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SUBMITTED TO THE COMMITTEE ON HOUSE ADMINISTRATION  
HEARING ON  
“CLEAN ROLLS, SECURE ELECTIONS: REVIEWING VOTER LIST MAINTENANCE STANDARDS”

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**Introduction**

Chairman Steil, Ranking Member Morelle, and Members of the Committee, thank you for the opportunity to submit a statement for this hearing. The House Committee on House Administration has an important mandate to advance election reforms to ensure that our democracy works for American voters. As you know, “the Committee’s jurisdiction over federal elections requires it to consider proposals to amend federal election law and to monitor congressional elections across the United States.”<sup>1</sup> Given that this Committee was “instrumental” in the passage of the bipartisan Help America Vote Act of 2002, which provided billions for the upgrades of voting equipment and procedures to make the voting process more accessible and secure, today’s hearing could serve as a major departure from or affirmation of that earnest work.

A recent *Washington Post* report exposing President Trump’s latest expansion of the executive branch’s reach into the states’ election administration function is particularly concerning.<sup>2</sup> According to the article:

The administration’s efforts, fueled by Trump’s false claims that the 2020 election was stolen, have rattled state and local election officials from both parties who have spent years contending with threats, harassment and litigation.<sup>3</sup>

As explained further below, the Constitution makes clear that states are responsible for running elections, including for federal office, and that the president and his administration have a limited role that must be spelled out by Congress.

Numerous studies have repeatedly rejected claims of widespread voter fraud peddled by President Trump and fueling political violence including the January 6th [attack](#) on the Capitol.<sup>4</sup> Furthermore, audits across multiple states—including Georgia, Ohio, and

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<sup>1</sup> Comm. on House Admin, *About*, <https://cha.house.gov/about> (last visited July 18, 2025).

<sup>2</sup> Patrick Marley & Yvonne Wingett Sanchez, *DOJ Hits States with Broad Requests for Voter Rolls, Election Data*, *Wash. Post* (July 16, 2025), <https://www.washingtonpost.com/politics/2025/07/16/trump-voter-fraud-elections/>.

<sup>3</sup> *Id.*

<sup>4</sup> Brennan Ctr., *Debunking the Voter Fraud Myth*, [https://www.brennancenter.org/sites/default/files/analysis/Briefing\\_Memo\\_Debunking\\_Voter\\_Fraud\\_Myth.pdf](https://www.brennancenter.org/sites/default/files/analysis/Briefing_Memo_Debunking_Voter_Fraud_Myth.pdf) (last visited July 18, 2025); Ashley Lopez, *How We Know Voter Fraud is Very Rare in U.S. Elections*, NPR (Oct. 11, 2024), <https://www.npr.org/2024/10/11/nx-s1-5147732/voter-fraud-explainer>; Tom McLaughlin, *Is Voter Fraud a Danger or a Myth?*, *Rutgers Today* (Oct. 19, 2020), <https://www.rutgers.edu/news/voter-fraud-danger-or-myth>; ADL, *A Year After the Insurrection, 2020 Election Lies Continue to Animate the Right* (Jan. 4, 2022), <https://www.adl.org/resources/article/year-after-insurrection-2020-election-lies-continue-animate-right>.

Iowa—have confirmed that non-citizens, specifically, make up at most a “tiny fraction” of voter rolls and instances of non-citizen voting are “vanishingly rare.”<sup>5</sup> Instead, public reporting confirms that election officials fear that federal cutbacks of election assistance funds will make their jobs harder amid growing threats to election workers.<sup>6</sup> State and local election officials are also legitimately concerned about the federal government potentially warehousing voters’ personal data in a centralized system and “impos[ing] rules that would boot eligible voters from the rolls and make it harder to cast ballots.”<sup>7</sup> These actions are occurring while the president is routinely intimating that he may seek a third term as president despite the 22nd Amendment’s clear legal prohibition on him being elected again.<sup>8</sup>

If this Committee is serious about ensuring that we have secure elections, it must conduct robust oversight of the Trump administration’s ongoing incursion on states’ administration of elections at the same time that is rolling back resources aimed at supporting states in addressing cyber and physical security concerns that President Trump has exacerbated over the years.

### **Executive Overreach into Election Procedures Hinders States’ Constitutional Duty to Administer Elections**

Under the Elections and Electors Clauses of the United States Constitution, states play an irreplaceable role in election regulation and administration. Recognizing this, the Supreme Court has held that the U.S. Constitution permits only the states and Congress to regulate the time, places, and manner of federal elections, the qualifications for voter registration, and the manner of appointing presidential electors.

