

Congress of the United States
Washington, DC 20515

January 28, 2025

The Honorable James R. McHenry III
Acting U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Acting Attorney General McHenry:

We write to you with alarm and profound concern about reports of the administration engaging in the widespread summary firing and involuntary reassignment of excellent career prosecutors and federal agents throughout the Department of Justice (DOJ). This onslaught against effective DOJ civil servants began within hours of President Donald Trump's inauguration, in complete contradiction of the president's repeated pledges to maintain a merit-based system for government employment.¹ These American public servants working strenuously to defend the rule of law have been removed from their positions without any evaluation—much less any negative evaluation—of their work.

The career professionals you summarily dismissed or transferred from components throughout the Justice Department—including the Criminal Division, the National Security Division, the Executive Office for Immigration Review, the Public Integrity Section, and the Federal Bureau of Investigation (FBI)—are part of an expert, non-political workforce tasked with protecting our national security and public safety.² They have been hired and promoted based on their professional merit and excellence. Many of them have decades of experience under their belt and have served under, been promoted by, and received awards from presidential administrations of both major political parties, including President Trump's first administration.

¹ E.g., LiveNOW from FOX, *FULL REMARKS: Trump Speaks at Pre-Inauguration Rally in D.C.*, YOUTUBE (Jan. 19, 2025), <https://www.youtube.com/watch?v=Sd2ts8lE8Pk&t=1975s>; World Economic Forum, *Davos 2025: Special Address by Donald J. Trump, President of the United States of America*, WORLD ECONOMIC FORUM (Jan. 23, 2025), <https://www.weforum.org/stories/2025/01/davos-2025-special-address-donald-trump-president-united-states/>; CNN, *Watch President Donald Trump's Full 2025 Inauguration Speech*, YOUTUBE (Jan. 20, 2025), https://www.youtube.com/watch?v=BNArBr_J8mA&t=1094s.

² E.g., Perry Stein & Ellen Nakashima, *Justice Dept. Removes Senior Career Officials from Key Positions*, WASH. POST (Jan. 21, 2025), <https://www.washingtonpost.com/national-security/2025/01/21/justice-trump-removes-senior-staffers-national-security-criminal/>; Hannah Rabinowitz, Evan Perez, & Kara Scannell, *Trump DOJ Shake-Up Sidelines Top Prosecutors in National Security, Adds New US Attorneys in DC and New York*, CNN (Jan. 21, 2025), <https://www.cnn.com/2025/01/21/politics/justice-department-shakeup/index.html>; Andrew Goudsward & Sarah N. Lynch, *Trump Administration Reassigns Close to 20 Justice Department Officials*, *Sources Say*, REUTERS (Jan. 23, 2025), <https://www.reuters.com/world/us/trump-administration-reassigns-close-20-justice-department-officials-sources-say-2025-01-22/>; Hamed Aleaziz, *Trump Administration Fires Immigration Court Officials as Crackdown Begins*, N.Y. TIMES (Jan. 20, 2025), <https://www.nytimes.com/2025/01/20/us/politics/trump-administration-fires-immigration-judges.html>; Devlin Barrett & Adam Goldman, *Chief Corruption Prosecutor Resigns From Justice Dept.*, N.Y. TIMES (Jan. 27, 2025), <https://www.nytimes.com/2025/01/27/us/politics/chief-corruption-prosecutor.html>.

Yet, you appear to have removed them from their offices without regard to their demonstrated competencies, their recognized achievements, or their devoted service to the Department, in some cases reassigning them to areas that are outside of their legal expertise. By removing them from their positions in this hasty and unprincipled way, you have very likely violated longstanding federal laws.³

In addition to sacking existing employees who form the backbone of the DOJ, you have taken aim at law students who applied to, interviewed for, and received offers from the Department based on their demonstrated academic achievements and their commitment to public service.⁴ You have summarily rescinded job offers to summer interns and entry-level attorneys hired through the Attorney General's Honors Program, a highly competitive 72-year-old recruitment program that receives applications from students at hundreds of law schools across the country.⁵ We have also received disturbing reports surfacing that White House staff are playing a substantial role in these employment decisions and examining career civil servants' LinkedIn and other social media profiles to ascertain their personal political leanings.⁶ Taken together, your actions raise significant concern that you are determined to fill the ranks of the DOJ and FBI with career employees selected for the personal loyalty or political services they have rendered to President Trump.⁷

For over 120 years, our country has enjoyed a merit-based federal civil service with federal employees selected "solely on the basis of relative ability, knowledge, and skills," and "[p]rotected against arbitrary action, personal favoritism, or coercion for partisan political

³ E.g., The Civil Service Reform Act of 1978, 92 Stat 1111 (1978) (reforming the U.S. civil service to allow for the improvement of government operations and productivity while protecting federal employees from unwarranted and unfair practices); see also Protecting Democracy, *Supporting and Defending the Constitution: A DOJ attorney's guide to upholding ethical obligations and the rule of law* at 31-32 (Dec. 2024), <https://protectdemocracy.org/wp-content/uploads/2025/01/DOJ-Attorney-Guide-1.pdf>.

