

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee
Written Questions for Harmeet Dhillon
Nominee to be Assistant Attorney General for the Civil Rights Division
February 27, 2025

1. You have repeatedly questioned the outcome and legitimacy of the 2020 presidential election. Shortly after Election Day in 2020, you posted “STOP THE STEAL!” on Twitter and encouraged your followers to donate to President Trump’s so-called election defense fund. Yet in a January 2023 *Politico* interview, you said, “I did not file a single one of the lawsuits or take them over after the election. You think as one of the leaders of the Republican National Lawyers Association, I wasn’t asked?”

a. Why did you repeatedly and publicly question the legitimacy of the 2020 election?

RESPONSE: As I stated at my hearing, voter integrity and confidence is critical to ensuring voter turnout in American elections. There were irregularities in the administration of the election in multiple states, which decreased voter confidence in the outcome of the election and which should not be repeated in the future.

b. Why did you refuse to file a lawsuit or take over litigation after the 2020 election?

RESPONSE: I cannot answer this question without violating the attorney-client privilege.

In a *Fox Business* appearance on November 5, 2020, you said, “Meanwhile, we’re waiting for the United States Supreme Court, of which the president has nominated three justices, to step in and do something. And hopefully Amy Coney Barrett will come through and pick it up.”

c. In discussing whether the Supreme Court would rule in favor of President Trump, why did you specify that he had appointed three justices?

RESPONSE: I stated a fact in order to provide better context for the viewing public.

d. Why did you specifically invoke Justice Barrett? Do you believe she is more likely to rule in President Trump’s favor because he nominated her?

RESPONSE: Justice Barrett was then the most recently appointed justice. I do not believe she is more likely to rule in President Trump’s favor because he nominated her.

e. Do you believe federal judges or Supreme Court justices should make decisions as political favors to the President who appointed them?

RESPONSE: No.

2. Your firm's clients currently include President Trump as an individual and the Trump 2024 presidential campaign. Your firm has reportedly received more than \$8 million in legal fees from Trump's team. In the past, President Trump and his political operatives have asked both his personal attorneys and government officials to violate the law and their ethical obligations.

a. Why should we trust you to place the Constitution and your professional obligations ahead of your personal loyalty to President Trump?

Response: As I stated at my hearing, if confirmed, I will start every analysis with the Constitution. The Department of Justice represents the United States and the American people. I have never experienced President Trump asking me or attorneys at my firm to violate the law or ethical obligations.

b. If President Trump attempts to pressure you to engage in unethical or illegal conduct, will you tell him, "No"?

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

c. If you are confirmed, do you commit to recusing yourself from all matters in which you previously represented President Trump?

RESPONSE: If confirmed, were any matter to come before me that might require my recusal, I would consult with the Department of Justice ethics officials and follow my ethical obligations.

3. In his first month in office, President Trump launched an unprecedented assault on the Department of Justice by firing dozens of career officials. The Trump DOJ reassigned the Civil Rights Division's appellate chief and her deputy, and President Trump also fired two Democratic Commissioners on the Equal Employment Opportunity Commission (EEOC)—the federal agency that administers and enforces civil rights laws against workplace discrimination.

a. Did you play any role in the discussions or decisions surrounding efforts to remove or reassign career DOJ officials or EEOC commissioners?

RESPONSE: No.

b. Are you aware of any current efforts to remove or reassign career civil servants in the Civil Rights Division?

RESPONSE: No.

4. As an undergraduate at Dartmouth College, you wrote articles and served as the editor-in-chief for a campus newspaper, *The Dartmouth Review*. During your tenure as editor-in-chief, you published an article comparing Dartmouth's Jewish university president to Adolf Hitler, and an accompanying cartoon, which pictured the president dressed as a Nazi.

The Anti-Defamation League condemned the article and cartoon, stating that they “serve[d] to trivialize the Holocaust and the memory of those people brutally murdered by the Nazis.” However, at the time, you denied that the article was antisemitic and defended its publication.

a. Do you regret publishing this article?

RESPONSE: As I stated at my hearing, I understand the importance of standing up to defend the right to free speech, whether or not you agree with its subject matter.

b. Do you believe it was appropriate to compare university administrators and their policies to Adolf Hitler and the Nazis?

RESPONSE: Please see my response to Question 4(a) above.

5. You retweeted a June 2022 criticism of Senator Cornyn and his Bipartisan Safer Communities Act that stated: “That bill is trash, and the fact that you’re ‘proud’ of it is embarrassing.” I strongly disagree with your suggestion that the bill was “trash.” The legislation cracked down on straw purchases and gun trafficking, expanded background checks for buyers under age 21, and offered support for victims of gun violence.

Why did you suggest that it was embarrassing for Senator Cornyn to be proud of his support for the Bipartisan Safer Communities Act?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

6. In an April 2024 speech you gave at the Wyoming State GOP Convention, you said that “[t]here’s no such thing as gender, there’s only biological sex that God created.” In March 2023, you referred to “the two genders of kids.”

Your comments on sex and gender are wrong on the biological facts and wrong on the law. Just last week, a federal judge highlighted problems with President Trump’s executive order that declared “‘Sex’ shall refer to an individual’s immutable biological classification as either male or female.” The judge noted how that executive order is premised on an assertion that is not biologically correct. There are also intersex individuals, for example.

Your past comments on sex, gender, and transgender individuals are particularly concerning given that you have been nominated to lead the Civil Rights Division of the Department of Justice.

- a. Do you acknowledge that intersex individuals exist? If so, why have your public comments ignored this fact?**

RESPONSE: Yes. My public comments did not concern such individuals.

- b. How can members of the transgender or intersex communities trust you to protect their civil rights?**

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

7. You have often presented yourself as a champion of the First Amendment, including freedom of speech and freedom of the press. You represented Simon Ateba, a Cameroonian journalist, in a case against the Biden White House. You alleged that the Biden White House's process for press credentials was unconstitutional and that the White House engaged in unconstitutional viewpoint discrimination.

Recently, the Trump White House stopped the Associated Press from attending press events at the White House and Mar-a-Lago after the AP refused to call the Gulf of Mexico by President Trump's newly chosen name, the "Gulf of America." Last week, about 40 news organizations signed onto a letter urging the White House to reverse its policy against the AP. The organizations included outlets like *Fox News* and *Newsmax*. The AP has filed a lawsuit in response to the ban, alleging it violates the First Amendment.

- a. Do you believe that the Trump White House has violated the First Amendment by banning the Associated Press?**

RESPONSE: I am not familiar with the facts surrounding the White House's decision.

- b. If confirmed to lead the Civil Rights Division, will you defend the First Amendment rights of all Americans?**

RESPONSE: Yes. As I stated at my hearing, I understand the importance of standing up to defend the right to free speech, whether or not you agree with its subject matter.

8. In a March 2020 *Daily Signal* podcast appearance, you stated that you believe in "traditional marriage." In a May 2022 *Capitol Weekly* podcast appearance, you dismissed concerns that the Supreme Court could move to overturn the right to same-sex marriage, saying, "I don't hear any conservatives talking about that issue."

- a. Do same-sex couples have the constitutional right to marry?**

RESPONSE: The Supreme Court so held in *Obergefell v. Hodges*. *Obergefell* is binding precedent of the Supreme Court and is entitled to respect as such.

b. Will you commit to defending the right of same-sex couples to marry if you are confirmed to lead the Civil Rights Division?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

9. In September 2022 remarks you delivered at Hillsdale College’s Constitution Day Celebration, you said the Department of Justice’s role in elections is “very, very limited.” In a written adaptation of those remarks, you also wrote that DOJ “has the power to administer the Voting Rights Act...But the era of Jim Crow is long gone, and it shouldn’t be up to a politicized DOJ to dictate what election integrity looks like.”

a. What role do you believe the Department of Justice and the Civil Rights Division should play in reviewing state laws and protecting voting rights?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans’ right to vote.

In 2022, you filed an amicus brief on behalf of the Republican National Committee in support of the state of Alabama in the Supreme Court case *Allen v. Milligan*. In that case, Alabama questioned the constitutionality of Section 2 of the Voting Rights Act, which prohibits states and localities from enacting laws or taking actions that have the effect of denying or abridging the right to vote on the basis of race. The Supreme Court, in an opinion by Chief Justice Roberts, rejected Alabama’s arguments in a 2023 decision.

b. Is Section 2 of the Voting Rights Act constitutional? Please provide a “Yes” or “No” answer.

RESPONSE: As I stated at my hearing, if confirmed, I will enforce Section 2 of the Voting Rights Act in accordance with the relevant facts and law.

10. In June 2024 you publicly posted on social media: “The qualified immunity assumption is that cops, prosecutors, government officials and bureaucrats are acting in good faith, so let’s give them the benefit of the doubt and make it hard to sue them. Well, we can no longer assume good faith. Time to update the rules.”

Do you believe the doctrine of qualified immunity needs to be reconsidered or abolished?

RESPONSE: Qualified immunity determinations are very fact-specific. If confirmed, I look forward to meeting with other members of the Department to discuss this issue.

11. In a March 2013 interview with NPR, you expressed concerns with the 2013 reauthorization of the Violence Against Women Act (VAWA). In discussing domestic violence and VAWA, you questioned “whether there should a federal law over it,” and stated that “there are certain aspects of that law that are troublesome.”

In 2022, Congress reauthorized VAWA through 2027. I introduced that legislation alongside the late Senator Feinstein and two Republican Senators. When it passed into law, I noted the reauthorization bill represented the very best of Washington: a bipartisan coalition coming together to prove this country's commitment to protecting the most vulnerable.

Will you commit to supporting the next reauthorization of the Violence Against Women Act?

RESPONSE: It would be inappropriate to commit at this time to a position with respect to any proposed federal legislation or proposed reauthorization of federal legislation. If confirmed and called upon to provide my position on proposed legislation, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

12. You are the CEO of a nonprofit you founded in 2018, the Center for American Liberty (CAL). Public reporting has identified several ethics problems relating to the CAL's relationship with Dhillon Law Group. In 2020, Dhillon Law Group received over \$800,000 in legal fees from CAL and was listed as its largest single contractor. In 2021, Dhillon Law Group received over \$500,000 in fees from CAL, making it CAL's second highest-earning contractor.

In addition to the millions of dollars in legal fees your nonprofit has paid to your law firm, CAL has also paid you an annual salary of \$120,000. Tax filings initially indicated that you received this salary for a two-hour work week, although CAL's executive director claimed that those filings were incorrect and should have indicated you worked for CAL for 40 hours per week.

a. Did you work for the Center for American Liberty for 40 hours per week in 2021, on top of your legal practice and other activities?

RESPONSE: Yes.

b. Do you recognize any ethical problem posed by your receiving a six-figure salary from this nonprofit organization in addition to the legal fees the organization pays to your law firm—particularly since your law firm's financial records are not public?

RESPONSE: No.

13. You have criticized Justice Ketanji Brown Jackson, claiming in a March 2022 *New York Post* op-ed that her confirmation hearing testimony was "troubling to the point of being disqualifying."

