April 6, 2026

Acting Attorney General Todd Blanche
Department of Justice
Comments in Response to Notice of Proposed Rulemaking
Docket No. OAG199

Dear Acting Attorney General Blanche:

On behalf of the Society for the Rule of Law Institute and States United Democracy Center, we submit the following comments in response to the Notice of Proposed Rulemaking (NPRM) published by the Department of Justice (Department or DOJ) on March 5, 2026. Both the Society for the Rule of Law Institute and States United Democracy Center are nonprofit organizations committed to the rule of law. Former high-ranking appointees from previous Republican administrations, including former senior DOJ officials, founded the Society for the Rule of Law Institute and continue to serve on its board. Former high-ranking DOJ officials from previous Republican and Democratic administrations sit on States United Democracy Center's advisory board.

The Department's proposed rule would "request" that state bar disciplinary authorities suspend any parallel investigations or disciplinary proceedings against DOJ attorneys until the Department has completed its own internal process for reviewing bar complaints or other allegations against its attorneys. Review of State Bar Complaints and Allegations Against Department of Justice Attorneys, 91 Fed. Reg. 10780-87 (proposed Mar. 5, 2026) (to be codified at 28 C.F.R pt. 77). For the reasons set out below, we strongly oppose this proposal.

DOJ's proposed rule cannot be squared with federal law. The McDade Amendment, 28 U.S.C. § 530B(a) (named after its chief sponsor, Representative Joseph McDade) requires that DOJ attorneys be subject to state ethical rules "to the same extent and in the same manner" as other attorneys in the state. A demand that state bar authorities delay investigations and disciplinary action against DOJ attorneys is contrary to that requirement. So, too, is the proposal to direct the Department's attorneys not to respond to state bar inquiries for non-public information. Such a direction would place attorneys, who are subject to ethics rules requiring cooperation with state bar disciplinary authorities—and indeed, who often have an interest in providing information to bar authorities to defend themselves—in an impossible position.

As one would expect, in seeking to delay, perhaps indefinitely, the prospect of timely state-bar investigations and potential discipline of possible ethical breaches by DOJ attorneys, the proposed rule would further erode public trust in the Department of Justice and respect for the rule of law. The proposal is a blatant effort to disregard an Act of Congress passed to ensure that state bar associations are able to hold DOJ attorneys, including high officials, to the same standards of ethical conduct as other licensed lawyers.

We urge you to withdraw the proposed rule.

I. Historical Background

A. States' responsibility to regulate attorneys

The Supreme Court long ago recognized the pre-eminent role played by the States and the District of Columbia in "prescrib[ing] the qualifications for admission to practice and the standards of professional conduct. They also are responsible for the discipline of lawyers." *Leis v. Flynt*, 439 U.S. 438, 442 (1979).

In doing so, states often rely heavily on the American Bar Association (ABA) rules of professional conduct. *See* Bruce A. Green, *Prosecutors and Professional Regulation*, 25 Geo. J. Legal Ethics 873, 875-76 (2012); Hopi Costello, *Judicial Interpretation of State Ethics Rules Under the McDade Amendment: Do Federal or State Courts Get the Last Word?*, 84 Fordham L. Rev. 201, 206 (2015). Federal courts, too, have authority to adopt local practice rules governing the professional conduct of attorneys, including DOJ attorneys, who practice before them. *Stern v. U.S. Dist. Ct. for Dist. of Mass.*, 214 F.3d 4, 13 (1st Cir. 2000); *see also, e.g.*, Fred C. Zacharias & Bruce A. Green, *The Uniqueness of Federal Prosecutors*, 88 Geo. L.J. 207, 248 & n.200 (1999).

