

# MEMORANDUM

July 23, 2025

**To: Constitution Subcommittee Members**

**Fr: Office of Senator Peter Welch**

**Re: Supplemental Memo on Shifting Enforcement Priorities and Staffing Changes at the Civil Rights Division**

On April 25, 2025, Senate Judiciary Committee Ranking Member Dick Durbin, Constitution Subcommittee Ranking Member Peter Welch, and all Democratic members of the Subcommittee sent a letter to Assistant Attorney General (AAG) Harmeet Dhillon, requesting information about new policy statements issued to several sections of the Civil Rights Division reflecting the Division's enforcement priorities going forward, and reported personnel changes.<sup>1</sup> On July 15, 2025, the Department responded, declining to provide the requested documents, as well as answers to most of the Members' questions, on the grounds that the requested documents and information reflected internal decisions that are confidential. The Department did provide some current staffing information.<sup>2</sup>

The office of Senator Welch has obtained the new policy statements issued to nine sections of the Civil Rights Division by AAG Dhillon. This memorandum outlines those policy statements as well as staffing changes at the Civil Rights Division under President Trump's second term.

## **I. EXECUTIVE SUMMARY**

The new information contained in this memorandum demonstrates the extent to which the longstanding enforcement objectives of each of the Division's sections have been narrowed, changed, and in some cases reversed under AAG Dhillon's leadership to mirror and advance President Trump's political agenda. As stated in multiple of the new policy directives:

The zealous and faithful pursuit of this section's mission requires dedication of the section's resources, actions, attention, and energy to the priorities and objectives of the President.

Created by the Civil Rights Act of 1957, Congress charged the Civil Rights Division with enforcing federal statutes that prohibit discrimination on the basis of race, color, sex, disability, religion, familial status, national origin, and citizenship status. The Division is meant to prohibit discrimination in education, protect voting rights, prevent discrimination by federal funding recipients, investigate illegal bias in housing, and defend the rights of those with disabilities. It is common for the Division's priorities to shift across presidential administrations, but the Division's civil rights enforcement has always rested on this nonpartisan foundation.

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<sup>1</sup> Letter from Senators Welch, Durbin, Hirono, Whitehouse, Schiff, Booker, and Padilla to Assistant Attorney General Harmeet Dhillon (Apr. 25, 2025), <https://www.welch.senate.gov/wp-content/uploads/2025/04/Welch-DOJ-Civil-Rights-Division-Oversight-Request.pdf>.

<sup>2</sup> Letter from Brian Nieves, Deputy Attorney General of the Department of Justice, to Senator Peter Welch, July 15, 2025 (U.S. Sen.).

The new policy statements are woven together by a common thread—rather than prioritizing the enforcement of federal civil rights laws, career attorneys have been explicitly directed to faithfully and zealously dedicate their efforts to the “priorities and objectives of the President.” Most of the policy statements directly cite the President’s executive orders. Nearly half of the policy statements reference social issues President Trump has campaigned on, such as prohibiting gender-affirming care and preventing the “radical indoctrination” of elementary school students.<sup>3</sup> Some policy statements fail to mention basic statutes the Division is tasked with enforcing.

Also under AAG Dhillon’s leadership, career Division attorneys have been reassigned and pressured to resign.<sup>4</sup> Since January 2025, more than 368 individuals have left the Division and only two Section Chiefs remain in place.<sup>5</sup> There is no precedent, in the history of the Civil Rights Division, for dismantling the Division on this scale. AAG Dhillon has described her objective in leading the Division as “turning the train around and driving in the opposite direction[.]”<sup>6</sup> She has done just that.

## **II. POLICY CHANGES IN THE CIVIL RIGHTS DIVISION**

Harmeet Dhillon was sworn in as Assistant Attorney General for Civil Rights on April 7, 2025. Roughly two weeks later, public reporting surfaced that Ms. Dhillon had issued new policy statements containing updated enforcement priorities.<sup>7</sup> Ms. Dhillon transmitted the policy statements via email to the Chiefs and Deputy Chiefs of nine of 11 sections.<sup>8</sup>

These policy statements represent a radical reshaping of the Division’s enforcement mission. They largely disregard the Division’s statutory responsibilities, which charge the Division with enforcing federal laws that prohibit discrimination based on various factors including race, color, sex, disability, religion, familial status, national origin, citizenship status, and military status.<sup>9</sup> They explicitly direct career Department of Justice (DOJ) attorneys to prioritize enforcing President Trump’s executive orders and political priorities.

In the wake of this guidance, the Division has dropped investigations, cases, and settlement agreements. The new policy statements, previously unavailable to the public, are below.

### **A. Housing and Civil Enforcement Section**

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<sup>3</sup> See New Policy Statements for the Disability Rights, Educational Opportunities, Federal Coordination and Compliance, and Policy and Strategy Sections.

<sup>4</sup> *Civil Rights Organizations Call for Oversight of DOJ Civil Rights Division*, LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS (June 17, 2025), <https://civilrights.org/resource/civil-rights-organizations-call-for-oversight-of-doj-civil-rights-division/>.

<sup>5</sup> Letter from Brian Nieves, Deputy Attorney General of the Department of Justice, to Senator Peter Welch, July 15, 2025 (U.S. Sen.).

<sup>6</sup> Suzanne Monyak, *DOJ Leader Calls for Civil Rights ‘Paradigm Shift’ After Exodus*, BLOOMBERG LAW (May 7, 2025), <https://news.bloomberglaw.com/us-law-week/doj-leader-calls-for-civil-rights-paradigm-shift-after-exodus>.

<sup>7</sup> See Glen Thrush, *Justice Dept. & Civil Rights Division Pushes Trump’s Culture War Agenda*, N.Y. TIMES (Apr. 18, 2025), <https://www.nytimes.com/2025/04/18/us/politics/trump-doj-civil-rights.html>.

<sup>8</sup> The office of Senator Welch received policy statements issued to nine of the eleven Sections within the Civil Rights Division, with the understanding that the Appellate and Criminal Sections did not receive updated policy statements.

<sup>9</sup> See *About the Division*, C.R. DIV.: U.S. DEP’T OF JUST., <https://www.justice.gov/crt> (last visited July 22, 2025).

## *New Policy Statement*

The Housing and Civil Enforcement (HCE) Section of the Civil Rights Division will promote and fully enforce the Servicemembers Civil Relief Act (SCRA) to protect our men and women in uniform on active duty, which is consistent with Presidential Executive Orders and the direction from the Attorney General. In addition, HCE will aggressively enforce Religious Land Use And Institutionalized Persons Act (RLUIPA) across the country to ensure that religious freedom reigns strong in America, which necessarily includes that states and local cities and counties' land use zoning and regulations are consistent with the First Amendment and do not discriminate based on religion or a religious type of land use. The aggressive and even-handed deployment of RLUIPA to restore religious liberty will be a top priority. HCE will also focus on challenges to racially discriminatory lending programs. All Americans are entitled to equal opportunity in housing, lending, and credit, and protection of religious expression and land use.

