

Gene Hamilton, The Author Of The Project 2025 Chapter On The Department Of Justice, Has A History Of Developing Extreme Immigration Policy, Including Family Separation.

SUMMARY: Gene Hamilton is the “[vice-president and general counsel of America First Legal](#)” and has worked in the Department of Justice, Homeland Security, and for former Sen. Jeff Sessions. Hamilton, most notably, helped implement some of the most extreme immigration policies deployed during the Trump administration.

- [Hamilton was in contact with Stephen Miller](#) about the family separation policy, helping to craft public statements and discussing future policies. When asked in 2024 if he regretted his role in this policy, Hamilton instead attacked the inspector general’s report as a “[hatchet job](#).”
- While in the Trump Administration, Hamilton “[helped shape Trump's various travel bans, changes to refugee policies, and the implementation of an aggressive new approach to immigration enforcement](#),” including drafting the memo that terminated DACA.
- While Trump promised DACA applicant information would not be shared with immigration enforcement, ICE did have access, which [Hamilton privately acknowledged](#) in an email. Later, DHS decided to omit this information in Congressional testimony.
- Hamilton has [railed against the DOJ being politicized](#), claiming that cases in Republican-led states are evidence of politicization. He also criticized a gag order on Trump as the “deep state” silencing him in the “court of public opinion.”
- [Hamilton's legal expertise was sought by Stephen Miller](#) around policies to fine immigrants to pay for border wall construction and to make it harder to obtain green cards.
- In a YouTube interview with Constituting America, [Hamilton compared immigration to people breaking into a house](#) and floated the idea that immigrants qualified as an invasion under Article 4 Section 4 of the constitution.

Kevin Roberts, president of the Heritage Foundation, [described](#) Hamilton as “vital” to “the plan to revitalize this country.” As the author of the Department of Justice chapter of the Project 2025 Playbook, Hamilton is an extreme figure being leveraged to dictate the policy agenda of far-right conservatives and a possible second Trump administration.

Some of the most extreme proposals in Hamilton’s DOJ section of the [Project 2025 manifesto](#) include:

- “A top-to-bottom overhaul” of the DOJ and FBI; Hamilton recommends radically altering the FBI, at once demoting it within the DOJ and making it subject to more political appointees and terminating “major active FBI investigations” that are “contrary to the national interest.”
- Prosecuting local district attorneys for “refusing to prosecute criminal offenses in their jurisdictions.” Project 2025 partially blamed the alleged increase in violent crime on the criminal justice reform movement and local prosecutors who have “abdicated” their duty to prosecute crimes, leading to “deficiencies in the rule of law.” Project 2025 demanded prosecutions of local District Attorneys who it sees as failing to protect Americans.
- Enforcing “the criminal prohibitions in 18 U.S. Code §§ 1461 and 1462” to stop provision and distribution of medication abortion pills.

Gene Hamilton Is A Trump Administration Alum Who Currently Works As The Vice-President And General Counsel Of America First Legal As Well As Treasurer For Citizens For Sanity, A New “Dark Money” Group Running Ads To Mock Progressive Policies.

Gene Hamilton Is The “Vice-President And General Counsel Of America First Legal” And Has Worked In The Department Of Justice, Homeland Security, And For Former Sen. Jeff Sessions.

Gene Hamilton Is The “Vice-President And General Counsel Of America First Legal.” “Gene serves as Vice-President and General Counsel of America First Legal. Prior to AFL, Gene served as Counselor to the Attorney General at the United States Department of Justice from 2017-2021—providing legal advice, counsel, and strategic guidance. He has also served as Senior Counselor to the Secretary of Homeland Security, General Counsel on the Senate Committee on the Judiciary, and served in a variety of other roles at the Department of Homeland Security.” [America First Legal, accessed [2/14/24](#)]

Gene Hamilton Is A Federalist Society Contributor That Served As “Counselor To The Attorney General At The United States Department Of Justice From 2017-2021.” “Gene Hamilton served as Counselor to the Attorney General at the United States Department of Justice from 2017-2021—providing legal advice, counsel, and strategic guidance to Attorney General Jeff Sessions, Attorney General William Barr, Acting Attorney General Jeff Rosen, Acting Attorney General Matthew Whitaker, and other officials throughout the Department of Justice. During his service as Counselor to the Attorney General, Gene advised on and participated in litigation, regulatory actions, and policymaking on high-priority issues for the Administration.” [Federalist Society, Contributors, accessed [2/14/24](#)]

Hamilton Previously Worked In The Department Of Homeland Security And For Sen. Jeff Sessions. “Prior to his service at the Department of Justice, Gene served as Senior Counselor to the Secretary of Homeland Security, John Kelly; as General Counsel to Senator Jeff Sessions on the Senate Committee on the Judiciary, Subcommittee on Immigration and the National Interest; as Assistant Chief Counsel for U.S. Immigration and Customs Enforcement; and as an Attorney Advisor in the Secretary’s Honors Program for Attorneys at the U.S. Department of Homeland Security.” [Federalist Society, Contributors, accessed [2/14/24](#)]

Hamilton Has Also Worked As Assistant Chief Counsel At U.S. Immigration And Customs Enforcement And Was An Honors Attorney At The Department Of Homeland Security. “Gene Hamilton is currently the General Counsel to Chairman Jeff Sessions (R-AL) on the Senate Committee on the Judiciary, Subcommittee on Immigration and the National Interest. As General Counsel to Chairman Sessions, Mr Hamilton is responsible for the Subcommittee’s legislative portfolio, advising the Chairman on immigration and homeland security issues, preparing Subcommittee hearings, and assisting with other related matters. Prior to his appointment as General Counsel, Mr Hamilton served as an Assistant Chief Counsel at U.S. Immigration and Customs Enforcement, where he advised law enforcement officers and represented the federal government in litigation before the U.S. Immigration Court in Atlanta, Georgia, and the Board of Immigration Appeals. Prior to that, Mr Hamilton served as an Attorney Advisor in the Secretary’s Honors Program for Attorneys at the Department of Homeland Security – rotating through the Department and providing legal guidance at U.S. Customs and Border Protection, the Operations and Enforcement Law Division of the Office of the General Counsel, the Intelligence Law Division of the Office of the General Counsel, and at the Transportation Security Administration.” [Daily Kos, [1/24/18](#)]

Hamilton Has A Bachelor’s Degree In International Affairs From The University Of Georgia, A Law Degree From Washington & Lee University, And Was Active With The College Republicans.