The Constitution explicitly gives states the responsibility to enact election laws and administer elections. The Elections Clause provides: “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed *in each State by the Legislature thereof*; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.”<sup>9</sup> Similarly, the Electors Clause states: “Each state shall appoint, in such Manner as the *Legislature thereof may direct*, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.”<sup>10</sup>

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<sup>5</sup> Peter Charalambous, *Election Fact Check: Noncitizens Can't Vote, and Instances are 'Vanishingly Rare,'* ABC (Oct. 28, 2024), <https://abcnews.go.com/US/election-fact-check-noncitizens-vote-instances-vanishingly-rare/story?id=115025674>.

<sup>6</sup> Ruby Edlin & Lawrence Norden, *Survey Finds Election Officials Want More Support Amid Federal Cutbacks and Ongoing Threats*, Brennan Ctr. (July 10, 2025), <https://www.brennancenter.org/our-work/analysis-opinion/survey-finds-election-officials-want-more-support-amid-federal-cutbacks>.

<sup>7</sup> Marley & Sanchez, *supra* note 2.

<sup>8</sup> Nicholas Riccardi, *Trump Keeps Talking About Running for a Third Term. The US Constitution Says that Can't Happen*, AP News (Mar. 31, 2025), <https://apnews.com/article/trump-third-term-constitution-22nd-amendment-538c4e09fc2898c11a499513ee0d498c>.

<sup>9</sup> U.S. Const. art. I, § 4, cl. 1 (emphasis added).

<sup>10</sup> U.S. Const. art. II, § 1, cl. 2 (emphasis added).

These provisions endow the states with “sweeping” authority to enact election laws, subject only to the rest of the Constitution and preemption by Congress.<sup>11</sup> The Elections Clause therefore “has two functions. [1] Upon the States it imposes the duty (‘shall be prescribed’) to prescribe the time, place, and manner of electing Representatives and Senators; [2] upon Congress it confers the power to alter those regulations or supplant them altogether.”<sup>12</sup> As stated more succinctly in a recent federal court decision, under the Constitution, “only Congress has the power to adjust state election rules.”<sup>13</sup>

In addition to giving the states and Congress the power to regulate elections, under the current regime enacted pursuant to the Elections and Electors Clauses, states are responsible for administering federal elections. The Elections Clause “places the burden of administering federal elections on the states.”<sup>14</sup>

In sum, it is “clearly established” that the Constitution “leave[s] the conduct of [federal elections] to state laws, administered by state officers,” and separately Congress may also “assume[] to regulate such elections . . . by positive and clear statutes.”<sup>15</sup>

### **The President of the United States Has No Role in Election Administration and His Intrusion into Election Procedures Is Unlawful**

“The Constitution empowers *only* the states and Congress to ‘regulate the conduct of [federal] elections.’”<sup>16</sup> That is because, with respect to the Elections and Electors Clauses, “[t]he President does not feature at all. In fact, Executive regulatory authority over federal elections does not appear to have crossed the Framers’ minds.”<sup>17</sup> As a result, given that the “Constitution clearly grants the States the power to manage elections under the Elections Clause[,]” the executive branch cannot declare, on its own initiative, “power to involve itself in States’ election procedures[.]”<sup>18</sup>

The executive branch does not, because it cannot, have constitutional authority to exercise—let alone usurp—the states’ and Congress’s constitutionally delegated power to regulate and administer elections. Rather, federal courts have consistently found that

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<sup>11</sup> *League of United Latin Am. Citizens v. Exec. Off. of the President*, --- F. Supp. 3d ----, No. 25-cv-0946, 2025 WL 1187730, at \*4 (D.D.C. Apr. 24, 2025) (“LULAC”). The Elections Clause’s “substantive scope is broad. ‘Times, Places, and Manner,’ . . . are ‘comprehensive words,’ which ‘embrace authority to provide a complete code for congressional elections. . . .’” *Arizona v. Inter Tribal Council of Arizona, Inc.*, 570 U.S. 1, 8-9 (2013) (“ITCA”) (quoting *Smiley v. Holm*, 285 U.S. 355, 366 (1932)) (emphasis added).

<sup>12</sup> *Id.* at 8 (citing *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 804-05 (1995)); see also *Moore v. Harper*, 600 U.S. 1, 29 (2023) (states hold a “constitutional duty to craft the rules governing federal elections”).

<sup>13</sup> *California v. Trump*, --- F. Supp. 3d ----, No. 25-cv-10810, 2025 WL 1667949, at \*7 (D. Mass. June 13, 2025).

