

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

March 3, 2025

The Honorable Pam Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Bondi:

We are alarmed at recent changes within the Department of Justice (DOJ) that have significantly destabilized the Department and made America less safe. The shortsighted removal or reassignment of senior career DOJ and Federal Bureau of Investigation (FBI) officials with national security expertise have diminished the country's ability to respond to national security or public safety threats. We ask that you rescind the January 21, 2025 Memorandum and reverse any personnel decisions that diverted resources away from the Department's critical national security and public safety missions.

A primary stated rationale for the personnel changes at the Justice Department is the purported desire to enhance immigration enforcement efforts. In a January 21 memorandum, Acting Deputy Attorney General Bove broadly directed DOJ's component agencies to divert resources from vital law enforcement activities to vaguely defined immigration enforcement efforts.¹ We are deeply disturbed that the Department is redirecting resources from the prosecution of violent crimes to the pursuit of dubious claims against so-called "sanctuary" jurisdictions. Multiple studies have shown that localities that limit cooperation with federal immigration enforcement do not have higher crime rates.² Reassigning law enforcement officers to ill-defined immigration-focused initiatives, for which they have no expertise, and instructing prosecutors to investigate and potentially pursue charges against sanctuary jurisdictions will not successfully target those who pose an actual threat to public safety.

These reassignments drain law enforcement resources from critical missions and create an experience and leadership vacuum in our national security, counterintelligence, and public safety apparatus. The brain drain of the Department's senior expertise is so severe that "[n]early all the career officials who attended the daily [threats] session for years — including during the first Trump administration — have been removed from their positions, gutting much of the

¹ See e.g., Memorandum from Emil Bove, Acting Deputy Attorney General, U.S. Dept. of Justice, to All Dept. Employees, "Interim Policy Change Regarding Charging, Sentencing, And Immigration Enforcement" (Jan. 21, 2025).

² Ahilan Arulanantham, *What Just Happened: Sanctuary Policies and the DOJ Memo's Empty Threat of Criminal Liability*, JUST SECURITY (Jan. 23, 2025), <https://www.justsecurity.org/106723/sanctuary-policies-federalism-1324/>. (citing David K. Hausman, *Sanctuary Policies Reduce Deportations Without Increasing Crime*, PNAS (Oct. 19, 2020), <https://www.pnas.org/doi/10.1073/pnas.2014673117>); see also Yared Avalos Iniguez & Hannah Boyke, *Immigrants do not Commit More Crimes in the U.S., Despite Fearmongering*, IMMIGRATION IMPACT (Oct. 17, 2024), <https://immigrationimpact.com/2024/10/17/>.

expertise usually there to brief the attorney general, FBI director and top deputies.”³ It is [my/our] understanding that a large number of senior career officials at the Senior Executive Service level have been reassigned to a newly constituted Sanctuary City Enforcement Working Group.⁴ Almost none of these individuals, or the agents and line attorneys assigned to the working group, have experience in immigration law. The Working Group apparently has no enforcement or litigation authority.⁵ Rather, that responsibility falls to the Civil Division, which is tasked with coordinating with the Working Group on identifying state and local laws in violation of federal immigration law.⁶ Even the Department’s Tax Division, where senior officials have also received orders to either resign or accept their transfer to the Working Group, is being instructed to focus on cases that connect to immigration.⁷ Finally, these ill-conceived forced reassignments are depriving the Department of specialized immigration law attorneys, which undermines President Trump’s stated goal of prioritizing immigration enforcement.⁸ In recent weeks a 30-year veteran of the Office of Immigration Litigation resigned after he was forcibly transferred to the Working Group⁹

Other coordination efforts are underway that reallocate valuable government resources from their critical missions to immigration enforcement matters. For example, the January 21 DOJ memorandum from Acting Deputy Attorney General Bove instructed the Organized Crime Drug Enforcement Task Force (OCDETF)—a DOJ component focused on fighting transnational-organized-crime—and the Project Safe Neighborhoods (PSN) program—a program that works local communities to reduce violent crime—to establish national initiatives focused on immigration-related prosecutions at the federal, state, and local levels.¹⁰ The memorandum also directed the FBI, the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Marshals Service (USMS), and the Bureau of Prisons (BOP) to identify information and biometric data in their possession relating to non-citizens “unlawfully” in the United States.¹¹ In addition, the memorandum directed the FBI’s

