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United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
<http://appropriations.senate.gov>

February 8, 2025

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

Dear Attorney General Bondi:

Over the last several days, acting deputies at the Department of Justice (DOJ) have ordered the firing of senior Federal Bureau of Investigation (FBI) executives in a politically-motivated move, which is by all accounts unmerited and likely illegal. There are also widespread reports, seemingly verified by a questionnaire sent last week to FBI agents and other employees, that the Department is laying the groundwork for a mass purge of FBI rank-and-file agents, intelligence analysts, and support staff for their work relating to the investigations and prosecutions of the January 6, 2021, attack on the United States Capitol. As Members of the Senate Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies (CJS), which funds both the DOJ and the FBI, we are outraged at such an unprecedented and blatantly retaliatory decision and demand that you halt efforts to target the dedicated public servants in the FBI, and the DOJ writ large, to fulfill President Trump's partisan political revenge agenda.

No one—not even the President of the United States—can rewrite history on his own terms. We all remember that on January 6, 2021, the world witnessed armed insurrectionists invade the U.S. Capitol and violently assault Capitol Police officers and officers from the District of Columbia. These attempts to overthrow a free and fair election were indelible stains on our democracy that we still feel today. There is no question crimes were committed on that day and those criminals should be held accountable by our justice system.

The FBI, as our nation's top investigative agency, played a critical role in the January 6 investigations. Many of its 38,000 dedicated staff were assigned—with no personal agendas—to investigate the assaults on U.S. Capitol Police officers and District of Columbia law enforcement in accordance with the law and FBI policy. Agents and support staff around the country dedicated time and resources to these investigations, which as of November 2024 yielded 1,561 defendants federally charged with crimes associated with the attack on the U.S. Capitol. Over 1,000 defendants had their cases fully adjudicated in federal courts and received sentences handed down by federal judges. Approximately 979 individuals plead guilty, and 210 individuals were found guilty following federal trials, including 10 defendants found guilty of seditious conspiracy. The convictions of those who stormed the Capitol and attempted to overthrow the

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government following a free and fair election were not examples of “weaponized law enforcement,” but examples of the justice system working how it should.

Without the work of the nonpartisan, career civil servants at the FBI, who were simply doing their jobs, our nation would be less safe. Now FBI employees face uncertainty and possible termination by a new administration obsessed with rewriting history and punishing blameless government employees. Civil servants should never be penalized for simply doing their jobs and carrying out the duties expected of them by the American people.

In addition to being a flagrantly partisan attack on civil servants, this effort to purge FBI employees is a blatant violation of appropriations law. Section 505 of Title V, Division C of Public Law 118–42, states, in part:

None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2024 . . . shall be available for obligation or expenditure through a reprogramming of funds that . . . reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

As of today, no notification has been sent by the Department of Justice or the FBI to the Committees on Appropriations for our approval or objection. This is a bipartisan legacy provision in the CJS Appropriations Act and critical to our system of checks and balances to ensure oversight and accountability in the appropriations process.

Notably, these reports of possible terminations come at a time of fiscal uncertainty at the FBI. Because of the ongoing budgetary constraints of the Fiscal Responsibility Act, the FBI faced a salaries and expenses resources shortfall of \$484 million in fiscal year 2024, which resulted in 1,025 positions reductions. The current Continuing Resolution, in effect until March 14, only exacerbates these harmful impacts within the FBI and the safety and security of the American people. A purge—possibly in the thousands—of FBI employees will only further undermine the FBI’s ability to combat terrorism, violent crime, cybercrime, drugs and gangs, transnational organized crime, and child and sex trafficking exploitation. Such actions only play into the hands of our Nation’s enemies who are just waiting for an opportunity to harm us.

Finally, these actions also appear to flout long-standing procedural protections FBI employees enjoy. These protections were put in place to guard against the very conduct that DOJ leadership

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is employing. At best, it is unclear whether these procedural protections were followed; at worst, they were flagrantly ignored.

It is critically important to have trust between law enforcement and the public, and DOJ's actions in the past week—as well as actions that may be coming—directly undermined that trust. Our national security and safety of the American people are on the line.

We demand that you halt reassignment and firing decisions immediately. In addition, we demand that the Department produce the survey in its entirety and provide to us the following information: 1) A full accounting on the scope of FBI employees surveyed; 2) The reasoning as to why the Department needs to know whether an FBI employee worked on an investigation or prosecution related to the January 6 attack on the U.S. Capitol; 3) The precedent for the Department to question FBI employees at large on their roles in a specific case, such as the January 6 attack on the U.S. Capitol by insurrectionists; 4) The statutory authority the Department has to use the information from such a survey to terminate an individual's employment; and 5) Whether the employees working on January 6 investigations also investigated cases involving violent crime and gang activity, stopping child predators and drug traffickers, protecting our nation from terrorists and other foreign threats—all national threats that you stated as Department priorities during your recent confirmation hearing?

As Members of the Senate CJS Appropriations Subcommittee, we will continue to work to ensure the Department is following the letter of the law and the will of Congress. Thank you for your attention to this matter and we look forward to receiving your response no later than February 17, 2025.

Sincerely,

Chris Van Hollen
Ranking Member
Subcommittee on Commerce, Justice,
Science, and Related Agencies

Patty Murray
Vice Chair
Committee on Appropriations

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Subcommittee on Commerce, Justice,
Science, and Related Agencies



Jack Reed
Subcommittee on Commerce, Justice,
Science, and Related Agencies



Gary C. Peters
Subcommittee on Commerce, Justice,
Science, and Related Agencies



Kirsten Gillibrand
Subcommittee on Commerce, Justice,
Science, and Related Agencies



Jeff Merkley
Subcommittee on Commerce, Justice,
Science, and Related Agencies