Protecting the rights of servicemembers and First Amendment liberties is imperative. But the Housing and Civil Enforcement Section's new policy statement scales back other critical rights the Section is charged with protecting.<sup>10</sup>

For example, the Section's new guidance does not mention the Fair Housing Act, the civil rights law it is charged by Congress to enforce.<sup>11</sup> The Civil Rights Division has a long history of prioritizing the investigation and prosecution of predatory landlords. In one 2021 case, the Section investigated and obtained a \$4.5 million settlement from a landlord who had sexually harassed tenants and housing applicants for more than fifteen years.<sup>12</sup>

The Section's new directive fails to mention three other pieces of landmark legislation it is tasked with enforcing.<sup>13</sup> The guidance omits Title II of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, national origin, or religion in places of public accommodation such as hotels, restaurants, gas stations, movie theatres, sports arenas, stadiums, and nightclubs.<sup>14</sup> The Section's guidance also omits the Violence Against Women Act, which protects housing for victims of sexual assault and domestic violence and the right to seek emergency assistance without penalty when an individual is a victim of crime or otherwise not at fault.<sup>15</sup> Lastly, the statement fails to mention the Equal Credit Opportunity Act.<sup>16</sup> This legislation prohibits creditors from discriminating against applicants on the basis of race, color, national

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<sup>10</sup> See *Housing And Civil Enforcement Section Overview*, C.R. DIV.: U.S. DEP'T OF JUST. (Feb. 26, 2025), <https://www.justice.gov/crt/housing-and-civil-enforcement-section-overview>.

<sup>11</sup> See *Housing and Civil Enforcement Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/media/1390781/dl?inline> (last visited July 22, 2025).

<sup>12</sup> *Justice Department Obtains \$4.5 Million Settlement from a New Jersey Landlord to Resolve Claims of Sexual Harassment of Tenants*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (Dec. 14, 2021), <https://www.justice.gov/archives/opa/pr/justice-department-obtains-45-million-settlement-new-jersey-landlord-resolve-claims-sexual>.

<sup>13</sup> See *Housing and Civil Enforcement Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/media/1390781/dl?inline> (last visited July 22, 2025).

<sup>14</sup> 42 U.S.C. §§ 2000a *et seq.*

<sup>15</sup> 34 U.S.C. § 12491.

<sup>16</sup> 15 U.S.C. §§ 1691 *et seq.*

origin, religion, sex, marital status, age, receiving income from public assistance, or exercising rights under the Consumer Credit Protection Act.<sup>17</sup>

The ramifications of the Section's new policy guidance are already apparent. In March 2025, the Housing Section dropped a case it had brought in 2024, alleging sexual abuse of children over an eight-year period by Southwest Key, a housing provider for unaccompanied children in Texas, Arizona, and California.<sup>18</sup>

In April 2025, the Section moved to drop a case against SouthEast Bank that was referred to DOJ by the Federal Deposit Insurance Company.<sup>19</sup> The case alleged that the bank implemented school-related eligibility criteria for an online national student loan refinance product that discriminated against Black and American Indian/Alaska Native applicants.<sup>20</sup> Among other relief, the proposed consent order in the case would have provided \$1.5 million in monetary relief to benefit all individuals from schools previously barred under the eligibility criteria.<sup>21</sup>

Since January 2025, the Section has not brought a single case to address discriminatory lending practices prohibited by the Equal Credit Opportunity Act or the Fair Housing Act.<sup>22</sup> The first Trump Administration brought five discriminatory lending cases<sup>23</sup>; former President George W. Bush brought ten discriminatory lending cases over his two terms.<sup>24</sup>

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<sup>17</sup> *Id.*

<sup>18</sup> *HHS, DOJ Move to End Sexual Abuse and Harassment of Unaccompanied Alien Children in Shelters Operated by Southwest Key Programs*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (Mar. 12, 2025), <https://www.justice.gov/opa/pr/hhs-doj-move-end-sexual-abuse-and-harassment-unaccompanied-alien-children-shelters-operated>.

<sup>19</sup> *U.S. v. SouthEast Bank*, No. 3:25-CRV-26 (E.D. Tenn.).

<sup>20</sup> *Id.*

<sup>21</sup> *United States v. SouthEast Bank (E.D. Tenn.)*, U.S. DEP'T OF JUST. (Feb. 28, 2025), <https://www.justice.gov/crt/case/united-states-v-southeast-bank-ed-tenn>.

<sup>22</sup> See *Housing and Civil Enforcement Cases*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/housing-and-civil-enforcement-cases> (last visited July 22, 2025); *Fair Lending News and Speeches*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/fair-lending-news-and-speeches> (last visited July 22, 2025).

<sup>23</sup> See *The Attorney General's 2020 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Sept. 2021), <https://www.justice.gov/crt/page/file/1436056/dl?inline>; *The Attorney General's 2019 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (July 2020), <https://www.justice.gov/crt/page/file/1296726/dl?inline>; *The Attorney General's 2018 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Sept. 2019), <https://www.justice.gov/crt/page/file/1212156/dl?inline>; *The Attorney General's 2017 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Sept. 2018), <https://www.justice.gov/crt/page/file/1097406/dl>.

<sup>24</sup> See *The Attorney General's 2008 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Apr. 2009), [https://www.justice.gov/sites/default/files/crt/legacy/2015/04/13/ecoa\\_report\\_2008.pdf](https://www.justice.gov/sites/default/files/crt/legacy/2015/04/13/ecoa_report_2008.pdf); *The Attorney General's 2007 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Apr. 2008), <https://www.justice.gov/sites/default/files/crt/legacy/2015/04/13/ecoa2007.pdf>; *The Attorney General's 2006 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Mar. 2007), <https://www.justice.gov/sites/default/files/crt/legacy/2015/04/13/ecoa2006.pdf>; *The Attorney General's 2004 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R. DIV.: U.S. DEP'T OF JUST. (Mar. 2005), <https://www.justice.gov/crt/housing-and-civil-enforcement-cases-documents-112>; *The Attorney General's 2002 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976*, C.R.

The Section also has not filed any cases under the Sexual Harassment in Housing Initiative, which was created in October 2017 under the first Trump Administration.<sup>25</sup> Similarly, Fair Lending Enforcement, including the Combating Redlining Initiative launched in October 2021, has not had any new cases since President Trump's second inauguration.<sup>26</sup>

The Section's policy statement directs the Division to "aggressively" enforce religious liberties under RLUIPA. In turn, the Section has devoted significant effort to challenging zoning laws on behalf of churches. In May 2025, the Section brought a case against a small town in Idaho for enforcing zoning laws against a church attempting to hold worship services in a business district; the church's permit application was opposed by a majority of the city's residents.<sup>27</sup> In March 2025, the Section intervened on behalf of a church suing a California city alleging a zoning law disfavors religious entities.<sup>28</sup> That same month, DOJ filed a statement of interest backing a church suing the Borough of Clarion, Pennsylvania, over a zoning code prohibiting the church from purchasing property.<sup>29</sup>

## **B. Special Litigation Section**

### *New Policy Statement*

The Special Litigation Section (SPL) of the Civil Rights Division enforces the Civil Rights of Institutionalized Persons Act, Title II of the Americans with Disabilities Act, 34 U.S.C. 12601 governing the conduct of state and local law enforcement and the administration of juvenile justice, and the FACE Act consistent with the clear direction of Presidential Executive Orders and the direction from the Attorney General. SPL will not engage in a two-tiered application of any of these statutes, which when abused results in discrimination and disparate treatment of speakers, including pro-life protestors or prayer vigils. SPL will work diligently to support local law enforcement by addressing areas of policing that need correction when warranted, but SPL will not use our authority to unfairly target, hamper, or impede law enforcement officers and organizations. Cases against police departments and individual officers that are years or even decades old, will be re-evaluated for merit and in any current case in question will be presented to the AAG's office for further review. Where applicable, SPL will work to end DEI, to protect and defend women

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DIV.: U.S. DEP'T OF JUST. (Sept. 2003), <https://www.justice.gov/crt/housing-and-civil-enforcement-cases-documents-598>.

