

# STATEMENT OF THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS

# UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

# HEARING ON THE NOMINATION OF HARMEET K. DHILLON TO BE ASSISTANT ATTORNEY GENERAL FOR CIVIL RIGHTS

### **FEBRUARY 26, 2025**

Chair Grassley, Ranking Member Durbin, and members of the committee: The Leadership Conference on Civil and Human Rights is submitting this statement for the record in today's hearing to voice our strong opposition to the nomination of Harmeet Dhillon to serve as the next assistant attorney general for civil rights at the U.S. Department of Justice. We urge the Senate to reject Ms. Dhillon's nomination.

The Leadership Conference on Civil and Human Rights is the nation's oldest and largest civil rights coalition with a diverse membership of more than 240 national organizations working to build an America as good as its ideals. Since our founding in 1950, The Leadership Conference has helped to secure the passage of every major civil rights law, from the Civil Rights Acts of 1957 and 1964, to the Americans with Disabilities Act, and many more.

Since the U.S. Department of Justice (DOJ) was created, it has served as our nation's signature agency for the enforcement of our federal civil rights laws. Indeed, the DOJ was created more than 150 years ago in part to enforce the Reconstruction Amendments aimed at abolishing slavery, ensuring equal protection under the law, and securing voting rights for Black Americans. The department's Civil Rights Division was established by the Civil Rights Act of 1957, which also authorized the creation of an assistant attorney general for civil rights. Tasked with "prohibiting discrimination in public facilities, places of public accommodation, employment, and school," the division and its leader enforce our nation's civil rights laws, including the Civil Rights Acts of 1957, 1960, 1964, and 1968, the Voting Rights Act of 1965 and other federal voting rights laws, the Fair Housing Act, the Americans with Disabilities Act, the Freedom of Access to Clinic Entrances Act, and many others. These landmark laws, passed by Congress at the urging of the civil rights community, continue to help people across the nation every day in their lives — whether they realize it or not. They ensure that we can cast our ballots and have them counted, receive fundamental health care services, access buildings and services, own homes, seek equitable education, and so much more. The importance of civil rights enforcement cannot be understated, and while the division has been used in the past as a weapon against our civil rights, it has also been used since its creation to uphold the principles of equality and justice that are foundational to American

<sup>&</sup>lt;sup>1</sup> U.S. Department of Justice, *Civil Rights Division* (accessed February 7, 2025).



democracy. Unfortunately, this administration seeks to damage the "crown jewel" of the DOJ to advance its cruel and chaotic agenda to roll back our civil and human rights.

With the threats posed in Project 2025, much of which is already underway, as well as the actions of this administration and DOJ leadership already, any nominee appointed to lead the division — with the immense responsibility of enforcing our civil rights laws — must be held to a high standard, be independent, and be committed to protecting the rights of all of us. Only two days after taking office, the Trump administration ordered a halt to all ongoing litigation pending within the Civil Rights Division and directed the office to not pursue any new cases or enter into any settlement agreements.<sup>2</sup> This affects crucial ongoing work of the division, such as overseeing reform settlements with police forces, including agreements reached in Minneapolis in response to the murder of George Floyd and in Louisville in response to the murder of Breonna Taylor.<sup>3</sup> On Pam Bondi's first day as attorney general of the United States, she issued a number of memos that require the leader of the Civil Rights Division to abandon the work of the division and leave behind the civil rights of many.<sup>4</sup> This includes going after the very initiatives that foster diversity, equity, inclusion, and accessibility that serve to help comply with federal civil rights law.<sup>5</sup>

