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UNITED STATES
HOUSE OF REPRESENTATIVES

February 6, 2025

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

Dear Attorney General Bondi:

Congratulations on a successful confirmation process and being sworn in as the 87th United States Attorney General. At a time when many Americans have diminished faith in our system of justice, I am confident that you will restore fair, equal, and impartial justice and restore the constitutional rule of law in America.

I write today regarding the urgent matter of interim U.S. Attorneys. Enclosed you will find a letter I sent, along with 32 of my Congressional colleagues, on December 19, 2024 to President Trump and the Attorney General to consider using your authority under 28 U.S.C. § 546 to call for the resignation of the Biden administration's U.S. Attorneys and appoint Interim U.S. Attorneys across all 94 districts at the start of the new Trump administration. President Trump was given a mandate to root out the rot from our weaponized, two-tiered justice department.

We should not allow a single Biden-era First Assistant to fill the position of Acting U.S. Attorney, and instead, appoint Interim U.S. Attorneys who are aligned with President Trump's priorities.

Thank you for taking the time to review and consider our proposal. We look forward to working with you and the Department of Justice to ensure a smooth and effective transition for U.S. Attorneys and to restore the American people's trust in our justice system.

Respectfully,

William R Timmons IV

William R. Timmons, IV
Member of Congress

Encl. Letter to President Donald J. Trump re: the appointment of Interim U.S. Attorneys

Congress of the United States

Washington, DC 20515

December 19, 2024

The Honorable Donald J. Trump
President-elect of the United States
1100 S Ocean Blvd
Palm Beach, FL 33480

Dear President Trump:

Congratulations on your historic and decisive election victory. Your leadership is critical during this pivotal time for our nation. As you prepare to undertake this significant responsibility, we urge your incoming Attorney General to consider exercising her authority under 28 U.S.C. § 546 to call for the resignation of the Biden administration's U.S. Attorneys and appoint Interim U.S. Attorneys across all 94 districts at the start of your new administration.

By appointing Interim U.S. Attorneys rather than allowing Biden-era officials to continue serving in Acting U.S. Attorney roles, we believe the immediate transition of leadership within the Department of Justice will be a crucial opportunity to realign your Administration's priorities and policy goals, reaffirm public confidence in the federal justice system, and ensure a cohesive vision across all U.S. Attorney offices.

This move would not be without precedent. In February 2021, President Biden requested the resignation of nearly all Senate-confirmed U.S. Attorneys appointed by your administration.[1] Attorney General Janet Reno also requested the resignations of the previous administration's U.S. Attorneys in 1993 at the beginning of the Clinton administration.[2] Additionally, Attorney General Jeff Sessions asked 46 Obama-era U.S. Attorneys to resign in the opening weeks of your first administration.[3] While replacing all 93 U.S. Attorneys with hand-selected interim U.S. Attorneys would be a first, it should be done to turn the page and reconstitute confidence in the Department of Justice.

When a U.S. Attorney resigns, under 5 U.S.C. § 3345(a), the First Assistant U.S. Attorney becomes Acting U.S. Attorney. However, the First Assistant is always an ideological protégé of

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1 NBC News, "*Biden's Justice Department to ask nearly all Trump-era U.S. attorneys to resign*," https://www.nbcnews.com/politics/politics-news/biden-s-justice-department-ask-nearly-all-trump-era-u-n1257100.

2New York Times, "*ATTORNEY GENERAL SEEKS RESIGNATIONS FROM PROSECUTORS,"* *https://www.nytimes.com/1993/03/24/us/attorney-general-seeks-resignations-from-prosecutors.html*

3 The Hill, "*Sessions asks 46 Obama-era US attorneys to resign*," https://thehill.com/homenews/administration/323444-sessions-asks-46-obama-era-us-attorneys-to-resign/.

the U.S. Attorney, and thus the transition does not typically result in a change of judicial policy or practice. Allowing the First Assistants to serve as the acting U.S. Attorney will delay the much-needed reforms that will reinstitute the American people's faith in the Department of Justice.

