

BIDEN-HARRIS TRANSITION

FOR IMMEDIATE RELEASE

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Remarks Announcing Department of Justice Leadership as Prepared for Delivery by President-elect Joe Biden in Wilmington, Delaware

Yesterday was one of the darkest days in the history of our nation.

An unprecedented assault on our democracy.

An assault on the citadel of liberty, the United States Capitol itself.

An assault on the rule of law.

An assault on the most sacred of American undertakings: ratifying the will of the people
in choosing the leadership of their government.

We grieve the loss of life. We grieve the desecration of the people's house.

But what we witnessed yesterday was not dissent. It was disorder.

It was not protest. It was chaos.

They weren't protestors. Don't dare call them protestors.

They were rioters, a mob.

Insurrectionists.

Domestic terrorists.

It's that basic and that simple.

And I wish we could say we couldn't see it coming.

But that isn't true. We could.

For the past four years we've had a president who has made his contempt for our democracy, our Constitution, and the rule of law clear in everything he has done.

He has unleashed an all-out assault on the institutions of our democracy.

And yesterday was but the culmination of that unrelenting attack.

He has attacked the free press who dared to question his power, repeatedly calling the free press the enemy of the people.

Language that has long been used by autocrats and dictators all over the world to hold on to power.

Language that is being used now by autocrats and dictators across the world, only this time with the imprimatur of the outgoing President of the United States.

He has attacked our intelligence services who dared to tell the American people the truth about the efforts of a foreign power to elect him four years ago, choosing instead to believe the word of Vladimir Putin over the word of those who had sworn their allegiance to this nation — many of whom had risked their lives in service in this nation.

He deployed the United States military, tear-gassing peaceful protestors in the pursuit of a photo opportunity in service of his reelection. Even holding the Bible upside down.

An action that led to an apology from the Chairman of the Joint Chiefs of Staff and the outspoken denunciation of the use of the military for domestic political purposes from scores of former military leaders and Secretaries of Defense.

He thought he could stack the courts with friendly judges who would support him no matter what.

He went so far as to say he needed nine justices on the Supreme Court because he thought the election would end up in the Supreme Court and they would hand him the election.

And he was stunned, truly stunned, when the judges he appointed didn't do his bidding, but instead acted with integrity, followed the Constitution, and upheld the rule of law.

Not just once or twice, or three times — but over 60 times.

In more than 60 cases, in state after state after state, and then at the Supreme Court judges, including people he considered quote “his” judges, “Trump judges” — the courts looked at the allegations Trump was making and determined they were without merit.

Nothing was judged to put the election in question or doubt.

You want to understand the importance of democratic institutions in this country?

Take a look at the judiciary in this nation.

Take a look at the pressure it was just subjected to by the sitting president of the United States.

At every level, it rose to the moment during this election.

Did its job.

Acted with complete fairness and impartiality.

With complete honor and integrity.

When history looks back at the moment we just passed through, it will say our democracy survived in no small part because of the men and women who represent the independent judiciary in this nation.

We owe them a deep, deep debt of gratitude.

And then there is his attack on the Department of Justice.

Treating the Attorney General as his personal lawyer and the department as his personal law firm.

Through it all, we would hear the same thing from this president — my generals, my judges, my Attorney General.

And then yesterday.

The culmination of the attack on our institutions of democracy.

This time the Congress itself.

Inciting a mob to attack the Capitol, to threaten the elected Representatives of the people of this nation and even the Vice President, to stop the United States Congress from ratifying the will of the people in a just-completed free and fair election.

Trying to use a mob to silence the voices of nearly 160 million Americans who summoned the courage in the face of a pandemic that threatened their health and their lives to cast their sacred ballot.

I made it clear from the moment I entered this race what I believed was at stake nothing less than who we are as a nation, what we stand for, and what we believe, what we will be.

And at the center of that belief is one of the oldest principles this nation has long held — we are a government of laws — not people.

I said it many times in the campaign.

Our democratic institutions are not relics of another age.

They are what set this nation apart.

They are the guardrails of our democracy.

They are why no president is a king.

No Congress is the House of Lords.

The judiciary doesn't serve the will of the president, or exist to protect him or her.

We have three co-equal branches of government.

Our president is not above the law.

Justice serves the people — it doesn't protect the powerful.

And it is blind.

What we saw yesterday in plain view was another violation of a fundamental tenet of this nation.

Not only did we see a failure to protect one of the three branches of our government, we also saw a clear failure to carry out equal justice.

No one can tell me that if it had been a group of Black Lives Matter protestors yesterday that they wouldn't have been treated very differently than the mob that stormed the Capitol.

We all know that's true. And that is totally unacceptable. And the American people saw it in plain view and I hope it sensitized them to what we have to do.

Not many people know it, but the reason the Department of Justice was formed in 1870 was to enforce the Civil Rights Amendments that grew out of the Civil War — the 13th, 14th and 15th Amendments.

To stand up to the Klan.

To take on domestic terrorism.

This original spirit must once again guide and animate its work.

So as we stand here today, we do so in the wake of yesterday's events.

Events that could not more vividly demonstrate some of the most important work we have to do in this nation.

Committing ourselves to the rule of law in this nation.

Invigorating our democratic institutions.

Carrying out equal justice under the law in America.

There is no more important place for us to do this work than at the Department of Justice.

And there are no more important people to carry out this work than the people I am announcing today.