Hamilton Graduated From The University Of Georgia With A Bachelor Of Arts In International Affairs And From Washington & Lee University With A Law Degree. “Mr Hamilton is a graduate of the Washington

& Lee University School of Law, where he graduated magna cum laude and was inducted into the Order of the Coif, and received a Bachelor of Arts in International Affairs from the University of Georgia. He is married and resides with his family in the Commonwealth of Virginia.” [Daily Kos, [1/24/18](#)]

Having Graduated From Georgia In 2005, Hamilton Was Active In The College Republicans And A Field Organizer For Bush’s Reelection Campaign. “So, Hamilton attended the University of Georgia and was graduated in 2005 with a B.A. in International Affairs. He was active in the College Republicans and, during his senior year at UGa, he was a field organizer for Bush’ reelection campaign (pdf).” [Daily Kos, [1/24/18](#)]

Previous A.US Research Included Hamilton In The Monitoring Influence Profile Of America First Legal.

Hamilton Was Included In A.US’ Monitoring Influence As He Is The “Vice President And General Counsel” As Well As The Highest Paid Staff Member Of America First Legal. “Gene Hamilton is Vice President and General Counsel for America First Legal. He is also the highest paid staff member. Hamilton got his start working for U.S. Immigration and Customs Enforcement in Atlanta before joining then Senator Sessions’ staff on Capitol Hill as General Counsel. In the Trump administration, he worked as senior counselor to the DHS secretary. When Trump announced Kirstjen Nielsen would succeed John Kelly as DHS secretary, Hamilton quit to protest the hiring of someone he viewed as a moderate. He quickly found another job with his old boss, Attorney General Jeff Sessions. At both DHS and DOJ, Hamilton worked closely with Miller to develop hawkish immigration policy. Together, they pushed the child separation policy and worked to repeal the Deferred Action for Childhood Arrivals program. Hamilton is credited with drafting the legal memo that led to DACA’s repeal.” [Monitoring Influence, accessed [2/12/24](#)]

Hamilton Is The Treasurer For Citizens For Sanity, A New “Dark Money” Group Running Ads To Mock Progressive Policies.

Citizens For Sanity Is “A New ‘Dark Money’ Group Bankrolling Provocative Ads Mocking Progressive Policies And Politicians In Battleground States.” “A new ‘dark money’ group bankrolling provocative ads mocking progressive policies and politicians in battleground states ahead of 2022 midterms is connected to officials in former President Donald Trump’s administration who now work with the America First Legal Foundation, records reviewed by OpenSecrets show. The group, Citizens for Sanity, has paid for billboards emblazoned with messages like ‘Protect Pregnant Men from Climate Discrimination’ and ‘Real progressives support violent criminals in their hour of need’ in states across the country – including Massachusetts, Colorado, Arizona, Nevada, Pennsylvania, California, Michigan, Texas, Illinois and Georgia. The ads have been described as racist and transphobic. [Open Secrets, [9/15/22](#)]

Hamilton Is The Treasurer Of Citizens For Sanity. “Citizens for Sanity’s treasurer is Gene Hamilton, vice president of the America First Legal Foundation and a former top aide in Trump’s administration who was considered to be a ‘key architect of the repeal of DACA.” [Open Secrets, [9/15/22](#)]

Hamilton “Helped Shape Trump’s Various Travel Bans, Changes To Refugee Policies, And The Implementation Of An Aggressive New Approach To Immigration Enforcement;” He Also Drafted The Memo That Terminated DACA.

While In The Trump Administration, Hamilton “Helped Shape Trump’s Various Travel Bans, Changes To Refugee Policies, And The Implementation Of An Aggressive New Approach To Immigration Enforcement,” Including Drafting The Memo That Terminated DACA.

While Working In The Trump Administration, Hamilton “Helped Shape Trump’s Various Travel Bans, Changes To Refugee Policies, And The Implementation Of An Aggressive New Approach To

Immigration Enforcement.” “A handful of officials in the White House, the Justice Department, and the Department of Homeland Security have spent the past year attempting to realize President Trump’s vision of an America that is less welcoming of foreigners. John Kelly, the White House chief of staff; Jeff Sessions, the Attorney General; and Stephen Miller, Trump’s senior adviser, have led this effort. A crucial role has also been played by a lesser-known figure: Gene Hamilton, a lawyer in his mid-thirties who works as a top aide to Sessions at the Justice Department. Federal officials, congressional staffers, advocacy groups, and think-tank researchers know that Hamilton has helped shape Trump’s various travel bans, changes to refugee policies, and the implementation of an aggressive new approach to immigration enforcement. And yet, as one immigration lawyer told me of Hamilton, ‘he’s had such a light footprint.’ Hamilton has rarely spoken to the press, and his relatively short career means that few can claim to know the exact nature of his beliefs or goals.” [The New Yorker, [11/10/17](#)]

