved September 11, 2021.
90. Shear, Michael D.; Harris, Gardiner (March 16, 2016). "Obama Chooses Merrick Garland for Supreme Court" (<https://www.nytimes.com/2016/03/17/us/politics/obama-supreme-court-nominee.html>). *The New York Times*. Archived (<https://web.archive.org/web/20160316121409/http://www.nytimes.com/2016/03/17/us/politics/obama-supreme-court-nominee.html>) from the original on March 16, 2016. Retrieved February 11, 2017.
91. Eilperin, Juliet; DeBonis, Mike; Markon, Jerry (March 16, 2016). "President Obama nominates Merrick Garland to the Supreme Court" ([https://www.washingtonpost.com/world/national-security/president-obama-to-nominate-merrick-garland-to-the-supreme-court-sources-say/2016/03/16/3bc90bc8-eb7c-11e5-a6f3-21ccdbc5f74e\\_story.html](https://www.washingtonpost.com/world/national-security/president-obama-to-nominate-merrick-garland-to-the-supreme-court-sources-say/2016/03/16/3bc90bc8-eb7c-11e5-a6f3-21ccdbc5f74e_story.html)). *The Washington Post*. Retrieved September 11, 2021.
92. Roeder, Oliver (March 16, 2016). "Merrick Garland Is The Oldest Supreme Court Nominee Since Nixon Was President" (<https://fivethirtyeight.com/features/merrick-garland-age-supreme-court/>). *FiveThirtyEight*. Retrieved September 11, 2021.
93. "Ratings of Article III and Article IV Judicial Nominees (114th Congress)" ([https://www.americanbar.org/content/dam/aba/administrative/government\\_affairs\\_office/web-rating-chart-114.pdf](https://www.americanbar.org/content/dam/aba/administrative/government_affairs_office/web-rating-chart-114.pdf)) (PDF). American Bar Association Standing Committee on the Federal Judiciary. 2016. Retrieved September 11, 2021.
94. Totenberg, Nina (September 6, 2016). "170-Plus Days And Counting: GOP Unlikely To End Supreme Court Blockade Soon" (<https://web.archive.org/web/20180930134026/https://www.npr.org/2016/09/06/492857860/173-days-and-counting-gop-unlikely-to-end-blockade-on-garland-nomination-soon>). *NPR*. Archived from the original (<https://www.npr.org/2016/09/06/492857860/173-days-and-counting-gop-unlikely-to-end-blockade-on-garland-nomination-soon>) on September 30, 2018. Retrieved September 11, 2021.
95. Liptak, Adam (June 14, 2016). "Study Calls Snub of Obama's Supreme Court Pick Unprecedented" (<https://www.nytimes.com/2016/06/14/us/politics/obama-supreme-court-merrick-garland.html>). *The New York Times*. Retrieved September 11, 2021. "After a comprehensive look at every past Supreme Court vacancy, two law professors have concluded that it is an unprecedented development ... That categorical stance is new in the nation's history, the professors, Robin Bradley Kar and Jason Mazzone, wrote in a study published online by The New York University Law Review."
96. McConnell, Mitch (March 16, 2016). "McConnell On Supreme Court Nomination" (<https://www.republicanleader.senate.gov/newsroom/remarks/mcconnell-on-supreme-court-nomination>). *republicanleader.senate.gov*. Retrieved September 21, 2020.
97. Schier, Steven E.; Eberly, Todd E. (2017). *The Trump Presidency: Outsider in the Oval Office* (<https://books.google.com/books?id=CgY3DwAAQBAJ&pg=PA71>). Rowman & Littlefield. p. 71. ISBN 9781538105757. Archived (<https://web.archive.org/web/20210911171105/https://books.google.com/books?id=CgY3DwAAQBAJ&pg=PA71>) from the original on September 11, 2021. Retrieved October 11, 2018.

98. Handelsman Shugerman, Jed (2019). "Constitutional Hardball vs. Beanball: Identifying Fundamentally Antidemocratic Tactics" (<https://columbialawreview.org/content/hardball-vs-beanball-identifying-fundamentally-antidemocratic-tactics/>). *Columbia Law Review*. Archived (<https://web.archive.org/web/20190530123602/https://columbialawreview.org/content/hardball-vs-beanball-identifying-fundamentally-antidemocratic-tactics/>) from the original on May 30, 2019. Retrieved May 30, 2019.
99. Ashbee, Edward; Dumbrell, John, eds. (2017). *The Obama Presidency and the Politics of Change* (<https://www.palgrave.com/gp/book/9783319410326#aboutBook>). Palgrave Macmillan. pp. 55, 62. doi:10.1007/978-3-319-41033-3 (<https://doi.org/10.1007%2F978-3-319-41033-3>). ISBN 978-3-319-41032-6. Archived (<https://web.archive.org/web/20181130202254/https://www.palgrave.com/gp/book/9783319410326#aboutBook>) from the original on November 30, 2018. Retrieved October 6, 2018.