⁴ Glenn Thrush, *Justice Dept. Cancels Entry-Level Job Offers in Honors Program*, N.Y. TIMES (Jan. 23, 2025), <https://www.nytimes.com/2025/01/23/us/politics/justice-honors-program-trump.html>.

⁵ Perry Stein & Ann E. Marimow, *Justice Dept. revokes job offers to young lawyers in elite honors program*, WASH. POST (Jan. 23, 2025), <https://www.washingtonpost.com/national-security/2025/01/23/justice-revokes-job-offers-young-lawyers/>.

⁶ Michael Balsamo, *Trump Team Is Questioning Civil Servants at National Security Council About Commitment to His Agenda*, ASSOC. PRESS (Jan. 13, 2025), <https://apnews.com/article/trump-biden-nsc-loyalty-waltz-21913da0464f472cb9fef314fed488e5>; Matthew Lee, Aamer Madhani, & Jill Colvin, *Loyalty Tests and MAGA Checks: Inside the Trump White House's Intense Screening of Job-Seekers*, ASSOC. PRESS (Jan. 25, 2025), <https://apnews.com/article/768fa5cbcf175652655c86203222f47c>.

⁷ See DEMOCRATIC STAFF OF H. COMM. ON OVERSIGHT AND ACCOUNTABILITY, 118TH CONG., *ROOM RATES MAY VARY: HOW DONALD TRUMP VIOLATED THE CONSTITUTION BY FLEECING TAXPAYERS WITH UNLAWFUL AND EXORBITANT HOTEL CHARGES* (Comm. Print 2024) (detailing domestic payments accepted by Donald Trump while he was in office, including from federal and state officials and individuals he appointed to public office); Peter Stone, *Trump's Picks to Reward Top Donors Who Helped Him Win, Watchdogs Say*, GUARDIAN (Nov. 26, 2024), <https://www.theguardian.com/us-news/2024/nov/26/trump-administration-loyalists-donors>; Peter Charalambous, Laura Romero, & Soo Rin Kim, *Trump Has Tapped an Unprecedented 13 Billionaires for His Administration. Here's Who They Are*, ABC NEWS (Dec. 17, 2024), <https://abcnews.go.com/US/trump-tapped-unprecedented-13-billionaires-top-administration-roles/story?id=116872968>.

purposes.”⁸ This approach has protected the federal workforce from being turned into an army of cronies, suck-ups, and sycophants, ensuring that the American people can rely on non-partisan professionals chosen based on their qualifications and their performance. A recent survey of 800 Americans found that 91 percent of participants consider competent civil servants to be “important for a strong American democracy,” and 95 percent “agree civil servants should be hired and promoted based on their merit rather than their political beliefs.”⁹ These principles are all the more important at the DOJ, whose mission, which Thomas Jefferson described as the “most sacred of the duties of government,” is to “uphold the rule of law, to keep our country safe, and to protect civil rights.”¹⁰

Rather than embracing these principles, you seem intent on upending them and returning us to the days of the infamous “spoils system” of the 19th century, when civil servants were hired based on political loyalty rather than professional merit.¹¹ This political patronage system led to a federal workforce that was largely unqualified and prioritized obsequious scraping and bowing, electoral campaigning, and raising money for the President over their official duties.¹²

In order to understand the full scope, extent, and purpose of your personnel actions throughout the DOJ, to determine whether the Department is complying with federal law, and to ensure that the American public is being served by the most qualified prosecutors, federal agents, and professionals, we request that you produce the following information as soon as possible, but no later than 5:00 p.m. on February 11, 2025:

1. A list of all career employees of the DOJ and all its components who have been reassigned from their roles within the DOJ and its components since January 20, 2025, including:
 - a. The name of each employee;
 - b. The number of years each employee has worked for the Department;
 - c. The status of each employee, (e.g., Senior Executive Service, permanent career employee, career-conditional employee, etc.) before and after reassignment;
 - d. Each employee’s respective titles, office locations, and responsibilities before and after reassignment;

⁸ *Biography of an Ideal, A History of the Federal Civil Service*, U.S. OFF. OF PERSONNEL MGMT. (Jan. 16, 2003), <https://dml.armywarcollege.edu/wp-content/uploads/2023/01/OPM-Biography-of-an-Ideal-History-of-Civil-Service-2003.pdf> at 7, 9; *Pendleton Act (1883)*, NAT’L. ARCH. (last visited Jan. 24, 2025), <https://www.archives.gov/milestone-documents/pendleton-act>.

