

United States Senate

December 8, 2020

The Honorable William P. Barr
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave. NW
Washington, D.C. 20530

Dear Attorney General Barr:

We write to request information on the Justice Department's recent hiring of John Lott and on the completed and potential conversions of political appointees to civil service positions at the Department and its components.

The Department recently hired John Lott, a pro-gun advocate who claims that widespread gun ownership can reduce crime. Although the Department has confirmed that Lott was hired as a senior adviser in the Office of Justice Programs, it has not said whether Lott is serving in a career civil service position or as a political appointee. Lott himself has said that he "took a job at the Department of Justice" and that he is "really not supposed to say more than that." [Politico, 11/25/2020] This coincides with reports that Heidi Stirrup, the Department's White House liaison, was recently barred from the Department after extending job offers to political allies and attempting to interfere in the hiring process for career personnel. [AP, 12/3/2020] These events raise concerns about the Department's compliance with requirements designed to maintain the continued integrity of the nonpartisan career civil service.

The Civil Service Reform Act requires that the "selection and advancement" of employees in the civil service be "determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition." [5 U.S.C. § 2301(b)(1)] The Office of Personnel Management (OPM) makes clear that "political appointees...must not be given preference or special advantages" when considered for federal jobs. [McGettigan Memo, *Political Appointees and Career Civil Service Positions*, February 23, 2018]

Given the importance of ensuring that the career civil service remains a merit-based system, we ask that you provide the following information no later than December 22:

1. An explanation of the circumstances surrounding Mr. Lott's hiring, including whether he is a political appointee.
2. A list of all individuals who held positions as political appointees since January 20, 2017, and are now employed in permanent competitive positions, non-political excepted service positions, or career Senior Executive Service (SES) positions at the Department and its components. For each individual, include:

- a. the individual's name;
 - b. the title of position(s) to which the individual was initially appointed;
 - c. the start and end dates of such appointment(s);
 - d. the title of the individual's current position;
 - e. the start date of the individual's current position; and
 - f. a copy of the written OPM authorization of the individual's appointment to a permanent position.
3. A list of all current or former political appointees for whom the Department and its components have sought written authorization from OPM for the appointees' conversion to permanent competitive positions, non-political excepted service positions, or career SES positions. For each individual, include:
- a. the individual's name;
 - b. the title of position(s) to which the individual was initially appointed;
 - c. the start, and end dates if applicable, of such appointment(s);
 - d. the title of the permanent position sought; and
 - e. a copy of the Department's request to OPM for written authorization of the individual's appointment to a permanent position.

We also ask that you supplement your response to these questions on a biweekly basis through January 20, 2021.

Sincerely,



DIANNE FEINSTEIN
Ranking Member



PATRICK LEAHY
United States Senator



RICHARD J. DURBIN
United States Senator



SHELDON WHITEHOUSE
United States Senator



AMY KLOBUCHAR
United States Senator



CHRISTOPHER A. COONS
United States Senator



RICHARD BLUMENTHAL
United States Senator



MAZIE K. HIRONO
United States Senator



CORY A. BOOKER
United States Senator

cc: The Honorable Lindsey O. Graham
Chairman, Committee on the Judiciary

The Honorable Jeffrey A. Rosen
Deputy Attorney General of the United States