Harmeet Dhillon, Trump's nominee to lead the Civil Rights Division, currently serves as the CEO of the Center for American Liberty (CAL), a nonprofit she founded in 2018, whose stated mission is "defending the civil liberties of Americans left behind by civil rights legacy organizations." As the civil rights coalition that has been at the forefront of achieving recognition of the civil and human rights of all people, including securing passage of the law that created the position Ms. Dhillon now seeks to hold, we vehemently disagree with the suggestion that we and others who have spent decades fighting for federal civil rights laws and protections have deserted any communities. Ms. Dhillon has focused her career on threatening the civil rights of many communities that the Civil Rights Division was created to defend. Especially at this fraught period in our nation's history, the crucially important work of the division to enforce the promises made in our civil rights laws is more important than ever, and it requires an assistant attorney general with a demonstrated commitment to civil rights for *all* people. Unfortunately, a careful review of her record shows that Ms. Dhillon does not possess that commitment and is unfit for this critical position. In fact, she has worked in direct opposition to civil rights throughout her career, and it is clear that she will leave behind defending the rights of our communities. As we detail below, several aspects of Ms. Dhillon's record disqualify her for this critical position.

<sup>&</sup>lt;sup>2</sup> Sarah N. Lynch, <u>US Justice Department freezes its civil rights litigation</u>, REUTERS (January 22, 2025).

 $<sup>^{3}</sup>$  Id.

<sup>&</sup>lt;sup>4</sup> See e.g., <u>Restoring The Integrity And Credibility Of The Department Of Justice</u>, Office of the Attorney General (February 5, 2025) (weaponizing the Department of Justice to force through all of President Trump's policies).

<sup>5</sup> See e.g. <u>Ending Illegal DEI and DEIA Discrimination and Preferences</u>, Office of the Attorney General (February 5, 2025); <u>Eliminating Internal Discriminatory Practices</u>, Office of the Attorney General (February 5, 2025); <u>General Policy Regarding Zealous Advocacy on Behalf of the United States</u>, Office of the Attorney General (February 5, 2025) (Department materials that encouraged or permitted race- or sex-based preferences as a method of compliance with federal civil rights laws are rescinded and will be replaced with new guidelines).

<sup>6</sup> About, Center for American Liberty (accessed February 9, 2025).



## **Voting Rights**

Ms. Dhillon's actions and statements throughout and after the 2020 election are disqualifying. She has been an ardent supporter of President Trump's baseless claims of rampant voter fraud in the 2020 presidential election. In an interview, Ms. Dhillon falsely claimed that the results of the 2020 election happened because there was a "wholesale ignoring of laws passed by legislatures," which "change the outcomes of the election in a few counties and that changes the outcome of the national election." In 2020, Ms. Dhillon worked as co-chair of Lawyers for Trump, a group formed by the Trump campaign to "protect the integrity of the election." This included television appearances where she perpetuated the Trump campaign's accusations that there was persistent voter fraud in Pennsylvania during the 2020 election. In an interview with Fox News in November 2020, Ms. Dhillon went so far as to call on the Supreme Court to intervene, saying "we're waiting for the United States Supreme Court, of which the president has nominated three justices, to step in and do something. And hopefully Amy Coney Barrett will come through and pick it up." This statement calling for presidential fealty from jurists whose loyalty she assumes will be to the president who appointed them and not to the rule of law is disqualifying, especially as they have been made by a nominee who would be responsible for the enforcement of our voting rights laws. Efforts by attorneys to challenge the 2020 election results through litigation without any evidence or facts to support their claims have led to numerous disciplinary actions by courts and bar associations.<sup>11</sup> One of the most notable cases was the disbarment of former New York City mayor and Trump loyalist, Rudy Giuliani, who lost his law license because of his perpetuation of false claims about the 2020 election. 12

Her law firm, Dhillon Law Group, in conjunction with the nonprofit organization she co-founded in 2018, the Center for American Liberty, filed more than a dozen troubling lawsuits across eight states, which included challenging voting districts to allow President Trump's name to appear on ballots in states that determined his role in the January 6th attack on the U.S. Capitol disqualified him from running for office. Her fervent advocacy to Trump, who has made clear that he values loyalty to him above service to the country, is unacceptable for a position that is intended to serve the people of this nation.

