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One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-6157
(202) 225-8281 | CHA.HOUSE.GOV

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January 22, 2024

The Honorable Merrick B. Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530

Dear Attorney General Garland:

Thank you for the work you have done to safeguard the right to vote and to protect our election infrastructure against the ongoing and destabilizing barrage of election-related mis- and disinformation. I am deeply concerned, however, about the potential subversive effects that artificial intelligence (“AI”) generated content may have—indeed, is already having—on our elections. In particular, I am alarmed at the report that a party or parties unknown are attempting to confuse and disenfranchise New Hampshire voters using AI-generated robocalls in advance of the January 23, 2024, New Hampshire primary election.

To ensure that those responsible are held accountable, and in the hopes of preventing the spread AI-generated mis- and disinformation in future elections, I respectfully request that the United States Department of Justice begin investigating this matter immediately.

According to the New Hampshire Department of Justice (“NHDOJ”), voters in New Hampshire received an AI-generated audio message that imitated the voice of President Biden and urged voters not to participate in the upcoming election.¹ NHDOJ determined that this inaccurate message appeared to be “an unlawful attempt to disrupt the New Hampshire Presidential Primary Election and to suppress New Hampshire voters.”² This clear bid to interfere in the New Hampshire primary demands a thorough investigation and a forceful response from federal officials to deter further AI-based attacks that will disrupt American democracy and disenfranchise American voters.

¹ Press Release, N.H. Dep’t of Justice, Voter Suppression Robocall Complaint to Election Law Unit (Jan. 22, 2024), <https://www.doj.nh.gov/news/2024/20240122-voter-robocall.html>.

² *Id.*

The oaths we swore to protect and defend the Constitution require us to use every tool at our disposal to shield the sanctity of our elections. If Congress can strengthen law enforcement's ability to detect and prevent AI-based attempts to subvert our elections, we look forward to working with you to identify and achieve any meaningful and well-defined standards to protect our democracy.

Thank you for your thoughtful attention to, and investigation of, this matter.

Sincerely,

A handwritten signature in blue ink that reads "Joseph D. Morelle". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Joseph D. Morelle
Ranking Member

Cc: United States Attorney for District of New Hampshire