<sup>25</sup> See *Sexual Harassment in Housing Initiative – News Archives*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/sexual-harassment-housing-initiative-news-archives> (last visited July 22, 2025). One ongoing case has been settled. See *Justice Department Secures \$360,000 Settlement in Sexual Harassment Lawsuit Against New Mexico Property Manager and Apartment Complex*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST., <https://www.justice.gov/opa/pr/justice-department-secures-360000-settlement-sexual-harassment-lawsuit-against-new-mexico> (last visited July 22, 2025).

<sup>26</sup> See *Fair Lending News and Speeches*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/fair-lending-news-and-speeches> (last visited July 22, 2025).

<sup>27</sup> Kelsey Dallas, *Why the Justice Department Just Sued a Small Idaho Town*, DESERT NEWS (May 29, 2025), <https://www.deseret.com/faith/2025/05/29/justice-department-religious-freedom-lawsuit-troy-christ-church/>.

<sup>28</sup> Michael Gryboski, *Trump DOJ Backs Church Suing California City Over Zoning Restriction*, CHRISTIAN POST (Mar. 18, 2025), <https://www.christianpost.com/news/trump-doj-backs-church-suing-california-city-over-zoning-policy.html>.

<sup>29</sup> Michael Gryboski, *Trump DOJ Backs Church's Lawsuit Over Borough's Building Ban*, CHRISTIAN POST (Mar. 4, 2025), <https://www.christianpost.com/news/trump-doj-backs-churchs-lawsuit-over-boroughs-building-ban.html>.

in all areas of life in America, and otherwise to enforce civil rights laws with an emphasis on the President's Executive Orders and policies.

The Special Litigation Section traditionally protects individuals who interact with law enforcement as well as state and local facilities such as health care centers, prisons, jails, and juvenile detention centers.<sup>30</sup> Community trust is a key component of effective policing and the Section plays a central role in facilitating accountability, particularly where local systems fail to protect the public. The Section's new policy statement states that the Section governs the "conduct of state and local law enforcement [...] but will not use our authority to unfairly target, hamper, or impede law enforcement officers and organizations." Following this directive, the Section has retracted its prior findings of constitutional violations by police departments and has dropped several civil rights cases altogether.

In May 2025, the Section dismissed lawsuits against the Louisville and Minneapolis police departments that alleged widespread patterns of police misconduct.<sup>31</sup> The Section also withdrew from federal oversight agreements with the Louisville and Minneapolis police, which were negotiated after investigations into the police killings of Breonna Taylor and George Floyd.<sup>32</sup> On July 16, 2025, the Criminal Section requested that a Louisville police officer convicted in connection with a raid that caused Breonna Taylor's death receive one day in prison.<sup>33</sup>

In discussing the Section's new enforcement priorities, AAG Dhillon said, "We don't want people in the federal government who feel like it's their pet project to go persecute police departments based on statistical evidence[.]"<sup>34</sup> The Section has closed investigations and retracted the Division's prior findings of constitutional violations of the following police departments: Phoenix, Arizona; Trenton, New Jersey; Memphis, Tennessee; Mount Vernon, New York; Oklahoma City, Oklahoma; and Louisiana State Police.<sup>35</sup> The Section's new policy directive has hollowed out DOJ's previous efforts to promote police accountability and build community trust.

### **C. Disability Rights Section**

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<sup>30</sup> See *Special Litigation Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/special-litigation-section> (last visited July 22, 2025).

<sup>31</sup> *The U.S. Department of Justice's Civil Rights Division Dismisses Biden-Era Police Investigations and Proposed Police Consent Decrees in Louisville and Minneapolis*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (May 21, 2025), <https://www.justice.gov/opa/pr/us-department-justices-civil-rights-division-dismisses-biden-era-police-investigations-and>.

<sup>32</sup> Alexander Mallin et al., *Justice Department Moves to Drop Police Reform Agreements with Louisville, Minneapolis*, ABC NEWS (May 21, 2025), <https://abcnews.go.com/Politics/justice-department-drop-police-reform-agreements-louisville-minneapolis/story?id=122030877>.

<sup>33</sup> Perry Stein and David Nakamura, *DOJ Seeks One-Day Sentence for Officer in Raid that Killed Breonna Taylor*, WASH. POST (July 17, 2025), <https://www.washingtonpost.com/national-security/2025/07/17/doj-sentencing-police-officer-breonna-taylor/>.

<sup>34</sup> Perry Stein and Jeremy Roebuck, *Civil Rights Lawyers Leave En Masse as Justice Dept. Mission Shifts*, WASH. POST (Apr. 28, 2025), <https://www.washingtonpost.com/national-security/2025/04/28/justice-civil-rights-harmmeet-dhillon-trump/>.

<sup>35</sup> *The U.S. Department of Justice's Civil Rights Division Dismisses Biden-Era Police Investigations and Proposed Police Consent Decrees in Louisville and Minneapolis*, U.S. DEP'T OF JUST. (May 21, 2025), <https://www.justice.gov/opa/pr/us-department-justices-civil-rights-division-dismisses-biden-era-police-investigations-and>.

## *New Policy Statement*

The mission of the Disability Rights Section is the administration and enforcement of the Americans with Disabilities Act of 1990, found at 42 U.S.C. §§12101 et seq. (“ADA”). The ADA prohibits discrimination on the basis of disability in employment practices of employers with 15 or more employees (Title I), in all activities of state and local government entities (Title II), and in places of public accommodation (Title III). The zealous and faithful pursuit of this section’s mission requires dedication of the section’s resources, actions, attention, and energy to the priorities and objectives of the President. Those priorities and objectives presently include the principles and directives described and set forth in recent Executive Orders including, but not limited to, Executive Order 14168 “Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” Executive Order 14187 “Protecting Children from Chemical and Surgical Mutilation,” Executive Order 14190 “Ending Radical Indoctrination in K-12 Schooling,” and Executive Order 14201 “Keeping Men Out of Women’s Sports,” among others. The United States, as the Department of Justice’s sole client, expects the lawyers and professional staff of DRS to administer and enforce these laws and lawful Executive Orders faithfully and zealously.

The Disability Rights Section is traditionally focused on achieving equal opportunity for Americans with disabilities, including servicemembers and veterans.<sup>36</sup> Although the Section’s new policy statement references enforcement of the landmark Americans with Disabilities Act (ADA), the statement directs all of the Section’s “resources, actions, attention, and energy to be dedicated to the priorities and objectives of the President.” The executive orders listed as President Trump’s priorities relate to preventing gender affirming care and prohibiting transgender participation in sports, rather than safeguarding the rights of people with disabilities.

Since the beginning of President Trump’s second term, DOJ’s website lists no new investigations to protect the rights of servicemembers or veterans with disabilities or matters related to access to health care for people with disabilities.<sup>37</sup>

During the first Trump Administration, the Section had a series of notable successes, including a settlement to resolve a hospital’s failure to provide interpreters;<sup>38</sup> a settlement with Walgreens to resolve an allegation that it failed to provide a flu shot to an individual with HIV;<sup>39</sup> a resolution surrounding a health care provider’s failure to provide a physical to a student with developmental disabilities;<sup>40</sup> and a settlement to resolve a nursing facility’s refusal to accept a deaf patient.<sup>41</sup> At that time, the Section also launched an initiative to combat discriminatory barriers to treatment

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<sup>36</sup> See *Disability Rights Section*, C.R. DIV.: U.S. DEP’T OF JUST., <https://www.justice.gov/crt/disability-rights-section> (last visited July 22, 2025).

<sup>37</sup> See *Cases*, U.S. DEP’T OF JUST., <https://www.justice.gov/servicemembers/cases> (last visited July 22, 2025); see also *Disability Rights*, U.S. DEP’T OF JUST. (Nov. 4, 2024), <https://www.justice.gov/servicemembers/disability-rights>.