In 2024, Ms. Dhillon represented Kari Lake, failed Arizona senate and gubernatorial candidate who claims that the 2020 election was "stolen" from President Trump, going to far as to call for imprisonment

<sup>&</sup>lt;sup>7</sup> Nicole Shanahan, *Fixing the System: The Battle Against Lawfare and Corruption with Harmeet Dhillon*, YOUTUBE (October 4, 2024).

<sup>&</sup>lt;sup>8</sup> Ronn Blitzer, Trump, <u>Biden campaign lawyers ready to pounce for election legal battle</u>, Fox News (November 2, 2020).

<sup>&</sup>lt;sup>9</sup> Matt Wilstein, <u>Trump Lawyer Calls for Supreme Court to 'Step in and Do Something' to Help President Win</u>, THE DAILY BEAST (November 5, 2020).

<sup>&</sup>lt;sup>10</sup> Matt Wilstein, <u>Trump Lawyer Calls for Supreme Court to 'Step in and Do Something' to Help President Win</u>, THE DAILY BEAST (November 5, 2020).

<sup>&</sup>lt;sup>11</sup> Elise Bean, *Trump's lawyers in suits claiming he won in 2020 are getting punished for abusing courts*, KANSAS REFLECTOR (June 8, 2024).

<sup>&</sup>lt;sup>12</sup> Alanna Durkin Richer, <u>Rudy Giuliani disbarred in DC after pushing Trump's false 2020 election claims</u>, AP NEWS (September 26, 2024).

<sup>&</sup>lt;sup>13</sup> Matt Cohen, *Harmeet Dhillon, Trump's Assistant Attorney General Pick, Has a History of Attacking Voting Rights*, DEMOCRACY DOCKET (December 10, 2024).



of those who refused to perpetuate this false narrative, which included journalists and her gubernatorial challenger, Governor Katie Hobbs.<sup>14</sup>

She has relentlessly tried to limit access to the ballot box. For example, she represented the Georgia Republican Party in a case defending the state's requirement that in order for an absentee vote to be valid it must be signed in ink, and she represented a member of Pennsylvania's Board of Elections challenging a state law that sent mail-in ballots to every registered voter, which would have heavily expanded voter access in the state. Her firm has also submitted amicus briefs on behalf of conservative groups supporting an Alabama congressional map that was the result of racist gerrymandering and supporting the far-right wing independent state legislature theory, both of which were stuck down by the Supreme Court. Be gave testimony before the House Committee on Administration in 2023 falsely accusing the Biden administration of censorship and influencing the outcome of elections because of their effort to stop the spread of disinformation on social media. This is especially concerning given that Elon Musk, the owner of X, which was one of the sites spreading misinformation, has inserted himself into our government and has been accessing private information.

The right to vote in free and fair elections is a bedrock right of our democracy. The leader of the Civil Rights Division should be someone who works to ensure that all citizens have full and fair access to the ballot box, and not someone who has worked tirelessly to perpetuate false claims of voter fraud and election interference and restricting people's voting rights. In 2025, as the nation prepares to commemorate the 60th anniversary of Bloody Sunday and the landmark Voting Rights Act that the Civil Rights Division is charged with enforcing, it is unacceptable that the division could be led by someone with such a disturbing record on the right to vote — the right that so many brave Americans throughout our country's history risked their lives, and died, to secure.

## **Reproductive Rights**

The public needs to be able to trust that the leader of the Civil Rights Division will faithfully uphold the laws that protect their access to reproductive health care, which includes the right to seek abortion care. The Civil Rights Division has played a critical role in enforcing federal laws, as well as ensuring safe access to reproductive health care, especially access to abortion services through the enforcement of the Freedom of Access to Clinic Entrances (FACE) Act. The FACE Act prohibits "threats of force, obstruction and property damage intended to interfere with reproductive health care services" as well as

<sup>&</sup>lt;sup>14</sup> Daniel Dale, <u>Fact-checking Kari Lake</u>, <u>serial promoter of election lies and early frontrunner in GOP primary for Arizona governor</u>, CNN (October 16, 2024).