It is imperative that your incoming Attorney General be prepared to exercise her authority under § 546 to appoint an Interim U.S. Attorney for each of the 94 federal judicial districts upon taking office. The authority vested by Congress with the Attorney General to that end is clear:

"Except as provided in subsection (b), the Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant." 28 U.S.C. § 546(a). Subsection (b) prohibits an appointment under § 546(a) only if *"the Senate refused to give advice and consent"* for that same nominee. 28 U.S.C. § 546(b). An interim appointment under § 546(a) is limited in time - it is effective for 120 days unless a Presidential appointment is confirmed earlier. 28 U.S.C. § 546(c). After 120 days, *"the district court for such district may appoint a United States attorney to serve until the vacancy is filled."* 28 U.S.C. § 546(d).

We believe your interim appointments ought to be current federal prosecutors. Your transition team, incoming Attorney General, and like-minded allies in the U.S. Senate and U.S. House should identify individuals within each office to elevate to Interim U.S. Attorney until your nominations for U.S. Attorneys are confirmed by the Senate. In the meantime, the traditional Presidential appointment process should not be delayed in any way, so that the Department can benefit from permanent, unified leadership.

Thank you for your consideration of this proposal. We look forward to working with you and your new administration to ensure a smooth and effective transition and to restore the American people's confidence and trust in our justice system.

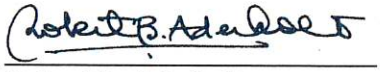
Respectfully,

William R. Timmons, IV
Member of Congress

Chip Roy
Member of Congress

Andy Biggs
Member of Congress

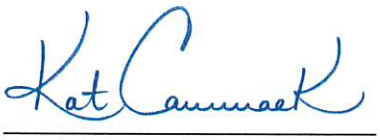
Ben Cline
Member of Congress



Robert B. Aderholt
Member of Congress



Ronny L. Jackson
Member of Congress



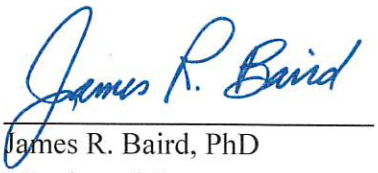
Kat Cammack
Member of Congress



Josh Brecheen
Member of Congress



Rich McCormick, MD, MBA
Member of Congress



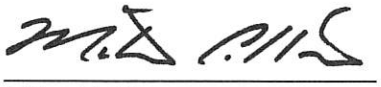
James R. Baird, PhD
Member of Congress



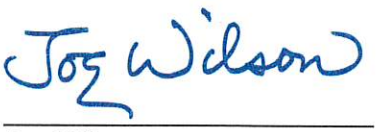
Mike Ezell
Member of Congress



Darrell Issa
Member of Congress



Mike Collins
Member of Congress



Joe Wilson
Member of Congress



Doug LaMalfa
Member of Congress



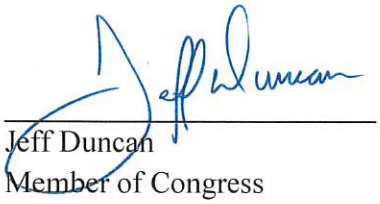
Cliff Bentz
Member of Congress



Russ Fulcher
Member of Congress



Bill Huizenga
Member of Congress



Jeff Duncan
Member of Congress



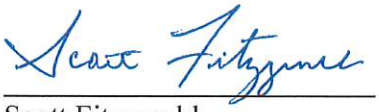
Barry Moore
Member of Congress



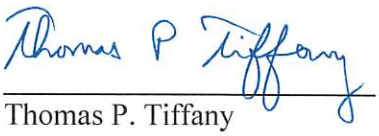
Mary E. Miller
Member of Congress



Diana Harshbarger
Member of Congress



Scott Fitzgerald
Member of Congress



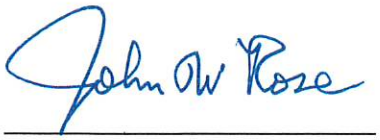
Thomas P. Tiffany
Member of Congress



Dan Newhouse
Member of Congress



C. Scott Franklin
Member of Congress



John Rose
Member of Congress



Bob Good
Member of Congress