

United States Senate

WASHINGTON, DC 20510

November 6, 2025

The Honorable Pamela J. Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Bondi:

We write to raise serious objections to the Department of Justice's (the Department or DOJ) ongoing efforts to force states to provide state voter rolls and private voter information to the Department. We strongly oppose DOJ's efforts to pursue litigation against states that have refused to surrender unfettered access to their sensitive voter registration lists, which include personally identifiable information (PII). We are especially concerned that these actions pose serious risks to voter privacy and national security, and we stand with election officials who are ready to fight back against misuse of the data in calls for baseless purges or meritless challenges to election results.¹

The Department Lacks Legal Authority to Force State Voter Purges and is Desperately Trying to Implement the Legally Flawed Executive Order 14248

Regardless of President Trump's attempted power grabs, the Constitution of the United States makes clear that states and Congress have primacy over federal elections.² As such, when Congress wrote and passed the *National Voter Registration Act of 1993 (NVRA)*, 52 U.S.C. § 20510 *et seq.*, and the *Help America Vote Act (HAVA)*, 52 U.S.C. § 20901 *et seq.*, it was deliberate in entrusting the details of voter list management to the "discretion" of the states.³ This is well understood by bipartisan Secretaries of State and chief election officials across the country who regularly conduct voter list maintenance according to state law.⁴

¹ U.S. Dept. of Justice, Press Release, "Justice Department Sues Six States for Failure to Provide Voter Registration Rolls," (Sept. 25, 2025), <https://www.justice.gov/opa/pr/justice-department-sues-six-states-failure-provide-voter-registration-rolls>; U.S. Dept. of Justice, Press Release, "Justice Department Sues Oregon and Maine for Failure to Provide Voter Registration Rolls," (Sept. 16, 2025), <https://www.justice.gov/opa/pr/justice-department-sues-oregon-and-maine-failure-provide-voter-registration-rolls>.

² U.S. Const., art. I, § 4, cl. 1 ("The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.").

³ See 52 U.S.C. § 21085 ("The specific choices on the methods of complying with the requirements of this subchapter shall be left to the discretion of the State."); see also 52 U.S.C. § 20507(a)(4) ("In the administration of voter registration for elections for Federal office, each State shall conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters . . .").

⁴ See Ltr. from Penn. Sec. of the Commonwealth to Asst. Atty. Gen. Harmeet K. Dhillon, Aug. 21, 2025 ("This request, and reported efforts to collect broad data on millions of Americans, represent a concerning attempt to expand the federal government's role in our country's electoral process."), available at <https://www.abc27.com/wp-content/uploads/sites/55/2025/08/d6124932-cc2a-4881-8a3e-8fffe667753c.pdf>; see also Ltr. From Maine Sec. Of State to Asst. Atty. Gen. Harmeet K. Dhillon, Sept. 8, 2025 ("In any event, DOJ's correspondence has not set forth any facts or allegations suggesting that Maine is not in compliance with HAVA. To the contrary, my letter of August 8, 2025, demonstrates Maine's compliance with HAVA's list-maintenance requirements."), available at [Maine](#)

Put simply, it is neither the Department's job nor its skillset to micromanage how election officials purge voters from state voter rolls. The Department claims that it is pursuing these adversarial tactics pursuant to *NVRA* and *HAVA*, but its sweeping demands go far beyond the statutes' purpose of enabling federal oversight of state list-maintenance practices. The Department is also invoking the *Civil Rights Act of 1960*, which was designed to prevent deprivation of the right to vote and other discriminatory practices, to demand state voter files in an unprecedented way.

DOJ appears to be driven by blind allegiance to the President's unlawful and unconstitutional Executive Order 14248. Of course, much of this executive order has been preliminarily enjoined by federal courts, and these actions by the Department have likely now made additional sections of the executive order ripe for review. The Department's largely unsuccessful track record in court with respect to the executive order, coupled with the Department's most recent legally suspect decisions, likely forecast similar findings by federal courts with respect to additional provisions of the order. The Department should cease these unprecedented activities until the legality of the executive order has been fully determined by the courts.

Demands for a National Voter Database Create Serious National Security and Privacy Risks

The Trump Administration's demands for vast amounts of voter data, aggressive tactics, and the greater potential for a centralized database of sensitive personal information pose an immense cybersecurity risk. In 2017, the Presidential Advisory Committee on Election Integrity *requested* that states provide voter records, including the names, addresses, birthdates, partial Social Security numbers, party affiliation, conviction status and other data for every registered voter.⁵ Even then, bipartisan Secretaries of State and chief election officials pushed back against such requests, citing concerns with providing confidential information,⁶ and national security experts cautioned "the bigger the database, the greater the payoff from a potential breach."⁷ Our adversaries have attempted to undermine U.S. election integrity before, and the Department is creating a new potential target for them to exploit.