<sup>38</sup> *Barrier-Free Health Care Initiative*, U.S. DEP’T OF JUST., <https://archive.ada.gov/barrierfreehealthcare.htm> (last visited July 22, 2025).

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

and health care for people with opioid use disorder.<sup>42</sup> The effort was launched to reduce the demand for fentanyl and other opioids, to ultimately help fight the sale of illegal drugs.<sup>43</sup>

Another core component of the Section's work is promoting access to health care by enforcing the ADA and Section 504 of the Rehabilitation Act.<sup>44</sup> The Section protects individuals from being excluded from treatment because of a co-occurring disability and enforces physical access to medical facilities and language interpreters. Under the new guidance, the Disability Rights Section appears to have made progress on just one case—a settlement on April 7, 2025, with Sea Mar Community Health Centers and Subsidiaries to ensure access to treatment at dental facilities.<sup>45</sup> The Section has failed to open any new matters.<sup>46</sup>

#### **D. Educational Opportunities Section**

##### *New Policy Statement*

The mission of the Educational Opportunities Section is the enforcement of the civil rights laws and court decisions, such as *Students for Fair Admissions Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181 (2023), that primarily protect students and parents from discrimination by schools and institutions of higher learning on the basis of race, religion, national origin, and sex. This mandate includes protecting the rights of women and girls to unfettered access to programs, facilities, extracurricular activities, and sports or athletic opportunities that exclude males from presence or participation. The mandate also includes preventing racial discrimination in school admissions policies and preventing antisemitism in education wherever it is found. The zealous and faithful pursuit of this section's mission requires the full dedication of the section's resources, attention, and energy to the priorities of the President, who effectively set EOS's priorities for enforcement during this administration in his recent Executive Orders, including EO 14168 "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," EO 14190 "Ending Radical Indoctrination in K-12 Schooling," EO 14201 "Keeping Men Out of Women's Sports," EO 14173 "Ending Illegal Discrimination and Restoring Merit Based Opportunity," EO 14188 "Additional Measures to Combat Antisemitism," EO 14022 "Eradicating Anti-Christian Bias," and EO 14224 "Designating English as the Official Language of the United States." The United States, as the Department of Justice's sole client, expects the lawyers and professional staff of EOS to

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<sup>42</sup> *Department of Justice Opioid Initiative Addresses Discriminatory Barriers to MAT*, LEGAL ACTION CENTER (Dec. 2017), <https://www.lac.org/news/departments-of-justice-opioid-initiative-addresses-discriminatory-barriers-to-mat#:~:text=Department%20of%20Justice%20Opioid%20Initiative%20Addresses%20Discriminatory%20Barriers%20to%20MAT,constitute%20illegal%20discrimination%2C%20such%20as%20%E2%80%93; Opioid Use Disorder, U.S. DEP'T OF JUST., https://www.ada.gov/topics/opioid-use-disorder/> (last visited July 22, 2025).

<sup>43</sup> *See id.*

<sup>44</sup> *See Disability Rights Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/disability-rights-section> (last visited July 22, 2025).

<sup>45</sup> *Disability Rights Cases*, C.R. DIV.: U.S. DEP'T OF JUST., [https://www.justice.gov/crt/disability-rights-cases?search\\_api\\_fulltext=%22Substance+Use+Disorder%22&sort\\_by=field\\_date](https://www.justice.gov/crt/disability-rights-cases?search_api_fulltext=%22Substance+Use+Disorder%22&sort_by=field_date) (last visited July 22, 2025).

<sup>46</sup> *Disability Rights*, U.S. DEP'T OF JUST. (Nov. 4, 2024), <https://www.justice.gov/servicemembers/disability-rights-cases>, U.S. DEP'T OF JUST., <https://www.justice.gov/servicemembers/cases> (last visited July 22, 2025).

administer and enforce these laws and lawful Executive Orders faithfully and zealously.

The Educational Opportunities Section is tasked with ensuring that students are protected from sexual harassment, abuse, and discriminatory treatment in schools.<sup>47</sup> This Section traditionally enforces federal statutes to protect students against prohibited discrimination and harassment, including on the basis of race and sex.<sup>48</sup> The Section's historical roots come from efforts to desegregate American schools in the 1960s. The new policy statement directs the Section to focus instead on addressing "anti-white racism" and targeting free speech on campus under the guise of combatting antisemitism.<sup>49</sup>

In May 2025, the Section dropped a decades-old case it had brought against Louisiana's Plaquemines Parish School Board in 1966 to enforce desegregation of the school.<sup>50</sup> In 1975, the court ordered the case administratively closed, but the school board was required to file annual reports on student and faculty demographics, as well as take steps to make the physical facilities at previously segregated facilities equal.<sup>51</sup> Despite extensive research and reporting that shows pervasive neglect of school desegregation orders and that lifting or underenforcing desegregation orders results in prompt resegregation, DOJ dropped the case and consent decree.<sup>52</sup> The dismissal stipulation itself—which AAG Dhillon signed—stated that there had been "zero action by the Court, the parties, or any third-party" since 1975.<sup>53</sup> Still, in an April 2025 press release, DOJ said that "Dhillon righted a historical wrong, freeing the local school district of federal oversight."<sup>54</sup>

The Administration has redirected the Section's efforts to ending diversity, equity, and inclusion (DEI) policies and addressing allegations of antisemitism on college campuses. Attorney General Bondi issued a memo on February 5, 2025, titled "Ending Illegal DEI and DEIA Discrimination and Preferences."<sup>55</sup> The memo asserts, without a statutory basis, that DEI policies (encompassing activities "that discriminate, exclude, or divide individuals based on race or sex") are unlawful.<sup>56</sup> The memo states that the Civil Rights Division will "pursue actions" in accordance with the

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<sup>47</sup> See *Types Of Educational Opportunities Discrimination*, C.R. DIV.: U.S. DEP'T OF JUST. (Jan. 31, 2025), <https://www.justice.gov/crt/types-educational-opportunities-discrimination>.

<sup>48</sup> *Id.*

<sup>49</sup> Rebecca Beitsch, *Critics See 'Monumental Shift' in Trump Remaking of DOJ Civil Rights Division*, THE HILL (Apr. 28, 2025), <https://thehill.com/homenews/administration/5268277-trump-administration-civil-rights/>.

<sup>50</sup> *Justice Department Dismisses Half Century Old Louisiana Consent Decree*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (Apr. 29, 2025), <https://www.justice.gov/opa/pr/justice-department-dismisses-half-century-old-louisiana-consent-decree>.

<sup>51</sup> Madiba Dennie, *Trump's Justice Department Is Making Schools Segregated Again*, BALLS AND STRIKES (May 12, 2025), <https://ballsandstrikes.org/law-politics/plaquemines-parish-school-segregation/>.

<sup>52</sup> *Id.*

<sup>53</sup> *Justice Department Ends Civil Rights-Era School Desegregation Order in Louisiana*, CNN (May 2, 2025), <https://www.cnn.com/2025/05/02/us/louisiana-justice-department-desegregation-order>.

<sup>54</sup> *Justice Department Dismisses Half Century Old Louisiana Consent Decree*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (Apr. 29, 2025), <https://www.justice.gov/opa/pr/justice-department-dismisses-half-century-old-louisiana-consent-decree>.

<sup>55</sup> Memorandum from Attorney General Pamela Bondi on Ending Illegal DEI and DEIA Discrimination and Preferences (Feb. 5, 2025), <https://www.justice.gov/ag/media/1388501/dl?inline>.