Hamilton Drafted The Memo That Officially Terminated The DACA Policy. “Members of the Trump Administration—including the President—have argued that they had no choice but to cancel daca because the Republican attorneys general would have prevailed in a lawsuit. Paxton had set an arbitrary deadline of September 5th for the Administration to announce the end of the program. ‘Did you inquire as to whether the state of Texas or other attorneys general were already working on legal papers?’ Tumlín asked Hamilton. ‘I did not,’ he replied. On September 4th, Jeff Sessions sent a letter to D.H.S. arguing that daca was illegal, and the next day he made the formal announcement that the Administration was terminating it. That morning, the acting Secretary of D.H.S., Elaine Duke, signed a memo that officially terminated the policy. ‘Did you draft that memo?’ Tumlín asked in the deposition. ‘Yes,’ Hamilton said.” [The New Yorker, [11/10/17](#)]

After Trump Promised Detailed Information About DACA Recipients Wouldn’t Be Shared With ICE, Hamilton Had Already Acknowledged In An Email That ICE Already Had The Information; DHS Then Purposely Omitted This Information From Congressional Testimony.

In 2017, While Trump Promised That DACA Applicant Information Would Not Be Shared With Immigration Enforcement, ICE Already Had Access To The Information, Which Hamilton Privately Acknowledged In An Email; Later, DHS Decided To Omit This Information In Congressional Testimony.

In 2017, The Trump Administration Promised That The Information Included In DACA Applications Would Not Be Sent To Deportation Agents, But Internal Emails Showed That Was Not True And DHS “Decided Not To Tell Congress.” “Trump promised that information from DACA applications would not be sent to deportation agents. But internal emails show that ICE can access databases where that information is kept — and DHS decided not to tell Congress.” [ProPublica, [4/21/20](#)]

- **While Immigration Enforcement Already Had Access To Databases Of Detailed Information About DACA Recipients, Hamilton Acknowledged “ICE Already Has The Information” In An Internal Email, And Two Weeks Later, “The Agency Decided To Leave That Fact Out Of Congressional Testimony.”** “The Trump administration left out the fact that immigration enforcement agencies already had access to databases containing detailed information, such as home addresses, about DACA recipients and millions of other immigrants. ‘ICE already has the information,’ Gene Hamilton, an appointee at the Department of Homeland Security, wrote in an internal email shortly before Trump’s announcement in September 2017. (Hamilton is now at the Department of Justice.) ‘There is no way to take that back.’ Two weeks later, the communications show, the agency decided to leave that fact out of congressional testimony.” [ProPublica, [4/21/20](#)]

A Sentence Acknowledging The Access To Databases Was Removed By An Agency Lawyer Who Did Not Want To “Generate Considerable Anxiety Among DACA Requestors.” “A draft response included the sentence: ‘DHS personnel have mutual access to some of the electronic systems used by USCIS,’ or U.S. Citizenship and Immigration Services, the agency that runs DACA. But the sentence was removed by an

agency lawyer. It was ‘not essential to responding to the specific question asked,’ the lawyer wrote, ‘and is likely to generate considerable anxiety among DACA requestors.’ [ProPublica, [4/21/20](#)]

Hamilton Worked With Stephen Miller On Extreme Immigration Policies Such As Family Separation And Fining Immigrants To Fund Trump’s Border Wall; The Two Were Frequently In Contact To Craft Public Statements About The Policy And Make Plans For Future Policies Even After Family Separation Ended In 2018.

Hamilton’s Legal Expertise Was Sought By Stephen Miller Around Policies To Fine Immigrants To Pay For Wall Construction And To Make It Harder To Obtain Green Cards.

Documents Obtained By American Oversight Show In 2018 Discussions Between Stephen Miller And Gene Hamilton On “Making Asylum-Seekers Wait In Mexico To Using Immigration Penalties And Fees To Pay For The Construction Of A Border Wall.” “The documents show that in the spring of 2018 — two years before the coronavirus pandemic offered him the opportunity to halt migration using an obscure public health law — Miller was discussing with Justice Department lawyer Gene Hamilton other immigration statutes that could be used to serve the administration’s restrictionist goals, from making asylum-seekers wait in Mexico to using immigration penalties and fees to pay for the construction of a border wall.” [American Oversight, [7/23/20](#)]

Hamilton Sent Statutory Language For A Treasury Fund Which Uses Money From Penalties For “The Repair, Maintenance, Or Construction On The United States Border.” “A couple of days later, Hamilton replied with statutory language about a Treasury fund known as the ‘Immigration Enforcement Account,’ which includes money collected from civil penalties and can be refunded to enforcement activities like removal operations, tracking systems, or ‘the repair, maintenance, or construction on the United States border, in areas experiencing high levels of apprehensions of illegal aliens, of structures to deter illegal entry into the United States.’” [American Oversight, [7/23/20](#)]

- **Stephen Miller Saw This Policy As A Way For Fines And Penalties To Pay For Wall Construction, Which Hamilton Confirmed.** “Miller replied, ‘So the fines and penalties can PAY for wall construction?’ Hamilton affirmed that the money could be used for such purposes as outlined, and added that the penalties could amount to ‘[u]p to \$500 (now higher for inflation) per day, per alien.’ Miller replied, ‘Remarkable.’” [American Oversight, [7/23/20](#)]

In Another Occurrence, Hamilton Shared The Definition With Miller Of “Public Charge,” Later The Administration Revealed “A New Rule, Pushed By Miller, That Would Make It Harder For Poor Immigrants Or Those The Government Deemed Likely To Become Dependent On Public Assistance To Obtain Green Cards.” “Another similar exchange in which Miller sought Hamilton’s legal expertise had occurred a month earlier, when Hamilton shared with Miller the legal definition of ‘public charge.’ In 2019, the administration unveiled a new rule, pushed by Miller, that would make it harder for poor immigrants or those the government deemed likely to become dependent on public assistance to obtain green cards.” [American Oversight, [7/23/20](#)]

Hamilton Was Frequently In Contact With Stephen Miller About The Family Separation Policy, Helping To Craft Public Statements And Discussing Plans For Similar Policies In The Future Even After Family Separation Ended In 2018.