⁹ *Protecting Democracy, Safeguarding the Civil Service*, OUR PUBLIC SERVICE (last visited Jan. 22, 2025), <https://ourpublicservice.org/protecting-democracy/#public-perceptions-of-government>.

¹⁰ *Our Mission*, U.S. DEP’T OF JUSTICE (last visited Jan. 25, 2025), <https://www.justice.gov/about>; Thomas Jefferson, *Note for Destutt de Tracy’s Treatise on Political Economy* (Apr. 6, 1816), <https://founders.archives.gov/documents/Jefferson/03-09-02-0433>.

¹¹ See, e.g., Michael Wolraich, *How Donald Trump’s Plans Could Bring Back the Spoils System*, TIME (May 14, 2024), <https://time.com/6968746/spoils-system-donald-trump/>.

¹² *Id.*

- e. The complete professional evaluation given to each employee's service;
 - f. The amount of notice given to each employee before their reassignment;
 - g. The date each employee was reassigned;
 - h. The reason provided to each employee justifying the decision to reassign them;
 - i. Whether the communication of reassignment was provided to each employee in writing, and if it was, a copy of all of those relevant communications to each reassigned employee; and
 - j. Whether the reassignment of each employee was voluntary or involuntary.
2. A list of all career civil servants who have been removed from the DOJ or any of its components since January 20, 2025, including:
- a. The name of each employee;
 - b. The number of years each employee had worked for the Department before they were removed;
 - c. The status of each employee, (e.g., Senior Executive Service, permanent career employee, career-conditional employee, etc.);
 - d. Each employee's respective title and responsibilities before they were removed;
 - e. The complete professional evaluation given to each employee's service, and the amount of notice given to each employee, before they were removed;
 - f. The date each employee was removed;
 - g. The reason provided to each employee justifying the decision to remove them; and
 - h. Whether the communication of the removal was provided to each employee in writing, and if it was, a copy of all of those relevant communications to each removed employee.

In addition, we request that you provide answers to the following questions as soon as possible, but no later than 5:00 p.m. on February 11, 2025:

1. Since January 20, 2025, have there been any communications between the DOJ and the White House about the content of the personal social media accounts of career DOJ employees or applicants for career positions or internships? If so, please provide a copy or recording of any such communications.
2. Since January 20, 2025, have there been any communications between the DOJ and the White House about the personal political leanings of career DOJ employees or applicants for career positions or internships? If so, please provide a copy or recording of any such communications.

3. Since January 20, 2025, has there been any effort by political appointees at the DOJ to review the content of the personal social media accounts of career DOJ employees or applicants for career positions or internships? If so, please describe (a) the nature of each of these reviews; (b) the names of each of the individuals involved in requesting, conducting, or participating in each of these reviews; (c) the names of any career DOJ employees or applicants for career positions or internships whose personal social media accounts were reviewed, and the position each of them held or had applied to at the time of these reviews; and (d) provide a copy or recording of any communications related to each of these reviews.

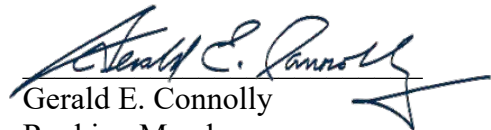
4. Since January 20, 2025, have the personal political leanings of career DOJ employees or applicants for career positions or internships played any role in decisions to fire, reassign, or rescind offers to such individuals? If so, please provide a list of the decisions in which personal political leanings played a role and identify in each case how those personal political leanings were identified and how they factored into any employment decision. Further, please provide a copy or recording of any communications related to these decisions.

Thank you for your prompt attention to this matter of fundamental importance to the integrity and character of our government.

Sincerely,



Jamie Raskin
Ranking Member
House Committee on the Judiciary



Gerald E. Connolly
Ranking Member
House Committee on Oversight
and Government Reform

cc: The Honorable Michael E. Horowitz, Inspector General
U.S. Department of Justice

The Honorable Hampton Dellinger, Special Counsel
U.S. Office of Special Counsel

The Honorable Jim Jordan, Chairman
House Committee on the Judiciary

The Honorable James Comer, Chairman
House Committee on Oversight and Government Reform