Matt Cohen, <u>Meet the Lawyer Trying to Keep Trump on the Ballot</u>, DEMOCRACY DOCKET (February 28, 2024).
 Brief Of Amicus Curiae The Republican National Committee In Support Of Appellants/Petitioners (Sup. Ct.

<sup>&</sup>lt;sup>17</sup> <u>Brief</u> Of Citizens United, Citizens United Foundation, And The Presidential Coalition As Amici Curiae In Support Of Petitioners (Sup. Ct. 2023).

<sup>&</sup>lt;sup>18</sup> *Testimony Of Harmeet K. Dhillon CEO Of The Center For American Liberty*, House Committee on Administration (May 11, 2023).



other applicable criminal statutes based on intimidation tactics. <sup>19</sup> Already, the attorney general has signaled that she will use the resources of the DOJ, including the leader of the Civil Rights Division, to not only relinquish enforcement of these laws but to investigate previous and ongoing FACE Act criminal prosecutions. <sup>20</sup> Ms. Dhillon's record demonstrates that she would not be independent or be able to enforce these critical civil rights laws.

Ms. Dhillon calls herself a "lawyer for the pro-life movement." Her open disdain for those who choose to exercise their right to make autonomous decisions about their body and health is jarring. She has openly said she rejects "abortion rights" and in an interview said that "I can't identify with a party—and frankly most people of faith can't—where one of their religious tenets of their faith is killing children in the womb." Ms. Dhillon's aggressive language and inflammatory rhetoric around abortion is deeply concerning.

### **Attacks on the LGBTQ+ Community**

Attacks against the LGBTQ+ community have been steadily on the rise, with unprecedented numbers of bills attacking their rights being introduced at the federal, state, and local level.<sup>24</sup> The majority of these bills are aimed at transgender people, and especially transgender, nonbinary, and intersex youth. Protecting the most vulnerable among us should be the highest priority for the leader of the division, yet Ms. Dhillon has been one of the most vocal bullies of transgender people. She refers to the doctors who provide gender-affirming care as "butchers" and "predatory" for "pushing trans lies" and that they "ruin a child's life by lying to them" because "you cannot change your sex."<sup>25</sup> She also claims that transgender activists are "gross" and have "erase[d] all the gains women have made toward equality and independence."<sup>26</sup> In an interview, she said "Title IX was passed by Congress to protect women's rights — not the rights of men pretending to be women."<sup>27</sup>

Some of the most radical litigation brought by Ms. Dhillon's organization, CAL, attacks transgender people, and in particular transgender youth and those who support them, such as doctors, mental health experts, and teachers — fighting back against what she calls "radical gender ideology." Despite

<sup>&</sup>lt;sup>19</sup> Civil Rights Division, <u>Protecting Patients and Health Care Providers</u>, U.S. Department of Justice (accessed February 8, 2025).

<sup>&</sup>lt;sup>20</sup> https://www.justice.gov/ag/media/1388506/dl?inline

<sup>&</sup>lt;sup>21</sup> Capitol Weekly Staff, *Capitol Weekly Podcast: Harmeet Dhillon on the End of Roe*, CAPITOL WEEKLY (May 5, 2022).

<sup>&</sup>lt;sup>22</sup> Virginia Allen & Lauren Evans, *Problematic Women: Ladies, Know Your First Amendment Rights*, THE DAILY SIGNAL (March 19, 2020).

<sup>&</sup>lt;sup>23</sup> Harmeet Dhillon, *Dhillon on Dems Attempt to Appeal to Women*, Dhillon Law Group (August 21, 2020).

<sup>&</sup>lt;sup>24</sup> <u>Mapping Attacks on LGBTQ Rights in U.S. State Legislatures in 2025</u>, American Civil Liberties Union (accessed February 7, 2025).