100. Fishkin, Joseph; Pozen, David E. (2018). "Asymmetric Constitutional Hardball" (<https://columbialawreview.org/content/asymmetric-constitutional-hardball/>). *Columbia Law Review*. Vol. 118, no. 3. Archived (<https://web.archive.org/web/20190119095233/https://columbialawreview.org/content/asymmetric-constitutional-hardball/>) from the original on January 19, 2019. Retrieved September 11, 2021.
101. Mounk, Yascha (2018). *The People vs. Democracy* (<https://www.hup.harvard.edu/catalog.php?isbn=9780674976825>). Harvard University Press. ISBN 9780674976825. Archived (<https://web.archive.org/web/20181127131526/http://www.hup.harvard.edu/catalog.php?isbn=9780674976825>) from the original on November 27, 2018. Retrieved March 14, 2019.
102. Bravin, Jess (January 3, 2017). "President Obama's Supreme Court Nomination of Merrick Garland Expires" (<https://www.wsj.com/articles/president-obamas-supreme-court-nomination-of-merrick-garland-expires-1483463952>). *The Wall Street Journal*. Archived (<https://web.archive.org/web/20170310012617/https://www.wsj.com/articles/president-obamas-supreme-court-nomination-of-merrick-garland-expires-1483463952>) from the original on March 10, 2017. Retrieved September 11, 2021.
103. Martin, Phillip (July 18, 2016). "Obama's SCOTUS Nominee Suffers Longest Confirmation Delay in History" (<https://progresstexas.org/blog/obamas-scotus-nominee-suffers-longest-confirmation-delay-history>). Progress Texas. Retrieved January 22, 2021.
104. Barnes, Robert (January 31, 2017). "Trump picks Colo. appeals court judge Neil Gorsuch for Supreme Court" ([https://www.washingtonpost.com/politics/trump-picks-colo-appeals-court-judge-neil-gorsuch-for-supreme-court/2017/01/31/2b08a226-e55e-11e6-a547-5fb9411d332c\\_story.html](https://www.washingtonpost.com/politics/trump-picks-colo-appeals-court-judge-neil-gorsuch-for-supreme-court/2017/01/31/2b08a226-e55e-11e6-a547-5fb9411d332c_story.html)). *The Washington Post*. Archived ([https://web.archive.org/web/20170201013448/https://www.washingtonpost.com/politics/trump-picks-colo-appeals-court-judge-neil-gorsuch-for-supreme-court/2017/01/31/2b08a226-e55e-11e6-a547-5fb9411d332c\\_story.html](https://web.archive.org/web/20170201013448/https://www.washingtonpost.com/politics/trump-picks-colo-appeals-court-judge-neil-gorsuch-for-supreme-court/2017/01/31/2b08a226-e55e-11e6-a547-5fb9411d332c_story.html)) from the original on February 1, 2017. Retrieved February 1, 2017.
105. Scarce, Ed (August 9, 2016). "Mitch McConnell: Proud Moment When I Told Obama 'You Will Not Fill This Supreme Court Vacancy' " (<https://crooksandliars.com/2016/08/mitch-mcconnell-mitch-mcconnell-proud>). *Crooks and Liars*. Archived (<https://web.archive.org/web/20180712030142/https://crooksandliars.com/2016/08/mitch-mcconnell-mitch-mcconnell-proud>) from the original on July 12, 2018. Retrieved August 2, 2018.

- L06. Roarty, Alex (August 8, 2016). "Tea Party-Aligned Kentucky Gov May End 95-Year Democratic Reign" (<https://www.rollcall.com/2016/08/06/tea-party-aligned-kentucky-gov-may-end-95-year-democratic-reign/>). *rollcall.com*. Archived (<https://web.archive.org/web/20160822072110/http://www.rollcall.com/news/politics/34561-2>) from the original on August 22, 2016. Retrieved August 21, 2016.
- L07. Alford, Roger (April 3, 2018). "McConnell on midterm elections: 'The wind is going to be in our face'" (<https://kentuckytoday.com/stories/mcconnell-on-elections-the-wind-is-going-to-be-in-our-face,12674>). *Kentucky Today*. Archived (<https://web.archive.org/web/20180404231010/http://kentuckytoday.com/stories/mcconnell-on-elections-the-wind-is-going-to-be-in-our-face,12674>) from the original on April 4, 2018. Retrieved April 5, 2018.
- L08. "Judge Merrick Garland, Attorney General" (<https://web.archive.org/web/20210107150808/https://buildbackbetter.gov/nominees-and-appointees/merrick-garland/>). *Buildbackbetter.gov*. Archived from the original (<https://buildbackbetter.gov/nominees-and-appointees/merrick-garland/>) on January 7, 2021. Retrieved January 7, 2021.