Do you still believe that Justice Jackson's testimony during her confirmation hearing disqualified her from serving on the Supreme Court?

RESPONSE: Justice Jackson has now been confirmed by the Senate. I would hope and expect that she would give a fair hearing to all of the cases coming before her, including those involving the Department of Justice, and that she would issue her decisions based upon the best reading of the law.

14. Reproductive freedom has been a divisive issue. Sadly, some people have moved past rhetoric and have made threats and committed violence against reproductive health clinics. Since 1977, there have been at least 11 murders, 42 bombings, 200 arson attacks, 531 assaults, and thousands of incidents of criminal activities directed at providers, patients, and volunteers at reproductive health clinics.

In the years following the *Dobbs* decision, there has been an increase in incidents of violence and intimidation targeted at reproductive health clinics. In 2022, there was a 100 percent increase in arson attacks, a 231 percent increase in burglaries, a 229 percent increase in stalking incidents, and anthrax and bioterrorism threats against clinics for the first time in over a decade. This uptick in attacks disproportionately occurred in states that protect abortion access.

a. Do you agree that violence, intimidation, and interference with the lawful exercise of rights has no place in American society?

RESPONSE: Yes.

b. Will you commit to fully enforcing the civil rights laws of the United States and seeking to hold accountable those who violate these laws, including people who threaten, interfere with, or commit violence against others based on reproductive health care activity?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

There are laws on the books to address these attacks. One such law, the Freedom of Access to Clinic Entrances Act, or the FACE Act, was passed in 1994 and prohibits injuring, intimidating, or interfering with a person because they are obtaining or providing reproductive health services. Similarly, the law prohibits property damage to reproductive health services facilities.

In a Department of Justice memo issued on January 24, 2025, Chad Mizelle—the chief of staff to the Attorney General—directed federal prosecutors to limit enforcement of the FACE Act. According to the memo, future prosecutions and civil actions under the FACE Act will only be allowed under “extraordinary circumstances” or in cases involving “significant aggravating factors” such as “death, serious bodily harm, or serious property damage.” Mizelle also wrote that, “until further notice, no new abortion-related FACE Act actions—criminal or civil—will be permitted without authorization from the Assistant Attorney General for the Civil Rights Division.”

The memo instructed the Civil Rights Division to drop three pending actions that were filed after antiabortion activists had forced temporary evacuations of reproductive health clinics. In one case, an antiabortion activist had forced a temporary shutdown of a Philadelphia clinic after barricading himself inside the clinic's restroom. This antiabortion activist, who had previously been linked to 19 other incidents in clinics across the country, said that he would "do it again," according to court filings.

If confirmed to serve as Assistant Attorney General for the Civil Rights Division, you would set FACE Act enforcement priorities, which would be followed by U.S. Attorney's offices around the country.

c. Do you agree with Mr. Mizelle's memo's directive ordering decreased enforcement of the FACE Act?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the referenced memorandum.

d. Do you agree with the memo's directive to drop three FACE Act cases?

RESPONSE: Please see my response to Question 14(c) above.

e. Given the increase in violence and threats targeting reproductive health clinics in recent years, what criteria will you use to decide which acts are investigated and prosecuted under the FACE Act?

RESPONSE: The Department's investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

f. Will you commit to enforcing the FACE Act to protect reproductive health clinics and providers that provide abortion services in addition to clinics and providers that do not provide abortion services?

RESPONSE: Please see my response to Question 14(b) above.

15. The Department of Justice's Civil Rights Division has a long tradition of protecting the rights of all Americans, as it has the authority to enforce virtually every federal civil rights statute on the books. Unfortunately, the Civil Rights Division became a shell of its former self during President Trump's first term. An analysis of the first two years of the Trump Administration found that the Division investigated 60 percent fewer cases (including hate crimes, police bias, and disability rights cases) than during the same period of the Obama Administration, and 50 percent fewer than during the same period of the Bush Administration.

Under Attorneys General Sessions and Barr, the Civil Rights Division was significantly restricted from using consent decrees, which give DOJ oversight of law enforcement

agencies that engage in a pattern or practice of civil rights violations. In the first days of the second Trump administration, DOJ froze civil rights litigation, and President Trump has revoked the executive order on “advancing effective, accountable policing, and criminal justice practices to enhance public trust and public safety” negotiated under the Biden Administration.

- a. As Attorney General, how would you ensure that the Civil Rights Division is best positioned to fulfill its mission of upholding the civil rights of all Americans?**

RESPONSE: If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

- b. Will you commit to using all tools at the Justice Department’s disposal to ensure that federal law enforcement is held to the highest standards of effective and constitutional policing with accountability and transparency?**

RESPONSE: Yes.

16. In your Public Financial Disclosure Report (OGE Form 278e), you disclosed that you received compensation exceeding \$5,000 from X Corp. as payment for content creation and that you received compensation exceeding \$5,000 from X Corp. for legal services. You also listed content creation income of \$43,531, which you described as “X Creator Revenue Sharing.”

- a. What legal services did you perform for X Corp.?**

RESPONSE: I cannot answer this question without violating the attorney-client privilege.

- b. Did you or do you perceive any conflict of interest between your legal services for X Corp. and X Corp.’s payments to you for content creation?**

RESPONSE: No.

17. A staffer with the so-called Department of Government Efficiency, Marko Elez, publicly posted multiple racist statements, including “Normalize Indian hate,” “I just want a eugenic immigration policy, is that too much to ask,” and “Just for the record, I was racist before it was cool.”

- a. Do you condemn these statements?**

RESPONSE: Racial discrimination is morally wrong and illegal under the civil rights laws. However, I am not familiar with the statements to which this question refers.

- b. If you are confirmed, would you hire or retain anyone in the Civil Rights Division who you knew had made racist statements similar to those listed above?**

RESPONSE: Please see my response to Question 17(a) above.

Vice President Vance supported rehiring Elez after Elez resigned following public reporting on his racist posts. When asked about the matter, President Trump said, “I’m with the Vice President.”

c. Do you agree with President Trump, Vice President Vance, and the decision to rehire Elez?

RESPONSE: Please see my response to Question 17(a) above.

d. Are there any racist statements that you believe are disqualifying for an individual seeking to serve in the Civil Rights Division?

RESPONSE: Please see my response to Question 17(a) above.

18. In a July 2024 appearance on *India Today Global*, you said that “many” undocumented people who have entered the United States are “the worst criminals” and “degenerates.” The Civil Rights Division is responsible for safeguarding the civil and constitutional rights of all people in the United States. Among those people are undocumented children, who have rights to protection from discrimination and harassment on the basis of national origin, as well as a constitutional right to public education regardless of their immigration status under *Plyler v. Doe*, 457 U.S. 202 (1982).

a. How would you safeguard these rights in light of immigration enforcement actions being taken in sensitive locations like schools, which, under longstanding policy recently rescinded by the Trump Administration, had generally been exempt from such enforcement operations absent real public safety reasons?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the policies referred to in this question. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to enforce the civil rights laws.

There are already widespread reports that children are now afraid to go to school and parents are afraid to send their children to school, as well as reports of increased harassment of children because of their national origin.

b. How will you address the effect these new enforcement practices are having on the safety and rights of undocumented children?

RESPONSE: Please see my response to Question 18(a) above.

**Nomination of Harmeet Dhillon
To be Assistant Attorney General of the Civil Rights Division
United States Department of Justice
Questions for the Record
Submitted February 27, 2025**

QUESTIONS FROM SENATOR WHITEHOUSE

Please answer each question individually and as specifically as possible.

1. You spread misinformation about the 2020 election and conspiracies about voter fraud and brought litigation that would make it more difficult for people to vote. How does that activity square with the Civil Rights Division's traditional role to protect voting rights?

RESPONSE: As I stated at my hearing, voter integrity and confidence is critical to ensuring voter turnout in American elections.

2. There is a freeze on civil rights litigation at the Department of Justice. If you are confirmed, will you pursue litigation to protect civil rights of all Americans?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

3. The Civil Rights Division is responsible for enforcing the Freedom of Access to Clinic Entrances Act. Will you commit to uniformly enforcing the FACE Act, including for patients seeking access to reproductive health care facilities?

RESPONSE: Please see my response to Question 2 above.

4. Was the U.S. Capitol attacked by a violent mob on January 6, 2021?

RESPONSE: It is not appropriate to describe the events of that day in the way this question is framed.

5. Were violent rioters who were convicted of criminal activity on January 6 political prisoners?

RESPONSE: Please see my response to Question 4 above.

6. After the 2020 presidential election, you Tweeted "STOP THE STEAL!" Why?

RESPONSE: Please see my response to Question 1 above.

7. Did Joe Biden win the 2020 presidential election?

RESPONSE: Former President Joseph Biden was sworn in as our 46th President on January 20, 2021.

8. If Donald Trump asks you to do something illegal, will you do it?

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

9. If Donald Trump asks you to investigate and sue his political enemies as retribution, even when there is no evidence of wrongdoing, will you do it?

RESPONSE: Please see my response to Question 8 above.

10. If Donald Trump asks you to forgo investigating his political allies, even when there is clear evidence of a civil rights violation, will you forgo the investigation and prosecution?

RESPONSE: Please see my response to Question 8 above.

Senate Judiciary Committee
Hearing on the Nomination of Harmeet Dhillon
to be Assistant Attorney General for the Civil Rights Division
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Questions for the Record
Senator Amy Klobuchar

1. I am very concerned about the rise in hate crimes, including against members of both the Muslim and Jewish communities following the Hamas terrorist attack in Israel. Unfortunately, we have seen thousands of hate crimes motivated by antisemitism and anti-Muslim bias over the last decade, including at the Dar Al-Farooq Islamic Center in my home state of Minnesota, which was the target of a bombing in 2017.

- Do you agree that prosecuting hate crimes should be a priority for the Civil Rights Division?

RESPONSE: Yes.

- Under your leadership how will the Civil Rights Division work with state and local law enforcement to combat crimes against every community that is victimized by hate crimes, including the Muslim and Jewish communities?

RESPONSE: As I stated at my hearing, antisemitism and other religious discrimination is a problem in the United States. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

2. I worked to support survivors of trafficking and provide resources to federal, state, and local law enforcement officials on the front lines. The Civil Rights Division combats human trafficking through the Human Trafficking Prosecution Unit.

- How can we work together to strengthen our ability to combat human trafficking?

RESPONSE: As I stated at my hearing, I have stood up for the rights of the defenseless throughout my legal career. If confirmed, I welcome the chance to work with the Committee on this important issue.

3. We should be doing everything we can to foster the right to vote, which lies at the foundation of our democracy. My state has a tradition of same-day registration, which has helped our high turnout rates.

- What are your views on voter registration, and on other measures intended to help citizens exercise their constitutional right to vote?

RESPONSE: As I stated at my hearing, voter integrity and confidence is critical to ensuring voter turnout in American elections. As I also stated at my hearing, if confirmed, I will safeguard Americans' right to vote.