<sup>56</sup> *Id.*

memo and the Department's interpretation of *Students for Fair Admissions*, a 2023 case that ended affirmative action in higher education.<sup>57</sup>

On May 19, 2025, the Civil Rights Division was tasked by Deputy Attorney General Todd Blanche to collaborate with the Civil Division's Fraud Section to launch a new Civil Rights Fraud Initiative.<sup>58</sup> The initiative was directed to bring False Claims Act claims against any recipient of federal funds—including universities—that “encourages antisemitism, refuses to protect Jewish students, allows men to intrude into women’s bathrooms, or requires women to compete against men in athletic competitions,” or otherwise engages in diversity programs.<sup>59</sup> In late June 2025, the Trump Administration successfully pressured the University of Virginia’s President to step down because of its diversity efforts.<sup>60</sup> That same month, the Civil Rights Division announced an investigation into the University of California’s hiring practices, alleging that they are discriminatory.<sup>61</sup> Numerous other universities have been targeted with inquiries and purported cancellations of federal grants.<sup>62</sup>

Lastly, the Section’s new policy statement refers to “Executive Order No. 14224: Designating English as the Official Language of the United States of America.”<sup>63</sup> On July 14, 2025, Attorney General Bondi issued a memo stating that, pursuant to the executive order, the Department would be revising its guidance for complying with Title VI of the Civil Rights Act, including by limiting the provision of services in languages other than English.<sup>64</sup> The memo states: “The Department will no longer rely on the Title VI disparate impact regulations,” which protect marginalized groups—like children in public schools who do not speak English—from policies that have a discriminatory effect.<sup>65</sup> It is an open question whether the Division will attempt to remove funding from schools that fail to comply with the Executive Order and memo, such as school districts that use English as a Second Language curriculum.

## **E. Federal Coordination & Compliance Section**

### *New Policy Statement*

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<sup>57</sup> *Id.*

<sup>58</sup> Memorandum from Deputy Attorney General Todd Blanche on the Civil Rights Fraud Initiative (May 19, 2025), [https://www.justice.gov/dag/media/1400826/dl?inline=&utm\\_medium=email&utm\\_source=govdelivery](https://www.justice.gov/dag/media/1400826/dl?inline=&utm_medium=email&utm_source=govdelivery).

<sup>59</sup> *Id.*

<sup>60</sup> Michael S. Schmidt & Michael C. Bender, *University of Virginia President Resigns Under Pressure From Trump Administration*, N.Y. TIMES (June 27, 2025), <https://www.nytimes.com/2025/06/27/us/politics/uva-president-resigns-jim-ryan-trump.html>. More recent reporting has documented the close ties between a group of school alumni that opposed the President and a CRT appointee who previously sued the University in private practice. Stephanie Saul, *Inside the Conservative Campaign that Took Down a University President*, N.Y. TIMES (July 14, 2025; updated July 16, 2025), <https://www.nytimes.com/2025/07/14/us/politics/university-virginia-president-trump-dei-jefferson-council.html>.

<sup>61</sup> Michael C. Bender, *Justice Dept. Opens Inquiry Into University of California Hiring Practices*, N.Y. TIMES (June 26, 2025), <https://www.nytimes.com/2025/07/02/us/politics/justice-department-election-data.html>.

<sup>62</sup> Alan Blinder, *Trump Has Targeted These Universities. Why?*, N.Y. TIMES (July 11, 2025), <https://www.nytimes.com/article/trump-university-college.html>.

<sup>63</sup> See Exec. Order No. 14224, 90 Fed. Reg. 11363 (Mar. 1, 2025).

<sup>64</sup> Memorandum from Attorney General Pamela Bondi on Implementation of Executive Order No. 14,224: Designating English as the Official Language of The United States of America (July 14, 2025), [https://www.justice.gov/ag/media/1407776/dl?inline=&utm\\_medium=email&utm\\_source=govdelivery](https://www.justice.gov/ag/media/1407776/dl?inline=&utm_medium=email&utm_source=govdelivery).

<sup>65</sup> *Id.*

The mission of the Federal Coordination & Compliance Section is to prevent and remedy discrimination on the basis of race, color, national origin, sex, religion, and shared ancestry in federally funded programs across the country. This mission is executed through direct enforcement, technical assistance work, and governmentwide coordination. The zealous and faithful pursuit of this section's mission requires the full dedication of the section's resources, attention, and energy to the priorities of the President, who effectively set FCS's priorities for enforcement during this administration in his recent Executive Orders, including EO 14168 "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," EO 14190 "Ending Radical Indoctrination in K-12 Schooling," EO 14201 "Keeping Men Out of Women's Sports," EO 14173 "Ending Illegal Discrimination and Restoring Merit Based Opportunity," EO 14188 "Additional Measures to Combat Antisemitism," EO 14022 "Eradicating Anti-Christian Bias," and EO 14224 "Designating English as the Official Language of the United States." The United States, as the Department of Justice's sole client, expects the lawyers and professional staff of FCS to administer and enforce these laws and lawful Executive Orders faithfully and zealously.

The Federal Coordination and Compliance Section is tasked with ensuring that federal agencies, and by extension federally funded activities, are in accordance with civil rights statutes such as the Civil Rights Act, the ADA, the Pregnancy Discrimination Act, and other laws.<sup>66</sup>

This Section's new policy identifies as the Section's enforcement priorities many of the same executive orders found in other policy statements, including those relating to preventing gender-affirming care, prohibiting transgender participation in women's sports, addressing "anti-Christian bias," and making English the official language of the United States.

This policy directive empowers the federal government to withhold funding from localities that, in the Administration's opinion, violate the civil rights protections contained in the executive orders cited in the directive. Politicizing the Section by tying enforcement to President Trump's political and policy priorities could lead to the targeting of state and local governments that disagree with the Administration's interpretations of these orders and federal law.

In May 2025, the Section terminated a significant settlement agreement DOJ had entered into with county and state health departments regarding wastewater treatment in Lowndes County, Alabama.<sup>67</sup> In 2023, the Section entered a settlement agreement after an 18-month investigation found that officials' enforcement of sanitation laws threatened Lowndes County residents, who are largely rural and Black, for raising sanitation conditions the residents were largely unable to rectify.<sup>68</sup> Lowndes County residents had been exposed to raw sewage in their homes, yards,

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<sup>66</sup> See *Federal Coordination and Compliance Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/federal-coordination-and-compliance-section> (last visited July 22, 2025).

<sup>67</sup> See *Departments of Justice and Health and Human Services Announce Interim Resolution Agreement in Environmental Justice Investigation of Alabama Department of Public Health*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (May 4, 2025), <https://www.justice.gov/archives/opa/pr/departments-justice-and-health-and-human-services-announce-interim-resolution-agreement>.

<sup>68</sup> *Id.*

playgrounds, and schools, leading residents to struggle with public health risks rarely seen in the U.S. like hookworm and tropical parasites.<sup>69</sup>

In withdrawing from the case, the Division characterized the settlement as “illegal DEI,”<sup>70</sup> leading one commentator to state: “Trump DOJ: Providing Basic Sewer Services to Black People is Actually ‘Illegal DEI.’”<sup>71</sup>

## **F. Voting Section**

### *New Policy Statement*

The Voting Rights Act, Uniformed and Overseas Citizens Absentee Voting Act, National Voting Rights Act, and the Help America Vote Act, along with EO 14248 Preserving and Protecting the Integrity of American Elections are statutory and policy authorities to ensure all eligible American citizens are easily able to vote in safe, secure elections. The mission of the Voting Rights Section of the DOJ Civil Rights Division is to ensure free, fair, and honest elections unmarred by fraud, errors, or suspicion. The section will vigorously enforce the statutes, orders, and priorities as expressed in EO 14248, to protect the right of American citizens to have their votes properly counted and tabulated, without illegal dilution or error. Along with the Department of Homeland Security, the Voting Section will work to assist States to share database information upon request for accurate voter registration list maintenance. The Section will work to ensure that only American citizens vote in US federal elections and do so securely. Other section priorities include preventing illegal voting, fraud, and other forms of malfeasance and error. All attorneys within the Voting Section will advocate with zeal on behalf of the United States of America in furtherance of all objectives as tasked.

