Congress of the United States

Washington, DC 20515

October 2, 2024

The Honorable Merrick Garland Attorney General U.S. Department of Justice 950 Pennsylvania Avenue NW Washington, DC 20530

Dear Attorney General Garland:

We are deeply concerned by reports of non-citizens registering to vote and voting in federal elections. As of today, there has been no response from you or your Department regarding the inquiry on July 12, 2024, seeking information on efforts undertaken by your Department to enforce laws prohibiting non-citizen voting. Given that the 2024 Presidential Election is in less than 34 days, your Department's inaction and refusal to provide any information regarding its efforts to promote public trust and confidence in our elections is especially alarming.

Since the initial letter, several more concerning reports have been released by state officials indicating that a large number of non-citizens appear on their voter rolls. For example, the Virginia Attorney General recently announced that 6,303 non-citizens were identified on and removed from Virginia's voter rolls in 2022 and 2023. In another troubling report released in August, over 6,500 non-citizens registered to vote in Texas were identified and removed from voter rolls. Of the 6,500 non-citizens identified, 1,930 had a voter history.

Clearly, there is a non-negligible amount of voter participation by non-citizens in federal elections, which is not only a serious threat to the integrity of our elections and the democratic process they represent, but also has the potential to reduce Americans' trust and confidence in election results.

Accordingly, we respectfully reiterate the July 12 request for information on your Department's enforcement efforts. The initial deadline for providing this information was July 26, 2024, so the response is now 9 weeks overdue.

Please provide responses to the following no later than October 16, 2024:

- 1. Please provide the number of aliens who have been charged, tried, or convicted under 18 U.S.C. § 611 since January 20, 2021, including the status of each case.
- 2. Please provide the number of aliens who been charged, tried, or convicted under 52 U.S.C. § 20511 since January 20, 2021, including the status of each case.

¹ https://www.governor.virginia.gov/newsroom/news-releases/2024/august/name-1031585-en.html

² https://gov.texas.gov/news/post/governor-abbott-announces-over-1-million-ineligible-voters-removed-from-voter-rolls

- 3. Please provide the number of aliens who have been prosecuted under 18 U.S.C. § 911 since 2021, including the status of each case.
- 4. Please provide the number of referrals received from other government officials or the public in reference to the statutes cited in questions 1 through 3.
- 5. How does the Department of Justice investigate allegations received of non-citizen voting or voter registration?
- 6. What affirmative steps have the Department of Justice taken to detect, prevent, and deter illegal aliens and other non-citizens from registering and voting in federal elections?
- 7. What affirmative steps have the Department taken to obtain relevant information from the Department of Homeland Security on aliens who have registered or voted in elections?
- 8. What steps have been taken by U.S. Attorneys and the Public Integrity Section of the Criminal Division, which is responsible for prosecuting election crimes and assisting U.S. Attorneys in prosecuting election crimes, to obtain jury-related information that indicates aliens have unlawfully registered to vote?
- 9. As the 2024 election nears, what steps will the Department take to detect, investigate, and prosecute non-citizens who violate 18 U.S.C. § 911, 52 U.S.C. § 20511, or 18 U.S.C. § 611 by voting or registering to vote in the 2024 election?
- 10. What steps have the Department taken to contact Virginia and Texas election officials to obtain information and the voter registration and voter history files on each of the aliens removed from the voter rolls who were unlawfully registered and voting in those states?

Thank you for your attention to this matter and we look forward to your prompt reply.

Sincerely,

Bill Hagerty

United States Senator

Andy Biggs

Member of Congress

Tommy Tuberville

United States Senator

Andy Harris, M.D.

Member of Congress

Harsha Machburn

Marsha Blackburn United States Senator

Roger Marshall, M.D. United States Senator

Thom Tillis

United States Senator

Rick Scott

United States Senator

James Lankford

United States Senator

James E. Risch

United States Senator

Ron Johnson

United States Senator

Clay Higgins

Member of Congress

Gary Palmer

Member of Congress

Matthew M. Rosendale, Sr.

Member of Congress

Ralph Norman

Member of Congress

Eli Crane

Member of Congress

Andy Ogles

Member of Congress

Aaron Bean

Member of Congress

Herr Learner
Kevin Cramer

United States Senator

Mike Crapo
Mike Crapo
United States Senator

Cindy Hyde-Smith United States Senator

Josh Hawley
United States Senator

Steve Daines United States Senator

Cynthia M. Lummis United States Senator

Tim Scott United States Senator Josh Brecheen Member of Congress

Nancy Mace Member of Congress

Bob Good Member of Congress

Eric Burlison
Member of Congress

Mike Ezell

Member of Congress

Chuck Fleischmann Member of Congress

Tom Tiffany Member of Congress Marco Rubio
United States Senator

John Thune United States Senator

Shelley Moore Capito
United States Senator

Ted Cruz United States Senator

Eric Schmitt
United States Senator

John Barrasso United States Senator

Pete Ricketts
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Lauren Boebert Member of Congress

Claudia Tenney
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Michael Guest Member of Congress

Diana Harshbarger
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Ben Cline Member of Congress

Chip Roy
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Barry Loudermilk
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Katie Boyd Britt United States Senator

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Deb Fischer United States Senator

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Ted Budd United States Senator

John Hoeven United States Senator

Joni K. Ernst
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Mary & Miller

Mary Miller Member of Congress

Paul A. Gosar, D.D.S. Member of Congress

Lance Gooden Member of Congress

Jeff Duncan Member of Congress

Harriet M. Hagerman Member of Congress

Barry Moore
Member of Congress

Mike Collins
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John Kennedy
United States Senator

Roger F. Wicker United States Senator

Markwayne Mullin United States Senator

Dusty Johnson Member of Congress

Randy K. Weber Member of Congress

Rich McCormick, MD, MBA Member of Congress

Candy K. Wife

Matt Gaetz

Member of Congress

Tim Burchett Member of Congress

Greg Lopez

Member of Con

Member of Congress

Keith Self

Member of Congress

Brian Babin

Member of Congress

August Pfluger

Member of Congress

Alex X. Mooney Member of Congress