³ Perry Stein & Mark Berman, Justice, *FBI Ousters Remove Longtime Experts from Daily Threats Meeting*, WASH. POST (Feb. 12, 2025), <https://www.washingtonpost.com/national-security/2025/02/12/justice-fbi-nationa-security-threats-trump/>

⁴ See e.g., Andrew Goudsward & Sarah N. Lynch, *Trump Administration Reassigns Close to 20 Justice Department Officials*, USA NEWS (Jan. 22, 2025), <https://www.usnews.com/news/top-news/articles/2025-01-22/trump-administration-reassigns-close-to-20-justice-department-officials-sources-say>.

⁵ Memorandum from Pam Bondi, Attorney General, U.S. Dept. of Justice, to All Dept. Employees, “Sanctuary Jurisdiction Directives” (Feb. 5, 2025).

⁶ Memorandum from Emil Bove, Acting Deputy Attorney General, U.S. Dept. of Justice, to All Dept. Employees, “Interim Policy Change Regarding Charging, Sentencing, And Immigration Enforcement” (Jan. 21, 2025).

⁷ Ben Penn, Erin Slowey, & David Voreacos, *Trump DOJ Forces Out Top Tax Enforcer in Civil Service Purge*, BLOOMBERG LAW (Feb. 11, 2025), <https://news.bloomberglaw.com/us-law-week/justice-departments-top-tax-enforcement-official-is-forced-out>.

⁸ Memorandum from Emil Bove, Acting Deputy Attorney General, U.S. Dept. of Justice, to All Dept. Employees, “Interim Policy Change Regarding Charging, Sentencing, And Immigration Enforcement” (Jan. 21, 2025).

⁹ Suzanne Monyak & Ben Penn, *DOJ Immigration Veteran Resigns Over Sanctuary Group Transfer*, BLOOMBERG LAW (Feb. 7, 2025), <https://news.bloomberglaw.com/us-law-week/doj-immigration-veteran-resigns-over-sanctuary-group-transfer>.

¹⁰ Memorandum from Emil Bove, Acting Deputy Attorney General, U.S. Dept. of Justice, to All Dept. Employees, “Interim Policy Change Regarding Charging, Sentencing, And Immigration Enforcement” (Jan. 21, 2025).

¹¹ *Id.*; see also Press Release, Dept. of Homeland Security, Statement from a DHS Spokesperson Expanding Immigration Law Enforcement to Department of Justice Officials (Jan. 23, 2025), <https://www.dhs.gov/news/2025/01/23/statement-dhs-spokesperson-directive-expanding-immigration-law->

Joint Terrorism Task Forces to coordinate with DHS, as well as state and local members, to help carry out President Trump's immigration-related initiatives.¹² The following day, then-Acting Department of Homeland Security (DHS) Secretary Benjamine Huffman issued a related memo which authorized law enforcement officials in USMS, DEA, ATF, and BOP to engage in civil immigration enforcement.¹³

The sweeping changes to personnel assignments and resource allocation across DOJ will lead to widespread disruption and delay in prosecutions, investigations, and sensitive operations. For example, the freezing of all environmental litigation and the reassignment of the Environmental and Natural Resources Division's four senior section chiefs to immigration litigation undermines the division's work on the trafficking of exotic and endangered animals, which is a lucrative revenue stream for cartels and transnational criminal syndicates.¹⁴ Career officials responsible for surveilling, investigating, and prosecuting terrorists have been ordered to instead track down undocumented immigrants, and agents working on sex trafficking and child exploitation cases are now directed to help DHS with immigration work.¹⁵ Additionally, "thousands of FBI personnel" are reportedly supporting immigration enforcement.¹⁶ It is irresponsible and dangerous to divert DOJ and FBI law enforcement officials from their primary missions and areas of expertise to bolster the Trump Administration's mass deportation effort

The Administration's attempts to focus on immigration enforcement are also at cross purposes with other directives. The January 21 memorandum stated that one of the primary reasons to focus the Department's efforts on immigration enforcement was to battle cartels and other transnational criminal organizations. Yet the January 20 Executive Order, "Reevaluating and Realigning United States Foreign Aid,"¹⁷ froze foreign aid, causing two offices within DOJ's Criminal Division—the International Criminal Investigative Training Assistance Program (ICITAP) and the Office of Overseas Prosecutorial Development, Assistance and Training

enforcement.

