

STATEMENT BY HAMPTON DELLINGER (March 6, 2025)

I'm ending my legal battle so my time as Special Counsel and head of the U.S. Office of Special Counsel (OSC) is now over.

My fight to stay on the job was not for me, but rather for the ideal that OSC should be as Congress intended: an independent watchdog and a safe, trustworthy place for whistleblowers to report wrongdoing and be protected from retaliation. Now I will look to make a difference -- as an attorney, a North Carolinian, and an American -- in other ways.

I'm stopping the fight because, yesterday, circuit court judges reviewing the trial court decision in my favor granted the government's request that I be removed from office while the case continues. This new ruling means that OSC will be run by someone totally beholden to the President for the months that would pass before I could get a final decision from the U.S. Supreme Court.

I think the circuit judges erred badly because their willingness to sign off on my ouster -- even if presented as possibly temporary -- immediately erases the independence Congress provided for my position, a vital protection that has been accepted as lawful for nearly fifty years. Until now. And given the circuit court's adverse ruling, I think my odds of ultimately prevailing before the Supreme Court are long. Meanwhile, the harm to the agency and those who rely on it caused by a Special Counsel who is not independent could be immediate, grievous, and, I fear, uncorrectable.

I strongly disagree with the circuit court's decision, but I accept and will abide by it. That's what Americans do.

I am proud of what OSC accomplished while I was with the agency, particularly what we did to support government whistleblowers and military veterans.

I am grateful to my OSC colleagues. I know first-hand how hard you work, how talented you are, and how devastating it is to have the agency's independence destroyed. I am grateful to my legal team and to all who supported my lawsuit, particularly advocates for whistleblowers and government accountability. And, above all, I am grateful to federal employees. You deserve better, much better, than your recent unfair and unlawful treatment from too many parts of the United States government.

In 2023, when a White House official asked if I was up for heading OSC, I posed one question before saying yes: "you know I can't and won't 'swallow my whistle', right?" My point was that I was going to follow and enforce the rules like an honest referee would even if some might perceive it as against the interests of certain individuals including the President. To the Biden-Harris Administration's credit, no one ever interfered with my work -- never -- even when some disagreed with it.

Today would have marked my one-year anniversary as head of the Office of Special Counsel. For the rest of my life I will regret that I could not make it to the milestone. I tried.

While I have given up on continuing to serve as Special Counsel, I retain my unyielding belief in the rule of law in America and the promise of our indispensable nation. I trust that as long as we cherish these vital precepts, they will exist.