On top of these serious security risks, the Department's demands lack the necessary legal transparency and pose a serious risk to Americans' data privacy. The Department has failed to issue or update any System of Records Notice (SORN) under the *Privacy Act of 1974* or any Privacy Impact Assessment (PIA) in connection with its ongoing efforts to obtain voter registration list data from all 50 states.⁸ These basic data management disclosures include what data the Department is seeking, who has access to it, how the Department plans to secure it, and

[Secretary of State response letter to DOJ_09082025.pdf](#).

⁵ Jessica Taylor, *Trump Dissolves Controversial Election Commission*, NPR (Jan. 3, 2018), <https://www.npr.org/2018/01/03/575524512/trump-dissolves-controversial-election-commission>.

⁶ See, *How states are handling Trump's voter information requests*, THE ASSOCIATED PRESS (Aug. 9, 2017), available at <https://apnews.com/general-news-2d43285492b94d859c0544372aff87ef>.

⁷ Maegan Vazquez, *White House's planned voter database could be hacking target, experts warn*, CNN (Dec. 5, 2017), <https://www.cnn.com/2017/12/05/politics/election-integrity-cyber-security-experts-clapper>.

⁸ Matt Cohen, Zachary Roth, *DOJ Is Said to Plan to Contact All 50 States on Voting Systems*, Democracy Docket (July 29, 2025), <https://www.democracymocket.com/news-alerts/doj-is-said-to-plan-to-contact-all-50-states-on-voting-systems/>.

what the Department plans on doing with it. If the Department's motives are legitimate, then it should follow legal requirements to notify Congress and the public about its activities and provide full responses to congressional oversight requests. DOJ's inexplicable failure to do so is a troubling sign of incompetence, willful disregard of the law, or suspicious intent.

Despite the lack of public transparency, credible reports indicate that the Administration plans to use sensitive state voter information to create a national voter database, without any direction from Congress or guardrails on how the information in the database will be used.⁹ Additional reports found that the Administration has already run the information of more than 33 million voters—likely with the Department's involvement—through the U.S. Department of Homeland Security's (DHS) Systemic Alien Verification for Entitlements (SAVE) database program.¹⁰ In fact, statements by official DOJ and DHS spokespeople have confirmed that the agencies are “sharing information” to “scrub” state voter roll data so that it is “being screened for ineligible voter entries.”¹¹ Unfortunately, many of the voters who may be purged as a result of these actions are unaware, given the lack of official information about which states have already handed over voter data.

Federal Efforts to Urge Purges of Eligible American Voters are Unreliable and Based on Conspiracy Theories, not Legitimate State and Local Election Administration Needs

The Department's litigation efforts combined with DHS's abuse of the SAVE program run the serious risk of states purging voter rolls of eligible voters, even if doing so would violate state and federal law. American citizens born before 1978 and naturalized citizens are the most at risk from inaccuracies in the SAVE program.¹² In addition, the SAVE program may also generate non-matches due to missing or inconsistent citizenship information for a variety of reasons, including sloppy matching protocols and new errors introduced into the system by this Administration and DOGE's recent updates.

The Department is wasting significant time and energy on a dangerous “solution” in search of a nearly non-existent problem rooted in election denial conspiracy theories. Voter fraud is extremely rare, and noncitizen voting is even rarer, according to all available data.¹³ Nevertheless, President Trump has continued to spread conspiracy theories about millions of noncitizens voting in our elections and make false claims about how he would have won the State of California three times despite losing it by a combined 12.5 million votes in the last three

⁹ Devlin Barrett, Nick Corasaniti, *Trump Administration Quietly Seeks to Build National Voter Roll*, N.Y. TIMES (Sept. 9, 2015), <https://www.nytimes.com/2015/09/09/us/politics/trump-voter-registration-data.html>.

¹⁰ Jude Joffe-Block, Miles Park, *33 million voters have been run through a Trump Administration citizenship check*, NPR (Sept. 11, 2025), <https://www.npr.org/2025/09/10/nx-s1-5477367/save-election-citizenship-data-trump>.

¹¹ Jonathan Shorman, *DOJ is sharing state voter roll lists with Homeland Security*, Stateline (Sept. 12, 2025), <https://stateline.org/2025/09/12/doj-is-sharing-state-voter-roll-lists-with-homeland-security/>.

¹² Jasleen Singh, Spencer Reynolds, *Homeland Security's “SAVE” Program Exacerbates Risks to Voters*, BRENNAN CTR. FOR JUST. (July 21, 2025), <https://www.brennancenter.org/our-work/research-reports/homeland-securitys-save-program-exacerbates-risks-voters>.