¹² Memorandum from Emil Bove, Acting Deputy Attorney General, U.S. Dept. of Justice, to All Dept. Employees, "Interim Policy Change Regarding Charging, Sentencing, And Immigration Enforcement" (Jan. 21, 2025).

¹³ Memorandum from Benjamine C. Huffman, Acting Secretary, U.S. Dept. of Homeland Security, to Acting Attorney General, "DOJ Immigration Officer Authorization" (Jan. 22, 2025).

¹⁴ Sarah N. Lynch, *Trump administration halts environmental litigation, sidelines lawyers, sources say*, REUTERS (Jan. 24, 2025), <https://www.reuters.com/world/us/trump-administration-halts-environmental-litigation-sidelines-lawyers-sources-2025-01-24/>; and Pamela King, *DOJ Environment Section Chiefs Reassigned to Work on Immigration*, E&E NEWS (Jan. 24, 2025), <https://www.eenews.net/articles/doj-environment-section-chiefs-reassigned-to-work-on-immigration/>. See also Vanda Felbab-Brown, *Something Fishy: Wildlife Trafficking from Mexico to China*, BROOKINGS INST. (Mar. 8, 2022), <https://www.brookings.edu/articles/something-fishy-wildlife-trafficking-from-mexico-to-china/>; Taylor Barth, *Organized Crime: The Illicit Wildlife Trade in Mexico*, BAKER INST. (May 1, 2017), <https://www.bakerinstitute.org/research/organized-crime-illicit-wildlife-trade>.

¹⁵ Sadie Gurman, C. Ryan Barber, & Aruna Viswanatha, *How Trump's Sweeping Expulsions Have Thrown the FBI Into Chaos*, WALL ST. J. (Feb. 5, 2025), <https://www.wsj.com/politics/policy/trump-fbi-firings-immigration-crime-ad7d6b44>; Tom Winter, *Agents Say Mass Firings Could Dangerously Weaken FBI In Three Ways*, NBC NEWS (Feb. 5, 2025), <https://www.nbcnews.com/politics/national-security/agents-say-mass-firings-dangerously-weaken-fbi-three-ways-rcna190915>. See eg., WSJ News, *Watch: FBI Agents Join ICE on Immigration Raid in Denver*, YouTube (Feb. 6, 2025), https://www.youtube.com/watch?v=_RGfOzrj2Vo

¹⁶ @BillMelugin, X.com, (Feb. 14, 2025, 12:54 pm), https://x.com/BillMelugin_/status/1890459550912049383, (FBI statement in response to allegations regarding leaks of ICE operations).

¹⁷ *Reevaluating and Realigning United States Foreign Aid*, 90 Fed. Reg. 8619 (Jan. 20, 2025), <https://www.federalregister.gov/documents/2025/01/30/2025-02091/reevaluating-and-realigning-united-states-foreign-aid>.