In Documents Obtained By American Oversight, “Miller Frequently Reached Out To Hamilton For Help Fleshing Out New Anti-Immigrant Policy Ideas, And Also Sought His Help Amplifying News Stories Of Criminal Allegations Against Immigrants In An Effort To Paint A False Picture For The Public Of Immigrants As Dangerous.” “These documents show that Miller frequently reached out to Hamilton for help

fleshing out new anti-immigrant policy ideas, and also sought his help amplifying news stories of criminal allegations against immigrants in an effort to paint a false picture for the public of immigrants as dangerous. Because the emails we obtained are heavily redacted — and often contain just a request for a phone call — it's difficult to piece together a paper trail of Miller's involvement in family separation. However, by comparing Miller's contacts with outside events, we're able to see that he was in frequent contact with Hamilton and other players during critical moments in the implementation of the policy." [American Oversight, [1/29/21](#)]

Hamilton Was Involved In Preparing A White House Statement Defending Family Separation. "In late May, as the administration came under increased public pressure to end the family separation policy, Miller was in contact with Hamilton, McAleenan, and officials at the Department of Health and Human Services, which was charged with caring for children who had been separated from their parents. On May 27, he responded to an email chain with Hamilton and other officials within DOJ, DHS, and HHS asking for a conference call. The subject line of the email chain was 'Family Separation.' Later that day, Miller and Hamilton went back and forth on edits to a White House press statement on family separation that was to go out under the name of spokesman Hogan Gidley. The next day, Gidley issued a statement defending Trump's attempts to lay the blame of family separation on Democrats." [American Oversight, [1/29/21](#)]

After Family Separation Ended In June 2018, Hamilton Stayed In Communication With Stephen Miller, Discussing Updates To The Legal Challenge To The Policy And Future Policies. "Even after the Trump administration formally ended the family separation policy in June 2018, Miller stayed in touch with Hamilton about matters related to family separation. In July of that year, Hamilton and Miller discussed updates in the ACLU's legal challenge to family separation. The next month, they discussed the possibility of implementing 'binary choice,' a system under which parents would be given the choice between being separated from their children or detained together for potentially lengthy periods." [American Oversight, [1/29/21](#)]

Hamilton Refused To Say If He Regretted His Role In The Child Separation Policy, Instead Attacking The DOJ Inspector General's Report As A "Hatchet Job."

In A March 2024 Post On Facebook, Congresswoman Pramila Jayapal Wrote That She Asked Gene Hamilton If He "Regrets Playing A Key Role In Trump's Cruel And Inhumane Family Separation Policy," Which He "Refused To Answer." "Today, I asked Gene Hamilton if he regrets playing a key role in Trump's cruel and inhumane family separation policy. He refused to answer. These are the individuals extreme MAGA Republicans want running the immigration system. It's despicable." [Facebook, Congresswoman Pramila Jayapal, [3/7/24](#)]

In An Exchange During A Congressional Hearing, Jayapal Asked Hamilton If He Regretted His Role In The Child Separation Policy, And Hamilton Replied That He Would Not Give A Yes Or No Answer, Telling Jayapal That If She "Read My Statement And Not Just The Hatchet Job That The Inspector General's Office Issued, You Would See My Feelings About The Matter." JAYAPAL: We have memos that were leaked with edits and comments from Mr. Hamilton, where he clearly approves of a plan to "begin separating family units." And is even looking for ways to ensure that children who are separated from their families are removed as quickly as possible. I ask unanimous consent that that be placed into the record as well. CHAIRMAN: Without objection. JAYAPAL: And thanks to Democratic oversight efforts, we know the tragic results of Donald Trump's cruel family separation policy. Today, as many as 2,000 children still remain separated from their parents. And we have testimony from child welfare experts that the best available evidence shows that Donald Trump's policy of tearing children from their parents, "entails very significant and potentially lifelong risks of psychological and physical harm." So Mr. Hamilton, my question for you is simple. Do you regret the role that you played in the family separation policy? Yes or no? HAMILTON: I would refer you to the statement that I provided. JAYAPAL: I asked for a yes or no answer. HAMILTON: I'm giving you an answer. I'm not going to give you a yes or no answer. I would refer you to the statement that I provided to the Inspector General about my assessment of their report and the accuracy thereof. JAYAPAL: A 2021 DOJ Inspector General report determined that your office, after investigation, after talking to you, the office of the Attorney General, was the "driving force behind the family separation policy." The Deputy Attorney General, Rod Rosenstein, actually issued a statement of regret for his role. I assume that you have no such statement of regret to offer us today? HAMILTON: I think if you read my statement and not just the hatchet job that the

Inspector General's office issued, you would see my feelings about the matter. JAYAPAL: The evidence clearly indicates that your zero humanity policy was intended to permanently separate children from their parents. [Facebook, Congresswoman Pramila Jayapal, [3/7/24](#)]

Hamilton, Who Has Been Described As “Vital” To “The Plan To Revitalize This Country,” Has Compared Immigration To People Breaking Into A House And Has Floated Extreme Legal Theories.

In A Youtube Interview With Constituting America, Hamilton Compared Immigration To People Breaking Into A House And Floated The Idea That Immigrants Qualified As An Invasion Under Article 4 Section 4 Of The Constitution.