- L09. Bravin, Jess; Gurman, Sadie; Viswanatha, Aruna (January 6, 2021). "Biden to Name Merrick Garland as Attorney General" (<https://www.wsj.com/articles/biden-to-name-appeals-court-judge-merrick-garland-as-attorney-general-11609954069>). *The Wall Street Journal*.
- L10. "PN78-7 - Merrick Brian Garland - Department of Justice" (<https://www.congress.gov/nomination/117th-congress/78/7>). *117th Congress*. March 10, 2021. Retrieved September 11, 2021 - via Congress.gov.
- L11. Benner, Katie (March 10, 2021). "Merrick Garland Is Confirmed as Attorney General" (<https://ghostarchive.org/archive/20211228/https://www.nytimes.com/2021/03/10/us/politics/merrick-garland-attorney-general-confirmation.html>). *The New York Times*. Archived from the original (<https://www.nytimes.com/2021/03/10/us/politics/merrick-garland-attorney-general-confirmation.html>) on December 28, 2021.
- L12. Pengelly, Martin (February 21, 2021). "Merrick Garland vows to target white supremacists as attorney general" (<https://www.theguardian.com/us-news/2021/feb/21/merrick-garland-white-supremacists-attorney-general-senate-judiciary-hearing>). *The Guardian*. Retrieved September 11, 2021.
- L13. Tucker, Eric; Jalonick, Mary Clare; Balsamo, Michael (February 23, 2021). "Garland vows sharp focus on Capitol riot as attorney general" (<https://apnews.com/article/merrick-garland-confirmation-hearing-b5f03bc4ab13c8e42bb9994e7b2765d6>). *Associated Press*. Retrieved September 12, 2021.
- L14. Wolfe, Jan; Lynch, Sarah N. (February 20, 2021). "Biden's attorney general nominee Garland vows to prioritize civil rights" (<https://www.reuters.com/article/us-usa-senate-justice/bidens-attorney-general-nominee-garland-vows-to-prioritize-civil-rights-id-USKBN2AL02W>). *Reuters*. Retrieved March 11, 2021.
- L15. Shabad, Rebecca (March 1, 2021). "Senate committee advances Merrick Garland's nomination for attorney general" (<https://www.nbcnews.com/politics/congress/senate-committee-advances-garland-nomination-attorney-general-n1259139>). *NBC News*. Retrieved March 1, 2021.
- L16. Higgins, Tucker (March 1, 2021). "Merrick Garland's nomination to be attorney general advances to full Senate" (<https://www.cnn.com/2021/03/01/merrick-garland-attorney-general-nomination-advances-in-the-senate.html>). *CNN*. Retrieved March 10, 2021.

- L17. "On the Nomination (Confirmation: Merrick Brian Garland, of Maryland, to be Attorney General)" ([https://www.senate.gov/legislative/LIS/roll\\_call\\_lists/roll\\_call\\_vote\\_cfm.cfm?congress=117&session=1&vote=00114](https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=117&session=1&vote=00114)). *U.S. Senate*. March 10, 2021. Retrieved March 11, 2021.
- L18. Rogers, Alex (March 10, 2021). "Senate confirms Merrick Garland as attorney general" (<https://edition.cnn.com/2021/03/10/politics/garland-senate-confirmation-vote/index.html>). *CNN*. Retrieved March 11, 2021.
- L19. @TheJusticeDept (March 11, 2021). "Judge Merrick Garland takes his oath of office as the 86th Attorney General of the United States as he is sworn in by Assistant Attorney General for Administration Lee Lofthus" (<https://twitter.com/TheJusticeDept/status/1370023440904716291>) (Tweet). Retrieved March 11, 2021 - via Twitter.
- L20. "Russia retaliates for US diplomatic expulsions" (<https://www.bbc.com/news/world-europe-56779433>). *BBC News*. April 16, 2021. Retrieved September 11, 2021.
- L21. Perez, Evan (July 28, 2021). "Liberals may end up liking much of Garland's Justice Department after all" (<https://www.cnn.com/2021/07/28/politics/garland-justice-department/index.html>). *CNN*. Retrieved July 29, 2021.
- L22. Benner, Katie (July 9, 2021). "Garland Settles In but Trump Era Still Shadows the Justice Dept" (<https://www.nytimes.com/2021/07/09/us/politics/merrick-garland-justice-department.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved July 29, 2021.
- L23. Savage, Charlie (May 25, 2021). "The Justice Dept. will fight to keep secret most of a Barr-era memo on whether Trump obstructed the Russia inquiry" (<https://www.nytimes.com/2021/05/25/us/politics/trump-obstruction-barr-russia.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved July 29, 2021.