4. At her nominations hearing, Attorney General Bondi committed to enforce the *Freedom of Access to Clinic Entrances* ("FACE") Act, which protects patients, providers, and facilities that provide reproductive health services. Yet, days after her hearing, President Trump pardoned 23 people who were convicted of violating the *FACE Act*.

The Acting Associate Attorney General has also issued a memorandum limiting enforcement of the *FACE Act*. Under this order, you will have the sole authority to direct enforcement of this law.

- Will you commit to vigorous enforcement of the *FACE Act* to protect facilities and providers of reproductive healthcare services, including but not limited to abortion services?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

5. You were co-chair of "Lawyers for Trump." You and this group advocated for President Trump's efforts to overturn the 2020 election. Project 2025 has written that the Justice Department should use federal civil rights laws to prosecute state election officials who, in 2020, ensured access to the ballot box, based on election officials' interpretation of state election laws.

- If you are confirmed, will you commit to not using laws enforced by the Civil Rights Division to relitigate the 2020 election, including by investigating election officials in states which certified President Biden's electoral victory in 2020?

RESPONSE: Former President Joseph Biden was sworn in as our 46th President on January 20, 2021. As I stated at my hearing, voter integrity and confidence is critical to ensuring voter turnout in American elections. As I also stated at my hearing, if confirmed, I will safeguard Americans' right to vote.

**Nomination of Harmeet Dhillon to be Assistant Attorney General for the Civil Rights
Division of the U.S. Department of Justice
Questions for the Record
Submitted February 27, 2025**

QUESTIONS FROM SENATOR COONS

1. Who does the U.S. Department of Justice Civil Rights Division work for?

RESPONSE: The United States and the American people.

2. In a memo issued to Department of Justice personnel on her first day in office, Attorney General Bondi referred to the Department's attorneys as the President's lawyers.
- a. Do you agree with that characterization of Department of Justice attorneys?

RESPONSE: Please see my response to Question 1 above.

- b. If confirmed, would you consider yourself President Trump's lawyer?

RESPONSE: Please see my response to Question 1 above.

3. If President Trump asked you to do something you judged to be illegal or unethical, would you resign? Please answer yes or no.

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

- a. If you would not resign, what would you do?

RESPONSE: Please see my response to Question 3 above.

4. As a Justice Department lawyer, when is it appropriate to refuse to follow a directive of the President?

RESPONSE: Justice Department lawyers should always uphold their oaths to support and defend the Constitution, and act in accordance with applicable laws, regulations, and Department policies.

5. How would you respond if your role at the Department of Justice required you to follow a policy directive that was unconstitutional?

RESPONSE: Please see my response to Question 3 above.

6. When is it appropriate for the Department of Justice to decide not to defend a federal law?

RESPONSE: While I have not had occasion to consider the issue in depth, it is my understanding that 28 U.S.C. § 530D applies to situations in which the Department determines not to defend unconstitutional federal laws.

7. What is the remedy if the President violates his constitutional duty to faithfully execute the laws?

RESPONSE: In my career as an attorney in private practice, I have not had occasion to consider this issue.

8. What, in your view, are the circumstances when it is appropriate for the President or another White House official to contact the Department of Justice or the FBI with instructions on how to conduct an ongoing criminal investigation?

RESPONSE: It is my understanding that Attorneys General have issued memoranda governing Department officials' contacts with the White House. If confirmed, I would comply with any applicable memoranda from the Attorneys General, as well as all applicable laws and the Constitution.

- a. What factors or criteria would you examine to determine if contacts were appropriate?

RESPONSE: Please see my response to Question 8 above.

- b. What would you do if there were inappropriate communications between the White House and the Department of Justice regarding an investigation?

RESPONSE: Please see my response to Question 8 above.

- c. Is it ever appropriate for the President or another White House official to contact the Department of Justice or the FBI to recommend or request that they open a new investigation?

RESPONSE: Please see my response to Question 8 above.

- d. Is it ever appropriate for the President or another White House official to contact the Department of Justice or the FBI to recommend or request suspending or closing an ongoing investigation?

RESPONSE: Please see my response to Question 8 above.

- e. Is it ever appropriate for the President or another White House official to ask the Department of Justice or the FBI about an ongoing investigation that potentially implicates the President and/or other White House officials?

RESPONSE: Please see my response to Question 8 above.

- f. Does the President have the authority to order the FBI to initiate an investigation into a specific individual?

RESPONSE: The President is bound by the terms of his oath, the Constitution, and applicable law.

- 9. Do you believe that various forms of discrimination exist, and that it is the Civil Rights Division's job to enforce violations of the *Civil Rights Act*?

RESPONSE: Yes, although great progress has been made in this regard. If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

- 10. Which laws does the Civil Rights Division enforce?

RESPONSE: The Civil Rights Division enforces a number of civil rights laws, including the Civil Rights Act of 1964, the Civil Rights Act of 1957, the Civil Rights Act of 1960, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, the Equal Educational Opportunities Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, the Pregnant Workers Fairness Act, the Fair Housing Act, the Equal Credit Opportunity Act, the Religious Land Use and Institutionalized Persons Act, the housing subpart of the Violence Against Women Act, the Service Members Civil Relief Act, the Uniformed Services Employment and Reemployment Rights Act, the Violent Crime Control and Law Enforcement Act of 1994, the Civil Rights of Institutionalized Persons Act, the Freedom of Access to Clinic Entrances Act, the Omnibus Crime Control and Safe Streets Act, the Voting Rights Act of 1965, the Voting Accessibility for the Elderly and Handicapped Act of 1984, the Uniformed and Overseas Citizens Absentee Voting Act of 1986, the National Voter Registration Act of 1993, the Help America Vote Act of 2002, and the employment discrimination provisions of the Immigration and Nationality Act.

- 11. What is your general approach to deciding how to focus prosecutorial resources?

RESPONSE: If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

- 12. In your opinion, what are the five most important civil rights decisions issued by the United States Supreme Court?

RESPONSE: *Brown v. Board* and other binding precedent of the Supreme Court is entitled to respect as such.

13. What was the holding of the Supreme Court's decision in *Bostock v. Clayton County*, 590 U.S. 644 (2020)?

RESPONSE: *Bostock* held that Title VII prohibits discrimination based on sexual orientation and gender identity.

- a. Will you enforce Title VII of the *Civil Rights Act* as it applies to discrimination against transgender people the same way you would as it applies to discrimination against people on the basis of race?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

- b. Do you believe that transgender students should be able to access sex-segregated facilities in accordance with their gender identity?

RESPONSE: No. As I stated at my hearing, dignity in women's private spaces is being sacrificed on the altar of political correctness. I do believe all individuals are entitled to privacy and dignity.

14. Are state and local governments required to accommodate government workers who state a religious or moral objection to serving individuals of a certain race or sexual orientation?

RESPONSE: The Constitution and federal statutes determine the scope of religious and moral objections to the application of federal civil rights laws. If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

15. Are state and local government officials obligated to comply with federal civil rights laws even when doing so would conflict with their religious or moral beliefs?

RESPONSE: Please see my response to Question 14 above.

16. Anti-Semitic and anti-Islamic hate crimes and incidents have risen sharply in the wake of Hamas' 2023 attacks in Israel. How would you work to mitigate these threats, and what resources do you need from Congress to bolster this work?

RESPONSE: As I stated at my hearing, antisemitism and other religious discrimination is a problem in the United States. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

- a. What specific steps will you take to enhance coordination and training between local law enforcement and FBI branches to recognize, report, and respond to hate crimes?

RESPONSE: As I am not currently at the Department, I have not had occasion to study this issue in detail. If confirmed, I would welcome the opportunity to meet with the FBI and other appropriate law enforcement officials to combat hate crimes.

17. Experts agree that the FBI's hate crimes data is an undercount due to consistently low reporting rates from state and local law enforcement agencies to the FBI.

- a. Do you support a mandate or some other mechanism to require reporting?

RESPONSE: As I am not currently at the Department, I have not had occasion to study this issue in detail. If confirmed, I will, in good faith, meet with the staff and familiarize myself with this issue.

18. If you are confirmed, what will be your strategy to make sure that all witnesses and victims feel safe in reporting hate crimes and other crimes that the FBI investigates?

RESPONSE: As I am not currently at the Department, I have not had occasion to study this issue in detail. If confirmed, I would welcome the opportunity to meet with appropriate Department and FBI officials and discuss what steps the Department can take to ensure that witnesses and victims feel safe in reporting crimes.

19. If confirmed, what procedures would you put in place to avoid politicization of the Civil Rights Division and ensure consultation with career attorneys?

RESPONSE: The Department's investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

20. In June 2023, you reposted on Twitter a criticism of the *Bipartisan Safer Communities Act* and Senator Cornyn's advocacy of the bill in particular, stating: "That bill is trash, and the fact that you're 'proud' of it is embarrassing."

- a. Do you think the *Bipartisan Safer Communities Act* is "trash"?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

- b. Why?

RESPONSE: Please see my response to Question 20(a) above.

21. Evidence shows that solitary confinement has significant mental health consequences when used for extended periods of time. Do you believe solitary confinement should only be used as a last resort?

RESPONSE: I am not familiar with the evidence to which this question refers. If confirmed, I look forward to meeting with other members of the Department to discuss this issue.

a. Do you believe solitary confinement should ever be used for juveniles?

RESPONSE: I have not had occasion to study this particular issue. If confirmed, I look forward to meeting with other members of the Department to discuss this issue.

22. Individuals are being jailed throughout the country when they are unable to pay a variety of court fines and fees. There is often little or no attempt to learn whether these individuals can afford to pay the imposed fines and fees or to work out alternatives to incarceration.

a. Under your leadership, would the Department of Justice work to end this practice?

RESPONSE: If confirmed, I look forward to meeting with other members of the Department to discuss this issue.

b. What is your position on the practice of imposing unaffordable money bail, which results in the pretrial incarceration of the poor who cannot afford to pay?

RESPONSE: Please see my response to Question 22(a) above.

c. Should parents pay the cost of housing their child if that child has been detained in a juvenile detention facility?

RESPONSE: Please see my response to Question 22(a) above.

Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Harmeet Dhillon

Nomination of Harmeet Dhillon to be Assistant Attorney General, Civil Rights Division
Department of Justice
Thursday, February 27, 2025

1. During a January 7, 2021, appearance on *The Ingraham Angle*, you said in regards to January 6 rioters, "...every single criminal who destroyed property and trespassed and threatened our legislators doing their sacred duty should be punished..." The President has now gifted them "full, complete, and unconditional" pardons.
 - a. Do you support the full and unconditional pardons of individuals who assaulted law enforcement officers on January 6?

RESPONSE: The pardon power belongs to the President, and it is inappropriate for me to comment on those decisions.

2. DOJ's Civil Rights Division was created to enforce federal laws protecting the right to vote, including the Voting Rights Act. If confirmed as head of the Civil Rights Division, you will be one of the primary authorities deciding which voting rights cases the DOJ pursues and the position the DOJ will take when it participates.
 - a. Do you believe the Department of Justice has a duty to enforce federal protections for the right to vote, including through civil enforcement against states and localities?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans' right to vote.

