



November 17, 2025

Senator Chuck Grassley
Chair, Senate Judiciary Committee

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee

Dear Senator Grassley and Senator Durbin:

On behalf of our hundreds of thousands of supporters and activists nationwide, People For the American Way opposes the nomination of Nicholas Ganjei to be a judge in the Southern District of Texas. His public statements and organizational affiliations severely undermine the idea that he would give all litigants their fair day in court.

Introduction

The federal courts are essential to providing the checks and balances needed to prevent tyranny. At present, they are the only branch of the federal government carrying out this essential function. As we explained in detail in a May 30, 2025, letter to the Judiciary Committeeⁱ, a president who defies court orders and threatens judges should not be allowed to name anyone to the one branch of the federal government that is checking his power.

Events since then have only strengthened our case. For instance, an extensively-documented whistleblower complaint has revealed that senior Justice Department official Emil Bove suggested in March that the administration violate court orders.ⁱⁱ President Trump subsequently nominated Bove to a seat on the Third Circuit, to which he was confirmed. The administration now routinely defies the courts. In fact, a July study revealed that the Trump administration has defied one in three judges who have ruled against him.ⁱⁱⁱ

Nationwide concern over the Trump administration's deceptive filings and court defiance continues to grow. The administration even risks losing the "presumption of regularity," in which judges presume that the federal government and its lawyers are telling the truth and acting in good faith.^{iv} Indeed, an October 2025 report revealed dozens of instances of judges expressing distrust in the government's representations, as well as growing concerns within the federal bench about noncompliance with judicial orders.^v

And in November 2025, a sitting federal judge nominated by President Reagan resigned from his lifetime position in order to speak frankly and in depth about Trump's threat to the rule of law. Mark L. Wolf wrote:

I no longer can bear to be restrained by what judges can say publicly or do outside the courtroom. President Donald Trump is using the law for partisan purposes, targeting

his adversaries while sparing his friends and donors from investigation, prosecution, and possible punishment. This is contrary to everything that I have stood for in my more than 50 years in the Department of Justice and on the bench. The White House's assault on the rule of law is so deeply disturbing to me that I feel compelled to speak out. Silence, for me, is now intolerable.^{vi}

This president is dangerously unqualified to be making lifetime appointments to the one branch of government that is providing checks and balances to his lawless actions.

Moreover, the record of this specific nominee also raises deep concerns.

Nicholas Ganjei

Donald Trump appointed Nicholas Ganjei as U.S. Attorney for the Southern District of Texas in January 2025. Since then, the office has become a propaganda mill portraying undocumented immigrants as a dangerous threat. Press releases announcing arrests and prosecutions routinely and prominently identify the accused as an "illegal alien" if they are undocumented, a detail that is not relevant to the allegations but which serves to stir up popular animosity against a targeted group.^{vii}

In that vein, in September 2025, he reposted a disturbing video originally posted on Twitter by the Department of Homeland Security. It is a highlight reel portraying violent roundups of people as a game to be enjoyed. The video has the caption "Gotta Catch 'Em All," the Pokémon slogan. With the Pokémon theme song playing, the video features a montage of people being overpowered, pinned down, handcuffed, and taken away by federal agents whose identities are hidden, either by masks or by digital pixelation of the video.

Ganjei reposted the video with one comment: "Give their social media guy a raise."^{viii}

People are not objects to be captured in a game. A prosecutor – or a judge – who gleefully strips people of their humanity has no place in the United States legal system.

All litigants in civil and criminal cases should feel confident that their legal arguments will be considered fairly without regard to their immigration status. Ganjei's record of animus and dehumanization toward undocumented immigrants makes such confidence impossible.

Ganjei's organizational affiliations also raise concerns about his suitability for a lifetime judgeship. For instance, in 2024, he had a fellowship with the Manhattan Institute, which has played a key role in the culture war against the idea that structural racism exists in laws, traditions, and organizations that seem outwardly neutral.^{ix}

In 2022, he was a fellow at Hillsdale College, which has promoted the claim that the January 6 insurrection was a hoax.^x In a 2018 piece praising President Trump's harsh immigration

policies during his first term, Hillsdale portrayed racial and ethnic diversity not as a national strength, but rather as a source of division, an enemy of the common good, and “a solvent that dissolves the unity and cohesiveness of a nation.”^{xi} Hillsdale has also been a key player in the far right’s war against public education.^{xii}

In 2019, Ganjei was a fellow with the Claremont Institute. John Eastman, the founder of Claremont’s Center for Constitutional Jurisprudence, actively collaborated in Donald Trump’s efforts to stay in power after losing the 2020 presidential election. Eastman urged Vice President Pence to reject slates from certain states that Joe Biden had won.^{xiii} Claremont is calling for an ideological indoctrination program for federal employees, which they would need to participate in to be eligible for promotion.^{xiv} Lincoln Project co-founder Steve Schmidt has said that Claremont was “becoming like the West Point of American fascism.”^{xv}

These organizations have agendas that harm ordinary people – the same people who most rely on fair judges to protect their legal rights when they are infringed upon by those more powerful than they are. Someone who shares those agendas has no place on the federal bench.