The Voting Section is responsible for enforcing federal laws that protect the right to vote.<sup>72</sup> AAG Dhillon’s new policy statement shifts enforcement priorities from protecting voting rights to restricting voting access. Executive Order 14248, titled “Preserving and Protecting the Integrity of American Elections,” places a number of restrictions<sup>73</sup> on voting and has been partially enjoined by the courts as unconstitutional.<sup>74</sup> The policy statement further directs the Voting

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<sup>69</sup> *U.S. Justice Department Abandons Lowndes County Residents Suffering Longstanding Sewage Problems*, EQUAL JUSTICE INITIATIVE (Apr. 30, 2025),

<https://eji.org/news/u-s-justice-department-abandons-lowndes-county-residents-suffering-longstanding-sewage-problems/>.

<sup>70</sup> Madiba Dennie, *Trump DOJ: Providing Basic Sewer Services to Black People Is Actually “Illegal DEI”*, BALLS AND STRIKES (Apr. 21, 2025), <https://ballsandstrikes.org/law-politics/lowndes-county-trump-settlement-indoor-plumbing-is-dei/>.

<sup>71</sup> *Id.*

<sup>72</sup> *See Voting Section*, C.R. DIV.: U.S. DEP’T OF JUST., <https://www.justice.gov/crt/voting-section> (last visited July 22, 2025).

<sup>73</sup> According to the Brennan Center, these include requiring a passport or similar document to vote, adding a similar requirement for military and overseas voters, requiring the Election Assistance Commission to decertify machines it previously certified for electoral use, granting DOGE access to all voter data, coercing changes to state mail and absentee ballot deadlines, and requiring states to share data on voting with the Department of Justice. *See Wendy Weiser, The President’s Executive Order on Elections*, BRENNAN CENTER (Apr. 1, 2025), <https://www.brennancenter.org/our-work/research-reports/presidents-executive-order-elections-explained>.

<sup>74</sup> *Id.*

Section to help the Department of Homeland Security in obtaining voter database information from states, which experts have warned undermines election integrity, state sovereignty, and Americans' privacy.<sup>75</sup> The policy statement also directs the Section to work to prevent the "illegal dilution" of voting, a reference to a widely-debunked claim that voting by non-citizens is diluting the votes of citizens.<sup>76</sup>

According to public reporting, following the issuance of the new policy statement, political appointees directed the few remaining attorneys in the Voting Section to dismiss all active voting rights cases.<sup>77</sup> Since January 2025, the Section has in fact dropped several voting rights cases that address racial discrimination in elections.<sup>78</sup> For example, in March, the Voting Section filed a motion to voluntarily dismiss a Voting Rights Act case filed in 2021 that challenges aspects of the Georgia elections law for restricting the right to vote on account of race or color.<sup>79</sup> Georgia's Secretary of State had written to Attorney General Bondi in February, asking for the Department to drop the suit.<sup>80</sup>

On April 8, 2025, the Section moved to dismiss a case challenging Arizona's election law, which requires voters to provide documentary proof of citizenship in order to vote.<sup>81</sup> The District Court had struck down the challenged provisions, and the Ninth Circuit affirmed in February 2025.<sup>82</sup>

The Section also obtained voluntary dismissal of claims it had brought in a Voting Rights Act case challenging a Texas congressional and state house redistricting map on the grounds that the maps diluted the voting strength of Black and Latino voters.<sup>83</sup> AAG Dhillon stated in a July 7, 2025, letter to the Texas Governor Greg Abbott and Attorney General Ken Paxton that the existing maps—the same maps the Department had previously challenged for diluting minority votes—actually reflected unconstitutional racial considerations for creating four majority-minority districts that consolidated minority voting power.<sup>84</sup> President Trump has reportedly been pushing Texas lawmakers to undertake a mid-cycle redistricting, which they plan to undertake

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<sup>75</sup> See *Washington Trump Election Integrity Executive Order Challenge*, DEMOCRACY DOCKET (Apr. 4, 2025), <https://www.democracydocket.com/cases/washington-trump-election-integrity-executive-order-challenge/>; Ivelisse Rodriguez, "Your Vote Is a Threat": Executive Order No. 14248, *The SAVE Act*, and Voter Suppression, THE SANDSPUR (Apr. 13, 2025), <https://www.thesandspur.org/your-vote-is-a-threat-executive-order-no-14248-the-save-act-and-voter-suppression/>.

<sup>76</sup> See Jude Joffe-Block, *6 Facts About False Noncitizen Voting Claims and the Election*, NPR (Nov. 5, 2024), <https://www.npr.org/2024/10/12/nx-s1-5147789/voting-election-2024-noncitizen-fact-check-trump>.

<sup>77</sup> Sam Levine, *Trump's Justice Department Appointees Remove Leadership of Voting Unit*, THE GUARDIAN (Apr. 28, 2025), <https://www.theguardian.com/us-news/2025/apr/28/trump-doj-voting-rights>.

<sup>78</sup> Hansi Lo Wang, *Under Trump, the Justice Department is Stepping Away from Some Voting Rights Cases*, NPR (Mar. 31, 2025), <https://www.npr.org/2025/03/24/nx-s1-5332145/voting-rights-act-1965-justice-department>.

<sup>79</sup> *In Re Georgia S.B. 202*, No. 1-21-mi-55555 (N.D. Ga.).

<sup>80</sup> Hansi Lo Wang, *Under Trump, the Justice Department is Stepping Away from Some Voting Rights Cases*, NPR (Mar. 31, 2025), <https://www.npr.org/2025/03/24/nx-s1-5332145/voting-rights-act-1965-justice-department>.

<sup>81</sup> Motion for Indicative Ruling on Motion for Relief from Final Judgment, *Mi Familia Vota v. Fontes*, No. 22-cv-00509 (D. Ariz. April 8, 2025), available at <https://storage.courtlistener.com/recap/gov.uscourts.azd.1292039/gov.uscourts.azd.1292039.771.0.pdf>.

<sup>82</sup> *Id.*

<sup>83</sup> *LULAC v. Abbott*, No. 3:21-cv-00299 (W.D. Tex.).

<sup>84</sup> Letter from Assistant Attorney General Harmeet Dhillon and Deputy Assistant Attorney General Michael Gates to Texas Governor Gregory Abbott and Texas Attorney General Ken Paxton regarding unconstitutional race-based congressional districts (July 7, 2025), <https://storage.courtlistener.com/recap/gov.uscourts.txwd.1150387/gov.uscourts.txwd.1150387.1114.2.pdf>.

during an ongoing special session, in order to give further electoral advantage to the Republican party.<sup>85</sup>

In July 2025 the Administration reportedly began reaching out to states and municipalities, with a particular focus on Colorado, seeking their voter rolls and elections data.<sup>86</sup> President Trump, Attorney General Bondi, and outside operatives have repeatedly indicated an interest in harassing and intimidating voters and elections officials who do not comply with these requests.<sup>87</sup> For example, the Department recently suggested the possibility of criminal charges for officials whom the Administration determines have not undertaken sufficient security measures to ensure election integrity.<sup>88</sup> According to the Democracy Docket, states targeted under this effort since the start of the Trump Administration include: Alaska, Arizona, Colorado, Florida, Minnesota, Nevada, New Hampshire, New York, Oklahoma, Pennsylvania, Rhode Island, and Wisconsin.<sup>89</sup>

The Voting Section's Acting Chief, Maureen Riordan, most recently worked at the anti-voting legal group Public Interest Legal Foundation.<sup>90</sup> Ms. Riordan has also appeared with Cleta Mitchell, a right-wing activist who aided in attempts to overturn the results of the 2020 election, on a podcast where she agreed with Mitchell's statement about the need to "reclaim our election systems from the left."<sup>91</sup>

## **G. Employment Litigation Section**

### *New Policy Statement*

The Employment Litigation Section (ELS) of the Civil Rights Division will promote and fully enforce the Uniformed Services Employment and Reemployment Rights Act (USERRA) to protect our men and women in their employment who serve or served in uniform, which is consistent with Presidential Executive Orders. In addition, ELS will not tolerate a two-tiered application of Title VII that protects only certain Americans from discrimination, and will act within its jurisdiction to eradicate such disparate enforcement of Title VII. ELS will not favor or support consent decrees that have outlasted their need or utility.