<sup>14</sup> *Ass’n of Cmty. Orgs. for Reform Now (ACORN) v. Edgar*, 56 F.3d 791, 796 (7th Cir. 1995); *Harkless v. Brunner*, 545 F.3d 445, 454 (6th Cir. 2008); accord *Gonzalez v. Arizona*, 677 F.3d 383, 391 (9th Cir. 2012) (“[A] state’s role in the creation and implementation of federal election procedures . . . is to administer the elections through its own procedures.”) *aff’d sub nom. ITCA*, 570 U.S. 1; *ITCA*, 570 U.S. at 41 (Alito, J., dissenting) (the Elections Clause “reserve[s] to the States default responsibility for administering federal elections . . .”).

<sup>15</sup> *U.S. v. Gradwell*, 243 U.S. 476, 485 (1917).

<sup>16</sup> *State v. Meadows*, 88 F.4th 1331, 1346 (11th Cir. 2023) (emphasis added), *cert. denied*, 145 S. Ct. 545 (2024) (quoting *Roudebush v. Hartke*, 405 U.S. 15, 24 (1972)).

<sup>17</sup> *LULAC*, 2025 WL 1187730, at \*5.

<sup>18</sup> *Georgia v. Meadows*, 692 F. Supp. 3d 1310, 1327-28 (N.D. Ga. 2023) (quoting *Bond v. United States*, 564 U.S. 211, 221 (2011)); see also *LULAC*, 2025 WL 1187730, at \*36 (the Elections Clause and federal law “vest control over federal election regulation in other actors, leaving no role for the President.”).

“neither the Constitution, nor statutory law, nor precedent” support a broad authority to “superintend the states’ administration of elections.”<sup>19</sup> Indeed, executive branch officials have themselves “long recognized that the States – *not the federal government* – are responsible for administering elections, determining the validity of votes, and tabulating the results, with challenges handled by the appropriate election administrators, officials, legislatures, and courts.”<sup>20</sup> Or as Senator Mitch McConnell bluntly stated in a recent article: “[D]elegation of authority over election administration is crystal clear. Elections may have national consequences but the power to conduct them rests in state capitols.”<sup>21</sup>

## **President Trump’s Illegal Power Grab in Elections**

Despite the Constitution’s clear lines of demarcation between the roles of Congress, the president, and the states in election administration, President Trump has repeatedly engaged in illegal conduct that violated separation of powers, federalism, and federal laws by continuing to assert illegal authority over elections. For example, in 2017, during President Trump’s first term, “officials from both parties declined to give a presidential commission detailed information on voters,” with Mississippi’s Republican secretary of state reportedly telling Trump’s task force to “go jump in the Gulf of Mexico.”<sup>22</sup>

### **1. The January 6 Insurrection at the Capitol**

President Trump incited a violent insurrection against the Constitution on January 6, 2021, by repeatedly promoting a series of lies that the 2020 presidential election was stolen.<sup>23</sup> Notably, President Trump used that lie in a now infamous call with the Georgia Secretary of State, demanding he find enough votes to help Trump win the state’s electoral college votes in 2020.<sup>24</sup> President Trump’s lies about widespread fraud in the 2020 election were challenged by Republican and Democratic election officials at the state level and rebuffed with extreme prejudice by state and federal courts at every level.<sup>25</sup> The bipartisan January 6th Committee found that Trump’s repeated false statements about the election, despite being rebutted by his White House and DOJ lawyers, led to the violence on January 6, 2021.<sup>26</sup> In fact, every fact finder that heard evidence in a court or administrative hearing about President Trump’s conduct related to January 6th found that he incited an insurrection arising from his fallacious attacks on the integrity of the 2020 election.<sup>27</sup>

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<sup>19</sup> *Meadows*, 88 F.4th at 1346.

<sup>20</sup> U.S. Dep’t of Just., Just. Manual § 9-85.300 (2022) (emphasis added); accord *Georgia v. Clark*, 119 F.4th 1304, 1315 (11th Cir. 2024) (Rosenbaum, J., concurring).

<sup>21</sup> Mitch McConnell, *Trump Gives Democrats a Voting Gift*, Wall St. J. (Apr. 7, 2025), <https://archive.ph/30TWq>.

<sup>22</sup> Marley & Sanchez, *supra* note 2.

<sup>23</sup> See H.R. Rep. No. 117-663 (2022); Campaign Legal Ctr., *Results of Lawsuits Regarding the 2020 Elections*, <https://campaignlegal.org/results-lawsuits-regarding-2020-elections> (last visited July 18, 2025).

<sup>24</sup> Campaign Legal Ctr., *supra* note 23.

<sup>25</sup> Marley & Sanchez, *supra* note 2.