- L24. Schmidt, Michael S. (May 4, 2021). "Judge Says Barr Mised on How His Justice Dept. Viewed Trump's Actions" (<https://www.nytimes.com/2021/05/04/us/politics/barr-trump-obstruction-russia-inquiry.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Archived (<https://web.archive.org/web/20210504232454/https://www.nytimes.com/2021/05/04/us/politics/barr-trump-obstruction-russia-inquiry.html>) from the original on May 4, 2021. Retrieved July 29, 2021.
- L25. Feuer, Alan; Weiser, Benjamin (June 8, 2021). "Biden Justice Department Seeks to Defend Trump in Suit Over Rape Denial" (<https://www.nytimes.com/2021/06/07/nyregion/trump-jean-carroll-lawsuit.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved July 29, 2021.
- L26. Sneed, Tierney (October 31, 2021). "Takeaways from Merrick Garland's hearing with the House Judiciary Committee" (<https://www.cnn.com/2021/10/21/politics/garland-house-judiciary-testimony-takeaways/index.html>). *CNN*. Retrieved October 21, 2021.
- L27. Sneed, Tierney (October 21, 2021). "Garland: DOJ 'will apply the facts and the law' when considering Bannon referral" (<https://www.cnn.com/2021/10/21/politics/garland-house-judiciary-hearing-oversight/index.html>). *CNN*. Retrieved October 21, 2021.
- L28. "Attorney General Merrick B. Garland Imposes a Moratorium on Federal Executions; Orders Review of Policies and Procedures" (<https://www.justice.gov/opa/pr/attorney-general-merrick-b-garland-imposes-moratorium-federal-executions-orders-review>). *justice.gov* (Press release). July 1, 2021. Retrieved July 29, 2021.

- L29. Swanson, Ian (July 1, 2021). "Garland imposes moratorium on federal executions" (<https://thehill.com/homenews/administration/561255-garland-imposes-moratorium-on-federal-executions>). *The Hill*. Retrieved July 29, 2021.
- L30. Lynch, Sarah N.; Beech, Eric (July 1, 2021). "U.S. attorney general imposes moratorium on federal executions" (<https://www.reuters.com/world/us/us-attorney-general-imposes-moratorium-federal-executions-2021-07-01/>). *Reuters*. Retrieved July 29, 2021.
- L31. Weiser, Benjamin (January 7, 2023). "Suspect in Bike Path Killing Faces First Death Penalty Trial Under Biden" (<https://www.nytimes.com/2023/01/07/nyregion/garland-biden-saipov-death-penalty.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved January 8, 2023.
- L32. "Attorney General Merrick B. Garland Delivered a Policy Address Regarding Voting Rights" (<https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivered-policy-address-regarding-voting-rights>). *justice.gov*. June 11, 2021. Retrieved June 12, 2021.
- L33. Phillips, Kristine (June 11, 2021). "AG Merrick Garland vows to protect voting rights, beef up DOJ civil rights division" (<https://www.usatoday.com/story/news/politics/2021/06/11/ag-garland-beef-up-doj-enforcement-voting-rights-laws/7653940002/>). *USA TODAY*. Retrieved June 12, 2021.
- L34. Cole, Devan; Carrega, Christina; Schouten, Fredreka; Perez, Evan; de Vogue, Ariane; Gallagher, Dianne (June 25, 2021). "Justice Department suing Georgia over voting restrictions" (<https://www.cnn.com/2021/06/25/politics/justice-georgia-voting/index.html>). *CNN*. Retrieved June 25, 2021.
- L35. "Justice Department Issues Guidance on Federal Statutes Regarding Voting Methods and Post-Election "Audits" " (<https://www.justice.gov/opa/pr/justice-department-issues-guidance-federal-statutes-regarding-voting-methods-and-post>). *justice.gov* (Press release). July 28, 2021. Retrieved July 29, 2021.
- L36. Sneed, Tierney (July 28, 2021). "Justice Department puts states on notice about post-election audits and election law changes" (<https://www.cnn.com/2021/07/28/politics/justice-department-election-audit/index.html>). *CNN*. Retrieved July 29, 2021.
- L37. "Justice Department Files Lawsuit Against the State of Texas to Protect Voting Rights" (<https://www.justice.gov/opa/pr/justice-department-files-lawsuit-against-state-texas-protect-voting-rights>). *justice.gov* (Press release). November 4, 2021. Retrieved November 5, 2021.
- L38. Perez, Evan (November 4, 2021). "Justice Department sues Texas over new voting restrictions" (<https://www.cnn.com/2021/11/04/politics/texas-voting-lawsuit/index.html>). *CNN*. Retrieved November 5, 2021.
- L39. "Justice Department Files Lawsuit Against the State of Texas to Challenge Statewide Redistricting Plans" (<https://www.justice.gov/opa/pr/justice-department-files-lawsuit-against-state-texas-challenge-statewide-redistricting-plans>). *justice.gov* (Press release). December 6, 2021. Retrieved December 9, 2021.