<sup>&</sup>lt;sup>25</sup> Post by Harmeet Dhillon on X (January 29, 2024).

<sup>&</sup>lt;sup>26</sup> Post by Harmeet Dhillon on X (March 29, 2023).

<sup>&</sup>lt;sup>27</sup> Post by Harmeet Dhillon on X (April 30, 2014).

<sup>&</sup>lt;sup>28</sup> See e.g. Susannah Luthi, *Gavin Newsom Allows Secret School Gender Transitions To Become Law*, FREE BEACON (July 16, 2024); Harmeet Dhillon, *Vermont Parents Punished by Foster System for Refusing Radical Gender* 



overwhelming medical and scientific data that supports gender-affirming care, however, Ms. Dhillon has brought several cases against hospitals and health care providers who treated transgender youth. In these cases, she falsely alleges that the plaintiffs were "groomed" by transgender social media influencers into the "erroneous idea" that they were also transgender and then "coerced" into transitioning by the doctors after the plaintiffs' parents sought treatment for their gender dysphoria.<sup>29</sup> These complaints rely on fearmongering junk science, disproven theories, and thoroughly debunked studies and claim that there was a breach of informed consent because plaintiffs allege that they weren't informed of possible risks of this medical treatment.<sup>30</sup> In reality, science shows that this medical treatment is appropriate and effective to treat gender dysphoria.<sup>31</sup> Access to gender-affirming care can be life-saving for transgender people, and it is supported by every major medical association.<sup>32</sup> Further, Ms. Dhillon laments that plaintiffs weren't informed of "the option for psychiatric treatment or an approach that attempted to treat the underlying psychological conditions to bring about a mental state congruent with Chloe's biological sex."<sup>33</sup> Ms. Dhillon is advocating for the use of conversion therapy, an extremely dangerous and wholly disproven practice that studies have shown greatly increase the chances that the person subjected to it will experience depression, anxiety, and suicidal ideation.<sup>34</sup>

Not only do these cases demonstrate a legal irresponsibility by Ms. Dhillon for bringing suits without proven medical data to support her claims, but it demonstrates how concerning it would be if she were to have the force of the DOJ behind her. Ms. Dhillon could not possibly be in the position to protect transgender, nonbinary, and intersex people from discrimination — as is the charge of the assistant attorney general for civil rights — when she has worked to deny, diminish, and erase their existence.

#### **Problematic Representation**

Ms. Dhillon also has a history of representing people who foster hostile workplaces. For example, in 2018, she represented disgraced former Google engineer James Damore, who was fired after releasing a memo claiming that the biological differences between men and women made men more successful at coding, and accused Google and the tech world generally of being "racist" against white men.<sup>35</sup> Ms. Dhillon unsuccessfully represented Mr. Damore and another ex-Google employee in a class action suit accusing Google of discrimination against white, conservative men.<sup>36</sup> In another case, Ms. Dhillon

<sup>&</sup>lt;u>Ideology for Kids</u>, Center for American Liberty (May 30, 2024); Valerie Richardson, <u>California spurs outcry with first-in-nation 'don't tell parents' law on student gender-switches</u>, WASHINGTON TIMES (July 16, 2024).

<sup>&</sup>lt;sup>29</sup> See <u>Chloe Cole v. Kaiser Foundation Hospitals, Inc., et al</u> (CA Sup. Ct., 2024); <u>Luka Hein v. UNMC Physicians, et al</u> (NE Dist. Ct. 2024); <u>Layla Jane v. Kaiser Hospital Foundation</u> (CA. Sup. Ct. 2023).

<sup>&</sup>lt;sup>30</sup> Julia Temple Newhook, et al, <u>Teach your parents and providers well</u>, National Library of Medicine (May 2018).

<sup>&</sup>lt;sup>31</sup> Dr. Kristina R. Olson, Dr. Lily Durwood, Dr. Natalie Gallagher, & Dr. Aaron Devor, <u>Gender Identity 5 Years</u> After Social Transition, PEDIATRICS (July 2022).