- b. Do you believe Section 2 of the Voting Rights Act, which prohibits states and localities from enacting laws or taking actions that have the effect of denying or abridging the right to vote on the basis of race, is constitutional?

RESPONSE: As I stated at my hearing, if confirmed, I will enforce Section 2 of the Voting Rights Act in accordance with the relevant facts and law.

3. An independent Department of Justice is a pillar of our nation and essential to the rule of law. You have a deep personal relationship and loyalty to the President. Your law firm, Dhillon Law Group, represented the President as an individual, and also represented his 2024 campaign.
 - a. If confirmed, will you commit to putting the Constitution and rule of law above the desires of President Trump?

RESPONSE: Yes.

- b. If confirmed, will you commit to recuse yourself from all matters connected to your prior representation of the President?

RESPONSE: If confirmed, were any matter to come before me that might require my recusal, I would consult with the Department of Justice ethics officials and follow my ethical obligations.

- 4. President Trump's executive order entitled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity" does not say what DEI is or what kinds of programs President Trump's thinks are illegal. Private companies, nonprofits, schools and universities, and foundations don't know what they need to do to comply.

- a. Is employer participation in a job fair to hire veterans illegal DEI?

RESPONSE: As I stated at my hearing, the use of racial quotas to deny people equal access to employment or education is illegal.

- b. Is a voluntary affinity group after school where black students gather illegal DEI?

RESPONSE: Please see my response to Question 4(a) above.

- c. Is the offering of a scholarship, by a foundation, to female students who can trace their lineage to participation in the American Revolution illegal DEI?

RESPONSE: Please see my response to Question 4(a) above.

- 5. The COVID-19 Hate Crimes Act was signed into law in 2021. This landmark law included the Jabara-Heyer NO HATE Act, which created three grant programs to combat hate crimes. As the head of the Civil Rights Division, you would be responsible for combating hate-motivated violence and ensuring equal protection under the law.

- a. If confirmed, how will you prepare the Department to solicit and disburse these Jabara-Heyer NO HATE grants once funding becomes available?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the Jabara-Heyer NO HATE grants. If confirmed, I will, in good faith, meet with the staff and familiarize myself with these matters.

- b. If confirmed, how will you ensure hate-crimes are thoroughly investigated, particularly given the recent mass firings of FBI staff by the administration?

RESPONSE: Acts of racially or ethnically motivated violence should be appropriately investigated and prosecuted. If confirmed, I look forward to meeting with other members of the

Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

6. The Freedom of Access to Clinic Entrances (FACE) Act shields people seeking to access and provide reproductive healthcare from violence, obstruction, and threats. Its protection is essential—since 1977, there have been at least 11 murders, 42 bombings, 200 arsons, and 531 assaults directed at reproductive healthcare providers, patients, and volunteers.
 - a. If confirmed, will you commit to continuing to enforce the FACE Act to address violence and threats against those seeking to access or provide reproductive healthcare?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

- i. Will you commit to enforcing the FACE Act to protect both facilities that provide abortions and those that do not?

RESPONSE: Please see my response to Question 6(a) above.

- b. Please describe your criteria for determining which instances will be investigated and prosecuted.

RESPONSE: Please see my response to Question 6(a) above.

Senator Mazie K. Hirono
Senate Judiciary Committee

Nominations Hearing | February 26, 2025
Questions for the Record for Harmeet Dhillon

1. Did Donald Trump lose the 2020 presidential election?

RESPONSE: Former President Joseph Biden was sworn in as our 46th President on January 20, 2021.

2. If confirmed as Assistant Attorney General and facing a conflict between your duties to the Constitution and a request from the President, how will you resolve that conflict?

RESPONSE: As I stated at my hearing, if confirmed, I will start every analysis with the Constitution.

a. If President Trump ever directs, asks, or implies that you should take an action that is unconstitutional, would you do it?

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

3. If a President takes executive action, and a court later rules that action is unconstitutional, is it ever permissible for a President to disregard the court's order? If your answer is yes, please explain in what circumstances you believe the President is permitted to take an action despite the court having ruled that action unconstitutional.

RESPONSE: The President is bound by the terms of his oath, the Constitution, and applicable law. He must abide by all lawful court orders that apply to him.

4. Do you accept that the purpose of the Voting Rights Section of the Civil Rights Division is to uphold federal voting rights protections?

RESPONSE: The Voting Rights Section enforces the civil provisions of federal laws that protect the right to vote, including the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, and the Help America Vote Act.

5. What is the purpose of Section 2 of the Voting Rights Act?

RESPONSE: The Supreme Court recently held in *Brnovich v. DNC* that “Section 2 of the Voting Rights Act provides vital protection against discriminatory voting rules.” *Brnovich* is binding precedent of the Supreme Court entitled to respect as such.

6. Is Section 2 of the Voting Rights Act constitutional?

RESPONSE: As I stated at my hearing, if confirmed, I will enforce Section 2 of the Voting Rights Act in accordance with the relevant facts and law.

7. If confirmed as Assistant Attorney General, do you intend to enforce Section 2 of the Voting Rights Act?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans’ right to vote.

a. If yes, what factors will you use to determine if a local election law violates Section 2? What is your legal basis for relying on these factors?

RESPONSE: The Department’s investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

b. In your legal opinion, if an election law has a discriminatory impact, even if there is no evidence of obvious discriminatory intent, does it violate Section 2? If not, why not?

RESPONSE: As I stated at my hearing, Section 2 of the Voting Rights Act requires actual discrimination or discriminatory intent, which can be proven in many ways.

8. If confirmed as Assistant Attorney General, will you investigate, evaluate, and review state laws that tend to hinder voter turnout in order to determine if they are, in fact, discriminatory?

RESPONSE: Please see my response to Question 7 above.

a. If you will conduct such an investigation, evaluation, and review, will you bring Section 2 claims under the Voting Rights Act for any state laws that are determined to have a discriminatory impact or purpose?

RESPONSE: Please see my response to Question 7, Question 7(a), and Question 7(b) above.

b. If you will not conduct such an investigation, evaluation, and review, why not?

RESPONSE: Please see my response to Question 7, Question 7(a), and Question 7(b) above.

9. If confirmed as Assistant Attorney General, do you intend to use your role as head of the Civil Rights Division to overturn Section 2 of the Voting Rights Act?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans' right to vote. While I have not had occasion to consider the issue in depth, it is my understanding that 28 U.S.C. § 530D applies to situations in which the Department determines not to defend unconstitutional federal laws.

10. If confirmed as Assistant Attorney General, will you work with congress to provide technical assistance on how to re-draft portions of the Voting Rights Act that have been struck down or undermined by the Supreme Court, including Section 4(b)? If not, why not?

RESPONSE: It would be inappropriate to commit at this time to a position with respect to any proposed federal legislation. If confirmed and called upon to provide my position on proposed legislation, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

a. Would Section 4(b) of the Voting Rights Act be constitutional if congress adopts an updated preclearance formula?

RESPONSE: Please see my response to Question 10 above.

11. Is there a constitutional right to interstate travel?

RESPONSE: *United States v. Guest* held that there is a constitutional right to interstate travel. *Guest* is binding precedent of the Supreme Court entitled to respect as such.

12. The Freedom of Access to Clinic Entrances Act, or the FACE Act, prohibits injuring, intimidating, or interfering with a person because they are obtaining or providing reproductive health care services. Similarly, the law prohibits property damage to reproductive health services facilities. If confirmed as Assistant Attorney General, will you enforce the FACE Act against persons who threaten, interfere with, or commit violence against others based on their reproductive health care activity?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

13. If confirmed as Assistant Attorney General, will you prosecute hate crimes committed against all victims based on their race, religion, sexual orientation, gender identity, or other protected characteristics provided in law?

RESPONSE: Yes. The Department's investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

14. On January 29, 2024, you tweeted, “I’m fired up about protecting America’s children from predatory adults pushing trans lies – you cannot change your sex.” [https://twitter.com/pnjaban/status/1752100858719072377] **Despite your apparent belief that transgender people do not exist, do you acknowledge that transgender people have the same civil rights protections as everyone else?**

RESPONSE: Please see my response to Question 12 above.

15. **If confirmed, will you adhere to the Supreme Court’s holding in *Bostock v. Clayton County*, 590 U.S. 644 (2020)?**

RESPONSE: *Bostock* is binding precedent of the Supreme Court entitled to respect as such.

16. **Under existing law, do transgender persons enjoy the same protection against discrimination in employment based on sex as all other persons?** If your answer to this question is anything other than “Yes,” please explain your view of the differences between the protection against discrimination in employment on the basis of sex enjoyed by transgender persons and all other persons.

RESPONSE: *Bostock* held that Title VII prohibits discrimination based on sexual orientation and gender identity.

**Nomination of Harmeet Dhillon to be Assistant Attorney General
of the Civil Rights Division of the U.S. Department of Justice
Questions for the Record
Submitted February 27, 2025**

QUESTIONS FROM SENATOR CORY A. BOOKER

1. The Department of Justice's Civil Rights Division serves an essential role in enforcing federal laws that protect individuals from discrimination based on race, color, national origin, disability, sex (including pregnancy, sexual orientation, and gender identity), religion, and familial status.
 - a. If you are confirmed as Assistant Attorney General (AAG) for the Civil Rights Division, do you commit to protecting the rights of all Americans, even those whose political positions, lifestyles, identities, or beliefs you personally disagree with?

RESPONSE: Yes.

- b. In your view, how critical are the Civil Rights Division's efforts in combating discrimination and upholding constitutional rights?

RESPONSE: Absolutely critical. As I stated at my hearing, each of the Civil Rights Division's eleven sections is charged with an important duty under the Constitution and the civil rights statutes.

- c. Are there particular initiatives or enforcement priorities that the Civil Rights Division has undertaken that you hope to further develop if confirmed?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the Division's current initiatives and enforcement priorities. If confirmed, I will, in good faith, meet with the staff and familiarize myself with these matters.

- d. How will you support and further develop the Civil Rights Division's important work if confirmed?

RESPONSE: Please see my response to Question 1(c) above.

2. In your opinion, is political affiliation alone, without other evidence of wrongdoing, misconduct, or unsatisfactory job performance, appropriate grounds for the demotion, reassignment, or termination of Civil Rights Division personnel?

RESPONSE: As I stated at my hearing, it is my general practice not to react against people based solely on their political views.

- a. If you are confirmed as Assistant Attorney General, will you reverse the demotion, reassignment, or termination of any DOJ personnel made under such circumstances since President Trump's inauguration?

RESPONSE: As I am not currently at the Department, I am not privy to any personnel actions that may have been taken and, therefore, I am unable to commit to any particular action.

- b. If you are confirmed as Assistant Attorney General, will you reverse the demotion, reassignment, or termination of any DOJ personnel for political affiliation if you learn that this was the sole basis for the demotion, reassignment, or termination?

RESPONSE: Please see my responses to Question 2 and Question 2(a) above.

