

Congress of the United States

Washington, DC 20515

September 17, 2026

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

Dear Attorney General Blanche:

I write to request immediate clarification from the Department of Justice regarding the deployment of Federal Bureau of Investigation (FBI) personnel to polling places during the upcoming November midterm elections, following deeply troubling testimony given this week by FBI Director Kash Patel before the Senate Judiciary Committee.

During more than four hours of testimony, Director Patel was given numerous opportunities and repeatedly declined to give senators an unequivocal commitment that FBI agents would not be stationed at or dispatched to polling places on Election Day. When pressed by Senator Richard Blumenthal to commit that zero agents would be present at polling locations, Director Patel would not do so, instead declining to rule out deployment to polling places in response to reports of "problems" or "interference."¹ When Senator Peter Welch raised a report that Director Patel had personally told a Michigan gubernatorial candidate that the FBI would have a presence in Michigan ahead of Election Day, Director Patel did not deny the substance of the conversation and instead grew confrontational with the Senator.² Taken together, these exchanges provide neither voters nor election officials with the clarity they deserve regarding whether, and under what circumstances, FBI agents could be deployed to or near polling places during the 2026 elections.

This ambiguity is difficult to reconcile with federal law. Since 1948, 18 U.S.C. § 592 has made it a felony for any officer "in the civil, military, or naval service of the United States" to order, bring, or keep "armed men" at any place where a general election is held, absent the need to repel armed enemies of the United States.³ The penalty includes up to five years' imprisonment and disqualification from federal office.⁴ The Department's own manual on the Federal Prosecution of Election Offenses has long construed that provision to reach armed federal agents, not merely military personnel.⁵ Director Patel's stated uncertainty about whether the Bureau may lawfully send agents to the polls is therefore not a close legal question. It is a question the Department answered decades ago, in its own published guidance.

Director Patel's evasiveness did not occur in a vacuum. It follows months of similarly evasive statements from senior officials in this Administration, including from you personally. At your own confirmation hearing

¹ Eric Tucker, "FBI Chief Kash Patel Defends Hiring Policy Changes on Prostitution, Bestiality at Fiery Hearing," Associated Press, September 15, 2026, <https://apnews.com/article/patel-fbi-congress-schiff-durbin-e28b41304b4bafb927c610e558f4b92e>.

² Natalie Hausmann, "Kash Patel Suggests FBI Agents May Be at Polls," Democracy Docket, September 15, 2026, <https://www.democracymarket.com/news-alerts/kash-patel-suggests-fbi-agents-may-be-at-polls/>.

³ 18 U.S.C. § 592—Troops at Polls," *Legal Information Institute*, Cornell Law School, accessed September 17, 2026, <https://www.law.cornell.edu/uscode/text/18/592>

⁴ *Id*

⁵ Craig C. Donsanto and Nancy L. Simmons, *Federal Prosecution of Election Offenses*, 7th ed. (Washington, DC: U.S. Department of Justice, May 2007), 79, <https://www.justice.gov/sites/default/files/criminal/legacy/2013/09/30/electbook-0507.pdf>.

in July, when Senator Klobuchar asked you to commit to following clear federal law and not deploying armed federal agents to polling locations, you would say only that you would "follow the law, senator, of course" — declining, as Director Patel did this week, to rule out such deployments outright.⁶ Around the same time, Secretary Mullin testified that he might send armed federal law enforcement to the polls "if there was a specific threat," without being able to identify what such a threat might be.⁷

These are not isolated remarks. In a prime-time address to the nation on July 16, the President resurrected long-discredited claims that foreign adversaries corrupted the 2020 election, asserting that our elections are vulnerable to being "rigged and stolen" by hostile nations.⁸ The intelligence community has repeatedly found otherwise. The National Intelligence Council concluded in March 2021 that there were no indications any foreign actor attempted to alter any technical aspect of the 2020 voting process, and the documents the Administration has since released do not establish that a single vote was changed.⁹

The purpose of that address was not to inform the public. It was to manufacture a national security predicate for federal intervention in the vote-casting process. This Administration is not responding to a threat to our elections. It is building the justification for one.

As Attorney General, you bear ultimate responsibility for setting and enforcing Department policy on this question. I therefore request that you respond, in writing, no later than September 24th, 2026, to the following:

1. Does the Department of Justice have a written policy, consistent with past practice, prohibiting FBI agents from being stationed at or dispatched to polling places on Election Day absent a specific, credible report of a federal crime in progress? If so, please provide a copy.
2. Has that policy changed, been suspended, or been reinterpreted at any point during your tenure or Director Patel's tenure? If so, when, by whom, and why?
3. Did Director Patel or any other Department or FBI official communicate to John James, or any other candidate, party official, or campaign, that FBI personnel would have a "presence" in specific geographic areas of Michigan — or any other state — in the lead-up to the November election? If so, please describe the nature, purpose, and legal basis for that presence.
4. Will you commit, on behalf of the Department, that no FBI personnel will be stationed at or visibly deployed to polling places during voting hours on Election Day, absent a specific warrant or credible report of an ongoing federal crime?

The American people deserve an unequivocal answer to a simple question: will armed federal agents be present at their polling places in November? Director Patel had every opportunity today to provide that

⁶ Arelis R. Hernández, "Sending Armed ICE Agents to Polling Places Would Be a Federal Crime, Lawsuit Says," Washington Post, September 10, 2026, <https://www.washingtonpost.com/politics/2026/09/10/sending-armed-ice-agents-polling-places-would-be-federal-crime-lawsuit-says>.

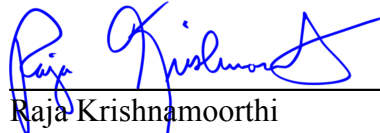
⁷ Sydney Carruth and Clarissa-Jan Lim, "Mullin Confirmation Hearing: Gabbard, Senate, Iran," MS NOW, March 18, 2026, <https://www.ms.now/liveblog/mullin-confirmation-hearing-gabbard-senate-iran>.

⁸ Liz Landers, "Fact-Checking Trump's Address on China, the 2020 Election, and What Documents Show," PBS NewsHour, July 17, 2026, <https://www.pbs.org/newshour/politics/fact-checking-trumps-address-on-china-the-2020-election-and-what-documents-show>.

⁹ Office of the Director of National Intelligence, Intelligence Community Assessment: Foreign Threats to the 2020 U.S. Federal Elections, ICA 2020-00078D, March 10, 2021, <https://archive.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf>

assurance and did not. I trust that you, as the nation's chief law enforcement officer, will not permit that ambiguity to stand unaddressed. I look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Raja Krishnamoorthi", is written over a horizontal line.

Raja Krishnamoorthi
Member of Congress