We urge you to oppose the nomination.

Sincerely,

A handwritten signature in cursive script that reads "Marge Baker".

Marge Baker
Executive Vice President

ⁱ https://www.peoplefor.org/sites/default/files/downloads/2025-06/Hermandorfer_and_4_MO_noms-opposition_letter.pdf.

ⁱⁱ “Justice Dept. Leader Suggested Violating Court Orders, Whistle-Blower Says,” New York Times, June 24, 2025, <https://www.nytimes.com/2025/06/24/us/politics/justice-department-emil-bove-trump-deportations-reuveni.html>.

ⁱⁱⁱ “Trump officials accused of defying 1 in 3 judges who ruled against him,” Washington Post, July 21, 2025, <https://www.washingtonpost.com/politics/2025/07/21/trump-court-orders-defy-noncompliance-marshals-judges>.

^{iv} See, e.g., David French, "How a Trump Judge Exposed the Trump Con," New York Times, Oct. 12, 2025, <https://www.nytimes.com/2025/10/12/opinion/trump-judge-immergut-portland-national-guard.html>; "Judges Openly Doubt Government as Justice Dept. Misleads and Dodges Orders," New York Times, Aug. 4, 2025, <https://www.nytimes.com/2025/08/04/us/politics/trump-justice-department-judges-courts.html>.

^v "'The 'Presumption of Regularity' in Trump Administration Litigation," Just Security, updated Oct. 15, 2025, <https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation>.

^{vi} "Why I Am Resigning," Judge Mark L. Wolf, The Atlantic, Nov. 9, 2025, <https://www.theatlantic.com/ideas/2025/11/federal-judge-resignation-trump/684845>.

^{vii} E.g., "Fleeing illegal alien accused of murdering woman in custody after manhunt, charged with federal weapons violation," U.S. Attorney's Office, Southern District of Texas, Oct. 8, 2025, <https://www.justice.gov/usao-sdtx/pr/fleeing-illegal-alien-accused-murdering-woman-custody-after-manhunt-charged-federal>; "Illegal alien indicted for child sexual assault material offenses," Sept. 16, 2025, <https://www.justice.gov/usao-sdtx/pr/illegal-alien-indicted-child-sexual-assault-material-offenses>; "Illegal alien sentenced to 20 years in federal prison for church parking lot methamphetamine deal," Aug. 28, 2025, <https://www.justice.gov/usao-sdtx/pr/illegal-alien-sentenced-20-years-federal-prison-church-parking-lot-methamphetamine>; "Illegal alien sentenced to prison for role in nationwide scheme to sell fake Texas paper vehicle tags," July 23, 2025, <https://www.justice.gov/usao-sdtx/pr/illegal-alien-sentenced-20-years-federal-prison-church-parking-lot-methamphetamine>.

^{viii} <https://x.com/USAttyNGanji/status/1970277171009589573>.

^{ix} "'America Is Under Attack': Inside the Anti-D.E.I. Crusade," The New York Times, Jan. 20, 2024, <https://www.nytimes.com/interactive/2024/01/20/us/dei-woke-claremont-institute.html>.

^x "Hillsdale College Tells Millions of Conservatives: Jan. 6 Insurrection Was a 'Hoax,'" People For the American Way's Right Wing Watch, Nov. 10, 2021, <https://www.peoplefor.org/rightwingwatch/post/hillsdale-college-tells-millions-of-conservatives-jan-6-insurrection-was-a-hoax>.

^{xi} "Hillsdale Commentary: Immigration A Plot To Make Whites Minority And Secure Welfare State," People For the American Way's Right Wing Watch, Aug. 1, 2018, <https://www.peoplefor.org/rightwingwatch/post/hillsdale-commentary-immigration-a-plot-to-make-whites-minority-and-secure-welfare-state>.

^{xii} "Salon investigates: The war on public schools is being fought from Hillsdale College," Salon, March 16, 2022, <https://www.salon.com/2022/03/16/salon-investigates-the-on-public-schools-is-being-fought-from-hillsdale-college>.

^{xiii} "How the Claremont Institute Became a Nerve Center of the American Right," The New York Times Magazine, Aug. 3, 2022, <https://www.nytimes.com/2022/08/03/magazine/claremont-institute-conservative.html>.

^{xiv} "Claremont Still Pushing to 'Reeducate' Federal Workers," People For the American Way's Right Wing Watch, Aug. 18, 2025, <https://www.peoplefor.org/rightwingwatch/claremont-still-pushing-reeducate-federal-workers>.

^{xv} "The Claremont Institute: The Anti-Democracy Think Tank," The New Republic, Aug. 10, 2023, <https://newrepublic.com/article/174656/claremont-institute-think-tank-trump>.