<sup>32 &</sup>lt;u>Medical Association Statements in Support of Health Care for Transgender People and Youth</u>, GLAAD (June 26, 2024).

<sup>&</sup>lt;sup>33</sup> Chloe Cole v. Kaiser Permanente, Dhillon Law Group (accessed February 14, 2025).

<sup>&</sup>lt;sup>34</sup> Nguyen K. Tran et al, <u>Conversion practice recall and mental health symptoms in sexual and gender minority adults in the USA: a cross-sectional study</u>, The Lancet Psychiatry (November, 2024).

<sup>&</sup>lt;sup>35</sup> Elizabeth Weise, *Ex-Google engineer Damore sues alleging discrimination against white, conservative men*, USA TODAY (January 8, 2018).

<sup>&</sup>lt;sup>36</sup> James Damore & David Gudeman v. Google, LLC (CA Sup. Ct. 2018).



unsuccessfully represented a middle school student who was suspended after wearing blackface and using racial slurs at a school sporting event.<sup>37</sup>

She also represented former Fox News personality Tucker Carlson in a suit brought by a former employee who said that Mr. Carlson and his male producers created a hostile work environment. The former employee alleged that the mocking of her Jewish faith was relentless and that Mr. Carlson and his producers frequently made sexist comments.<sup>38</sup> She also alleged that Justin Wells, Mr. Carlson's producer, admitted that she was being paid less than her male counterparts.<sup>39</sup> When she complained to management about how Mr. Carlson's frequent racist and sexist comments on and off his show created a toxic work environment, she was dismissed and told that they were "just following Tucker's tone."<sup>40</sup> The suit was ultimately settled, with the former employee receiving a \$12 million settlement from Fox News, and with Mr. Carlson and Mr. Wells being fired from their positions.<sup>41</sup> In a separate case, Ms. Dhillon represented Mr. Wells after he was accused of sexual harassment by a former employee and of retaliation against the employee after he spurned Mr. Wells' advancements.<sup>42</sup>

As the leader of the Civil Rights Division, Ms. Dhillon would be responsible for enforcing the laws that keep employees safe from hostile work environments. Her representation of several powerful men who used their positions of power to sexually and verbally harass employees and create an office culture centered on misogyny and bigotry is troubling to say the least.

### Conclusion

With the attacks on our civil and human rights already underway at the DOJ, Ms. Dhillon's lack of independence and record of going after the rights of the very people that she would have the duty to defend is disqualifying. The next assistant attorney general for civil rights must have a record of upholding and defending the civil rights of all people. Her work supporting President Trump's efforts to overturn the results of the 2020 election, her vitriolic crusade against the transgender community, her staunch opposition to reproductive freedom, and her work protecting men accused of sexual harassment paint a disturbing picture of the kind of work we can expect from the Civil Rights Division if Ms. Dhillon is confirmed.

Thank you for your consideration of our views. If you have any questions, please contact Jesselyn McCurdy, executive vice president for government affairs at The Leadership Conference, at jesselynmccurdy@civilrights.org.

<sup>&</sup>lt;sup>37</sup> J.A. by & through D.A. v. Luna, No. 24CV0112-LL-MMP (S.D. Cal. September 30, 2024).

<sup>&</sup>lt;sup>38</sup> David Folkenflik, *Fox pays \$12 million to resolve suit alleging bias at Tucker Carlson's show*, NPR (June 30, 2023).

<sup>&</sup>lt;sup>39</sup> *Id*.

<sup>&</sup>lt;sup>40</sup> *Id*.

<sup>&</sup>lt;sup>41</sup> *Id* 

<sup>&</sup>lt;sup>42</sup> Stephen Battaglio, <u>Former Tucker Carlson producer accused of sexual assault in lawsuit</u>, LA TIMES (December 4, 2023).