- L40. "Attorney General Merrick B. Garland Delivers Remarks Announcing Lawsuit Against the State of Texas to Challenge Statewide Redistricting Plan" (<https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-announcing-lawsuit-against-state-1>). *justice.gov*. December 6, 2021. Retrieved December 9, 2021.



- L41. Timm, Jane C. (December 6, 2021). "In lawsuit, DOJ says Texas voting maps discriminate against Black and Latino voters" (<https://www.nbcnews.com/politics/elections/justice-department-sues-texas-over-gop-drawn-voting-maps-n1285460>). *NBC News*. Retrieved December 9, 2021.
- L42. Sneed, Tierney; Carrega, Christina (December 6, 2021). "DOJ sues Texas over Republican-approved redistricting maps" (<https://www.cnn.com/2021/12/06/politics/texas-doj-redistricting-lawsuit-latino-minority/index.html>). *CNN*. Retrieved December 29, 2021.
- L43. Balsamo, Michael (April 17, 2021). "Garland rescinds Trump-era memo curtailing consent decrees" (<https://apnews.com/article/politics-merrick-garland-jeff-sessions-police-local-governments-075b33730688fe6151f25d76da034413>). *Associated Press*. Retrieved September 11, 2021.
- L44. Benner, Katie (April 16, 2021). "Justice Dept. Restores Use of Consent Decrees for Police Abuses" (<https://www.nytimes.com/2021/04/16/us/politics/justice-department-consent-decrees.html>). *The New York Times*. Retrieved September 11, 2021.
- L45. Carrega, Christina; Cole, Devan (August 5, 2021). "DOJ opens investigation into how Phoenix Police Department treats city's homeless residents" (<https://www.cnn.com/2021/08/05/politics/phoenix-justice-garland/index.html>). *CNN*. Retrieved August 6, 2021.
- L46. Balsamo, Michael; Forliti, Amy (April 21, 2021). "Garland announces sweeping police probe after Floyd verdict" (<https://apnews.com/article/george-floyd-verdict-police-reform-DOJ-e24dd1a390a781af3495fa1e0271f492>). *Associated Press*. Retrieved October 15, 2021.
- L47. Farivar, Masood (April 26, 2021). "2nd Police Department Under Investigation Following Chauvin Conviction" ([https://www.voanews.com/a/usa\\_2nd-police-department-under-investigation-following-chauvin-conviction/6205088.html](https://www.voanews.com/a/usa_2nd-police-department-under-investigation-following-chauvin-conviction/6205088.html)). *Voice of America*. Retrieved October 15, 2021.
- L48. Levine, Mike; Mallin, Alexander (April 26, 2021). "AG Garland announces investigation of Louisville PD's policing practices" (<https://abcnews.go.com/Politics/ag-garland-expected-announce-investigation-louisville-pds-policing/story?id=77319848>). *ABC News*. Retrieved October 15, 2021.
- L49. Nakamura, David (August 5, 2021). "Justice Dept. opens civil rights investigation into Phoenix police department" ([https://www.washingtonpost.com/national-security/phoenix-police-justice-investigation/2021/08/05/ed7918ba-f619-11eb-a49b-d96f2dac0942\\_story.html](https://www.washingtonpost.com/national-security/phoenix-police-justice-investigation/2021/08/05/ed7918ba-f619-11eb-a49b-d96f2dac0942_story.html)). *Washington Post*. ISSN 0190-8286 (<https://www.worldcat.org/issn/0190-8286>). Retrieved October 15, 2021.
- L50. "Justice Department Announces Investigation of the City of Phoenix and the Phoenix Police Department" (<https://www.justice.gov/opa/pr/justice-department-announces-investigation-city-phoenix-and-phoenix-police-department>). *justice.gov* (Press release). August 5, 2021. Retrieved October 15, 2021.
- L51. "Justice Department Launches Investigation of the Mount Vernon Police Department" (<https://www.justice.gov/opa/pr/justice-department-launches-investigation-mount-vernon-police-department>). *justice.gov* (Press release). December 3, 2021. Retrieved December 10, 2021.
- L52. Reimann, Nicholas (December 3, 2021). "Feds Launch Sweeping Probe Of Suburban N.Y. Police Department Over Discrimination Claims" (<https://www.forbes.com/sites/nicholasreimann/2021/12/03/feds-launch-sweeping-probe-of-suburban-ny-police-department-over-discrimination-claims/>). *Forbes*. Retrieved December 10, 2021.

- L53. Carrega, Christina; Campbell, Josh (June 7, 2021). "DOJ ends policy that prohibited federal officers from using body-worn cameras" (<https://www.cnn.com/2021/06/07/politics/body-cameras-justice-department/index.html>). *CNN*. Retrieved September 16, 2021.