3. According to public reporting,¹ at least four Civil Rights Division senior career officials have been forcibly reassigned to the "Sanctuary Cities Working Group."²

- a. Who was involved in the decision to reassign these officials? Please provide the names of the individuals involved.

RESPONSE: As I am not currently at the Department, I am not privy to any personnel actions that may have been taken.

- b. Has anyone within DOJ ever spoken to you about, or mentioned, these forced reassignments? If yes, please provide the names of the individuals involved, the mode and content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

- c. Has anyone on the presidential transition team ever spoken to you about these forced reassignments? If yes, please provide the names of the individuals involved, the mode and content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

- d. Has anyone in the White House ever spoken to you about, or mentioned, these forced reassignments? If yes, provide the names of the individuals involved, the mode and content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

¹ Andrew Kreighbaum & Ben Penn, *Top Official Replaced at DOJ Immigrant Employee Rights Division*, BLOOMBERG LAW (Feb. 17, 2025), <https://news.bloomberglaw.com/daily-labor-report/top-official-replaced-at-doj-immigrant-employee-rights-division>.

² Mem. from Acting Dep. Att'y Gen. Emil Bove to all Dep't of Justice Employees, *Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement* (Jan. 21, 2015), <https://www.documentcloud.org/documents/25501154-doj-all-staff-memo-jan-21/>.

4. Alberto Ruisanchez, the long-serving chief of the Civil Rights Division Immigrant and Employee Rights Section, was one of the four career officials reassigned to the Sanctuary Cities Working Group.³ On behalf of the Civil Rights Division, Mr. Ruisanchez signed a lawsuit against Space Exploration Technologies Corporation (SpaceX) for discriminating against asylees and refugees in hiring.⁴ The lawsuit alleged that SpaceX routinely discouraged asylees and refugees from applying and refused to hire or consider them, because of their citizenship status, in violation of the Immigration and Nationality Act.

Elon Musk is the founder and CEO of SpaceX. On February 20, 2025, the Department of Justice stated that it would dismiss the case against Musk's SpaceX.⁵

- a. Was Mr. Ruisanchez forcibly reassigned because of his involvement in the case against Mr. Musk's SpaceX?

RESPONSE: Please see my response to Question 3(a) above.

- b. Are you involved in or are you aware of any discussions or plans to terminate, involuntarily reassign, or engage in other adverse personnel changes for any other Civil Rights Division employees involved in this case? Please describe the nature of the discussions or your knowledge of those discussions.

RESPONSE: As I am not currently at the Department, I am not privy to any personnel actions that may have been discussed or planned.

5. Are you involved in or are you aware of any discussions or plans to terminate, involuntarily reassign, or engage in other adverse personnel changes for current Civil Rights Division employees and officials? If yes, provide the names of the individuals involved, the mode and content of those discussions, and the dates those discussions occurred.

RESPONSE: Please see my response to Question 4(b) above.

6. Are you involved in or are you aware of any discussions or plans to terminate or engage in other adverse personnel changes for current Civil Rights Division employees and officials who are on probationary status? If yes, provide the names of the individuals involved, the content of those discussions, and the dates those discussions occurred.

RESPONSE: Please see my response to Question 4(b) above.

³ *Supra* n. 1.

⁴ See Compl. *United States v. Space Exploration Tech. Corp.* (filed Aug. 23, 2023), <https://www.justice.gov/archives/opa/file/1311656/dl?inline>; Press Release, Dep't of Justice, Justice Department Sues SpaceX for Discriminating Against Asylees and Refugees in Hiring (Aug. 24, 2023), <https://www.justice.gov/archives/opa/pr/justice-department-sues-spacex-discriminating-against-asylees-and-refugees-hiring>

⁵ Qasim Nauman, *Justice Dept. to Drop Discrimination Case Against Elon Musk's SpaceX*, NY TIMES (Feb. 20, 2025), <https://www.nytimes.com/2025/02/20/us/politics/spacex-elon-musk-discrimination-doj.html>.

7. If any other Civil Rights Division employees or officials are terminated, involuntarily reassigned, or subjected to any other adverse personnel changes before you are confirmed, will you commit to reviewing those decisions and ensuring fair process to all Civil Rights Division employees and officials?

RESPONSE: As I am not currently at the Department, I am not privy to any personnel actions that may be taken and, therefore, I am unable to commit to any particular action.

8. Are you involved in or are you aware of any discussions or plans to eliminate or dissolve any of the 11 Sections within the Civil Rights Division? If yes, provide the names of the individuals involved, the content of those discussions, and the dates those discussions occurred.

RESPONSE: No. As I stated at my hearing, each of the Civil Rights Division's eleven sections is charged with an important duty under the Constitution and the civil rights statutes.

9. Are you involved in or are you aware of any discussions or plans to move or reassign some or all of the statutory enforcement authority of the Criminal Section⁶ of the Civil Rights Division to the Criminal Division of the Department of Justice? If yes, provide the names of the individuals involved, the content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

10. On January 22, 2025, Department of Justice leadership ordered a freeze on all litigation in the Civil Rights Division, including agreements with police departments to address racial discrimination.⁷

- a. Did you participate in the drafting of this memo? If yes, please describe your involvement in its drafting and provide the names of the other individuals who participated in its drafting and the dates of your involvement.

RESPONSE: No.

- b. Did you have any knowledge of this memo before it was sent to the Civil Rights Division employees on January 22, 2025? If yes, please describe what you knew about the memo and how and when you learned of it. Please include the names of any individuals from whom you learned this information and the date on which you learned this information.

RESPONSE: No.

⁶ The Criminal Section enforces 8 U.S.C. §§ 1324, 1328, 18 U.S.C. §§ 241, 242, 245(b)(2), 247–50, 1351, 1546, 1581, 1584, 1589–94, 1596, 2421–22, 2243(b)–(c), 2244(a)(4), 2244(a)(6), 3271, and 42 U.S.C. § 3631.

⁷ Alanna Durkin Richer, *Trump's new Justice Department leadership orders a freeze on civil rights cases*, AP (Jan. 22, 2025), <https://apnews.com/article/civil-rights-division-justice-department-trump-2dcb45cca7c9c9cdaea78282d4279c35>.

11. On January 24, 2025, Department of Justice leadership issued a “FACE Act Charging Policy” to the Civil Rights Division which prohibits new abortion-related FACE Act actions “without authorization from the Assistant Attorney General for the Civil Rights Division” and ordered the immediate dismissal, with prejudice, of three FACE Act cases.⁸

- a. Did you participate in the drafting of this memo? If yes, please describe your involvement in its drafting and provide the names of the other individuals who participated in its drafting and the dates of your involvement.

RESPONSE: No.

- b. Did you have any knowledge of this memo before it was sent to the Civil Rights Division employees on January 24, 2025? If yes, please describe what you knew about the memo and how and when you learned of it. Please include the names of any individuals from whom you learned this information and the date.

RESPONSE: No.

12. On February 5, 2025, Attorney General Pam Bondi issued a memo entitled “Ending Illegal DEI and DEIA Discrimination and Preferences,” which directs the Civil Rights Division to “investigate, eliminate, and penalize illegal DEI and DEIA preferences, mandates, policies, programs, and activities in the private sector and in educational institutions that receive federal funds.”⁹

- a. Did you participate in the drafting of this memo? If yes, please describe your involvement in its drafting and the date and provide the names of the other individuals who participated in its drafting.

RESPONSE: No.

- b. Did you have any knowledge of this memo before it was sent to Civil Rights Division employees on February 5, 2025? If yes, please describe what you knew about the memo and how and when you learned of it. Please include the names of any individuals from whom you learned this information.

RESPONSE: No.

13. The Civil Rights Division plays a crucial role in the enforcement of the Freedom of Access to Clinic Entrances (FACE) Act, a federal law that prohibits interfering with access to reproductive health services—including abortion services, pharmacy provided reproductive health services, and pregnancy counseling services—through violence, threats, obstruction, or property damage.

⁸ Mem. from Chief of Staff to Att’y Gen. to Kathleen Wolfe, FACE Act Charging Policy (Jan. 24, 2025), <https://www.justice.gov/media/1386461/dl>.

⁹ Mem. from Att’y Gen. Pam Bondi to Dep’t Employees, Ending Illegal DEI and DEIA Discrimination and Preferences (Feb. 5, 2025), <https://www.justice.gov/ag/media/1388501/dl?inline>.

- a. If you are confirmed as AAG for the Civil Rights Division, will you commit to enforcing the FACE Act to protect facilities and providers of reproductive health services that include abortion in addition to facilities and providers that do not?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

14. Each year, federal data highlights thousands of hate crimes across the United States, reflecting individuals who are targeted through acts of violence or intimidation based on their race, religion, disability, ethnicity, gender, gender identity, or sexual orientation. The Department of Justice is responsible for several important functions in preventing and addressing hate crimes: it prosecutes hate crimes; elevates hate crimes threat levels; expedites review of hate crimes; and enhances state, local, and tribal governments' law enforcement training.

15. If you are confirmed as AAG for the Civil Rights Division, how will you ensure that the Division continues to carry out its responsibilities in preventing and addressing hate crimes?

RESPONSE: Acts of racially or ethnically motivated violence should be appropriately investigated and prosecuted. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

16. There is an ongoing epidemic of violence directed at transgender people, particularly Black transgender women. In 2024, there were reports of at least 30 transgender people who had been killed in the United States. Since 2013, 83 percent of transgender people killed were transgender women and 61 percent were Black transgender women.¹⁰ Many of these murders were motivated by hate.

- a. If you are confirmed as AAG for the Civil Rights Division, what will you do to investigate and address this ongoing epidemic of hate violence for all groups? What will you do to investigate and address this ongoing epidemic of hate violence for transgender people?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

17. In recent years, there has been an increased effort in the law enforcement profession to recruit and train diverse officers. The Fraternal Order of Police, the country's largest police organization of sworn officers, cites diversity as an important part of running a

¹⁰ See HUMAN RIGHTS CAMPAIGN FOUNDATION, THE EPIDEMIC OF VIOLENCE AGAINST THE TRANSGENDER & GENDER-EXPANSIVE COMMUNITY IN THE U.S. (Nov. 2024), <https://reports.hrc.org/an-epidemic-of-violence-2024#national-emergency>.

successful law enforcement agency and asserts that public confidence in law enforcement increases when their law enforcement agencies represent them.¹¹

- a. Do you agree that it is an important goal for there to be demographic diversity among law enforcement personnel? Please explain your views.

RESPONSE: As I stated at my hearing, the use of racial quotas to deny people equal access to employment or education is illegal.

- b. Do you believe that police departments may have DEI programs to attract more applicants? Please explain why or why not. If no, will you investigate and address these programs?

RESPONSE: As I stated at my hearing, the use of racial quotas to deny people equal access to employment or education is illegal. If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

- c. Do you believe that the military may have DEI programs to attract more applicants? Please explain why or why not. If no, will you investigate and address these programs?

RESPONSE: Please see my response to Question 17(b) above.

