

A D D E N D U M
to
CONFIRMATION HEARING ON FEDERAL
APPOINTMENTS

This Addendum is available at:

<https://www.govinfo.gov/content/pkg/CHRG-119shrg61839/pdf/CHRG-119shrg61839-add1.pdf>

Submitted by Ranking Member Durbin:

Alliance for Justice, letter, March 26, 2025 2



Eleven Dupont Circle NW, Suite 500
Washington, DC 20036
www.afj.org | 202-822-6070

Field Offices
Dallas | Houston | Los Angeles |
San Francisco

INTERIM CO-PRESIDENT

KEITH THIRION

CHAIR

PAULETTE MEYER

March 26, 2025

Senator Charles Grassley
Chair, Senate Judiciary Committee

Senator Richard Durbin
Ranking Member, Senate Judiciary Committee

Dear Chairman Grassley and Ranking Member Durbin,

On behalf of the Alliance for Justice (AFJ), a national coalition representing nearly 140 public interest and civil rights organizations, I urge you to oppose the nomination of Brett Allen Shumate for the position of Assistant Attorney General for the Department of Justice's Civil Division.

Shumate's troubling views on executive power and affiliations with extremist groups pose an immediate and profound risk to the integrity of the Department of Justice, the independence of our federal institutions, and the existence of the American form of governance.

In multiple public statements, Shumate has declared that "nearly all modern independent agencies" are unconstitutional. He has specifically criticized the landmark Supreme Court ruling in Humphrey's Executor v. United States, which limits the president's ability to remove heads of independent agencies without cause. Shumate's contention that this ruling is "not controlling" suggests a dangerous belief that the president should have unchecked power over independent agencies. This undermines two core principles of American democracy: 1) that vital government institutions must operate free from political interference, and 2) the preeminent need for checks on and balance of powers.

Shumate's perspective poses a direct threat to the agencies that protect public health, regulate industries, and ensure that laws are enforced fairly. These agencies and their programs directly serve and support the American people and attacking them is analogous to attacking our nation's communities. Shumate's apparent disregard for the protections that allow these agencies to function independently would open the door to political interference, weakening their ability to serve the public interest and safeguard the American people.

Moreover, Shumate's affiliation with the Teneo Network, a secretive right-wing extremist group dedicated to dismantling policies protecting equal rights and justice, and to placing far right ideologues in influential positions across business, politics, and media, further exacerbates our concerns. The Teneo Network is chaired by Leonard Leo, the scandal-ridden architect of and megadonor behind the conservative capture of the federal judiciary, and its explicit mission is to impose a regressive ideological agenda on the country.

As such, Shumate's membership in this group illustrates that he undoubtedly is and will be a strictly partisan actor whose goal is to advance extremist ideologies without care for our nation's government or people. The Department of Justice's Civil Division is tasked with "defending against challenges to federal programs; ensuring the Federal Government speaks with one voice in its view of the law; preserving the intent of Congress; advancing the credibility of the government before the courts; and protecting the public fisc (the U.S. Treasury)." However, Shumate and his affiliates publicly aim to abolish federal programs, overturn decades of federal legal analysis and precedent, challenge Congress' constitutionally provided authorities, and gut the independence of federal courts.

As Assistant Attorney General for the Civil Division, Shumate could use the Department of Justice to advance the political goals of powerful conservative factions rather than upholding the Department's mission to protect the public interest. His extreme views and affiliations are fundamentally incompatible with the values of fairness, transparency, and accountability that must guide our justice system.

For these reasons, we strongly urge the Senate Judiciary Committee to reject Brett Allen Shumate's nomination. Confirming him to such a critical role would harm our executive agencies, the civil servants who work within them, and the people they serve.

Thank you for considering the serious and long-term consequences of this nomination. We trust that you will make the right decision: one that protects our government and upholds justice, fairness, and the best interests of the American people.

Sincerely,

A handwritten signature in cursive script that reads "Keith Thirion".

Keith Thirion
Interim Co-President, Alliance for Justice