- L54. Zapotosky, Matt (June 7, 2021). "Justice Dept. will require its law enforcement officers to use body cameras in certain circumstances" ([https://web.archive.org/web/20221010150655/https://www.washingtonpost.com/national-security/body-cameras-justice-department/2021/06/07/127f86c2-c7f7-11eb-a11b-6c6191ccd599\\_story.html](https://web.archive.org/web/20221010150655/https://www.washingtonpost.com/national-security/body-cameras-justice-department/2021/06/07/127f86c2-c7f7-11eb-a11b-6c6191ccd599_story.html)). *The Washington Post*. Archived from the original ([https://www.washingtonpost.com/national-security/body-cameras-justice-department/2021/06/07/127f86c2-c7f7-11eb-a11b-6c6191ccd599\\_story.html](https://www.washingtonpost.com/national-security/body-cameras-justice-department/2021/06/07/127f86c2-c7f7-11eb-a11b-6c6191ccd599_story.html)) on October 10, 2022.
- L55. "Justice Department Announces First Federal Agents to Use Body-Worn Cameras" (<https://www.justice.gov/opa/pr/justice-department-announces-first-federal-agents-use-body-worn-cameras>). *justice.gov* (Press release). September 1, 2021. Retrieved September 16, 2021.
- L56. Carrega, Christina (September 14, 2021). "Justice Department announces investigation into Georgia prisons" (<https://www.cnn.com/2021/09/14/us/georgia-prisons-justice-department-investigation/index.html>). *CNN*. Retrieved October 21, 2021.
- L57. Sneed, Tierney (October 20, 2021). "'Big, big shifts': How Biden's civil rights pros have reoriented the Justice Department" (<https://www.cnn.com/2021/10/20/politics/doj-biden-civil-rights-policies-texas-georgia-investigations/index.html>). *CNN*. Retrieved October 21, 2021.
- L58. "Justice Department Announces Investigation into Conditions in Georgia Prisons" (<https://www.justice.gov/usao-mdga/pr/justice-department-announces-investigation-conditions-georgia-prisons>). *justice.gov* (Press release). September 14, 2021. Retrieved October 21, 2021.
- L59. "Department of Justice Announces Department-Wide Policy on Chokeholds and 'No-Knock' Entries" (<https://www.justice.gov/opa/pr/department-justice-announces-department-wide-policy-chokeholds-and-no-knock-entries>). *justice.gov* (Press release). September 14, 2021. Retrieved September 16, 2021.
- L60. Carrega, Christina; Nickeas, Peter (September 14, 2021). "Justice Department limits use of chokeholds and 'no-knock' warrants" (<https://www.cnn.com/2021/09/14/politics/justice-chokeholds-no-knock-warrant/index.html>). *CNN*. Retrieved September 16, 2021.
- L61. Tucker, Emma (September 15, 2021). "Bans on chokeholds for federal officers latest in nationwide push to hold police to a 'higher standard' " (<https://www.cnn.com/2021/09/15/us/police-accountability-george-floyd/index.html>). *CNN*. Retrieved September 16, 2021.
- L62. "Justice Department Announces Investigation into Conditions at Five Juvenile Facilities in Texas" (<https://www.justice.gov/opa/pr/justice-department-announces-investigation-conditions-five-juvenile-facilities-texas>). *justice.gov* (Press release). October 13, 2021. Retrieved October 21, 2021.

- L63. Weinsheimer, Bradley (July 26, 2021). "Testimony to Congress" (<https://www.justsecurity.org/wp-content/uploads/2021/07/DOJ-letters-to-former-U.S.-officials-authorizing-testimony-to-Congress-without-executive-privilege.pdf>) (PDF). Letter to Jeffrey A. Rosen. Archived (<https://web.archive.org/web/20210727180146/https://www.justsecurity.org/wp-content/uploads/2021/07/DOJ-letters-to-former-U.S.-officials-authorizing-testimony-to-Congress-without-executive-privilege.pdf>) (PDF) from the original on July 27, 2021. Retrieved August 27, 2021 – via justsecurity.org.
- L64. Perez, Evan (July 27, 2021). "Trump officials can testify on former President's actions leading up to insurrection, Justice Department decides" (<https://www.cnn.com/2021/07/27/politics/doj-executive-privilege-trump-capitol-riot/index.html>). *CNN*. Retrieved July 30, 2021.
- L65. Benner, Katie (July 27, 2021). "Trump officials can testify in inquiries into efforts to subvert election outcome and Jan 6 riot, Justice Dept. says" (<https://www.nytimes.com/2021/07/27/us/politics/trump-officials-jan-6-testify.html>). *The New York Times*. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved July 30, 2021.
- L66. Swan, Betsy Woodruff; Desiderio, Andrew (July 27, 2021). "DOJ: Former Trump officials can testify about Jan 6 Capitol attack" (<https://www.politico.com/news/2021/07/27/doj-trump-officials-testify-jan-6-capitol-attack-500819>). *Politico*. Retrieved July 30, 2021.