(OPDAT)—to direct prosecutors and investigators stationed in dozens of countries around the world to cease all operations. This freeze immediately disrupted DOJ’s work countering Chinese organized crime and Mexican drug cartels responsible for the fentanyl crisis; disrupting drug and human trafficking in Central and South America; prosecuting war crimes committed in Ukraine that killed Americans; and combatting foreign terrorist organizations targeting the United States.¹⁸ ICITAP and OPDAT were responsible for coordinating the 2019 multi-agency single-day takedown of more than 230 MS-13 gang members and affiliates worldwide,¹⁹ but their vital work has now ground to a halt. Regarding anti-human trafficking and counter-narcotics work in Mexico and Central America, Barabara Llanes, DOJ’s former resident legal adviser in Mexico City, outlined the effects of even a short pause, stating: “It takes a long time to build those relationships and build trust [with foreign local law enforcement] to the point that they’re willing to work with us and exchange sensitive information. You could damage those relationships.”²⁰ For law enforcement officers embedded in a country facing an influx of ISIS and Al-Qaeda affiliates, one individual has reported: “We have lost any ability to see what’s going on on the ground. Any of those groups could easily target the United States.”²¹ This ill-considered freeze, combined with the reallocation of resources to immigration enforcement, has left the United States dangerously vulnerable.

DOJ’s extensive focus on immigration enforcement, to the detriment of other vital national security and public safety priorities, intentionally diverts the Department’s resources and will fail to actually move the needle on immigration enforcement. Personnel at DOJ, the FBI, and other component agencies are now limited in their ability to combat threats to public safety and national security, and a dedicated and talented workforce is facing a crisis of morale. To that end, we ask that you rescind the January 21, 2025 Memorandum and reverse any personnel decisions that diverted resources away from critical national security and public safety missions.

Pursuant to this Committee’s constitutional obligation to perform oversight over the Department and its components, we ask that you please provide the following information:

1. Records reflecting or relating to immigration enforcement initiatives within DOJ, including agency guidance and trainings regarding immigration enforcement priorities and the establishment of task forces and working groups focused on immigration enforcement issued since January 20, 2025.
2. Records reflecting or relating to plans to staff immigration enforcement initiatives within the Department of Justice, including a complete list of individuals, by title and department, who have been instructed to participate in these initiatives since January 20, 2025.

¹⁸ Ben Penn, *Trump Foreign Aid Freeze Halts DOJ Overseas Enforcement*, BLOOMBERG LAW (Feb. 5, 2025), <https://news.bloomberglaw.com/us-law-week/trump-foreign-aid-freeze-halts-doj-overseas-enforcement>.

¹⁹ *Id.*; U.S. Drug Enforcement Agency, Press Release, DEA and Federal, State and Local Law Enforcement Announce One of the Largest Takedowns of MS-13 Gang Members and Associates in Nation’s History (Dec. 20, 2019), <https://www.dea.gov/press-releases/2019/12/20/dea-and-federal-state-and-local-law-enforcement-announce-one-largest>

²⁰ Ben Penn, *Trump Foreign Aid Freeze Halts DOJ Overseas Enforcement*, BLOOMBERG LAW (Feb. 5, 2025), <https://news.bloomberglaw.com/us-law-week/trump-foreign-aid-freeze-halts-doj-overseas-enforcement>.

²¹ *Id.*

3. Records reflecting or relating to the Acting Deputy Attorney General Emil Bove's January 21, 2025, Memorandum to all Department employees entitled "Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement."
4. Records reflecting or relating to your February 5, 2025, Memorandum to all Department employees entitled "Sanctuary City Directives."
5. Records reflecting or relating to communications between and among you, Emil Bove, Robert C. Kissane, Todd Blanche, Brian Driscoll, Kash Patel, and any other Trump Administration official communicating with Department of Justice personnel concerning the reassignment of any career civil servant in the Department of Justice or its components to immigration enforcement-focused task forces or other immigration enforcement-focused work.

We request the production of these materials as soon as possible, and no later than March 17, 2025.

Sincerely,



Richard J. Durbin
United States Senator



Mazie K. Hirono
United States Senator



Christopher A. Coons
United States Senator



Richard Blumenthal
United States Senator



Amy Klobuchar
United States Senator



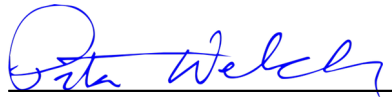
Adam B. Schiff
United States Senator



Sheldon Whitehouse
United States Senator



Cory A. Booker
United States Senator



Peter Welch
United States Senator



Alex Padilla
United States Senator

cc: The Honorable Charles E. Grassley
Chairman, Senate Committee on the Judiciary