The Employment Litigation Section is responsible for protecting the rights of job applicants and employees.<sup>92</sup> In April 2025, the Section dropped a pay discrimination lawsuit against the

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<sup>85</sup> Melissa Quinn & Caroline Linton, *Trump Wants Texas to Redraw Its Congressional Map to Pick Up More GOP Seats. Here's What to Know*, CBS NEWS (July 18, 2025), <https://www.cbsnews.com/news/texas-congressional-map-redistricting-trump-republicans/>.

<sup>86</sup> Patrick Marley, *DOJ Hits States with Broad Requests for Voter Rolls, Election Data*, WASH. POST (July 16, 2025), <https://www.washingtonpost.com/politics/2025/07/16/trump-voter-fraud-elections/>.

<sup>87</sup> *Id.*

<sup>88</sup> Devlin Barrett & Nick Corasaniti, *Justice Dept. Explores Using Criminal Charges Against Election Officials*, N.Y. TIMES (July 2, 2025), <https://www.nytimes.com/2025/07/02/us/politics/justice-department-election-data.html>.

<sup>89</sup> Matt Cohen, *All the States Where DOJ is Demanding Voting Data*, DEMOCRACY DOCKET (July 18, 2025), <https://www.democracymarket.com/news-alerts/all-the-states-where-doj-is-demanding-voting-data/>.

<sup>90</sup> Yunior Rivas, *DOJ's New Top Voting Lawyer Worked for Leading Anti-Voting Law Firm*, DEMOCRACY DOCKET (May 31, 2025), <https://www.democracymarket.com/news-alerts/doj-top-voting-lawyer-worked-for-anti-voting-firm/>.

<sup>91</sup> *Id.*

<sup>92</sup> See *Employment Litigation Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/employment-litigation-section> (last visited July 22, 2025).

Mississippi State Senate.<sup>93</sup> This was a Title VII case filed in 2024 alleging discrimination against a staff attorney for the State Senate’s Legislative Services Office whose salary was about one-half that of every white attorney.<sup>94</sup>

In February 2025, the Section also dismissed five cases against state and local police departments and fire departments alleging that the tests used for hiring or promotion had an unlawful disparate impact on applicants due to their sex or race.<sup>95</sup> In four of these cases, the jurisdictions had agreed to settle the cases via consent decree.<sup>96</sup>

## **H. Policy and Strategy Section**

### *New Policy Statement*

The mission of the Policy Section of the DOJ Civil Rights Division is to ensure implementation of policies and procedures to enforce the statutes, orders, and priorities of the President of the United States and the Attorney General to the fullest extent allowed by law. The Policy Section will execute all instructions from the Assistant Attorney General, including eradicating discrimination in the Federal government, protecting children from transgender indoctrination, manipulation, and mutilation, and will combat antisemitism throughout America, especially in education. Attorneys in the Policy Section will advocate with zeal on behalf of the United States of America in furtherance of all objectives as tasked.

The Policy and Strategy Section is meant to support the Division’s work by developing legislative, regulatory, and policy proposals relating to the Division’s congressional mandate to enforce civil rights laws.<sup>97</sup> The new policy statement reveals the Trump Administration’s intent to steer the work of the Division according to the President’s agenda rather than laws Congress has passed.<sup>98</sup> The enforcement priorities identified in the new policy statement reflect the President’s focus on issues he raised in his presidential campaign—such as protecting children from so-called indoctrination and combatting perceived antisemitism on college campuses.

## **I. Immigrant and Employee Rights Section**

### *New Policy Statement*

The Immigrant and Employee Rights (IER) Section of the Civil Rights Division will protect American workers through the “Protecting U.S. Workers Initiative,” which is consistent with Presidential Executive Orders and the direction from the

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<sup>93</sup> *United States v. Mississippi State Senate*, No. 3-24-cv-00712 (S.D. Miss.).

<sup>94</sup> *Id.*

<sup>95</sup> See *United States v. Cobb County*, No. 1-24-cv-02010 (N.D. Ga.); *United States v. City of Durham*, No. 24-cv-838 (M.D.N.C.); *United States v. South Bend*, No. 3:24-cv-00830 (N.D. Ind.); *United States v. Maryland Dep’t of State Police*, No. 24-cv-2862 (D. Md.); *U.S. v. City of New York*, No. 1:07-cv-02067 (E.D.N.Y.).

<sup>96</sup> See *United States v. Cobb County*, No. 1-24-cv-02010 (N.D. Ga.); *United States v. City of Durham*, No. 24-cv-838 (M.D.N.C.); *United States v. South Bend*, No. 3:24-cv-00830 (N.D. Ind.); *United States v. Maryland Dep’t of State Police*, No. 24-cv-2862 (D. Md.).

<sup>97</sup> *Policy and Strategy Section*, C.R. DIV.: U.S. DEP’T OF JUST., <https://www.justice.gov/crt/policy-and-strategy-section> (last visited July 22, 2025).

<sup>98</sup> *Civil Rights Organizations Call for Oversight of DOJ Civil Rights Division*, LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS (June 17, 2025), <https://civilrights.org/resource/civil-rights-organizations-call-for-oversight-of-doj-civil-rights-division/>.

Attorney General. IER will actively target, investigate, and prosecute companies that unlawfully discriminate against U.S. workers in favor of foreign visa workers. Further, while protecting immigrants from unlawful abuses under [the Immigration Reform and Control Act of 1986 (IRCA)], IER will work to educate employers and apply prosecutorial discretion when it comes to technical violations, particularly under Title 8 U.S.C. Section 1324. Every U.S. worker should be protected to the fullest extent of the law, while employers should not fear their legal duty to verify the eligibility of workers to work in the United States.

The Immigrant and Employee Rights Section is responsible for enforcing the Immigration and Nationality Act's prohibition on discrimination based on citizenship in the hiring, recruitment, and termination phases of employment.<sup>99</sup> The Section also investigates allegations of unfair practices or intimidation in verifying workers' employment authorization.<sup>100</sup> Under prior administrations, this Section took enforcement actions to protect all workers, regardless of citizenship status, from discriminatory practices that create barriers to employment.<sup>101</sup> This Section has historically also played a critical role in strengthening the American workforce by ensuring that the United States attracts skilled workers and is economically productive. The new policy statement directs the Section to apply anti-discrimination laws only to workers who are U.S. citizens. The Section's enforcement activities appear to have shifted accordingly. The Section's sole press release on DOJ's website details its efforts to fight "discrimination against U.S. workers."<sup>102</sup>

### III. MASS EXODUS OF STAFF

Beyond a fundamental transformation of the Division's enforcement priorities, the Division's personnel structure has been hollowed out under AAG Dhillon's leadership and since President Trump took office on January 20, 2025.<sup>103</sup>

The Civil Rights Division has reassigned career staff to cases outside their legal expertise.<sup>104</sup> The Division has also instituted a deferred resignation program, which incentivizes civil servants to resign from their positions and have paid leave through September 2025.<sup>105</sup> These changes have resulted in a significant drain of career attorneys, management officials, and other staff from the Division.