- L67. Cohen, Marshall; Sneed, Tierney (July 28, 2021). "DOJ won't protect GOP Rep. Mo Brooks in insurrection lawsuit" (<https://www.cnn.com/2021/07/27/politics/mo-brooks-lawsuit-doj/index.html>). *CNN*. Retrieved July 29, 2021.
- L68. Foran, Clare; Cohen, Zachary; Nobles, Ryan (October 21, 2021). "House votes to hold Steve Bannon in contempt for defying subpoena" (<https://www.cnn.com/2021/10/21/politics/steve-bannon-house-contempt-vote/index.html>). *CNN*. Retrieved October 21, 2021.
- L69. Sneed, Tierney; Schneider, Jessica (October 20, 2021). "Bannon contempt vote puts Attorney General Merrick Garland in center of legal and political storm" (<https://www.cnn.com/2021/10/20/politics/garland-bannon-criminal-referral-house-january-6/index.html>). *CNN*. Retrieved October 21, 2021.
- L70. "Garland names Jack Smith special counsel for Trump criminal probes" (<https://www.politico.com/news/2022/11/18/garland-to-appoint-special-counsel-for-trump-criminal-probes-00069451>). *POLITICO*. November 18, 2022. Retrieved November 18, 2022.
- L71. Thrush, Glenn; Savage, Charlie; Haberman, Maggie; Feuer, Alan (November 18, 2022). "Garland Names Special Counsel for Trump Inquiries" (<https://www.nytimes.com/2022/11/18/us/politics/trump-special-counsel-garland.html>). *The New York Times*. Retrieved November 19, 2022.
- L72. "Justice Department Addresses Violent Threats Against School Officials and Teachers" (<https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>). *justice.gov* (Press release). October 4, 2021. Retrieved October 21, 2021.
- L73. LeBlanc, Paul (October 9, 2021). "McConnell challenges Garland on DOJ effort to address threats against public school board members and teachers" (<https://www.cnn.com/2021/10/09/politics/mitch-mcconnell-merrick-garland-what-public-schools-take-threats/index.html>). *CNN*. Retrieved October 21, 2021.

- L74. Feuer, Alan (November 5, 2021). "'I Don't Want to Die for It': School Board Members Face Rising Threats" (<https://www.nytimes.com/2021/11/05/us/politics/school-board-threats.html>). *New York Times*. Retrieved June 21, 2022.
- L75. "NSBA, AASA Issue Joint Statement Calling for End to Threats and Violence Around Safe School Opening Decisions" (<https://www.nsba.org/News/2021/end-threats-violence-joint-statement>). *National School Boards Association*. September 22, 2021. Retrieved October 28, 2021.
- L76. "National School Boards Association Asks for Federal Assistance to Stop Threats and Acts of Violence Against Public Education Leaders" (<https://www.nsba.org/News/2021/federal-assistance-letter>). *National School Boards Association*. September 30, 2021. Retrieved October 28, 2021.
- L77. "National School Boards Association Statement in Response to Justice Department Action to Address Threats Against School Personnel" (<https://www.nsba.org/News/2021/justice-department-statement>). *National School Boards Association*. October 4, 2021. Retrieved October 28, 2021.
- L78. Quilantan, Bianca (October 25, 2021). "School board group backtracks on letter for security help from DOJ" (<https://www.politico.com/newsletters/weekly-education/2021/10/25/school-board-group-backtracks-on-letter-for-security-help-from-doj-798428>). *Politico*. Retrieved October 28, 2021.
- L79. Kennedy, Brigid (October 21, 2021). "9 House Republicans vote with Democrats to hold Steve Bannon in contempt for defying Jan. 6 subpoena" (<https://theweek.com/congress/1006290/9-house-republicans-vote-with-democrats-to-hold-steve-bannon-in-contempt-for>). *The Week*. Retrieved October 21, 2021.
- L80. Perez, Evan; Sneed, Tierney (October 26, 2021). "Garland faces relentless GOP pressure after issuing memo on school board threats" (<https://www.cnn.com/2021/10/25/politics/garland-school-board-senate-house-hearings/index.html>). *CNN*. Retrieved October 28, 2021.
- L81. Sneed, Tierney (October 27, 2021). "Attorney General Merrick Garland defends memo responding to threats of violence against school board members" (<https://www.cnn.com/2021/10/27/politics/merrick-garland-senate-judiciary-hearing/index.html>). *CNN*. Retrieved October 28, 2021.
- L82. "GOP senators erupt at Garland in heated hearing. Cooper says they misrepresent the facts" (<https://www.cnn.com/videos/politics/2021/10/28/school-board-memo-kth-garland-cruz-sot-ac360-vpx.cnn>). *CNN*. October 28, 2021. Retrieved October 28, 2021.