More than anything, we need to restore the honor, the integrity, and the independence of the Department of Justice in this nation.

I want it to be clear to those who lead the department and those who serve there.

You don't work for me. Your loyalty isn't to me.

It is to the law.

To the Constitution. To the people of this nation. To guarantee justice.

For Attorney General of the United States, I nominate Judge Merrick Garland.

One of the most respected jurists of our time.

Brilliant yet humble.

Distinguished yet modest.

Full of character and decency.

Supreme Court clerk.

Served in the Justice Department during the Carter, Bush 41, and Clinton Administrations, where he embraced the Department's core values of independence and integrity.

As federal prosecutor he took on terrorism and corruption and violent crime always with utmost professionalism and duty to the oath he swore.

Nominated by President Clinton to be a judge on the D.C. Circuit Court of Appeals, considered the second most powerful court in America.

Throughout such a long and distinguished career, he has earned the praise and admiration of members of the bar and bench, and politicians of both parties.

And despite his busy schedule and prestigious position, he still makes time to volunteer regularly tutoring students in Northeast D.C. as he has for more than 20 years.

This is about character.

It is no surprise why President Obama nominated Judge Garland to the Supreme Court.

He embodies honor, decency, integrity — fidelity to the rule of law and judicial independence.

It's those same traits he will now bring as the Attorney General of the United States, not as the personal attorney to the President.

He will restore trust in the rule of law and equal justice under law.

I fully expect that he will receive a fair hearing and swift confirmation.

And once he is confirmed, I will move promptly to nominate his replacement on the D.C. Circuit Court of Appeals and I expect that the distinguished nominee will receive a prompt and fair hearing as well.

For Deputy Attorney General I nominate Lisa Monaco.

A fifteen-year veteran of the Department of Justice, Lisa knows the department inside and out.

She is a definition of what a public servant should be — decent, trusted, and honorable.

A top-flight prosecutor who took on public corruption, corporate fraud, and violent crime.

Chief of Staff to the Director of the FBI.

The first woman ever to be confirmed as Assistant Attorney General for National Security, where she elevated cybersecurity to a top priority — which is even more consequential today.

And at the White House, she was the top homeland security and counterterrorism advisor to President Obama and me.

She coordinated our fight against Al-Qaeda and ISIL. She helped lead our response to the Ebola crisis.

And when the bombs went off at the finish line on Patriot's Day in Boston, her hometown, she coordinated the federal government's response with local and state law enforcement to get to the bottom of this horrible tragedy.

I know she will help restore the integrity and independence of the Department of Justice that she reveres.

For Associate Attorney General, the number 3 job at the Department — I nominate Vanita Gupta.

One of the most respected civil rights lawyers in America.

Started her career at the NAACP Legal Defense Fund.

Then on to the ACLU.

And then to the Justice Department during the Obama-Biden Administration where she led the Civil Rights Division.

At every step, with every case, she has fought for greater equity and to right the wrongs in our justice system where they existed.

And she has done so by bringing people together, earning praise from across the ideological spectrum for her approach to solving some of the thorniest problems we face.

During the Obama-Biden Administration, Vanita was put in charge of investigating abuse of power in police departments in Ferguson, Missouri, and other communities torn apart by acts of violence and racial injustice.

She helped institute common-sense police reforms to build greater equity, safety, and trust.

She was commended for her work both by law enforcement and by those advocating for changes in the criminal justice system.

That is a rare achievement — and it speaks volumes about her capacity to unite people in common purpose, which this is all about.

Born in Philadelphia and a proud daughter of immigrants from India, if confirmed, Vanita will be the first woman of color to serve as Associate Attorney General.

I am grateful that Vanita is leaving her current job leading one of the premier civil rights organizations in the world to answer the call to serve once again and ensure our justice system is even more fair and equitable.

For Assistant Attorney General for the Civil Rights Division, I nominate Kristen Clarke, who has also spent her career advocating for greater equity in the justice system.

A daughter of Jamaican immigrants, Kristen is also one of the most distinguished civil rights attorneys in America.

A proud native of Brooklyn, New York she began her legal career in the very same office she is now nominated to lead.

Her previous tenure with the Justice Department saw her take on some of the most complex civil rights cases — from voting rights and redistricting challenges to prosecuting hate crimes and human trafficking.

She has earned accolades throughout her career — including as the head of the Civil Rights Bureau for her home state of New York, where she led the charge to end the school-to-prison pipeline and root out discrimination in housing and law enforcement.

She currently leads one of the nation's top civil rights organizations, where she promotes greater equity in voting rights, in our education system, our housing system, our justice system, and so much more.

Now, she will return full circle to pursue that vital work where her career began.

The Civil Rights Division represents the moral center of the Department of Justice, and the heart of that fundamental American ideal, that we are created equal and deserve to be treated equally.

I am honored she accepted the call to return to make real that promise for all Americans.

To each of you, thank you for your service and that of your families.

And to the American people, this is the team that will restore your trust and faith in our institutions of democracy.

One of the reasons I ran for president was when I saw those people coming out of the fields in Charlottesville, shouting hate, a young woman killed, and when asked, the President of the United States said there are good people on both sides.

That's why I ran. There is no more important or heartfelt effort on my part than restoring the independence and integrity of our Justice Department.

May God bless you all.

May God protect our troops and those who have sworn to protect the American people

I'll turn it over to the team, starting with the next Attorney General of the United States, Judge Merrick Garland.