18. Studies have confirmed that Black people and other people of color fare worse when it comes to every metric: health, wealth, jobs, homeownership, and contacts with the criminal justice system.¹² Simultaneously it has been widely recognized by the business community that diversity in the workplace brings about better outcomes.¹³ Accordingly, the business community has sought to recruit diverse applicants. Schools have also sought to replicate these efforts.

¹¹ Mark McDonald, *Leveraging Diversity to Overcome Adversity with Robert Gaddy*, FRATERNAL ORDER OF POLICE (Aug. 31, 2022), <https://fop.net/2022/08/episode-29-diversity-robert-gaddy/>.

¹² See e.g., Mabinty Quarshie et al., *12 charts show how racial disparities persist across wealth, health, education and beyond*, USA TODAY (Jun. 18, 2020), <https://www.usatoday.com/in-depth/news/2020/06/18/12-charts-racial-disparities-persist-across-wealth-health-and-beyond/3201129001/>; Sofia Carratala & Connor Maxwell, *Health Disparities by Race and Ethnicity*, THE CENTER FOR AMERICAN PROGRESS (May 7, 2020), <https://www.americanprogress.org/article/health-disparities-race-ethnicity/>; Ricardo Mimbela & Katie Duarte, *Visualizing the Racial Wealth Gap*, ACLU (Aug. 10, 2023), <https://www.aclu.org/news/racial-justice/visualizing-the-racial-wealth-gap>; Valerie Wilson et al., *Racial representation in professional occupations*, ECONOMIC POLICY INSTITUTE (Jun. 8, 2021), <https://www.epi.org/publication/racial-representation-prof-occ/>; *Racial Differences in Economic Security: Housing*, U.S. DEP'T OF TREASURY (Nov. 4, 2022), <https://home.treasury.gov/news/featured-stories/racial-differences-in-economic-security-housing>; *Racial and Ethnic Disparities in the Criminal Justice System*, NCSL (May 24, 2022), <https://www.ncsl.org/civil-and-criminal-justice/racial-and-ethnic-disparities-in-the-criminal-justice-system>.

¹³ See e.g., *Diversity matters even more: The case for holistic impact*, MCKINSEY & COMPANY (Dec 5, 2023), <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/diversity-matters-even-more-the-case-for-holistic-impact>.

Attorney General Bondi has instructed the Civil Rights Division to investigate, eliminate, and penalize “illegal DEI and DEIA preferences” in the private sector and in educational institutions that receive federal funds.¹⁴ Attorney General Bondi ordered the Civil Rights Division and Office of Legal Policy to submit a report that, among other things, lays out “proposals for criminal investigations and for up to nine potential civil compliance investigations of entities” engaged in illegal DEI and DEIA.

a. Please provide your understanding of what “DEI” and “DEIA” mean.

RESPONSE: “DEI” means “diversity, equity, and inclusion.” “DEIA” means “diversity, equity, inclusion, and accessibility.”

b. In your opinion, what differentiates legal DEI and DEIA from illegal DEI and DEIA?

RESPONSE: Please see my response to Question 17(a) above.

c. Pursuant to what statutory authority could the DOJ conduct criminal investigations or prosecutions of entities that meet the criteria outlined in this memo or Executive Order 14173?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the Attorney General’s memorandum and Executive Order 14173. If confirmed, I will, in good faith, meet with the staff and familiarize myself with these matters.

d. Are you involved in or are you aware of any discussions or plans to pursue any specific private sector entities for investigation or prosecution under this memo or Executive Order 14173? If yes, provide the names of the individuals involved, the content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

e. Are you involved in or are you aware of any discussions or plans to pursue any specific educational institutions that receive federal funds for investigation or prosecution under this memo or Executive Order 14173? If yes, provide the names of the individuals involved, the content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

19. Communities of color have lower rates of confidence in law enforcement. A poll from 2023 indicated that 74 percent of white Americans had confidence in police, but only 64 percent of Hispanic Americans and 56 percent of Black Americans felt the same way.¹⁵

¹⁴ *Supra* n.9.

¹⁵ M.C. Brown II & Camille Lloyd, *Black Americans Less Confident, Satisfied With Local Police*, GALLUP (Sept. 18, 2023), <https://news.gallup.com/poll/511064/black-americans-less-confident-satisfied-local-police.aspx>.

- a. What policies and practices will you implement to rebuild trust between law enforcement and communities of color if you are confirmed?

RESPONSE: If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

20. Does the Department of Justice have the duty to enforce federal protections for the right to vote, including through civil enforcement against states and localities? If no, why?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans' right to vote.

21. Is Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, constitutional? If no, why?

RESPONSE: As I stated at my hearing, if confirmed, I will enforce Section 2 of the Voting Rights Act in accordance with the relevant facts and law.

22. Do you believe that places of public accommodation continue to discriminate against persons based on their race, color, and national origin? Please explain your answer.

RESPONSE: Yes, although great progress has been made in this regard.

23. Do you believe that schools, colleges, and universities continue to discriminate against persons based on race, color, and national origin? Please explain your answer.

RESPONSE: Please see my response to Question 22 above.

24. Do you believe that public employers continue to discriminate and retaliate against persons based on race, color, and national origin? Please explain your answer.

RESPONSE: Please see my response to Question 22 above.

25. Do you believe that private employers continue to discriminate and retaliate against persons based on race, color, and national origin? Please explain your answer.

RESPONSE: Please see my response to Question 22 above.

26. Do you believe that housing providers, such as landlords, homeowners associations, municipalities, and financial lending institutions, continue to discriminate against persons based on race, color, and national origin? Please explain your answer.

RESPONSE: Please see my response to Question 22 above.

27. The Civil Rights Division has prosecuted cases involving excessive use of force by police, racial profiling, and unconstitutional policing. Do you believe that excessive use of force by police, racial profiling, and unconstitutional policing continue to be a problem? Please explain your answer.

RESPONSE: Please see my response to Question 22 above.

28. President Trump has said, “I have absolute right to do what I want to do with the Justice Department.”¹⁶ Do you agree? If not absolute, how much power do you believe the President has over the Department?

RESPONSE: No. The President is bound by the terms of his oath, the Constitution, and applicable law.

Should decisions to bring civil rights enforcement cases be made by prosecutors within the Civil Rights Division or by political appointees in the office of the Attorney General or at the White House? Please explain your answer.

RESPONSE: The Department’s investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

29. In *Bostock v. Clayton County*, the Supreme Court held that Title VII’s prohibition on workplace discrimination on the basis of sex applies to discrimination based on sexual orientation and gender identity.

a. In your opinion, was *Bostock* correctly decided? If no, please explain why.

RESPONSE: *Bostock* is binding precedent of the Supreme Court entitled to respect as such.

b. Do you agree that Title VII prohibits harassment and discrimination in the workplace on the basis of sexual orientation and gender identity? If no, please explain why.

RESPONSE: Please see my response to Question 16(a) above.

c. Will you commit to pursuing investigations of employers that engage in harassment and discrimination in the workplace on the basis of sexual orientation and gender identity if confirmed? If no, please explain why.

RESPONSE: Please see my response to Question 16(a) above.

30. If President Trump directs you to take an illegal action, how would you respond?

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

¹⁶ Michael S. Schmidt & Michael D. Shear, *Trump Says Russia Inquiry Makes U.S. ‘Look Very Bad,’* N.Y. TIMES (Dec. 28, 2017), <https://www.nytimes.com/2017/12/28/us/politics/trump-interview-mueller-russia-china-north-korea.html>.

31. If President Trump directs you to initiate a civil rights investigation that you determine is baseless, how would you respond?

RESPONSE: Please see my response to Question 30 above.

32. If President Trump directs you to end an open civil rights investigation that you believe has merit, how would you respond?

RESPONSE: Please see my response to Question 30 above.

33. Do you believe President Trump has the authority to direct executive branch officials or employees to take an illegal action?

RESPONSE: The President is the chief law enforcement officer of the United States and all prosecutions must comply with the Constitution and all relevant statutes.

34. If any member of the administration directs you to take an illegal action, how would you respond?

RESPONSE: Please see my response to Question 30 above.

35. Since President Trump announced your nomination in November 2024, have you had access to, or reviewed, DOJ investigation materials, information, or other potential evidence about specific individuals or investigations?

RESPONSE: No.

a. If yes, please provide the date on which you accessed or reviewed those items and describe what you accessed or reviewed.

RESPONSE: Please see my response to Question 35 above.

b. If yes, have you discussed any of this information with current or former DOJ personnel, or anyone not associated with DOJ?

RESPONSE: Please see my response to Question 35 above.

36. Have you spoken or corresponded with Elon Musk since President Trump announced your nomination in November 2024?

RESPONSE: No.

a. If yes, provide the content of all discussions and correspondences and the dates those discussions and correspondences occurred.

RESPONSE: Please see my response to Question 36 above.

- b. If yes, at any point, did you discuss with Mr. Musk DOJ or matters related to DOJ, including personnel matters? Did you ever discuss demotions, reassignments, or terminations of personnel, whether specific individuals or generally? Did you ever discuss potential personnel to be hired or appointed in any capacity at the DOJ? If yes to any of these questions, provide the content of those discussions and the dates those discussions occurred.

RESPONSE: Please see my response to Question 36 above.

37. Do you believe that President Trump won the 2020 election?

RESPONSE: Former President Joseph Biden was sworn in as our 46th President on January 20, 2021.

38. The 22nd Amendment says that “no person shall be elected to the office of the President more than twice.”

- a. Do you agree that President Trump was elected to the office of the President in the 2016 election?

RESPONSE: Yes.

- b. Do you agree that President Trump was elected to the office of the President in the 2024 election?

RESPONSE: Yes.

- c. Do you agree that the 22nd Amendment, absent a constitutional amendment, prevents Trump from running for a third presidential term?

RESPONSE: The 22nd Amendment limits a president to two terms in office.

- d. Would you like President Trump to run for a third presidential term? Would you make a legal argument that he may run for a third presidential term?

RESPONSE: Please see my response to Question 38(c) above.

39. Please provide your understanding of the Hatch Act. Do you believe that asking Civil Rights Division personnel their views about investigations or prosecutions to assess their political leaning would be a violation of the Hatch Act?

RESPONSE: In general, the Hatch Act prohibits government employees from engaging in certain types of political activities. In my career as an attorney, I have not had occasion to consider the specific scenario you have raised. If confirmed, I would consult with relevant

Department personnel and ensure that the Department is complying with applicable legal obligations, including the Hatch Act.

40. Will you commit to consulting with career officials at DOJ regarding your potential conflicts of interest?

RESPONSE: If confirmed, were any matter to come before me that might present a conflict of interest, I would consult with the Department of Justice ethics officials and follow my ethical obligations.

41. Will you follow the guidance of career officials at DOJ regarding your potential conflicts of interest and recusals?

RESPONSE: Please see my response to Question 40 above.

42. During your tenure as Partner for the Dhillon Law Group, you represented President Trump and his campaigns.

a. How did President Trump retain you and Dhillon Law Group as his counsel?