- L83. "Rebecca Garland, Xan Tanner" (<https://www.nytimes.com/2018/06/17/fashion/weddings/rebecca-garland-xan-tanner.html>). *The New York Times*. June 17, 2018. ISSN 0362-4331 (<https://www.worldcat.org/issn/0362-4331>). Retrieved October 9, 2021.
- L84. Metcalf, Andrew (March 16, 2016). "Obama Nominates Bethesda Resident Merrick Garland to Serve on U.S. Supreme Court" (<https://bethesdamagazine.com/bethesda-beat/politics/obama-nominates-bethesda-resident-merrick-garland-to-serve-on-us-supreme-court/>). *Bethesda Magazine*. Retrieved March 30, 2016.
- L85. Flores, Reena; Shabad, Rebecca (March 16, 2016). "Who is Merrick Garland?" (<http://web.archive.org/web/20160316235951/http://www.cbsnews.com/news/who-is-merrick-garland/>). *CBS News*. Archived from the original (<http://www.cbsnews.com/news/who-is-merrick-garland/>) on March 16, 2016. Retrieved March 16, 2016.

- l86. Scarcella, Mike (July 20, 2021). "AG Garland's daughter won't clerk at SCOTUS while dad's in office" (<https://www.reuters.com/legal/government/ag-garlands-daughter-wont-clerk-scotus-while-dads-office-2021-07-20/>). *Reuters*. Retrieved October 9, 2021.
- l87. Alexander, Dan (August 6, 2021). "How Attorney General Merrick Garland Amassed A \$20 Million Fortune" (<https://www.forbes.com/sites/danalexander/2021/08/06/how-attorney-general-merrick-garland-amassed-a-20-million-fortune>). *Forbes*. Archived (<https://web.archive.org/web/20230118173807/https://www.forbes.com/sites/danalexander/2021/08/06/how-attorney-general-merrick-garland-amassed-a-20-million-fortune/>) from the original on January 18, 2023. Retrieved February 16, 2023.

## Further reading

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- "Questionnaire for Judicial Nominees for Merrick Garland" (<https://www.judiciary.senate.gov/imo/media/doc/Senate%20Judiciary%20Committee%20Questionnaire%205%209%202016.pdf>) (PDF). Washington, D.C.: United States Senate Committee on the Judiciary. 2016. Retrieved September 13, 2021.
- Manuel, Kate M.; Murrill, Brandon J.; Nolan, Andrew, eds. (April 27, 2016). Judge Merrick Garland: His Jurisprudence and Potential Impact on the Supreme Court (<https://sgp.fas.org/crs/misc/R44479.pdf>) (PDF) (Report). Washington, D.C.: Congressional Research Service. R44479. Retrieved September 13, 2021.
- Mason, R. Chuck, ed. (May 2, 2016). Majority, Concurring, and Dissenting Opinions Authored by Judge Merrick Garland (<https://www.fas.org/sgp/crs/misc/R44484.pdf>) (PDF) (Report). Washington, D.C.: Congressional Research Service. R44484. Retrieved September 13, 2021.
- Kar, Robin Bradley; Mazzone, Jason (March 21, 2016). "The Garland Affair: What History and the Constitution Really Say About President Obama's Powers to Appoint a Replacement for Justice Scalia" ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2752287](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2752287)). *NYU Law Review*. **91**: 53. SSRN 2752287 ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2752287](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2752287)). Retrieved September 13, 2021.
- McMillion, Barry J. (March 16, 2016). Nominations to the Supreme Court During Presidential Election Years (1900-Present) (<https://sgp.fas.org/crs/misc/IN10455.pdf>) (PDF) (Report). Washington, D.C.: Congressional Research Service. IN10455. Retrieved May 8, 2022.
- McMillion, Barry J. (October 1, 2020). Supreme Court Vacancies That Occurred During Presidential Election Years (1789-2020)] (<https://sgp.fas.org/crs/misc/IN11514.pdf>) (PDF) (Report). Washington, D.C.: Congressional Research Service. IN11514. Retrieved May 8, 2022.

## External links

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- Biography (<https://www.justice.gov/ag/staff-profile/meet-attorney-general>) at the United States Department of Justice
- Merrick Garland (<https://www.fjc.gov/node/1381046>) at the *Biographical Directory of Federal Judges*, a public domain publication of the Federal Judicial Center.
- Selected Resources on Merrick B. Garland (<https://www.loc.gov/law/find/merrick-garland.php>) at the Law Library of Congress

- [Appearances \(https://www.c-span.org/person/?merrickbgarland\)](https://www.c-span.org/person/?merrickbgarland) on [C-SPAN](#)
  - ["U.S. Senators on the nomination of Merrick Garland," \(https://ballotpedia.org/U.S.\\_Senators\\_on\\_the\\_nomination\\_of\\_Merrick\\_Garland\)](https://ballotpedia.org/U.S._Senators_on_the_nomination_of_Merrick_Garland) in [Ballotpedia](#)
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