

United States Senate

WASHINGTON, DC 20510

July 29, 2025

Mr. Charles N. Baldis
Senior Counsel and Designee of
Acting Special Counsel Jamieson Greer
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Dear Mr. Baldis:

We are writing to request that the U.S. Office of Special Counsel (OSC) investigate potential *Hatch Act* violations by senior political appointees of the White House and the U.S. Department of Justice for their involvement in a mid-decade redistricting effort in Texas and other states with an explicit goal of electing more Republicans to the U.S. House of Representatives.

The *Hatch Act* generally bars federal employees from engaging in partisan political activity while on duty or on federal property, and from using their official authority or influence to affect the results of an election. Political activity is that which is directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. While the OSC itself has been the subject of interference by the White House, in particular the removal of Special Counsel Hampton Dellinger despite his confirmation by the Senate in February 2024 for a five-year term, the OSC nevertheless has a responsibility to act as an independent federal investigative and prosecutorial agency.

Speaking on the White House grounds on July 15, President Trump has been clear about the goals of his campaign to convince Texas to redraw its congressional lines at a highly unusual time between decennial censuses, when four years of litigation had apparently created no such urgency. He stated that the purpose of the effort is to draw new district lines where “I think we’ll get five” Republican House seats to replace current Democratic Members of Congress. This public announcement follows numerous reports that White House senior officials have met with Texas House Republicans “to discuss a White House push to redraw its congressional map ahead of the midterms” and with Texas Governor Greg Abbott.¹

Additional reports have indicated that White House Deputy Chief of Staff James Blair is “involved in this push.”² These reports note that this partisan redistricting effort is being done “ahead of next year’s midterm elections to try to save the party’s endangered majority,” and that “the president would pay close attention to those in his party who help or hurt that effort,” which

¹ Ally Mutnick and Jake Sherman. *White House to huddle with Texas GOP on redistricting*. Punchbowl News (June 10, 2025). <https://punchbowl.news/archive/61025-midday>; Owen Dahlkamp. *Texas Republicans, including Gov. Abbott, were reluctant to redraw the state’s congressional maps. Then Trump got involved*. Texas Tribune (July 22, 2025). <https://www.texastribune.org/2025/07/22/texas-redistricting-abbott-republicans-resistant-trump/>

² Ally Mutnick and Jake Sherman. *Can WH force a new map on Texas Republicans?* Punchbowl News (June 11, 2025). <https://punchbowl.news/article/campaigns/wh-new-texas-map/>

may apply both to state officials but also the president's own political appointees.³ In the case of Missouri, Congressman Bob Onder (R-MO) stated, after visiting the White House, that “the president's team is serious about it . . . I think they're giving it a fair amount of thought” regarding reports that the White House is urging Republicans to change district lines to disadvantage Congressman Emanuel Cleaver (D-MO) in the 2026 election.⁴

While the President may not be subject to the *Hatch Act*'s restrictions on political activities, his senior officials at the White House and the U.S. Department of Justice are subject to its legal requirements. Multiple reports indicate that White House officials are involved in a political pressure campaign to convince Republicans in Texas and other states to redraw district lines with the goal of providing an advantage to the Republican party in the 2026 midterm elections. We believe an OSC investigation is warranted to determine whether senior White House officials are violating the law's prohibition on impermissible partisan political activity.

In addition, the Department of Justice has also joined in this partisan redistricting effort in ways that may violate the *Hatch Act*. On July 7, Assistant Attorney General Harmeet Dhillon and Deputy Assistant Attorney General Michael Gates sent a letter to both Governor Abbott and Texas Attorney General Ken Paxton, claiming to have “serious concerns regarding the legality” of four majority-minority districts which have been held by Democratic Members of Congress.⁵ When Governor Abbott agreed to President Trump's pressure campaign, he claimed that he was placing mid-decade redistricting on the special session agenda “in light of constitutional concerns raised by the U.S. Department of Justice.”⁶

The purported basis of DOJ's letter, granting Texas a pretext for its potential gerrymander, does not pass reasonable scrutiny. The President and his allies have made their redistricting motivations clear — the goal is to advantage the Republican party in the 2026 midterms. DOJ's letter conflates and confuses basic legal concepts and makes claims about racial predominance unsupported by evidence — out of character for usually careful DOJ legal analysis. For its part, Texas found it useful to cite DOJ's claims even as it has disavowed the underlying facts: both before and after DOJ's letter, Texas reiterated the argument they had made vigorously for several years in litigation — that it had pursued a race-blind process for its existing districts.⁷ Following the start of the Trump Administration, the Department had withdrawn from a lawsuit challenging

³ J. David Goodman and Shane Goldmacher. *White House Pushes Texas to Redistrict, Hoping to Blunt Democratic Gains*. New York Times (June 9, 2025). <https://www.nytimes.com/2025/06/09/us/politics/trump-texas-redistricting.html>

⁴ Ally Mutnick, et. al. *White House prods Missouri Republicans to redistrict*. Punchbowl News (July 24, 2025). <https://punchbowl.news/article/campaigns/wh-mo-gop/>

⁵ Harmeet K. Dhillon. Letter to Texas Governor Gregory Abbot, Attorney General Ken Paxton re: “Unconstitutional Race-Based Congressional Districts.” (July 7, 2025). <https://electionlawblog.org/wp-content/uploads/7-7-2025-DOJ-Letter-re-Unconstitutional-Race-Based-Congressional-District.pdf>

⁶ Office of the Texas Governor Greg Abbott. *Governor Abbott Announces Special Session Agenda* (July 9, 2025). <https://gov.texas.gov/news/post/governor-abbott-announces-special-session-agenda>

⁷ See, e.g., State Defendants' Opening Brief. *League of United Latin American Citizens v. Greg Abbott*, Case No. 3:21-cv-00259-DCG-JES-JVB (W.D. Tex. May 15, 2025). <https://redistricting.ills.edu/wp-content/uploads/TX-lulac-20250515-state-pretrial.pdf>; State Defendants' Response to Plaintiff-Intervenors' Executive Summary. *League of United Latin American Citizens v. Greg Abbott*, Case No. 3:21-cv-00259-DCG-JES-JVB (W.D. Tex. July 16, 2025). <https://redistricting.ills.edu/wp-content/uploads/TX-lulac-20250716-d-green-resp.pdf>

Texas' congressional map, but without any new intervening facts, threatened in the July letter to re-enter litigation it had abandoned just three months earlier.

The contradictory legal claims and actions reveal that the DOJ letter is a pretext for the clearly partisan political effort that is already out in the open. The purpose of this redistricting push is to defeat Democratic Members of Congress and elect Republicans to affect the balance of political party power in the 120th Congress. While such goals are appropriate for a political party organization, they are not appropriate for executive branch officials, especially at the Department of Justice which must take greater steps to ensure it acts with impartiality.⁸ Given the White House effort, this letter and other potential actions by DOJ that may not be publicly known appear to be directed at the success or failure of a political party and designed to affect the results of upcoming congressional elections.

We respectfully request that OSC investigate further whether senior White House and U.S. Department of Justice officials are violating federal law's prohibitions on impermissible political activity.

Sincerely,



Alex Padilla
United States Senator



Richard J. Durbin
United States Senator



Sheldon Whitehouse
United States Senator



Adam B. Schiff
United States Senator

⁸ Justice Management Division, U.S. Department of Justice. *Political Activities*. (August 14, 2024). <https://www.justice.gov/jmd/political-activities> (“[A]ll political appointees will be subject to the rules that govern ‘fully restricted’ employees under the Hatch Act to ensure there is **not an appearance that politics plays any part in the Department’s day-to-day operations**”).