

ALEX PADILLA

U.S. SENATOR  for CALIFORNIA

NEW WHISTLEBLOWER UNCOVERS WRONGDOING IN DHS **“Unlawful Voter Initiative”**

New evidence shows USCIS officers are being directed to illegally access state voter records and create erroneous federal law-enforcement records against purported “unlawful” voters, some of whom are known to be naturalized U.S. citizens.

Background: An anonymous federal whistleblower disclosed that USCIS headquarters has directed USCIS Fraud Detection and National Security Directorate (FDNS) officers to use individuals’ personal information to search state voter-registration systems – likely resulting in thousands of violations of state laws. If necessary, officers are even told to lie and misrepresent themselves as voters on state election agency websites. USCIS leaders are directing officers to generate law enforcement records against so-called “unlawful voters” based on adding “magic” to data which in many cases will be inaccurate. Tens or hundreds of thousands of people in all 50 states, including naturalized U.S. citizens, are being swept up in this rushed effort in the leadup to Election Day.

KEY WHISTLEBLOWER CLAIMS AS DOCUMENTED BY THE EVIDENCE

1. USCIS officers directed to access voter records under false pretenses

The USCIS “Unlawful Voter Initiative” directs officers to misrepresent themselves on state voter sites to access voter data. In Virginia, for example, the site requires users to attest under penalty of law that the record is their own or that the voter expressly authorized access. Other states like California require the use of sensitive personally identifiable information to access this voter data. When officers raised legal concerns, agency leaders told them to move forward with the searches anyway.

2. Officers forced to create law enforcement records based on unreliable data that has been compiled with “supplemental magic”

USCIS training materials admit that voter data in DHS’s possession can be unreliable and conflict with state records. Leaders even explained DHS data was compiled with something called “supplemental magic.” Yet agency leadership directed officers to create federal law enforcement (“TECS”) records against individuals, many of them naturalized citizens, regardless of these concerns. TECS records are used by officers at ports of entry and can result in secondary screening and other negative consequences.

3. Known U.S. citizens can be swept into the initiative and put under investigation

The agency’s training materials also admit that naturalized U.S. citizens are in the data being sent to FDNS for investigation. The whistleblower’s claim states that officers must create

TECS records against a U.S. citizen even when DHS-provided voting data appears unreliable, such as uncertain naturalization dates, multiple entries, or other mismatches. Naturalized U.S. citizens who are falsely flagged as “unlawful voters” are likely to be referred to Homeland Security Investigations (HSI) for potential criminal investigation. Targets of this initiative have no knowledge or ability to correct data errors.

4. Limited training and reckless quotas compound the risk of errors

The whistleblower reports that FDNS officers were told in August 2026 to stop everything to work on this initiative, and after completing a single 1-hour-45-minute video training course were expected to begin investigations within days. Officers have been given quotas to review at least 40 people per day—roughly 5 per hour or 12 minutes each—to resolve complex questions of identity, citizenship, and voting and registration history. These quotas place additional pressures on officials who were told this phase of the investigation had to be completed by September 12.

CONSEQUENCES FOR AMERICAN VOTERS AND THE MIDTERM ELECTIONS

- **This looks like a rushed effort to disregard laws and manufacture purported evidence to support Trump’s unfounded claims of widespread noncitizen voting.** Those claims have repeatedly been found to be baseless: most recently, after the Trump Administration claimed 16,000 potential noncitizen registrations in Nevada, DHS privately told state officials it had only identified 185 likely noncitizen registrations.
- **The Administration could use these unreliable federal findings against eligible voters without their knowledge.** If DHS shares these findings with states for voter-list maintenance or eligibility decisions, eligible Americans could face challenges to their registrations or ballots in the November elections, in addition to other immigration-related consequences. Purported “unlawful voters” identified by this flawed initiative are also likely to be referred to HSI for criminal investigation.
- **State and local election officials could be targeted by the Administration based on these unreliable investigations.** DOJ has repeatedly threatened election officials in all 50 states about alleged noncitizens on voter rolls, warning them of possible criminal liability. Even in the wake of unsuccessful litigation by DOJ, DHS has threatened to withhold federal funds from states that do not cooperate with federal voter roll demands and voter purge efforts. Providing election officials with unreliable “unlawful voter” findings in the middle of an election could cause chaos and confusion.
- **Questionable “unlawful voter” findings could fuel challenges to elections.** If the Administration launches more unreliable unlawful voter claims before—or after—Election Day, they could be used for groundless litigation. As was done in the 2024 North Carolina Supreme Court election, the Administration and its election denier allies could use these unreliable claims to launch baseless legal challenges to election results and undermine public confidence in American elections.