

October 2, 2017

The Honorable Sheldon Whitehouse  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Senator Whitehouse:

Enclosed please find responses to your follow-up Questions for the Record that I received on September 28, 2017, following my confirmation hearing before the Senate Judiciary Committee on September 6, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric S. Dreiband". The signature is fluid and cursive, with the first name "Eric" being the most prominent.

Eric S. Dreiband

cc: The Honorable Charles E. Grassley  
Chairman

The Honorable Dianne Feinstein  
Ranking Member

**Nomination of Eric S. Dreiband to be  
Assistant Attorney General, Civil Rights Division  
Questions for the Record**

**FOLLOW-UP QUESTIONS FROM SENATOR WHITEHOUSE**

1. In my Questions for the Record, I asked whether, while you were under consideration for this nomination and since your nomination, you had been in communication with a list of seven specific individuals. If so, I asked you to generally indicate the purpose of those communications, and whether these conversations involved discussions about particular Civil Rights Division initiatives or personnel. As you likely know, several of the individuals I listed have been responsible for perpetuation of false and debunked claims of widespread voter fraud in American elections. Some have also urged a return to the illegal politicization of the Civil Rights Division, including calling for a cleansing of the so-called “ideological rot” of career attorneys hired during the Obama-era. If you had conversations with these individuals about the past, present, or future work of the Civil Rights Division, it is important that we know about them.

You declined to answer my question straightforwardly, responding: “I have heard from many people about my nomination. The communications have generally involved messages of support about the nomination and general background about the Civil Rights Division.” This answer is plainly non-responsive and inadequate. Accordingly, I repeat my question:

*While you were under consideration for this nomination and since your nomination, have you been in communication with the following individuals? If so, please generally indicate the purpose of those communications, and whether these conversations involved discussions about particular initiatives or personnel.*

- a. Kris Kobach*
- b. Hans von Spakovsky*
- c. J. Christian Adams*
- d. Bradley Schlozman*
- e. Roger Clegg*
- f. Roger Severino*
- g. Chuck Cooper*

**RESPONSE:** I have been humbled by the outpouring of support I have received since the President announced my nomination to be Assistant Attorney General for the Civil Rights Division (Division). The many people who have reached out to me in various ways are a diverse cross section of family, friends, and colleagues I have known and worked with at many stages of my life and my career. They come from both the public and private sectors, and they span the political spectrum.

To the extent that any of these conversations involved general information regarding the Division, I can assure you that, if confirmed, I will go into the job with an independent and open mind. I am eager to meet with and work with the career staff of all sections of the Division. If confirmed, I will be open to the staff's thoughts and ideas, and will look to them as valuable resources whom I can rely on for their work and expertise. Indeed, if confirmed, I am looking forward to learning from their experiences and perspectives, which I will value and consider in the course of my work.

2. I am also disappointed that you chose not to provide a substantive response to my request that you repudiate claims of widespread voter fraud. As the person nominated to lead our nation's enforcement of federal civil rights laws, your answer that you are "not aware of data or analyses regarding this issue" is simply not adequate. I recently wrote to Attorney General Sessions and others at DOJ that "[i]t would be a low moment for the Department to have been a facilitator of the myth – perhaps a fraud in its own right – that widespread voter fraud is a problem plaguing our election system, especially when the Department itself has produced evidence to the contrary." I would expect any candidate for this position to be conversant on this issue and have an opinion about how it relates to the Department's enforcement of laws that protect the voting rights of all Americans. Please take this as an opportunity to revise your answer.

**RESPONSE:** I share your concerns about voter fraud in the United States. Like you, I believe voting rights are fundamental in this country and our elections must be conducted in a way that maintains the integrity of the process. As I stated in my initial responses, I am not aware of data indicating that millions of people voted illegally in the 2016 election.

Because I am not currently a Department of Justice employee, I do not have access to investigations or other data that would inform further my views on this issue and whether any such widespread voter fraud may have occurred or currently exists. I am only aware of various information that has been publicly reported in the media, and I do not have any information about the reliability of such reporting. Without further information, I am not in a position to repudiate claims of voter fraud, other than to tell you I am not personally aware of widespread voter fraud.

As you know, the Department's Criminal Division primarily investigates allegations of voter fraud, and initiates prosecution based on the facts, the evidence, and the law. To the extent that there are allegations or evidence of voter fraud, if confirmed, I commit to supporting any such investigations to the extent the Civil Rights Division's resources and expertise are necessary and appropriate. I will do whatever I can to promote integrity in the voting process. Finally, if confirmed, I am fully committed to supporting the activities of the Division's Voting Section.