B. Enactment of the McDade Amendment

Events in the late 1980s and the 1990s focused Congress's attention on how best to enforce ethical rules against attorneys in the Department of Justice, particularly federal prosecutors. During that time, the Department took actions to exempt its attorneys from certain state bar ethics rules. Among the rules at issue was the no-contact rule, *see* Zacharias & Green, 88 Geo. L.J. at 212 n.21, which in various circumstances prohibits attorneys from communicating with represented parties without the consent of their lawyers. *See* Model Rules of Pro. Conduct r. 4.2 (A.B.A. 2025).[1]

[1] The no-contact rule first formally appeared in 1908 in Canon 9 of the ABA Canons of Professional Ethics, though its origins are even older. *See* Todd S. Schulman, *Wisdom Without Power: The*

Attorney General Richard Thornburgh issued a memorandum in 1989 establishing when DOJ attorneys would be exempt from complying with state ethics rules that are based on ABA Model Rule 4.2 or its predecessors. *See In re Doe*, 801 F. Supp. 478, 489-93 (D.N.M. 1992) (reprinting the Thornburgh Memorandum).[2] Later, the Clinton administration promulgated a regulation that allowed DOJ attorneys, in many instances, to communicate with represented persons. 59 Fed. Reg. 39910 (1994) (codified at 28 C.F.R pt. 77) (Aug. 4,1994). These practices were criticized by State bar associations, the Judicial Conference of the United States, the Conference of State Chief Justices, the ABA, and the defense bar, among others, and litigation ensued. *See* Zacharias & Green, 88 Geo. L.J. at 212-13; *see also United States v. Tapp*, No. CR107-108, 2008 WL 2371422, at *6-7 (S.D. Ga. June 4, 2008).

Overlapping with these developments, Congressman Joseph McDade was prosecuted for and ultimately acquitted of alleged bribery offenses. During and after the criminal proceedings, McDade criticized the conduct of federal prosecutors and investigators who worked on his case. Zacharias & Green, 88 Geo. L.J. at 212-14. And in 1996, 1997, and 1998, he introduced different versions of legislation that would subject DOJ attorneys to the same ethics rules as other attorneys in their states. *See* H.R. 3386, 104th Cong. (1996); H.R. 232, 105th Cong. (1997); H.R. 3396, 105th Cong. (1998); *see generally* Charles Doyle, Cong. Rsch. Serv., RL 30060, *McDade-Murtha Amendment: Ethical Standards for Justice Department Attorneys* 2-3 (Dec. 18, 2001) (CRS Report) (discussing legislative history).

Ultimately, in an appropriations bill, Congress enacted what became known as the McDade Amendment. Pub. L. No. 105-277, § 801, 112 Stat. 2681-118 to -119 (1998).

The statute provides:

> (a) An attorney for the Government shall be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that State.

Department of Justice's Attempt to Exempt Federal Prosecutors from State No-Contact Rules, 71 N.Y.U. L. Rev. 1067, 1072 (1996); *In re Doe*, 801 F. Supp. 478, 485 & n.17 (D.N.M. 1992).

[2] At the time the Department sought to limit the rule's scope, several DOJ lawyers were caught up in ethics controversies involving violations of the no-contact rule. *See, e.g.*, *United States v. Hammad*, 858 F.2d 834, 839 (2d Cir. 1988) (discussing prosecutor's violation of no-contact rule by using an informant to attempt to elicit admissions from a represented suspect), *cert. denied*, 498 U.S. 871 (1990); *Doe*, 801 F. Supp. at 489 (remanding disciplinary matter to state disciplinary board relating to a prosecutor's violation of the no-contact rule).

> (b) The Attorney General shall make and amend rules of the Department of Justice to assure compliance with this section.
>
> (c) As used in this section, the term "attorney for the Government" includes any attorney described in section 77.2(a) of part 77 of title 28 of the Code of Federal Regulations and also includes any independent counsel, or employee of such a counsel, appointed under chapter 40.

28 U.S.C. § 530B.

C. Implementing regulations and the McDade Amendment as applied

In 1999, to satisfy the Attorney General's obligation to "make and amend rules of the Department of Justice to assure compliance" with the statute, DOJ issued an Interim Final Rule revising 28 C.F.R. pt. 77. *See* 64 Fed. Reg. 19273 (Apr. 20, 1999).

The regulation requires DOJ attorneys "to comply with state and local federal court rules of professional responsibility," but instructs that Section 530B, the McDade Amendment, "should not be construed in any way to alter federal substantive, procedural, or evidentiary law." 28 C.F.R. § 77.1(b); *see also* 64 Fed. Reg. at 19273-74. The rule provides other guidance for DOJ attorneys navigating their ethical responsibilities. *See* 28 C.F.R. §§ 77.2-77.4.

