

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

February 7, 2025

The Honorable Pam Bondi  
Attorney General  
950 Pennsylvania Avenue NW  
Washington, DC 20530

Dear Attorney General Bondi,

We write to you today to urge the Department of Justice to investigate allegations of illegal racketeering among New York's Democratic leadership and congressional delegation. This follows reports indicating that Governor Kathy Hochul, House of Representatives Minority Leader Hakeem Jeffries and the New York State legislature are conspiring to delay the special election in New York's 21st congressional district. This undemocratic effort is a clear attempt to prevent the people of the 21<sup>st</sup> District from being represented in Congress. Not only is it shameful, but it is unconstitutional and constitutes illegal racketeering under U.S. law.

As you know, with Rep. Elise Stefanik's nomination to be Ambassador to the United Nations, she will vacate her seat in the House of Representatives once she is confirmed by the Senate. This vote could happen as early as this upcoming week. Under current law, once Rep. Stefanik resigns, Governor Hochul will have 10 days to proclaim a special election which would then occur within 70-80 days.

Now while New Yorkers are being crushed by an affordability crisis driven by overspending and overtaxing, reports indicate that state leadership is focused on passing legislation in Albany to delay this election and impede the representation of constituents of the 21st district for political purposes. Their scheme to alter the schedule for the special election is a serious abuse of power that is more alike to election processes in authoritarian countries than anything we see in the United States.

Article I Section 2, Clause 4 of the U.S. Constitution states, "When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies." The U.S. Supreme Court has even stated that "the right to elect legislators in a free and unimpaired fashion is a bedrock of our political system." Any delay or postponement in calling a special election to fill a vacancy in the House of Representatives is not just undemocratic, but it is unconstitutional as well. This is as corrupt a state as you'll find and the latest in a trend of other failed efforts regarding New York's elections in recent years, such as the unconstitutional attempts to gerrymander New York's congressional districts.

Even New York's state courts have said there should be no delay in calling special elections to fill vacancies in public office. As recently as 2009, the New York State Court of Appeals held that when a vacancy in office occurs, it must be filled by election in the "shortest space of time reasonably possible."

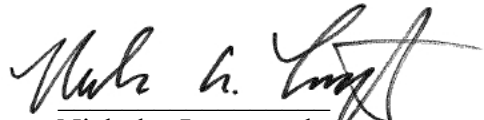
Further, a New York Times article released this week details Minority Leader Jeffries' incitement of this unconstitutional scheme. The Times cites two sources who said Jeffries is "pushing for a longer timeline to keep the seat vacant as long as possible." The article also acknowledges that this scheme was cooked up by private phone calls and a high-level lunch meeting at a steakhouse in Manhattan. This is textbook racketeering and certainly demands investigation as a violation of the Racketeer Influenced and Corrupt Organizations (RICO) Act.

The citizens of New York's 21<sup>st</sup> Congressional District are constitutionally entitled to representation in the House. It is paramount to stop this scheme, and we urge the Department of Justice to rightfully investigate.<sup>1</sup>

Sincerely,



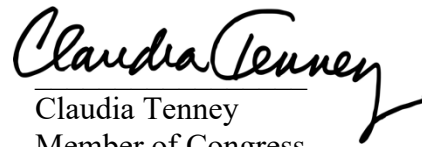
Michael V. Lawler  
Member of Congress



Nicholas Langworthy  
Member of Congress



Nicole Malliotakis  
Member of Congress



Claudia Tenney  
Member of Congress



Andrew R. Garbarino  
Member of Congress

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<sup>1</sup> [https://nyassembly.gov/leg/?default\\_fld=&leg\\_video=&bn=S04588&term=&Summary=Y&Text=Y](https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=S04588&term=&Summary=Y&Text=Y)