In A YouTube Interview, Hamilton Claimed That At A “Fundamental Level,” Immigration Is Like People Breaking Into A House. HAMILTON: “The way that I would think about it, I think, at a very just fundamental level, is just imagine you have a house. And your house is a beautiful house and you have a nice family that's there and you're very welcoming. You have house parties at your house, on occasion you let people come in. Some people come in permanently. So say maybe you adopt a child or maybe you have a family member whose friend, who comes in to live with you. You have people who stay for a short period of time. For a dinner party and then they leave. And I think everyone can kind of understand that general concept. Well now imagine that at your house people keep breaking in and they keep breaking in the front door or the back door or the side doors. And they don't necessarily do, all of them aren't necessarily meaning you any harm, they're just coming into the house. And they're occupying, they're coming in and they're using your stuff and using your space. And you're a generous person and you and if someone ever knocked on your door and asked you for food you would certainly, I think most folks would oblige and they would they would try to do what they could to help a person out. But if someone keeps breaking into your house and breaking in and breaking in and breaking in and violating your house rules I think that probably somewhere northwards of 99 percent of people would get annoyed. They would get perturbed at that fact pattern happening in in their house. And that doesn't make them a mean person and it doesn't make them a an evil person. It just means that they have a house and they have rules in that house and that they should get to control and decide who comes into their house and who doesn't. And so I think when you think about it at a very fundamental level that's really the easiest way to think about the issue.” [YouTube, Constituting America, [10/19/21](#)] (21:10)

Hamilton Floated The Idea That Article 4 Section 4 Of The Constitution — An Article That Says The Federal Government Will Protect States Against Invasion — Could Possibly Refer To Immigrants.

HAMILTON: “Other issues which is what does it mean in article 4 section 4 of the constitution, for the federal government to guarantee against states, to that you'll protect them from invasion. What does that mean? Does that mean an armed invasion? Does that mean an invasion of people who are unlawfully coming into the country? And if that's the federal government's job and the constitution gives it that job and the federal government doesn't want to do that job then what remedy does a state have? And that, that brings up all kinds of really complicated issues. But it's it's really something that I think that we will see play out here, probably over the next couple of years.” [YouTube, Constituting America, [10/19/21](#)] (36:33)

On A June 2023 Episode Of The Kevin Roberts Show, Hamilton Described His Work As Being Geared Toward Justice And Rule Of Law; Kevin Roberts Described Hamilton As “Vital” To “The Plan To Revitalize This Country.”

On A June 2023 Episode Of The Kevin Roberts Show, Kevin Roberts Described Hamilton As “Vital” To “The Plan To Revitalize This Country.” ROBERTS: “You know, every guest on this show is special but this guest is particularly special. Because when you talk about men and women who are implementing the plan to revitalize this country, to do what I call as a football fan, the blocking and tackling of putting the country back together, this gentleman, although he would take no credit for it, is vital to it. [YouTube, Taking The Fight to Big Government, [6/14/23](#)] (0:38)

On A June 2023 Episode Of The Kevin Roberts Show, Hamilton Described His Work As Being “Geared Towards Making The World A Better Place And And To Restoring Things Like The Rule Of Law And Pursuing Justice.” “It’s been an incredible honor and a privilege to be a part of starting America First Legal, serving during the Trump Administration, and and serving in a lot of roles before that all of which are I think in my mind have been geared towards making the world a better place and and to restoring things like the rule of law and pursuing Justice.” [YouTube, Taking The Fight to Big Government, [6/14/23](#)] (2:24)

Hamilton Testified Before The House Committee On The Judiciary That People Must Embrace The Principles That The Trump Administration Understood And That The Biden Administration Believes Deportation Is Cruel, Which He Testified Is “Entirely False” And “Worthy Of Strong Repudiation.”

Hamilton Testified Before The House Committee On The Judiciary That People Must Embrace The Principles That The Trump Administration Understood, Adding That The U.S. Cannot Accommodate Even A Fraction Of People Who Want To Come Here.

Hamilton Testified Before The House Committee On The Judiciary That We Must Embrace Principles As A Country That The Trump Administration Understood. “As I have testified before, we must—as a country defined by its commitment to the rule of law and in light of our exceptional position in recorded human history— acknowledge the following fundamental principles. They are principles the American people understand. They are principles the Trump Administration understood. They are principles that most in Congress once embraced, as reflected in the laws they passed.” [House Committee on the Judiciary, Written Testimony of Gene P. Hamilton, [3/7/24](#)]

- **These Principles Include The Claim That Hundreds Of Millions Of People, If Not Billions, Would Come To The United States, But We Cannot Accommodate Even A Fraction Of People Who Want To Come Here.** “Every country has the sovereign right and responsibility to control its borders, and the United States is no different. The United States is the greatest country in the world and hundreds of millions—if not billions—of people worldwide would come here if they could. We cannot accommodate even a fraction of everyone who wants to come here. Most illegal aliens are not ‘asylum seekers.’ Deporting illegal aliens from the United States advances our national sovereignty and is an essential component of our immigration system. Further, doing so accords due respect for those individuals who obey our laws and come through established visa programs. For those individuals who do not intend to use our visa system but want to come to the United States anyway, only one thing matters: getting into the interior of the United States. Releasing illegal aliens into the interior of the United States results in more illegal aliens attempting to come to the United States.” [House Committee on the Judiciary, Written Testimony of Gene P. Hamilton, [3/7/24](#)]

Hamilton Testified That The Biden Administration Believes Deportation Is Cruel, Which He Called “Entirely False” And “Worthy Of Strong Repudiation.”