At the time the regulation was promulgated, DOJ explained that Section 530B, which is "silent on enforcement mechanisms," "does not change the enforcement authority of the Department of Justice's Office of Professional Responsibility, state authorities, or the federal courts." 64 Fed. Reg. at 19274. Thus, it emphasized, the regulations "recognize that attorneys are principally subject to discipline by their state of licensure and the courts before which they practice." *Id.* Accordingly, DOJ continued, "although Department attorneys are also subject to discipline by the Office of Professional Responsibility, the regulations generally direct Department attorneys to look . . . to the rules of the court before which they are appearing and the rules of their licensing jurisdiction." *Id.*

II. The Notice of Proposed Rulemaking

DOJ's NPRM, published on March 5, 2026, would amend 28 C.F.R. pt. 77 to prioritize the Department's internal review processes over state bar disciplinary investigations and proceedings. Under the proposed rule, DOJ would "request" that state bar authorities stand down until the Attorney General or designee completes review of state bar complaints or other allegations leveled against DOJ attorneys. 91 Fed. Reg. 10780, 10780.

This proposal includes a new Section 77.5, 91 Fed. Reg. at 10787, providing that, before state bar disciplinary authorities "undertake any investigative steps that seek information or otherwise require participation from an attorney for the government in response to allegations that a current or former attorney for the government violated a rule of ethical conduct while engaging in that attorney's duties . . . , the Attorney General shall have the right to review the allegations in the first instance." *Id.* at 10787 (to be codified at 28 C.F.R § 77.5(a)). The Attorney General or designee (the Office of Professional Responsibility (OPR)), *id.* at 10784, would "notify the appropriate bar disciplinary authorities whether she intends to exercise her right to review the allegations." *Id.* at 10787. If yes, the Attorney General or OPR "shall request that the bar disciplinary authorities suspend any parallel investigations or disciplinary proceedings until the completion of the review." *Id.*

If the Attorney General exercises the right of review, OPR would direct the DOJ attorneys not to provide information to state bar authorities while the internal review is underway. *Id.* at 10784 (OPR will "direct Department personnel not to provide any non-public information to any parallel investigations or disciplinary proceedings until the completion of OPR's review"). If the Attorney General later decides not to complete the review, the Attorney General or OPR "shall notify the appropriate bar disciplinary authorities so they may resume their investigations or disciplinary proceedings." *Id.* at 10787.

When DOJ's internal review is complete, the Attorney General or OPR shall inform state authorities of "the results of her review." *Id.* The NPRM sets no deadline for completion of DOJ's internal review.

Ominously, the proposed rule ends: "Should the relevant bar disciplinary authorities refuse the Attorney General's request, the Department shall take appropriate action to enforce this regulation or to prevent the bar disciplinary authorities from interfering with the Attorney General's review of the allegations." *Id.* The NPRM does not elaborate on what is meant by this, but the implicit threat is all too clear.

III. DOJ's Effort To Sideline State Bar Disciplinary Authorities Would Violate the McDade Amendment

DOJ's proposed rule flouts the plain meaning of the McDade Amendment in the following ways:

A. It denies state oversight of bar members who are government lawyers "to the same extent and in the same manner as other attorneys in that state."

The statute provides: "[a]n attorney for the Government shall be subject to State laws and rules, and local Federal court rules . . . *to the same extent and in the same manner* as other attorneys in that State." 28 U.S.C. 530B(a) (emphasis added).

The proposed rule is inconsistent with that text because it would indefinitely postpone state bar investigations and state court disciplinary proceedings while DOJ completes its internal review of state bar complaints. In so doing, the proposed regulation would subject a DOJ attorney to state bar ethical rules to an extent and in a manner that is *different* from the way other attorneys in the state would be treated.

