

Congress of the United States
Washington, DC 20515

October 7, 2025

Mr. Matthew R. Galeotti
Acting Assistant Attorney General, Criminal Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Galeotti:

Under the First Amendment, the Executive Branch cannot compel speech any more than it can censor it. Yet Trump Administration officials have commandeered the email accounts of thousands of nonpartisan, career civil servants without their consent or knowledge to disseminate MAGA's partisan and polemical talking points in their names. This is not only unlawfully compelled speech but potentially a federal criminal felony.

Funding for the federal government expired when the Republican-controlled Congress failed to enact a fiscal year 2026 appropriations bills or a Continuing Resolution prior to the September 30 deadline. The resulting shutdown forced many federal workers to enter furlough status.¹ On October 2, 2025, nonpartisan, career civil servants at the Department of Education reported that their own out-of-office email responses—left on their individual office computers and implemented to inform the public of their furlough status—were dramatically altered without their consent or authorization. Their neutral, nonpartisan out-of-office messages were changed, without their knowledge or consent, to an overtly political message, *putatively authored by the employee*, blaming Democratic Senators for the shutdown, stating, for example:

Thank you for contacting me. On September 19, 2025, the House of Representatives passed H.R. 5371, a clean continuing resolution. **Unfortunately, Democrat Senators are blocking passage of H.R. 5371 in the Senate which has led to a lapse in appropriations.** Due to the lapse in appropriations, I am currently in furlough status.²

¹ Greg Iacurci, *Affordable Care Act Premiums Will Rise 114% If Enhanced Subsidies Expire, Health Policy Researcher Finds*, CNBC (Oct. 2, 2025), <https://www.cnbc.com/2025/09/30/aca-premiums-to-more-than-double-without-enhanced-subsidies.html>.

² Office of Congressman Jamie Raskin, *Raskin Statement on Trump Administration's Use of Federal Departments and Agencies for Propaganda Purposes; Possible Violations of the Hatch Act*, (Oct. 2, 2025), <https://raskin.house.gov/press-releases?id=52D3D46D-3201-4BD5-B541-1BD6A4380EB2> (emphasis added)

Federal workers who attempted to change their out-of-office responses back to a nonpartisan message had it “revert to the partisan wording later.”³ Moreover, these incidents were not limited to a single agency. Reporting indicates that the Office of Management and Budget (OMB) “directed federal workers to include similarly partisan language in their out-of-office email responses notifying senders that they would not be able to write back until the government reopened.”⁴

These messages, implemented without the employees’ knowledge or consent, forced nonpartisan civil servants at the Department of Education, and potentially beyond, to personally disseminate a political message that they never approved and did not want to associate with. The coercion of political speech in this manner not only violates the First Amendment by forcing American citizens to say things they did not agree to say, it appears to be a blatant violation of criminal law. 18 U.S.C § 610 forbids anyone, including officials in the federal government, from forcing federal employees to engage in political activity, stating in relevant part:

It shall be unlawful for any person to intimidate, threaten, command, or coerce, or attempt to intimidate, threaten, command, or coerce, any employee of the Federal Government as defined in section 7322(1) of title 5, U.S.C., to engage in, or not to engage in, any political activity.

The statute continues that “[a]ny person who violates this section shall be fined under this title or imprisoned not more than three years, or both.”⁵

The Trump Administration’s scheme to steal or at least borrow the identities of federal workers and conscript their office email accounts for partisan political purposes is a plain violation of this criminal statute. These Department of Education civil servants—“employee[s] of the Federal Government”—are clearly being “coerce[d]” into sending out a political message *under their own names* and are undoubtedly being “intimidate[d]” into maintaining these ongoing messages—or else face potential retribution from their employer. In at least some cases, OMB appears to have outright “commande[d]” the adoption of these messages.”⁶

Moreover, these forced messages represent the exact kind of political activity forbidden by federal law. A message openly blaming “Democrat Senators” and promoting a one-sided partisan narrative constitutes messaging directed towards the “success or failure” of a “political

³ Natasha Korecki, et al., *Education Department Employees Surprised To Find Their Email Automatically Changed To Blame Democrats for Shutdown*, NBC NEWS (Oct. 2, 2025), www.nbcnews.com/politics/trump-administration/education-department-employees-email-automatically-changed-rcna235211.

⁴ Eileen Sullivan & Michael Bender, *Partisan Language Inserted Into Education Dept. Workers’ Automated Emails*, N.Y. TIMES (Oct. 3, 2025), <https://www.nytimes.com/2025/10/02/us/politics/education-dept-shutdown-emails.html>.

