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HOUSE COMMITTEE ON OVERSIGHT  
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MIDDLE EAST, NORTH AFRICA, AND CENTRAL ASIA

October 7, 2024

The Honorable Glenn Youngkin  
Governor of Virginia  
Patrick Henry Building, 3<sup>rd</sup> Floor  
1111 East Broad Street  
Richmond, VA 23219

The Honorable Jason Miyares  
Attorney General of Virginia  
202 North Ninth Street  
Richmond, VA 23219

Dear Governor Youngkin and Attorney General Miyares,

I write to express my urgent concerns regarding implementation of Executive Order 35 and the Commonwealth's potential violation of federal law.<sup>1</sup> Specifically, I am alarmed by the ongoing purges of Virginia's voter rolls within 90 days of an upcoming election, a practice that would violate the National Voter Registration Act (NVRA) of 1993, which restricts states from conducting systematic voter roll purges within this timeframe.<sup>2</sup>

The NVRA restricts states from systematically removing voters from voter rolls within 90 days of a federal election to prevent widespread disenfranchisement and ensure the integrity of the voting process. This restriction is designed to protect voters from being wrongly purged close to an election, which could disrupt their ability to cast ballots.

This 90-day restriction helps minimize errors in purges. Voter roll purges can sometimes be based on inaccurate data, leading to the wrongful removal of eligible voters. The 90-day restriction provides a buffer to prevent last-minute mistakes that could deny people their right to vote, especially when the time to correct errors is limited.

The 90-day restriction also prevents disenfranchisement. If voters are removed from rolls too close to an election, they may not have enough time to correct the situation (such as re-registering or proving their eligibility). This buffer ensures eligible voters are not disenfranchised due to administrative errors or insufficient time to respond.

The 90-day restriction ensures election integrity. The law seeks to maintain stability and confidence in the voter registration system during a critical period leading up to elections. By

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<sup>1</sup> Virginia. Office of the Governor [Glenn Youngkin]. Executive Order No. 35. August 2024.

<sup>2</sup> National Voter Registration Act of 1993. Public Law 103-31, § 8(c)(2)(A), 107 Stat. 77, 84, 20 May 1993. United States Code, 52 U.S.C. § 20507(c)(2)(A).

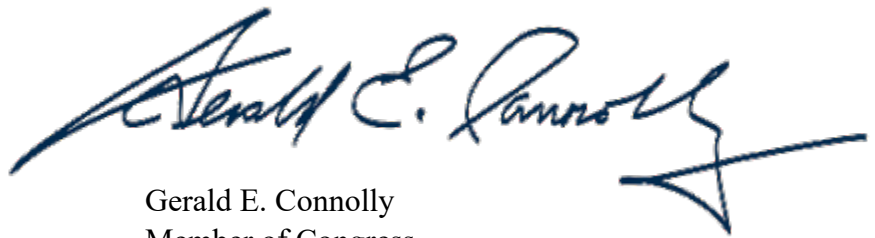
limiting voter roll changes within this time frame, it prevents politically motivated purges that could unfairly target certain groups of voters or influence the outcome of an election.

The 90-day restriction also protects voters. The NVRA includes provisions to make voter registration easier, especially for groups that are often underrepresented, such as minorities and low-income voters. The 90-day rule helps prevent sudden, large-scale removals that might disproportionately affect these communities.

Given the potential for errors in systematic voter purges, the rapid pace of the ongoing purges required by Executive Order 35, and the proximity to Election Day, the Commonwealth must cease any voter purging activities that violate federal law.

I look forward to your immediate and personal attention to this matter to protect the integrity of our elections and ensure the Commonwealth is complying with federal law.

Best Regards,

A handwritten signature in blue ink, reading "Gerald E. Connolly", with a stylized flourish extending to the right.

Gerald E. Connolly  
Member of Congress

Cc: The Honorable Merrick B. Garland, Attorney General, U.S. Department of Justice  
The Honorable Kristen Clarke, Assistant Attorney General for Civil Rights, U.S.  
Department of Justice