A state bar complaint ordinarily would trigger some kind of review or investigation and potentially discipline by state bar authorities. By contrast, the proposed rule would free a DOJ attorney from those state bar processes, potentially indefinitely, while the Attorney General or OPR reviews the complaint. Plainly this is neither "the manner" nor "the extent" to which State laws and rules would be applied to a non-government lawyer.[3]

DOJ tries to avoid this straightforward statutory interpretation by construing "in the same manner" more narrowly than the plain language dictates. The preamble to the proposal explains that "the State ethics rules will apply to Department attorneys *under the same factual circumstances* as they would to non-Department attorneys under identical or similar circumstances—*i.e.*, 'in the same manner.'" 91 Fed. Reg. 10780, 10785 (emphasis added) (quoting 28 U.S.C. 530B(a)). It cites, as an example, a state ethics rule that prohibits attorneys from deceiving the court, which would apply to both DOJ attorneys and non-DOJ attorneys and which would prohibit both DOJ attorneys and non-DOJ attorneys from making deceptive statements to the court. *Id.* That illustration, while accurate (as far as it goes), is far too limited, as it excludes the state's disciplinary processes and procedures. As noted above, a procedure, or "the way in which something is done," is the very definition of "manner."

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[3] "Manner," means "the way in which something is done." *Manner*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/manner (last visited Apr. 1, 2026). As particularly applicable here, the term means "a mode of procedure or way of acting." *Manner*, Merriam-Webster, https://www.merriam-webster.com/dictionary/manner (last visited Apr. 1, 2026). "Extent," means "the point, degree, or limit to which something extends." *Extent*, Merriam-Webster, https://www.merriam-webster.com/dictionary/extent (last visited Apr. 1, 2026). Subjecting DOJ attorneys to state bar ethics rules "to the same extent" as other attorneys in a state means requiring DOJ attorneys to comply with the same state bar rules as other attorneys—that is, "to the same extent."

But no, DOJ argues, the McDade Amendment is "silent" on enforcement mechanisms and thus leaves it to the Attorney General, in "assur[ing] compliance" with the statute, 28 U.S.C. § 530B(b), "to select from a range of policy choices." *Id.* at 10783. Such choices, the preamble explains, could include the Department going so far as to assume complete control over enforcement of state ethics rules against DOJ attorneys. *Id.*

This cannot be squared with the McDade Amendment, which unambiguously makes DOJ lawyers subject to state laws and rules just like every other member of the bar of the state where that lawyer is licensed. Those provisions include the statutes and regulations under which the state bar is "responsible for the discipline of lawyers." *Leis v. Flynt*, 439 U.S. 438, 442 (1979). During a congressional hearing on the legislation, the House Subcommittee Chairman himself cited the authority of the highest courts of every state and the District of Columbia "to investigate and discipline the members of its bar." *Ethical Standards for Federal Prosecutors Act of 1996: Hearing Before the Subcomm. on Cts. and Intel.l Prop. of the House Comm. on the Judiciary*, 104th Cong. 2d Sess. 1 (1996) (statement of Rep. Carlos Moorhead, Chairman, S. Comm. on Cts. and Intel. Prop. of the House Comm. on the Judiciary). States needed no congressional authorization to continue to do so.

DOJ insists, however, that Congress did not "impose any limitations on how the Attorney General goes about structuring the regulatory system," 91 Fed. Reg. at 10783. But that is plainly false, since the statute provides that "attorney[s] for the Government shall be subject to State laws and rules, and local Federal court rules," just like other attorneys in that State. 28 U.S.C 530B(a) The statute's mandate that the Attorney General "assure compliance with this section" necessarily restricts the Attorney General's discretion in issuing regulations that interrupt, perhaps indefinitely, the timing and manner of any state investigative or disciplinary process. 28 U.S.C. § 530B(a)-(b).

The statute's legislative history underscores that its supporters intended to legislate to *avoid* DOJ self-policing with respect to investigating and disciplining DOJ attorneys for ethical misconduct. *See, e.g.*, 144 Cong. Rec. E301 (Mar. 5, 1998) (statement of Rep. McDade) (introducing the Citizens Protection Act) ("The rights and freedoms of our citizens will come under increasing danger if we continue to allow the Justice Department to police itself in secret and exempt itself from regular rules of attorney conduct."); *Hearing Before the Subcomm. on Cts. and Intell. Prop. of the House Comm. on the Judiciary*, 104th Cong. 2d Sess. 53 (1996) (statement of Rep. Carlos Moorhead, Chairman, questioning whether DOJ should be "the only one that enforces ethics"). Representative McDade was quite explicit in testifying at the House hearing: "Department of Justice prosecutors . . . have always been monitored for ethics compliance by independent outside observers: the State or the Federal court. That is the way it ought to be, and we would be unwise to abandon this longstanding arrangement in favor of some kind of self-regulation

internally by DOJ." *Id.* at 8; *see also id.* at 94 (statement of Roger Pilon, Dir., Ctr. for Const. Stud., Cato Inst.) ("The Department's argument comes down in the end to a very simple and very old proposition: 'Trust us; we can police ourselves.'").