RESPONSE: I cannot answer this question without violating the attorney-client privilege.

b. What matters related to President Trump did you work on?

RESPONSE: Please see my response to Question 42(a) above.

c. How many total hours did you spend on each matter related to President Trump?

RESPONSE: Please see my response to Question 42(a) above.

d. How many hours did you spend on each matter related to President Trump last year?

RESPONSE: Please see my response to Question 42(a) above.

e. As a firm client, did President Trump pay your standard billing rate?

RESPONSE: Please see my response to Question 42(a) above.

f. As a firm client, did anyone other than President Trump, whether an individual or other entity, pay for your and/or Dhillon Law Group's legal services on his behalf? If yes, please provide the amount, the name of the individual or entity, and matter for the payment.

RESPONSE: Please see my response to Question 42(a) above.

- g. Have you received any payments from President Trump unrelated to your legal representation of him? If yes, please provide the amount and the reason for the payment?

RESPONSE: No.

- h. Have you received any payments from any person or entity on behalf of President Trump unrelated to your work for him as client? If yes, please provide the person's name, their relation to President Trump, the amount of the payment and the reason for the payment?

RESPONSE: No.

- i. Does President Trump, or any affiliated individual or entity, owe your firm for any unpaid bills? If yes, please provide the amount owing and the matter of the unpaid bill.

RESPONSE: Please see my response to Question 42(a) above.

43. At any point during your representation of President Trump, did you discuss a role in his administration with him or any person associated with him? If yes, please provide the mode and content of those discussions and the dates those discussions occurred.

RESPONSE: In late November, 2024, I had a phone call with President Trump and Pam Bondi in which the general idea of working for the Department of Justice in a leadership role was discussed. I subsequently interviewed with Pam Bondi and others for the role of Assistant Attorney General for Civil Rights, the position to which President Trump nominated me after he was sworn in.

44. Since President Trump announced your nomination in November 2024, have you had conversations with anyone at DOJ about investigations involving President Trump? If yes, please provide the names of the individuals involved, the content of those discussions, and the dates those discussions occurred.

RESPONSE: No.

Questions for the Record from Senator Alex Padilla
Senate Judiciary Committee
“Nominations Hearing: Harmeet Dhillon, Aaron Reitz, and John Sauer”
Thursday, February 26, 2025

Questions for Mrs. Dhillon

1. You have opposed key voting rights protections, including the John Lewis Voting Rights Advancement Act, and fought against the use of the Voting Rights Act to challenge discriminatory laws.

a. Will you commit to enforcing the Voting Rights Act, even when it conflicts with your past positions?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans’ right to vote.

b. What specific steps would you take as AAG to ensure that election administration remains fair and nonpartisan?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

2. Disinformation about the 2020 election, which you helped spread, fueled a surge in harassment and threats of violence against election workers.

a. Did President Joe Biden win the 2020 election?

RESPONSE: Former President Joseph Biden was sworn in as our 46th President on January 20, 2021.

b. How will you use your statutory authority to protect and support these election workers who were harmed by 2020 election disinformation?

RESPONSE: Please see my response to Question 1(b) above.

3. The Civil Rights Division of the Department of Justice is responsible for enforcing federal statutes that prohibit discrimination and uphold civil rights. Given its mandate, it is critical that its operations are not politicized or unduly influenced.

a. If President Trump or any other administration official were to request that you engage in actions that are illegal or unconstitutional, how would you respond?

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

- b. Would you be willing to publicly oppose or refuse to enforce policies that violate existing civil rights protections?

RESPONSE: Please see my response to Question 1(b) above.

- c. What safeguards would you put in place to ensure that civil rights enforcement is driven by the law rather than political considerations?

RESPONSE: The Department's investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

- d. If career DOJ attorneys faced political retaliation for pursuing cases that the administration opposed, how would you respond?

RESPONSE: If confirmed, I would consult with relevant Department personnel and ensure that the Department is complying with applicable legal obligations, including the Hatch Act.

- e. Will you commit to protecting the career staff of the Civil Rights Division from political interference in hiring and firing decisions?

RESPONSE: Please see my response to Question 3(d) above.

- f. Will you work to uphold the religious liberties of immigrants in this nation?

RESPONSE: As I stated at my hearing, religious discrimination is a problem in the United States. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to enforce the civil rights laws.

- g. Do you believe in immigration enforcement against immigrants while they exercise their religious liberty in a place of worship?

RESPONSE: Please see my response to Question 3(f) above.

- h. Will you protect immigrants from immigration enforcement while they are exercising their religious liberty in a place of worship?

RESPONSE: Please see my response to Question 3(f) above.

- 4. As Assistant Attorney General for Civil Rights, you would be responsible for enforcing federal civil rights statutes. However, throughout your career, you have opposed affirmative action, criticized DEI initiatives, and fought against legal efforts to address systemic discrimination.

- a. Do you believe that systemic racial discrimination is a problem in America?

RESPONSE: Racial discrimination continues to occur, although great progress has been made in this regard.

- b. What role should the Civil Rights Division play in addressing systemic racial discrimination?

RESPONSE: Please see my response to Question 1(b) above.

- c. Will you commit to fully enforcing laws that protect against racial discrimination, including those ensuring equal access to housing, education, and employment?

RESPONSE: Please see my response to Question 1(b) above.

- d. How do you view the federal government's role in combating racial discrimination in housing, employment, and education?

RESPONSE: The mission of the Civil Rights Division is to protect the civil rights of all Americans.

5. You have described gender-affirming care as "child mutilation," opposed federal LGBTQ+ protections, and challenged Title IX anti-discrimination rules.
 - a. Will you enforce federal anti-discrimination laws protecting LGBTQ+ individuals, including Title VII and Title IX?

RESPONSE: Please see my response to Question 1(b) above.

- b. How will you ensure LGBTQ+ individuals are fully protected under existing anti-discrimination laws?

RESPONSE: Please see my response to Question 1(b) and Question 4(d) above.

- c. What steps would you take to ensure that all Americans, regardless of sexual orientation or gender identity, receive equal protection under civil rights law?

RESPONSE: Please see my response to Question 1(b) above.

- d. Every major medical association and leading world health authority supports health care for transgender people and youth. What is the medical basis of your stance in opposition of the right for trans people to seek gender-affirming care that is determined between themselves and their doctors?

RESPONSE: As I stated at my hearing, access to sports opportunities for women and even dignity in women's private spaces is being sacrificed on the altar of political correctness. Women have privacy rights and rights under Title IX that are being violated, and that need to be protected.

6. The January 6 attack on the U.S. Capitol was an assault on our democracy. Many of those involved were affiliated with extremist groups like the Proud Boys and Oath Keepers.
 - a. Do you believe the January 6 attack on the Capitol was an insurrection?

RESPONSE: It is not appropriate to describe the events of that day in the way this question is framed.

- b. As AAG of Civil Rights, how would you handle investigations into domestic extremism, particularly when perpetrators attempt to justify their actions on political grounds?

RESPONSE: Please see my response to Question 3(c) above.

- c. How would you prioritize combating white supremacist extremism as AAG?

RESPONSE: As I stated at my hearing, it is racism to discriminate on the basis of race, and civil rights protections apply equally to all races.

7. Your law firm has received millions in legal fees from Donald Trump's campaign and affiliated organizations. Your nonprofit has also faced ethics concerns over its financial ties to your law firm. Your plan to sell your firm to your brother raises additional conflict-of-interest concerns.
 - a. How will you ensure the Division operates independently and fairly?

RESPONSE: Please see my response to Question 3(c) above.

- b. Will you recuse yourself from any matters involving Donald Trump, his allies, or organizations connected to your prior legal work?

RESPONSE: If confirmed, were any matter to come before me that might require my recusal, I would consult with the Department of Justice ethics officials and follow my ethical obligations.

- c. Under what circumstances do you believe recusal would be necessary?

RESPONSE: Please see my response to Question 7(b) above.

Senator Peter Welch
Senate Judiciary Committee
Written Questions for Harmeet Dhillon
Hearing on “Nominations”
Wednesday, February 26, 2025

1. On January 22nd, President Trump ordered a freeze on all litigation by the Civil Rights Division. How do you plan to handle the civil rights investigations that were initiated under the Biden administration?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the litigation referred to by this question. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

2. Do you agree that it is important to hold law enforcement officers and agencies accountable when they violate people’s constitutional and civil rights, such as through the use excessive force?

RESPONSE: Yes.

- a. Should this be a priority for the Department of Justice?

RESPONSE: Yes.

3. If confirmed, will you continue the Civil Rights Division’s important work in investigating law enforcement agencies that may be violating the rights of individuals?

RESPONSE: Yes.

4. The Civil Rights Division currently has in place a number of consent decrees with law enforcement agencies that were entered into after extensive investigations and settlements. Will you continue to enforce those agreements?

RESPONSE: As I am not currently at the Department, I am not familiar with the details of the consent decrees referred to by this question. If confirmed, I look forward to meeting with other members of the Department and discussing how the Civil Rights Division can most effectively carry out its mission to protect the civil rights of all Americans.

5. Did Joe Biden legitimately win the 2020 election?

RESPONSE: Former President Joseph Biden was sworn in as our 46th President on January 20, 2021.

6. All claims of widespread fraud and interference in the 2020 election have been resoundingly rejected by election security experts from both sides of the aisle. Looking

back on the outcomes of all the legal proceedings, do you agree that there was no evidence of widespread voter fraud in that election?

RESPONSE: As I stated at my hearing, voter integrity and confidence is critical to ensuring voter turnout in American elections.

7. Do you agree that federal judges, including Justices of the U.S. Supreme Court, should not rule on cases based on partisan considerations and political favors?

RESPONSE: Yes.

8. Is it appropriate for a federal official to defy a federal court order?

RESPONSE: A party must abide by all lawful court orders that apply to it.

9. Does the Department of Justice have the duty to enforce federal protections for the right to vote, including through civil enforcement against states and localities?

RESPONSE: As I stated at my hearing, if confirmed, I will safeguard Americans' right to vote.

10. Is Section 2 of the Voting Rights Act, which prohibits states and localities from enacting laws or taking actions that have the effect of denying or abridging the right to vote on the basis of race, constitutional?

RESPONSE: As I stated at my hearing, if confirmed, I will enforce Section 2 of the Voting Rights Act in accordance with the relevant facts and law.

11. Do you support the John Lewis Voting Rights Advancement Act? If not, please explain.

RESPONSE: It would be inappropriate to commit at this time to a position with respect to any proposed federal legislation. If confirmed and called upon to provide my position on proposed legislation, I will do so only after careful consideration and consultation with appropriate officials within the Department of Justice.

12. In *Griswold v. Connecticut*, the Supreme Court recognized the right to privacy encompasses the right for married couples to use contraception. And in *Eisenstadt v. Baird*, the Supreme Court extended *Griswold's* principle to unmarried couples. Do you agree with these decisions? If not, please explain.

RESPONSE: *Griswold v. Connecticut* and *Eisenstadt v. Baird* are binding precedent of the Supreme Court and are entitled to respect as such.