⁵ 18 U.S. Code § 610 - Coercion of political activity, available at <https://www.law.cornell.edu/uscode/text/18/610>.

⁶ Eileen Sullivan & Michael Bender, *Partisan Language Inserted Into Education Dept. Workers’ Automated Emails*, N.Y. TIMES (Oct. 3, 2025), <https://www.nytimes.com/2025/10/02/us/politics/education-dept-shutdown-emails.html>.

party” or a “partisan political group”—which is the statutory definition for political activity.⁷ It would be no more permissible—even if far more accurate—to coerce, intimidate, or pressure government workers into sending messages stating that “the Federal Government has, unfortunately, shut down due to Donald Trump and House Republicans refusing to negotiate with Democrats and extend Affordable Care Act subsidies, an act which will lead to an increase in health care premiums for 24 million Americans.”⁸ Whichever direction you press the message, this kind of message is a classic case of unconstitutional reverse viewpoint discrimination.

The only true mystery is not *whether* there was a criminal violation here but *who* committed it. Notably, the broad “any person” language of 18 U.S.C § 610 does not exempt the President or Vice President from its scope although new Supreme Court precedent arguably would protect the President from prosecution on constitutional grounds.⁹ The statute also does not exempt political appointees of the Trump Administration, OMB Director Russell Vought, or leaders at the Department of Education seeking to curry favors with the Administration. Of note, at least one Department of Education political appointee expressed her awareness and approval of the ongoing usurpation of federal employee accounts when reached for comment by a reporter.¹⁰

In recent months, the Trump Administration has tried to censor speech it disagrees with that is clearly protected by the First Amendment.¹¹ No longer content with mere censorship of speech, it is now compelling viewpoint-specific political speech from individual named government workers.

We ask that you swiftly investigate this ongoing statutory offense and the underlying violation of the rights of federal employees and provide a report to Congress on your investigation, to include the names of all officials responsible for perpetrating this offense, no later than October 28, 2025.

The Committee on the Judiciary exercises broad oversight authority over the Department of Justice and over the administration of federal criminal law. The Committee on Education and

⁷ 5 CFR § 734.101 (“political activity means an activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group.”).

⁸ Bart Jansen, *Why is the government shut down? How Medicaid, Obamacare are dividing Congress*, USA TODAY (Oct. 1, 2025), <https://www.usatoday.com/story/news/politics/2025/10/01/shutdown-sticking-points-medicaid-obamacare/86463181007/> (“If Congress does not act by the end of the year, health insurance costs will increase dramatically for many of the 24 million Americans who get their coverage through Obamacare, known formally as the Affordable Care Act, according to the research organization KFF.”).

⁹ Office of Special Counsel, *OSC Clarifies its Hatch Act Role in Light of Republican National Convention* (Aug. 26, 2020), <https://osc.gov/News/Pages/20-27-OSC-Hatch-Act-RNC.aspx>.

¹⁰ Eileen Sullivan & Michael Bender, *Partisan Language Inserted Into Education Dept. Workers’ Automated Emails*, N.Y. TIMES (Oct. 3, 2025), <https://www.nytimes.com/2025/10/02/us/politics/education-dept-shutdown-emails.html>.

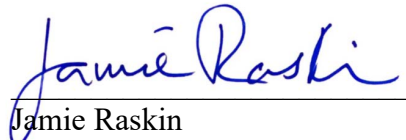
¹¹ Karoun Demirjian, *In Their Own Words: Trump and Top Officials Change Tone on Free Speech*, N.Y. TIMES (Sept. 18, 2025), <https://www.nytimes.com/2025/09/18/us/politics/trump-free-speech.html>; Zach Montague, *Judge Rules Trump Unlawfully Targeted Noncitizens Over Pro-Palestinian Speech*, N.Y. TIMES (Sept. 30, 2025), <https://www.nytimes.com/2025/09/30/us/politics/student-speech-palestinians-ruling.html>.

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Workforce has oversight authority over the Department of Education, its employees, and components.

Very truly yours,



Jamie Raskin
Ranking Member
House Committee on the Judiciary



Robert C. "Bobby" Scott
Ranking Member
House Committee on Education and
Workforce

cc: The Honorable Jim Jordan, Chairman
House Committee on the Judiciary

The Honorable Tim Walberg, Chairman
House Committee on Education and Workforce

The Honorable Pamela Bondi, Attorney General
Department of Justice

Ms. Heidi Semann, Acting Inspector General
Department of Education

Mr. Norbert Vint, Acting Inspector General
Office of Personnel Management