B. It directs DOJ attorneys not to provide non-public information to state bar authorities.

The proposed rule would give the Department the right of first review before a state bar disciplinary authority even seeks information in response to allegations of ethical misconduct. 91 Fed. Reg. 10787 (proposed Mar. 6, 2026) (to be codified at 28 C.F.R. § 77.5(a)). OPR not only will request that state bar disciplinary authorities put their investigations or proceedings on hold but also will "direct Department personnel not to provide any non-public information to any parallel investigations or disciplinary proceedings until the completion of OPR's review." *Id.* at 10784. Such a constraint clearly violates the McDade Amendment and also could require DOJ attorneys to face an impossible dilemma of conflicting demands.

For instance, ABA Model Rule 8.1(b) provides that a lawyer, "in connection with a disciplinary matter," shall not "knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority." ABA Model Rule 8.3(a) requires a lawyer "who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects," to inform the appropriate professional authority. Many state bars have adopted the same or similar provisions.

A directive from DOJ to its attorneys to withhold non-public information (whether about their own or another attorney's actions) until OPR's review is complete could force DOJ attorneys to violate state bar rules requiring cooperation with state disciplinary authorities. The Department's effort to exclude its attorneys from these rules, or at least delay their compliance, would also, of course, mean that the DOJ attorneys involved are not "subject to State laws and rules . . . to the same *extent* . . . as other attorneys in that State." 28 U.S.C. § 530B(a) (emphasis added). Equally troubling, DOJ's cone of silence would hamstring its attorneys accused of misconduct in their ability to defend themselves to state bar authorities, potentially jeopardizing their bar licenses.

C. It threatens state bar authorities.

The proposed rule concludes with the warning that if the relevant state bar authority refuses the Attorney General's request to suspend its investigations and disciplinary proceedings until DOJ completes its internal review, "the Department shall take appropriate action to enforce this regulation or to prevent the bar

disciplinary authorities from interfering with the Attorney General's review of the allegations." 91 Fed. Reg. 10,787.

This seems to state the Department's intention to take action as needed to prevent state bar disciplinary authorities from applying their laws and rules to government lawyers as they are applied to other licensed attorneys, in clear violation of the McDade Amendment.

IV. Ensuring that DOJ attorneys remain subject to timely state bar disciplinary proceedings promotes trust in DOJ and the rule of law, regardless of which political party is in power

In addition to violating the clear command of the McDade Amendment, the proposed rule is one more step in this administration's effort to free the principal litigating and prosecuting agency of the United States government from basic rules of accountability essential to public trust. Ensuring that DOJ attorneys are subject to state bar investigations and disciplinary processes on an equal footing with other attorneys serves the non-partisan goal of promoting accountability for the Department's attorneys and upholds the rule of law.

The Department is pursuing an overhaul of the ethics enforcement scheme at a moment in time when the possibility of state bar action is one of the few remaining guardrails in holding DOJ attorneys accountable. In the past year, multiple courts have castigated the Department for repeatedly making false or misleading statements, violating court orders, and more. An ongoing study by *Just Security*, an independent, non-partisan, law and policy journal, has documented stunning numbers of cases in which courts have expressed concerns over DOJ's noncompliance with judicial orders, distrust of government information and representations, and findings of "arbitrary and capricious" administrative action. This concerning pattern had led many judges to comment that the "presumption of regularity" traditionally accorded Executive Branch officials no longer holds. *See* Just Security, *The "Presumption of Regularity" in Trump Administration Litigation* (4th ed. Mar. 19, 2026), https://www.justsecurity.org/120547/ presumption-regularity-trump-administration-litigation/#_Toc214438801.