13. Do you believe women have a constitutional right to contraception?

RESPONSE: Please see my response to Question 12 above.

14. If confirmed, would you vigorously oppose any effort to deny women access to contraception?

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

15. The Freedom of Access to Clinic Entrances (FACE) Act makes it a federal crime to use force, the threat of force, or physical obstruction to prevent individuals from obtaining or providing reproductive health care services. If confirmed, will you continue to enforce the protections provided under the FACE Act?

RESPONSE: Please see my response to Question 14 above.

16. Do you believe that the Civil Rights Division should be acting to protect the American people from discrimination based on their sexual orientation and gender identity?

RESPONSE: Please see my response to Question 14 above.

17. If you are confirmed as the head of the Civil Rights Division, the cases you bring are bound by Circuit Court and Supreme Court precedent—including precedents upholding diversity, equity, inclusion, and accessibility programs. Do you commit to abiding by court precedents?

RESPONSE: Binding precedents of the Supreme Court are entitled to respect as such.

18. Do you believe that executive orders can change court precedent?

RESPONSE: No.

19. The Civil Rights Division prosecutes hate crimes that are motivated by the victim's race, ethnicity, religion, disability, sexual orientation, gender, or gender identity. If confirmed, do you commit to continue to robustly enforce hate crimes laws with respect to each of these groups?

RESPONSE: Please see my response to Question 14 above.

Questions for the Record

**Harmeet Dhillon – Nominee to be Assistant Attorney General for the Civil Rights Division
Sen. Adam Schiff (CA)**

1. On February 5, Attorney General Pam Bondi issued a memo requiring DOJ’s Civil Rights Division and Office of Legal Policy to jointly submit a report to the Associate Attorney General that includes “proposals for criminal investigations” and “up to nine civil rights compliance investigations” of corporations, nonprofits, foundations, state and local bar and medical associations, and universities,” that implement “DEI and DEIA policies and practices.” Yet, the memo failed to define “DEI and DEIA preferences, mandates, policies, programs and activities” and failed to explain which policies DOJ views as illegal.

a. How does DOJ define “DEI and DEIA preferences, mandates, policies, programs and activities”?

RESPONSE: As I am not currently at the Department, I cannot speak to how the Department defines the terms referenced in your question.

b. What federal caselaw and/or federal statutes serve as the basis for DOJ’s definition of “DEI and DEIA preferences, mandates, policies, programs and activities”?

RESPONSE: Please see my response to Question 1(a) above.

c. Please list the relevant caselaw, if any, establishing federal criminal liability for DEI and DEIA preferences, mandates, policies, programs and activities:

RESPONSE: As I stated at my hearing, the use of racial quotas to deny people equal access to employment or education is illegal.

d. Please list in detail the DEI and DEIA preferences, mandates, policies, programs and activities, if any, that you believe violate federal criminal law and the applicable federal criminal statute(s):

RESPONSE: Please see my response to Question 1(c) above.

2. You previously served as Board Member of the South Asian Bar Association of Northern California. One of the missions of the South Asian Bar Association of Northern California is to “support and promote those who value diversity in the legal profession.”

- a. Is the South Asian Bar Association of Northern California's mission an illegal "DEI and DEIA preference, mandate, policy, program or activity"?

RESPONSE: Please see my response to Question 1(c) above.

- b. Do you commit to not targeting professional associations, such as the South Asian Bar Association of Northern California, that seek to "support and promote those who value diversity?"

RESPONSE: If confirmed, I will enforce the civil rights laws in accordance with the relevant facts and law to protect the civil rights of all Americans.

- c. Is supporting and promoting individuals with disabilities within a company a federal crime? If yes, please list the relevant federal criminal statute.

RESPONSE: If confirmed, I will enforce the Americans with Disabilities Act and other civil rights laws related to disabilities in accordance with the relevant facts and law to protect the civil rights of all Americans.

- d. Is supporting and promoting women within a company a federal crime? If yes, please list the relevant federal criminal statute.

RESPONSE: The use of quotas based on sex to deny people equal access to employment is illegal.

- e. Is supporting and promoting LGBTQ employees within a company a federal crime? If yes, please list the relevant federal criminal statute.

RESPONSE: Please see my response to Question 2(d) above.

- f. Is supporting and promoting racial minorities within a company a federal crime? If yes, please list the relevant federal criminal statute.

RESPONSE: Please see my response to Question 1(c) above.

- g. Is it your position that companies or employees at companies can be sentenced to federal prison for implementing DEI or DEIA preferences, mandates, policies, programs and activities?

RESPONSE: Please see my response to Question 1(c) above.

- h. Is it DOJ's position that companies or employees at companies can be sentenced to federal prison for implementing DEI or DEIA preferences, mandates, policies, programs and activities?

RESPONSE: As I am not currently at the Department, I cannot speak to the Department's position on the matter referenced in your question.

3. On July 21, 2021, then-Attorney General Garland issued a memorandum on "Department of Justice Communications with the White House," more commonly referred to as the White House Contacts policy. This policy should govern all communications between Justice Department and White House personnel and is critical to safeguarding the DOJ's criminal and civil law enforcement decisions and legal judgements from partisan influences. According to public reports, the White House has now updated its own guidance to permit the President and select others to initiate conversations with DOJ about specific criminal or civil cases or investigations. This goes beyond even the first Trump administration, and now blesses, for the first time, the President's engagement with DOJ on specific types of cases, whether criminal or civil.
 - a. Do you commit to upholding the Department's longstanding policy, as outlined in the 2021 memo, not to "advise the White House concerning pending or contemplated criminal or civil law enforcement investigations or cases unless doing so is important for the performance of the President's duties and appropriate from a law enforcement perspective?"

RESPONSE: It is my understanding that Attorneys General have issued memoranda governing Department officials' contacts with the White House. If confirmed, I would comply with any applicable memoranda from the Attorneys General, as well as all applicable laws and the Constitution.

4. On February 9, 2025, Vice President Vance posted on X that "judges aren't allowed to control the executive's legitimate power." This troubling statement raises concerns that the Trump administration will defy court orders, which could pose a Constitutional crisis and recall a dark period in America's past when Governors and other state and local executives blatantly disregarded the Supreme Court's decision in *Brown vs. Board of Education*. During the Civil Rights Movement of the 1960s, state executives routinely sought to defy federal court orders, refusing to integrate schools for up to 15 years after *Brown*. United States Senator James Eastland of Mississippi, criticized the Court's ruling, stating that "the South will not abide by nor obey this legislative decision by a political body." Mississippi continued to defy the Supreme Court's decision for fifteen years. Ultimately, the Supreme Court of the United States was forced to issue a subsequent

ruling in *Alexander v. Holmes County Board of Education* in 1969, requiring school districts in Mississippi and elsewhere to desegregate “with all deliberate speed.”

- a. Was there any legal basis for Southern states such as Mississippi to defy the Supreme Court’s decision in *Brown vs. Board* for fifteen years after the court issued its decision?

RESPONSE: A party must abide by all lawful court orders that apply to it.

- b. Is there ever any legal basis for state executive officials or federal executive officials to defy a federal court order?

RESPONSE: Please see my response to Question 4(a) above.

- a. If you are instructed by the President, the Vice President, or any White House personnel – directly or indirectly – to either defy or ignore a court order, will you stand up to and object to such an instruction in order to preserve the constitution’s separation of powers?

RESPONSE: I must respectfully reject your premise. As I stated at my hearing, I have represented President Trump for four years in numerous different cases, and I currently represent him as a private attorney. In all of those years, in multiple cases, in multiple jurisdictions, the President has never asked me to do anything that I found to be objectionable, immoral, unlawful, or illegal.

5. The Department of Justice has already seen drastic changes under the Trump Administration. Many divisions within DOJ are gutting and reassigning career attorneys who have been there for years.
 - a. Will you plan reduce the number of career attorneys in the Civil Rights Division? If so, why and by how many?

RESPONSE: As I am not currently at the Department, I am not privy to any personnel actions that may have been discussed or planned.

- b. Will you target career attorneys for termination because of their political views?

RESPONSE: Please see my response to Question 5(a) above.

6. After a federal court dismissed a lawsuit against your client, Donald Trump Jr., for what it described as “leveled harsh, meanspirited, and at times misleading attacks against” Lt. Col. Alexander Vindman, you expressed your gratitude that “harsh political criticism is

still allowed in America.” Yet just last week, the Department of Justice (“DOJ”) sent letters to members of Congress over their criticism of Elon Musk, warning them that the department will take “threats against public officials very seriously.”

- a. Do you still believe that harsh political criticism should be allowed in America?

RESPONSE: Yes. As I stated at my hearing, I understand the importance of standing up to defend the right to free speech, whether or not you agree with its subject matter.

- b. Do you commit to not targeting politicians for expressing what you or other DOJ officials may perceive as harsh political criticism of Elon Musk, President Trump, or anyone else in the Trump administration?

RESPONSE: Please see my response to Question 6(a) above.

7. During your nomination hearing, you stated, “I have represented President Trump for four years in numerous different cases and I currently represent him as a private attorney.”

- a. Before or since the 2025 inauguration, has President Trump or any another official at the White House ever asked, suggested, or implied that you should open or undertake a review or an investigation of anyone?

RESPONSE: No.

- b. Are you aware of any communications, before or since the inauguration, between the President or individuals at the White House and personnel at DOJ, including U.S. Attorneys’ Offices, or the FBI asking, suggesting, or implying that DOJ or FBI should open or undertake a review or an investigation of anyone? If so, please explain in specific detail those communications.

RESPONSE: No.

- c. Have you ever had any conversations or other communications with anyone at the White House or DOJ about personnel actions at DOJ that have already taken place or will take place?

RESPONSE: No.

- d. Do you agree it would be improper for the President or the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should initiate or

undertake a *review* of activities by current or former U.S. government officials or other private citizens?

Response: The President is bound by the terms of his oath, the Constitution, and applicable law.

- e. Do you agree it would be improper for the President or the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should initiate or undertake an *investigation* of current or former U.S. government officials or other private citizens?

RESPONSE: Please see my response to Question 7(d) above.

- f. Do you agree it would be improper for the White House to direct, task, or otherwise provide input on whether the FBI or DOJ should pursue criminal charges against current or former U.S. government officials or other private citizens?

RESPONSE: Please see my response to Question 7(d) above.

- g. Do you commit that any and all investigative decisions taken by DOJ and the FBI during your tenure as Assistant Attorney General for the Civil Rights Division, if confirmed, will be free from any political, partisan, financial, or personal motive, including the desires or direction of President Trump, the White House, or any associates of President Trump?

RESPONSE: The Department's investigative and prosecutorial decisions should be based on the facts, the applicable law and policies, the admissible evidence, and the Principles of Federal Prosecution (Justice Manual §9-27.000).

- h. Would you resign as Deputy Attorney General if asked or directed by Attorney General Bondi, the President, or the White House to take any actions that are unlawful or unconstitutional?

RESPONSE: Please see my response to Question 4(aba) above.