

Congress of the United States

Washington, DC 20515

February 4, 2026

The Honorable Jocelyn Benson
Michigan Secretary of State
430 West Allegan Street, 4th Floor
Lansing, MI 48918

Dear Secretary Benson:

We write to you regarding ongoing concerns about election integrity in Michigan. A U.S. citizen's right to vote in elections is a cornerstone of our Republic and one which all elected officials should vigorously defend. It is crucial that the public's confidence in the security of Michigan elections remains strong and any case of a non-citizen voting in an election or being registered to vote erodes the public's confidence and subverts their will.

On September 11, 2024, in your testimony to the Committee on House Administration you accused House Republicans of spreading "false information about the security and accuracy of our elections".¹ Then on October 22, 2024, you stated in a press release that Republicans were making "[f]alse and meritless claims"² about ineligible voters being registered and that "[w]e have secure elections in Michigan".³ However, after the election you confirmed 15 instances of non-citizens voting in a federal election.⁴ Any instance of non-citizens casting a ballot in an election is unacceptable and erodes Michigander's confidence in the security of their elections.

While you admit you are aware of instances of non-citizen voting you continued to erode public confidence by refusing to comply with a lawful request by the Department of Justice to provide them Michigan's voter registration data to ensure that Michigan's voter rolls are being properly maintained.⁵ Your refusal to comply with the DOJ's request and assist in building the public's confidence in Michigan elections invalidates your statement to the Committee on House Administration that you believe your responsibility is to "ensure our elections are accessible, safe, secure and that the results are accurate"⁶ because under your watch you have allowed an environment to persist where at least 15 non-citizens cast ballots in the 2024 election.

Recently, Macomb County Clerk Anthony Forlini again raised concerns that there are more non-citizens affecting Michigan elections. Clerk Forlini was able to identify 14 non-citizens in Macomb County, who were

¹ Congress.gov. "AMERICAN CONFIDENCE IN ELECTIONS: LOOKING AHEAD TO THE 2024 GENERAL ELECTION." January 23, 2026. <https://www.congress.gov/event/118th-congress/house-event/LC73305/text>.

² Press Release, Mich. Dept. of State, Secretary Benson statement on court victory in lawsuit challenging Michigan's voter rolls (Oct. 22, 2024), <https://www.michigan.gov/sos/resources/news/2024/10/22/secretary-benson-statement-on-court-victory-in-lawsuit-challenging-michigans-voter-rolls>, Press Release, Mich. Dept. of State, Secretary Benson testifies on Michigan's secure, transparent elections at U.S. Committee on House Administration hearing (Sept. 11, 2024), <https://www.michigan.gov/sos/resources/news/2024/09/11/secretary-benson-testifies-on-michigans-secure-transparent-elections-at-us-committee>.

³ Press Release, Mich. Dept. of State, *supra* note 2.

⁴ "Michigan Department of State review confirms instances of noncitizen voting are extremely rare." 2025. Press release. April 3, 2025. Accessed January 23, 2026. <https://www.michigan.gov/sos/resources/news/2025/04/03/michigan-department-of-state-review-confirms-instances-of-noncitizen-voting-are-extremely-rare>.

⁵ "Secretary Benson warns Michiganders: U.S. Department of Justice is unlawfully demanding your private voter information." 2025. Press release. October 24, 2025. Accessed January 23, 2026. <https://www.michigan.gov/sos/resources/news/2025/10/24/benson-warns-us-doj-is-unlawfully-demanding-your-private-voter-information>.

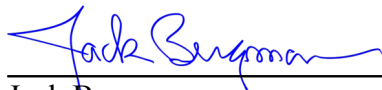
⁶ Press Release, Mich. Dept. of State, *supra* note 2.

registered to vote and that some had a voting history.⁷ These continued reports of non-citizens both registering to vote and casting a ballot in elections is unacceptable and as Secretary of State you should be taking every action to ensure the integrity of Michigan elections and build public confidence in them.

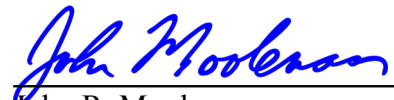
To ensure that public trust remains strong we request you answer the following questions by February 27, 2026.

- 1) In 2019 Michigan implemented automatic voter registration. According to MCL 168.439a a mailer is sent to each individual registered to vote using automatic voter registration. In the mailer is a form to reply to the Secretary of State stating that the enrolled voter is not eligible to vote.
 - a. Has someone who is ineligible to vote ever returned the form to cancel their registration?
 - b. If a non-citizen does return the form what procedures are in place to investigate how that individual was registered to vote?
- 2) In the 2024 election a Chinese citizen registered to vote by presenting a university ID and was issued a ballot. The individual cast their ballot and unbelievably it was counted as a valid vote.⁸ In your response letter to Rep. Bergman, you stated that it is illegal to lie on Michigan registration forms and individuals who do may face perjury penalties. What can be done to ensure individuals registering in person with the clerk are eligible to vote beyond providing proof of their residence within Michigan?
- 3) Based on the Department of State's investigation into the claims by Clerk Forlini you identified that three were eligible voters, four are non-citizens who have been sent letters asking them to confirm their eligibility to vote, four had previously been removed from the voter rolls, four require additional documentation to verify their citizenship status.
 - a. Has the identified non-citizen with a voting history who cast a ballot in 2018 been referred for prosecution if they affirmed their eligibility before having their registration cancelled in 2022?
 - b. If you identified that four of the individuals are non-citizens what will happen if one of these letters is returned confirming their eligibility to vote?
 - c. In your press conference you stated that the Department of State utilized the Systematic Alien Verification for Entitlements (SAVE). Does the Department routinely use the SAVE database to cross reference Michigan's voter rolls?
 - d. Will you provide a report of the Department of State's investigation after the eligibility of the third voter is verified?
- 4) Do you believe that a non-citizen should be able to vote in an election at any level?

Sincerely,



Jack Bergman
Member of Congress



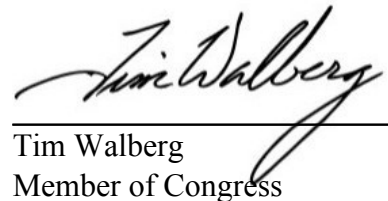
John R. Moolenaar
Member of Congress

⁷ "Macomb County Clerk Alarmed About Citizenship Affecting Jury Trials and Elections." 2026. Press release. Macomb County. January 12, 2026. Accessed January 23, 2026. <https://www.macombgov.org/departments/clerk-register-deeds/news/macomb-county-clerk-alarmed-about-citizenship-affecting-jury>.

⁸ Cohen, Marshall, Pamela Brown, Zachary Cohen, and Yahya Abou-Ghazala. 2024. "Chinese Citizen Charged With Illegally Voting in Michigan, Authorities Say." CNN. November 1, 2024. <https://edition.cnn.com/2024/10/30/politics/michigan-chinese-citizen-charged-after-illegally-voting>.



Bill Huizenga
Member of Congress



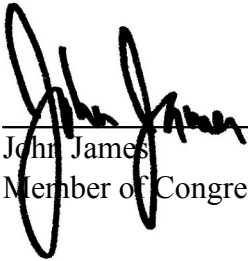
Tim Walberg
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Tom Barrett
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Lisa C. McClain
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