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<sup>99</sup> See *Immigrant and Employee Rights Section*, C.R. DIV.: U.S. DEP'T OF JUST., <https://www.justice.gov/crt/immigrant-and-employee-rights-section> (last visited July 22, 2025).

<sup>100</sup> *Id.*

<sup>101</sup> See *Settlements and Lawsuits*, C.R. DIV.: U.S. DEP'T OF JUST. (July 15, 2025), <https://www.justice.gov/crt/settlements-and-lawsuits>.

<sup>102</sup> *Justice Department Fighting Discrimination Against U.S. Workers*, OFF. OF PUB. AFFS.: U.S. DEP'T OF JUST. (June 10, 2025), <https://www.justice.gov/opa/pr/justice-department-fighting-discrimination-against-us-workers>.

<sup>103</sup> *Civil Rights Organizations Call for Oversight of DOJ Civil Rights Division*, LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS (June 17, 2025), <https://civilrights.org/resource/civil-rights-organizations-call-for-oversight-of-doj-civil-rights-division/>.

<sup>104</sup> Perry Stein and Jeremy Roebuck, *Civil Rights Lawyers Leave En Masse as Justice Dept. Mission Shifts*, WASHINGTON POST (Apr. 28, 2025), <https://www.washingtonpost.com/national-security/2025/04/28/justice-civil-rights-harmeet-dhillon-trump/>.

<sup>105</sup> Suzanne Monyak and Justin Wise, *Justice Department to Lose 4,500 Staffers to Buyout Offers*, BLOOMBERG LAW (June 16, 2025), <https://news.bloomberglaw.com/us-law-week/justice-department-to-lose-4-000-staffers-to-resignation-offers>.

Career attorneys are the backbone of the Division's impartial enforcement of civil rights laws. These attorneys are civil servants who provide legal advice and represent the government regardless of the president's political party. Career attorneys serve as a brain trust of institutional knowledge, subject-matter expertise, management experience, and leadership continuity. They are also responsible for overseeing yearslong investigations spanning multiple administrations.

Before President Trump took office, the Civil Rights Division had more than 400 career attorneys.<sup>106</sup> In its July 15, 2025, letter to Members of the Subcommittee, DOJ disclosed that 368 employees—including attorneys and other staff—have voluntarily left the Division since January 20, 2025.<sup>107</sup> Of these individuals, 98 resigned or retired and 270 accepted the deferred retirement program.<sup>108</sup>

As of May 2025, only two career Section Chiefs remained in their posts; the others, including two dozen managers, have been removed or forced out.<sup>109</sup> More than a dozen career staffers, including Section Chiefs that previously oversaw disability, voting rights, and police brutality cases, were reassigned.<sup>110</sup> The forced reassignments of career Section Chiefs and Deputy Chiefs included placements in the Sanctuary Cities Working Group<sup>111</sup> and FOIA Division.<sup>112</sup> Some of these transfers amounted to internal demotions by assigning former Section Chiefs to work below their level of experience.<sup>113</sup> The departed Section Chiefs, as well as other managing officials, typically had long tenures that enabled them to navigate transitions between presidential administrations, promote legal compliance, lead with consistency, and serve as a buffer between political officials and line attorneys.<sup>114</sup>

The exodus of career attorneys has eroded the Civil Rights Division's ability to effectively carry out its mission of safeguarding Americans' civil rights. The Division's core enforcement areas are being understaffed or abandoned. Even enforcement areas that President Trump's DOJ claims are priorities, such as religious liberty and disability rights, cannot be effectively addressed in the absence of career attorneys. The drain of career staff has not only gutted the Division's ability to impartially serve the American people, but it has also opened roles for the Trump Administration to further install partisan loyalists who can be trusted to carry out Trump's political priorities.

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<sup>106</sup> Suzanne Monyak, *DOJ Leader Calls for Civil Rights 'Paradigm Shift' After Exodus*, BLOOMBERG LAW (May 7, 2025), <https://news.bloomberglaw.com/us-law-week/doj-leader-calls-for-civil-rights-paradigm-shift-after-exodus>.

<sup>107</sup> Letter from Brian Nieves, Deputy Attorney General of the Department of Justice, to Senator Peter Welch, July 15, 2025 (U.S. Sen.).

<sup>108</sup> *Id.*

<sup>109</sup> See Ken Dilanian and Ryan J. Reilly, *Second DOJ Official Who Trump Reassigned to Immigration Crackdown*, NBC NEWS (Jan. 24, 2025), <https://www.nbcnews.com/politics/national-security/second-doj-official-investigated-trump-reassigned-immigration-crackdown-rcna189233>.

<sup>110</sup> Perry Stein and Jeremy Roebuck, *Civil Rights Lawyers Leave En Masse as Justice Dept. Mission Shifts*, WASHINGTON POST (Apr. 28, 2025), <https://www.washingtonpost.com/national-security/2025/04/28/justice-civil-rights-harriet-dhillon-trump/>.

<sup>111</sup> Ben Penn, *Trump DOJ Said to Remove Two Top Civil Rights Officials*, BLOOMBERG LAW (Jan. 25, 2025), <https://news.bloomberglaw.com/us-law-week/trump-doj-said-to-remove-two-top-civil-rights-officials>.

<sup>112</sup> Suzanne Moyak, *Top DOJ Civil Rights Division Supervisors Said to Be Reassigned*, BLOOMBERG LAW (Jan. 25, 2025), <https://news.bloomberglaw.com/us-law-week/top-doj-civil-rights-division-supervisors-said-to-be-reassigned>.

<sup>113</sup> *Civil Rights Organizations Call for Oversight of DOJ Civil Rights Division*, LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS (June 17, 2025), <https://civilrights.org/resource/civil-rights-organizations-call-for-oversight-of-doj-civil-rights-division/>.

<sup>114</sup> *Id.*

The erosion of continuity and expertise in the Civil Rights Division will have lasting damage on civil rights enforcement for years to come.

#### IV. CONCLUSION

Under President Trump's second term, the Civil Rights Division has been transformed from a guardian of Americans' civil rights to an enabler of its own violations.<sup>115</sup> AAG Dhillon has led this transformation by instituting sweeping changes to enforcement priorities and ordering the withdrawal of seminal cases.<sup>116</sup> The abdication of the Division's responsibilities, alongside significant staffing cuts, has gutted the Division's enforcement docket.<sup>117</sup> Filling its place are investigations designed to satisfy presidential orders and target individuals protected by civil rights laws.<sup>118</sup> The mass exodus of attorneys who refuse to facilitate the perversion of the Division's enforcement authority to carry out a political agenda has led to a drain of impartial expertise, continuity, and the pursuit of cross-administration investigations. The erosion of the Civil Rights Division will have not only immediate devastating consequences for victims of civil rights violations but will have long-lasting repercussions for the integrity of the Department.

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<sup>115</sup> Hayes Brown, *The Justice Department's Top Civil Rights Lawyer is Enabling Injustice*, MSNBC (Apr. 17, 2025), <https://www.msnbc.com/opinion/msnbc-opinion/harmeet-dhillon-civil-rights-justice-rcna201539>.

<sup>116</sup> *Civil Rights Organizations Call for Oversight of DOJ Civil Rights Division*, LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS (June 17, 2025), <https://civilrights.org/resource/civil-rights-organizations-call-for-oversight-of-doj-civil-rights-division/>.

<sup>117</sup> *Id.*

<sup>118</sup> *Id.*