¹³ *Id.*

elections.¹⁴ The Administration's few public justifications for this unprecedented interference in state voter registration lists and purges of eligible voters echo the President's election denial.

The Department's claims of improving election administration are difficult to believe, given the Administration's lack of support for the critical resources that state and local election officials actually need.¹⁵ President Trump's Fiscal Year 2026 Budget Request proposed a 40 percent cut for the Election Assistance Commission and the complete elimination of its Election Security Grants, along with the complete elimination of the Election Security Program at DHS's Cybersecurity Infrastructure Security Agency (CISA). Making matters worse, DOJ's demands and litigation against states will perversely divert time and resources away from the critical work that those states are already doing to ensure the accuracy of their voter lists.

Importance of Full Responses to Congressional Oversight Requests

You and others in Department leadership have sworn an oath to support and defend the U.S. Constitution, which unequivocally gives the states and Congress, not the Executive Branch, authority over elections. The Department also has a constitutional responsibility to be responsive to official congressional correspondence and oversight requests. As part of its written response to this letter, we expect the Department to fully answer the following questions, along with additional questions at a briefing.

A. Legal Authority:

- (1) What specific constitutional and statutory authorities give DOJ the right to engage in this unprecedented level of federal intrusion into state voter registration list maintenance, including the effort to take possession of state voter registration lists and voter PII?
- (2) Why is DOJ seeking information such as political party registration, which is wholly irrelevant to any legal inquiry?
- (3) How is the Department in compliance with federal court injunctions on implementation of E.O. 14248?
- (4) Please provide the names and titles of the relevant White House and Department of Homeland Security officials with whom you consulted on this request for sensitive voter information and any records or materials related to this consultation.

B. Privacy and National Security Risks:

- (1) How is the Department complying with the *Privacy Act of 1974* and its requirements to notify the public and Congress about how records of individuals are collected, maintained, used, and disseminated, along with other federal privacy requirements?

¹⁴ See, Marshall Cohen, Daniel Dale, *Fact check: 12 election lies Trump is using to set the stage to dispute a potential 2024 defeat*, CNN (Sept. 30, 2024), <https://amp.cnn.com/cnn/2024/09/30/politics/fact-check-trump-election-lies-2024>, Mark Z. Barabak, *A president who won't tell the truth about California may unfairly punish the state*, L.A. TIMES (Feb. 2, 2025), Daniel Dale, *Fact check: Trump's latest lies about California's elections and mail-in voting*, CNN (Sept. 13, 2025), [Fact check: Trump's latest lies about California's elections and mail-in voting](https://www.cnn.com/2025/09/13/politics/fact-check-trump-latest-lies-california-elections-mail-in-voting/index.html).

¹⁵ U.S. Dept. of Justice, Press Release, "Justice Department Sues Six States for Failure to Provide Voter Registration Rolls," (Sept. 25, 2025) (stating that "[e]very state has a responsibility to ensure that voter registration records are accurate, accessible, and secure" and threatening states that they "will see this Department of Justice in court."), <https://www.justice.gov/opa/pr/justice-department-sues-six-states-failure-provide-voter-registration-rolls>.

- (2) What safeguards are in place to protect state voter registration lists, including voter PII, both from unauthorized use within the federal government and from external data breaches?
- (3) What damage could criminal organizations or adversarial foreign nations inflict with unauthorized access to a national voter database?
- (4) Please provide the names and titles of the relevant White House and Department of Homeland Security officials with whom you consulted on this request for sensitive voter information and any records or materials related to this consultation.

C. Risks of Voter Purges:

- (1) The Civil Rights Division seems to have an interest in this data as a stalking horse for other Divisions within the Department or for other federal agencies. How will state voter data be used by the Department internally?
- (2) How does the Department plan to share this information internally and with other federal agencies?
- (3) How will the Department ensure eligible voters are not misidentified for removal from voter rolls as it runs 33 million voters and counting through new, unreliable, and untested federal databases?
- (4) Will the Department commit to not using this information to coerce states to purge eligible voters via lawsuits or to challenge election results based on debunked conspiracy theories?
- (5) Please provide the names and titles of the relevant White House and Department of Homeland Security officials with whom you consulted on this request for sensitive voter information and any records or materials related to this consultation.

Given the unprecedented nature of these actions by the Department and the threat of voter purges to millions of eligible American voters, we demand a thorough written response no later than November 20, 2025. We also request a briefing for the Senate Rules and Judiciary Committees on or before December 6, 2025, on the Department's activities regarding state voter rolls ahead of the 2026 midterm elections.

Sincerely,



Alex Padilla
United States Senator
Ranking Member, Committee
on Rules and Administration



Richard J. Durbin
United States Senator
Ranking Member, Senate
Committee on the Judiciary