

United States Senate
WASHINGTON, DC 20510

March 31, 2022

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

Dear Attorney General Garland:

We write to follow up on the Justice Department's ongoing effort to address the unprecedented rise in threats against election workers and to recommend that the Department take additional steps to ensure the safety and well-being of election officials, workers, and volunteers throughout the 2022 primary and general elections.

We appreciate the information the Department provided about its Election Threats Task Force in response to our October 18, 2021 letter, as well as the steps that the Task Force has taken to investigate and prosecute threats against election workers. Based on our discussions with groups who represent election workers, we encourage the Department to take additional steps to better ensure that election workers can do their jobs safely and free from threats, intimidation, and other improper influence.

First, we urge the Task Force to improve its communication with election workers who report threats. We have repeatedly heard from election workers who are discouraged by the lack of transparency they encounter when reporting a threat to the Task Force. While we recognize that the Department is constrained from sharing certain information about its investigative activities, it should provide complainants with confirmation that their reports have been received and will be evaluated, in addition to a final update on the disposition of their reports. Currently, election workers are often left in the dark about whether any official actions have been taken by the Task Force. This lack of communication could discourage reporting of future threats and make it more difficult for the Task Force to address this serious issue.

Second, we encourage the Task Force to provide consistent outreach to election workers and organizations representing them to ensure that more election workers are aware of the Task Force, know how to submit reports, and understand what to expect after filing a report. While we recognize the significant outreach the Task Force has done to date, many election workers have expressed confusion regarding the points of contact in FBI Field Offices and who to contact regarding the work of the Task Force. In fact, a recent survey suggests that a majority of election workers are unfamiliar with the Task Force's work. We recommend that the Task Force create a database of these points of contact that is accessible to election workers.

Third, the Department should clarify the process through which state and local government officials can access available funding to combat threats against election workers. On January 26, the Department issued a memorandum highlighting that Edward Byrne Memorial Justice Assistance Grant (JAG) Program funding may be used to deter, detect, and protect against threats of violence against election workers. The memorandum suggested that State Administering Agencies, which request and distribute Byrne JAG funds, inform election workers that the funding may be used to prevent and respond to such threats. However, election workers have expressed a lack of clarity about how to work with state and local law enforcement to access Byrne JAG funding for these purposes. We encourage the Department to provide clarity to election workers on how to access Byrne JAG funds for the purpose of responding to potential threats.

These recommendations address the most common concerns expressed to us by groups representing election workers, and we urge the Department to address them with the utmost urgency recognizing that the 2022 primary elections are already underway.

Thank you for your efforts to protect our election workers, who administer free and fair elections and play an indispensable role in our democracy.

Sincerely,



Amy Klobuchar
Chairwoman
Senate Committee on Rules & Administration



Richard J. Durbin
Chair
Senate Committee on the Judiciary