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March 16, 2026

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

Dear Attorney General Bondi:

I write to request that the Department of Justice preserve records related to DOJ's proposed rule entitled "Review of State Bar Complaints and Allegations Against Department of Justice Attorneys," published on March 5, 2026.

The proposed rule purports to give the Attorney General the right to review any ethics complaint against current and former DOJ attorneys made by or before a state bar, and to request that the bar suspend investigations until DOJ completes its review. The proposed rule also states that "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."¹

This proposed rule coincides with mounting reports of state bar ethics complaints against and investigations into Trump DOJ attorneys.² The proposed rule also follows Deputy Attorney General Blanche's November 2025 comments to the Federalist Society, including, "[t]he D.C. Bar, in particular, is one of the most activist, obnoxious bars," and "we're going to do everything we can to take these activist bars . . . out of the picture."³ While the proposed rule cites "unprecedented weaponization of the State bar complaint process"⁴ as necessitating the rule, it

¹ 91 Fed. Reg. 10780, 10787 (Mar. 5, 2026).

² See, e.g., Devlin Barrett, *D.C. Bar Begins Disciplinary Proceedings Against Ed Martin*, N.Y. TIMES (Mar. 10, 2026), <https://www.nytimes.com/2026/03/10/us/politics/dc-bar-ed-martin-disciplinary-hearing.html>; Legal Accountability Center, *Bar Complaint Against Todd Blanche* (Sept. 11, 2025), <https://legalaccountability.org/actions/complaint-against-todd-blanche>; Hailey Konnath, *3 DOJ Attys Face Bar Complaints Over CFPB Representation*, LAW360 (July 31, 2025), <https://www.law360.com/articles/2371835/3-doj-attys-face-bar-complaints-over-cfpb-representation>; Alanna Durkin Richer, *Trump ally Jeffrey Clark should be disbarred over 2020 election effort, DC panel says*, AP (July 31, 2025), <https://apnews.com/article/jeffrey-clark-dc-bar-disbarred-discipline-trump-73ba327c73769674b4b87e8b924d8aeb>.

³ Jeff Overley, *'It's A War, Man': Trump's Deputy AG Unloads On Judges, Bars*, LAW360 (Nov. 7, 2025), <https://www.law360.com/articles/2409016>.

⁴ 91 Fed. Reg. at 10782.

fails to mention a correspondingly unprecedented level of rebuke that courts have heaped on Trump DOJ attorneys for failing to meet basic obligations of candor, lawfulness, and good faith.⁵

Please preserve any existing and future records, documents, and materials related to this proposed rule, including any materials related to DOJ's development of and decision to issue this proposed rule. As you know, federal law, including the Federal Records Act, imposes an obligation to preserve federal records on all DOJ employees and makes violations subject to criminal prosecution.

I look forward to your prompt response and acknowledgment of your compliance with this request.

Sincerely,



Sheldon Whitehouse
Ranking Member,
Senate Judiciary Subcommittee on
Federal Courts, Oversight,
Agency Action, and
Federal Rights

⁵ See, e.g., Ryan Goodman et al., *The "Presumption of Regularity" in Trump Administration Litigation*, JUST SECURITY (Nov. 20, 2025), https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation/#_Toc214438834; *United States v. Comey*, No. 25-cr-272, slip op. at 15 (Nov. 17, 2025) (judge found DOJ attorney made "fundamental misstatements of the law that could compromise the integrity of the grand jury process," including a "highly prejudicial misstatement of the law"); Adam Wren, *Playbook: Trump's Retribution Tour*, POLITICO (May 23, 2025), <https://www.politico.com/newsletters/playbook/2025/05/23/trumps-retribution-tour-00367025> (federal judge told DOJ officials "I don't appreciate being lied to. If that is indeed what has happened, there will be serious consequences"); *Abramowitz v. Lake*, No. 1:25-cv-00887-RCL, at 18-19 (D.D.C. Sept. 29, 2025) (judge commenting on "the concerning disrespect the defendants have shown toward the Court's orders"); *Washington v. Trump*, 766 F.Supp.3d 1138, 1161 (W.D. Wash. 2025) (judge writing "Defendants' argument is disingenuous at best"); *State v. Musk*, 769 F.Supp.3d 1, 3 n.1 (D.D.C. 2025) ("Defense counsel is reminded of their duty to make truthful representations to the court.").