Although the erosion of trust in DOJ this past year appears to be unprecedented, it is important to remember that DOJ attorneys have been found to engage in ethical misconduct in Republican and Democratic administrations alike. *See, e.g.*, *Texas v. United States*, No. CV B-14-254, 2017 WL 11698657, at *8 (S.D. Tex. Jan. 19, 2017) (protesting what the court saw as DOJ's "current haphazard approach to ethical standards" and listing ten judicial opinions as examples of that haphazard approach by DOJ attorneys in other cases between 2009 and 2015, even as it withdrew its own sanctions order). OPR Annual Reports reflect a steady flow of allegations of DOJ attorney misconduct covering a range of issues in both

Democratic and Republican administrations. *See, e.g.*, U.S. Dep't of Justice, Office of Professional Responsibility, FY 2024 Annual Report, at 14-15 https://www.justice.gov/opr/media/1386331/dl?inline (OPR found professional misconduct in 7 (54%) of the 13 investigations it completed in FY 2024); U.S. Dep't of Justice, Office of Professional Responsibility, FY 2019 Annual Report at 12-13 https://www.justice.gov/opr/page/file/1259696/dl?inline (OPR found professional misconduct in 8 (47%) of the 17 investigations it closed in FY 2019).

Certainly, the proposed rule is no way to address the loss of trust experienced by the Department in the last fifteen months. That is all the more obvious now, when the Trump administration has fired DOJ's chief ethics official and the head of OPR, and the DOJ Office of the Inspector General remains vacant.[4] The NPRM's failure to set any internal deadline is particularly telling. The conclusion seems inescapable that the proposed rule seeks to inoculate Department attorneys from independent ethics investigations, potentially emboldening them to violate ethics rules with impunity.

DOJ insists, however, that, after more than a quarter century operating under the 1999 rule, the recent "weaponization" of the bar complaint and investigations process prompted the Department to reconsider the process for enforcing ethical rules against DOJ attorneys. 91 Fed. Reg. 10780, 10782. It points to so-called "political activists" having filed bar complaints against various senior Department officials. *Id.* DOJ is especially appalled by "the willingness of some State bar disciplinary authorities to give credence to such complaints." *Id.* DOJ claims that "[t]his intrusion" requires it "to reconsider the current system for enforcing ethics rules against Department attorneys." *Id.* at 10,783.

But that is not its prerogative under the law, which gives state bars the power to enforce ethics rules regardless of the Department's objections. The proposed regulation simply ignores the law, choosing instead to push aside the legitimate processes because it dislikes the conclusions that they sometimes reach. Such conduct by the Department itself inspires no confidence that DOJ self-policing now—with the state-bar guardrails torn down—will somehow assure that DOJ attorneys live up to the "highest standards of ethics among its attorneys" that the Department professes to follow. *See id.* at 10781; *id.* at 10786 (to be codified at 28 C.F.R. § 77.1(a)).

Finally, the Department contends that most state bars refrain from acting until OPR completes an investigation, *id.* at 10782, implying that the proposed rule

[4] *See* Scott MacFarlane & Melissa Quinn, *Bondi Ousts Top Ethics Official at the Justice Department*, CBS News (July 15, 2025), https://www.cbsnews.com/news/justice-department-ethics-official-fired-joseph-tirrell; *About the Office*, U.S. Department of Justice, Office of the Inspector General, https://oig.justice.gov/about (last visited Mar. 26, 2026); *see also* Devlin Barrett, *Justice Dept. Watchdog Has Gone Silent, Lawyers for Whistleblower Say*, N.Y. Times (Mar. 30, 2026), https://www.nytimes.com/2026/03/30/us/politics/trump-administration-doj-watchdog-reuveni.html.

is unlikely to affect existing practice in a significant way. But that argument disregards DOJ's own actions taken this past year that severely undercut the prospect of robust internal review, while underestimating the important incentives for good government created by the existence of parallel state bar disciplinary processes.

V. Conclusion

As the Department's home page states: "The mission of the Department of Justice is to uphold the rule of law, to keep our country safe, and to protect civil rights." And to serve that mission, the Department's employees embody the value of "Honesty and Integrity" and "adhere to the highest standards of ethical behavior, mindful that, as public servants, we must work to earn the trust of, and inspire confidence in, the public we serve."[5]

The proposed rule is contrary to the McDade Amendment and the Department's rule-of-law mission and values. It would contribute in a major way to the erosion of public trust in the Department of Justice and its attorneys. We strongly urge the Department to withdraw it.

[5] U.S. Department of Justice, https://www.justice.gov (last visited Mar. 31, 2026).