In Different Testimony, Hamilton Claimed The Principles He Outlined “Are The Antithesis Of The Fundamental Tenets Of The Biden Administration’s Principles When It Comes To Immigration And Border Security.” “Those fundamental principles form the framework from which we can begin to understand the extent of the domestic consequences of the Biden Administration’s actions. Those principles are reflected throughout the Immigration and Nationality Act. But they are the antithesis of the fundamental tenets of the Biden Administration’s principles when it comes to immigration and border security, which I can best summarize from observation as follows.” [House Committee on Foreign Affairs, Written Testimony of Gene P. Hamilton, [11/30/23](#)]

- **Hamilton Claimed The Biden Administration’s Principles Include That Anyone Should Be Able To Come Here Regardless Of Merit And That “Deporting Illegal Aliens Is Cruel And Should Never Be Done Except In The Most Extreme Circumstances.”** “Anyone who wants to come to the United States should be able to do so, regardless of merit or adherence to our laws or ideals, especially if they have a family member or friend already here. The United States is the only place in the world where people can be free from generalized crime and persecution. It is better for humanity for the citizens of all countries—particularly in the Western hemisphere—to come to do manual labor and similar jobs in the United States than for those same individuals to build up their own countries. The United States can adequately screen and vet the hundreds of thousands of illegal aliens coming across the border every month for crime and national security risks or anti-American ideology. Deporting illegal aliens is cruel and should never be done except in the most extreme circumstances.” [House Committee on Foreign Affairs, Written Testimony of Gene P. Hamilton, [11/30/23](#)]
- **Hamilton Described The Alleged Principles Of The Biden Administration As Being “Entirely False” And “Worthy Of Strong Repudiation.”** “Each one of those principles is entirely false. But beyond being wrong and worthy of strong repudiation—as they contradict the laws that this body passed—those principles carry outsized national security implications, domestic burdens, and international consequences. We cannot capture the true extent of the long-term effects of the Biden Administration’s actions with presently available data. But by all available measures, the extent of this Administration’s intentional sabotaging of our immigration system and decimation of our borders can already be described in two words: catastrophic failure.” [House Committee on Foreign Affairs, Written Testimony of Gene P. Hamilton, [11/30/23](#)]

In America First Legal Press Releases, Hamilton Has Criticized The Biden Administration For Decimating Immigration Enforcement, Amplified Election Fraud Fear, And Claimed Prosecution Of Violent January 6th Insurrectionists Was Radical.

Hamilton Claimed In America First Legal Press Releases That “The Biden Administration Has Overseen What Could Be The Largest International Child Trafficking And Smuggling Regime In Human History” And Has “Systematically Decimated Our Borders And Our Immigration Enforcement Regime.”

In An America First Legal Press Release, Hamilton Claimed That “The Biden Administration Has Overseen What Could Be The Largest International Child Trafficking And Smuggling Regime In Human History, And They Have Done Nothing To Stop It.” “Statement from Gene Hamilton, America First Legal Vice President and General Counsel: ‘The Biden Administration has overseen what could be the largest international child trafficking and smuggling regime in human history, and they have done nothing to stop it. Instead, they have doled out contracts worth billions of dollars in taxpayer dollars, some of which appear to be totally unaccounted for, and lined the pockets of their allies. Until something changes, this cycle will perpetuate itself, leading to a situation where the American people continue to shell out their hard-earned money to fund the completion of a cycle of egregious human trafficking and smuggling,’ said Gene Hamilton.” [America First Legal, [9/28/23](#)]

In An America First Legal Press Release, Hamilton Claimed “President Biden And His Open-Border Ideologues Have Systematically Decimated Our Borders And Our Immigration Enforcement Regime.” “Statement from Gene Hamilton, America First Legal Vice President and General Counsel: ‘President Biden and his open-border ideologues have systematically decimated our borders and our immigration enforcement regime. From the earliest days of the Biden Administration, instead of allowing ICE officers to go out and do their job of arresting and removing dangerous people who are not allowed to be in the country, the Biden Administration made all those officers go into the office and submit a report about why they should be able to enforce the law, and then wait for approval from Washington, D.C. Fortunately, Texas and Louisiana took action to stop these twisted policies—and we hope for a good decision from the Supreme Court soon—but

seeing law enforcement officers have to justify why convicted felons need to be deported should shock all Americans,' said Gene Hamilton." [America First Legal, [5/10/23](#)]

Hamilton Decried The Politicization Of The Federal Government And Stoked Fears Of Election Fraud.

In An America First Press Release, Hamilton Decried The "Politicization At The Department Of Justice, The Federal Bureau Of Investigation, And The Department Of Homeland Security," And The Federal Trade Commission. "Statement from Gene Hamilton, America First Legal Foundation Vice President and General Counsel: 'The Biden Administration is steadfastly focused on weaponizing the federal government to advance its radical, left-wing political agenda. Most Americans are now aware of politicization at the Department of Justice, the Federal Bureau of Investigation, and the Department of Homeland Security. And now, the Biden Administration has turned to the Federal Trade Commission to exact harm on those who oppose their radical agenda—particularly regarding free speech on social media platforms. Weaponizing the FTC to retaliate against Elon Musk and Twitter for exposing the truth about Deep State censorship is reprehensible, and we will not stand by idly,' said Gene Hamilton." [America First Legal, [3/13/23](#)]

In An America First Legal Press Release, Hamilton Tried To Stoke Fears Of Election Fraud Saying "Insecure Ballot Drop Boxes Raise Obvious And Very Serious Questions About Election Fraud." "Statement from Gene Hamilton, America First Legal Vice-President and General Counsel: 'Insecure ballot drop boxes raise obvious and very serious questions about election fraud. Citizens must have faith that their elections are fair and that legal votes – and only legal votes – are properly counted. Therefore, we call on the Chester County District Attorney to aggressively investigate the events and circumstances shown by AFL's video,' said Gene Hamilton." [America First Legal, [11/2/22](#)]

Gene Hamilton Described Charges Against Joseph Fischer, Who Is Charged With Assaulting Police On January 6th, As Being An Example Of "Politically-Charged Prosecutions Against American Citizens" That Happen "When Radicals Occupy The Department Of Justice."

