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July 21, 2026

Via U.S. Mail and Electronic Mail

Harmeet K. Dhillon
Assistant Attorney General
Civil Rights Division
950 Pennsylvania Ave, NW – RFK
Washington, DC 20530

**Re: The State of Delaware’s Compliance with Federal Laws
Governing Voter Eligibility**

Dear Ms. Dhillon,

We write on behalf of our client, Delaware’s State Election Commissioner Anthony J. Albence (the “Commissioner”), who serves as the chief election officer for the state of Delaware, in response to the letter sent by the U.S. Department of Justice’s Civil Rights Division, dated July 7, 2026.

The Commissioner’s and Delaware’s Department of Elections’ purpose is to “assure the people’s right to free and equal elections” when administering elections in Delaware. 15 *Del. C.* § 101A.

Consistent with that purpose, the Department, led by Commissioner Albence, administers elections, voting, and voter registration in Delaware for the enfranchisement of all eligible Delawareans, in a manner consistent with both state and federal laws. Among other things, the Department ensures equal, ready access to voter registration and maintains documents received in connection with voter registration consistently with Title III of the Civil Rights Act of 1960 (the “CRA”). The Department ensures equal access to voting, as required by the Voting Rights Act of 1965. The Department registers citizens to vote upon presentation of only those documents necessary to assess voter eligibility, as required by the National Voter Registration Act of 1993 (the “NVRA”). The Department also conducts a reasonable program of voter registration list maintenance that protects voters from improper or premature removal, as required by the NVRA. Finally, the Department maintains voter registration records in a central, electronic database, as required by the Help America Vote Act of 2002 (“HAVA”).

The Commissioner provided your office with a comprehensive overview of Delaware’s compliance efforts, particularly with respect to voter registration list maintenance, by letter on



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August 15, 2025. A copy of that letter is enclosed herewith for your reference.¹ No specific concerns have been raised with respect to any of Delaware's voter registration list processes. Delaware's processes for complying with federal law remain as described on August 15, 2025.

Please direct all further correspondence related to the Commissioner's and the Department's compliance with federal law to Delaware's Department of Justice. Our office represents the Commissioner in your pending litigation against the Commissioner. American Bar Association Model Ethical Rule 4.2 requires attorneys in your office to direct all communications on this topic to us, as his counsel. Our office's contact information for such correspondence is set forth on the heading to this letter and in my signature block below.

Should you require additional information regarding Delaware's voter registration list maintenance program or election administration procedures, please do not hesitate to contact me.

Sincerely,

/s/ Emily V. Burton

Emily V. Burton (she/her)
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¹ All of the Department's correspondence with the Department of Justice's Civil Rights Division related to Delaware's voter registration list maintenance and compliance with the CRA, NVRA, and HAVA is available on the Department of Election's [Public Notices webpage](https://elections.delaware.gov/public/notices.html) at: <https://elections.delaware.gov/public/notices.html>.