An America First Legal Press Release Described Joseph Fischer As Being Charged With Participating In "Events Around The Entrance Of The U.S. Capitol Building On January 6, 2021." "Mr. Fischer was indicted for his alleged participation in events around the entrance of the U.S. Capitol building on January 6, 2021, and charged with a violation of 18 U.S.C. § 1512(c)(2)—a statute passed in the wake of the Enron scandal. Section 1512(c)(2) criminalizes obstruction of official proceedings and carries a maximum 20-year prison sentence—which has made it a desirable statute for the Biden Administration to use to target its perceived political opponents." [America First Legal, [2/5/24](#)]

- **In An America First Legal Press Release, Hamilton Described This As "Politically-Charged Prosecutions Against American Citizens Is The Perfect Example Of What Happens When Radicals Occupy The Department Of Justice."** "Statement from Gene Hamilton, America First Legal Vice President and General Counsel: 'The Biden Administration's weaponization of a white-collar crime statute—passed in the aftermath of the Enron accounting scandal—to pursue politically-charged prosecutions against American citizens is the perfect example of what happens when radicals occupy the Department of Justice. There is no justification for this unprecedented power-grab, which is being used to destroy the lives of Americans across the country. Unless the Supreme Court puts an end to this abuse, the Biden Administration will continue its unrighteous crusade,' said Gene Hamilton." [America First Legal, [2/5/24](#)]

Before The January 6th Attack At The Capitol, Fischer Sent Texts That Said Members Of Congress "[C]an't Vote If They Can't Breathe ... Lol" And That "It Might Get Violent." "Before the Jan. 6 attacks on the Capitol, prosecutors note, Fischer sent text messages in which he indicated to acquaintances that members of Congress '[c]an't vote if they can't breathe ... lol' and that he might need his police chief 'to post my bail ... It might get violent.' And on Jan. 6, prosecutors say, Fischer urged rioters to 'charge' and 'hold the line' and was part of the mob that pushed the police. Fischer says that he arrived at the Capitol after the joint

meeting of Congress to count the certified votes in the 2020 presidential election had already gone into recess. He was inside the building for only a few minutes, he contends, where he was pushed into the police line by the crowd.” [SCOTUSblog, [4/9/24](#)]

On Social Media, Fischer Said He Had Been Pepper Sprayed But Maintained That “Entry Into The Capital [Sic] Was Needed To Send A Message That We The People Hold The Real Power.” “In a message on social media on Jan. 7, Fischer wrote that he had been ‘pepper balled and [pepper] sprayed ... but entry into the Capital [sic] was needed to send a message that we the people hold the real power.” [SCOTUSblog, [4/9/24](#)]

Fischer Was Charged With “Assaulting Officers Of The Capitol Police And The Metropolitan Police Department.” “The FBI arrested Fischer on Feb. 19, 2021, and charged him with, among other things, assaulting officers of the Capitol Police and the Metropolitan Police Department, the primary law enforcement agency for the District of Columbia. He was also charged with violating 18 U.S.C. § 1512(c)(2), which makes it a crime to ‘otherwise obstruct[], influence[], or impede[] any official proceeding.” [SCOTUSblog, [4/9/24](#)]

Hamilton Has Railed Against The DOJ Being Politicized, Claiming That Cases In Republican-Led States Are Evidence Of Politicization; He Also Criticized A Gag Order On Trump, Saying The “Deep State” Was Silencing Him In The “Court Of Public Opinion.”

Hamilton Joined A Fox Business Segment To Lament The “Deep State” Silencing Donald Trump From Defending Himself In “The Court Of Public Opinion” After Jack Smith Filed For A Partial Gag Order. HAMILTON: “Liz, every American at home should be shocked and appalled by this filing by Jack Smith. It goes to the heart of what Donald Trump represents and what he has represented to so many people across the country. Which is fighting for the average American, fight for the common person against this behemoth, this government, this deep state. And what we see here is not only an unprecedented attack on someone who is the major party nominee, or who hopes to be the major party nominee for President of the United states, trying to be silenced. So you have the federal government, the Department of Justice, the deep state that is bringing unprecedented charges against Donald Trump, against a candidate for president. And not only are they doing that, but they are saying you can’t even defend yourself in the court of public opinion.” [Fox Business, [9/15/23](#)] (0:30 - 1:23)

Hamilton Claimed In A Newsweek Op-Ed That Biden’s DOJ Is Politicized Because It Has “Taken Aim At A Pro-Life Law And A Redistricting Plan In Texas, As Well As Voter Integrity Laws In Florida And In Georgia—Three States With Republican Governors.” “The evidence is ample: Biden's DOJ has taken aim at a pro-life law and a redistricting plan in Texas, as well as voter integrity laws in Florida and in Georgia—three states with Republican governors. However, it declined to even open an investigation into the COVID-related deaths at nursing homes in New York, Pennsylvania and Michigan, where Democratic governors ordered that infected patients be admitted alongside those most vulnerable to the virus. The DOJ didn't act, even when it came to light that then-New York governor Andrew Cuomo actively tried to cover up the fact that his policies resulted in innumerable deaths. And the DOJ has announced no active investigations into redistricting plans in states led by Democratic governors and legislatures.” [Newsweek, [12/20/21](#)]

In March 2024, Hamilton Emphasized His Belief That Conviction In The Senate Is Necessary For Criminal Liability For Presidents. “The brief also highlighted that Congress did not convict President Trump for matters arising from official acts and, therefore, AFL believes that the D.C. Circuit erred by denying former President Trump presidential immunity. Gene Hamilton, America First Legal Executive Director, emphasized, ‘The Constitution’s design and structure are clear—removal from office after conviction in the Senate on impeachment charges is the necessary prerequisite for any criminal liability.’” [Legal Newsline, [3/20/24](#)]

In Hamilton's Project 2025 Section On The Department Of Justice, He Recommends "A Top-To-Bottom Overhaul" Of The DOJ And FBI, Demoting The FBI Within The DOJ To Allow More Political Appointees, Prosecuting Local District Attorneys For "Refusing To Prosecute Criminal Offenses In Their Jurisdictions," Stop Provision And Distribution Of Medication Abortion Pills, Among Other Egregious Proposals.

In Hamilton's Project 2025 Section On The Department Of Justice, He Said That "Anything Other Than A Top-To-Bottom Overhaul" Of The DOJ And FBI Would "Guarantee The Failure Of That Conservative Administration's Agenda In Countless Other Ways."

In Hamilton's Project 2025 Section On The Department Of Justice, He Said That "Anything Other Than A Top-To-Bottom Overhaul" Of The DOJ And FBI Would "Guarantee The Failure Of That Conservative Administration's Agenda In Countless Other Ways." "It is essential that the next conservative Administration place a high priority on reforming the DOJ and its culture to align the department with its core purposes and advance the national interest. Critically, this must include the FBI. Anything other than a top-to-bottom overhaul will only further erode the trust of significant portions of the American people and harm the very fabric that holds together our constitutional republic. At a practical level, not reforming the Department of Justice will also guarantee the failure of that conservative Administration's agenda in countless other ways." [Project 2025, accessed [4/30/24](#)]

- Hamilton Wrote The Project 2025 Section On The Department Of Justice.

DEPARTMENT OF JUSTICE

Gene Hamilton

[Project 2025, accessed [4/30/24](#)]

The Section Recommends Demoting The FBI Within The DOJ, Making It Subject To More Political Appointees And Terminating "Major Active FBI Investigations" That Are "Contrary To The National Interest."

Project 2025 Would Radically Alter The FBI, At Once Demoting It Within The DOJ And Making It Subject To More Political Appointees And Terminating "Major Active FBI Investigations" That Are "Contrary To The National Interest." "To do so, the next conservative Administration should: Conduct an immediate, comprehensive review of all major active FBI investigations and activities and terminate any that are unlawful or contrary to the national interest." [Project 2025, accessed [4/30/24](#)]

Project 2025's Plan Also Includes Prosecuting Local District Attorneys For "Refusing To Prosecute Criminal Offenses In Their Jurisdictions," Which The Manifesto Claims Happens Most In Jurisdictions That "Refuse To Enforce The Law Against Criminals Based On The Left's Favored Defining Characteristics Of The Would-Be Offender," Like Race, Gender, Sexual Orientation, Or Immigration Status.

Project 2025 Demands Prosecutions Of Local District Attorneys For “Refusing To Prosecute Criminal Offenses In Their Jurisdictions.” “Where warranted and proper under federal law, initiate legal action against local officials—including District Attorneys—who deny American citizens the ‘equal protection of the laws’ by refusing to prosecute criminal offenses in their jurisdictions. This holds true particularly for jurisdictions that refuse to enforce the law against criminals based on the Left’s favored defining characteristics of the would-be offender (race, so-called gender identity, sexual orientation, etc.) or other political considerations (e.g., immigration status).” [Project 2025, accessed [4/30/24](#)]

Hamilton Wrote A Lack Of Criminal Prosecutions “Holds True Particularly For Jurisdictions That Refuse To Enforce The Law Against Criminals Based On The Left’s Favored Defining Characteristics Of The Would-Be Offender (Race, So-Called Gender Identity, Sexual Orientation, Etc.) Or Other Political Considerations (E.G., Immigration Status).” “Where warranted and proper under federal law, initiate legal action against local officials—including District Attorneys—who deny American citizens the ‘equal protection of the laws’ by refusing to prosecute criminal offenses in their jurisdictions. This holds true particularly for jurisdictions that refuse to enforce the law against criminals based on the Left’s favored defining characteristics of the would-be offender (race, so-called gender identity, sexual orientation, etc.) or other political considerations (e.g., immigration status).” [Project 2025, accessed [4/30/24](#)]

The DOJ Section Also Says The DOJ Should “Enforce The Criminal Prohibitions In 18 U.S. Code §§ 1461 And 1462” To Stop Provision And Distribution Of Medication Abortion Pills.

Project 2025 Said The DOJ Should “Enforce The Criminal Prohibitions In 18 U.S. Code §§ 1461 And 1462” To Stop Provision And Distribution Of Medication Abortion Pills. “Announcing a Campaign to Enforce the Criminal Prohibitions in 18 U.S. Code §§ 1461 and 1462 Against Providers and Distributors of Abortion Pills That Use the Mail. Federal law prohibits mailing ‘[e]very article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for producing abortion.’⁷⁵ Following the Supreme Court’s decision in Dobbs, there is now no federal prohibition on the enforcement of this statute. The Department of Justice in the next conservative Administration should therefore announce its intent to enforce federal law against providers and distributors of such pills.” [Project 2025, accessed [4/30/24](#)]