<sup>26</sup> H.R. Rep. No. 117-663 (2022); Lisa Desjardins, *Key Takeaways from the Jan. 6 Committee Report Summary*, PBS (Dec. 19, 2022), <https://www.pbs.org/newshour/politics/the-key-findings-and-criminal-referrals-from-the-jan-6-committee-report-summary>.

<sup>27</sup> CREW, *Trump was Disqualified for Insurrection in the Only Three States that Heard Evidence* (Feb. 6, 2024), <https://www.citizensforethics.org/reports-investigations/crew-reports/trump-was-disqualified-for-insurrection-in-the-only-two-states-that-actually-heard-evidence/>.

President Trump's actions and inactions in and around January 6, 2021 received widespread bipartisan condemnation including from members of this Committee.<sup>28</sup> For example, Congressman Morgan Griffith offered:

While the individuals who stormed the Capitol ultimately bear personal blame for the riot, I believe the inflammatory and poisonous rhetoric that too often characterizes the present political discourse helped create a climate where such an event could happen. I faulted President Trump throughout his term for too often indulging in disrespectful comments, and I believe on January 6 his rhetoric did not help calm a volatile situation. Others at the peaceful rally at the White House inflamed the situation.<sup>29</sup>

Congresswoman Terri Sewell said:

Today marks a dark day in America's history. The words of the President of the United States matter. Donald Trump's serial lies and inflammatory rhetoric incited the armed insurgents who stormed the U.S. Capitol today. He encouraged this attempted coup and the violence that ensued is a result of his recklessness.<sup>30</sup>

The impacts of President Trump's election lies and the resulting insurrection were devastating. Public reports confirm that more than 100 Capitol Police officers and DC Metropolitan Police officers sustained injuries during the January 6th attack.<sup>31</sup> Those injuries included "concussions, swollen ankles and wrists, bruises, and irritated lungs from pepper spray. Officers were pushed down stairs, trampled and punched."<sup>32</sup> According to the non-partisan Government Accountability Office, the attack cost taxpayers more than \$2.7 billion including "damage to the Capitol building and grounds, costs borne by the Capitol Police, the District of Columbia, and federal agencies, and estimated costs to address security needs and investigations."<sup>33</sup>

Despite President Trump's central role in spreading the lies about the 2020 election that led to an unprecedented attack on the Capitol, his second term is laying the groundwork to succeed where his previous actions failed. The president has escalated his efforts to undermine the Constitution and election integrity by usurping state authority to administer elections, issue *ad hominem* attacks on states, and sow mistrust in our elections.

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<sup>28</sup> Nina Lin, *One Year Since Capitol Riot, Republicans Try to Shift Blame. But Here's What They Said at the Time*, NBC Wash. (Jan. 6, 2022), <https://www.nbcwashington.com/news/politics/one-year-since-january-6-capitol-riot-republicans-try-to-shift-blame-but-heres-what-they-said-at-the-time/2929779/>.

<sup>29</sup> Morgan Griffith, *Letter on the 2020 Presidential Election*, Press Releases (Feb 11, 2021), <https://morgangriffith.house.gov/news/documentsingle.aspx?DocumentID=402422>.

<sup>30</sup> WSFA 12, *Alabama's Congressional Delegation Reacts to Storming of US Capitol* (Jan. 7, 2021), <https://www.wsfa.com/2021/01/06/alabama-reps-react-us-capitol-protests-lockdown/>.

<sup>31</sup> Suzie Ziegler, *Police Union: Over 140 Officers Injured in Capitol Siege*, Police1 (Jan. 28, 2021), <https://www.police1.com/officer-safety/articles/police-union-over-140-officers-injured-in-capitol-siege-NSi5xcpt1sIELYvJ/>.

<sup>32</sup> *Id.*

<sup>33</sup> Mike Gooding, *Jan. 6 Capitol Riot: Law Enforcement Didn't Share Critical Information, Report Says*, 13 News Now (July 25, 2023), <https://www.13newsnow.com/article/news/crime/cost-of-capitol-riot-january-6/291-6fb5117e-dea1-4631-a76a-76e87b268bfd>.

## 2. President Trump's Illegal Election Executive Order

President Trump's March 25, 2025, Executive Order—"Preserving and Protecting the Integrity of American Elections" (the "Executive Order")—seeks to upend the election system established by Constitution, using *mandatory* language to *require*: (1) unilaterally adding new requirements to the federal voter registration form (the "Federal Form"); (2) federalizing some voter roll list maintenance; (3) the review and potential decertification of certain voting systems; and (4) efforts to prohibit states from processing absentee and mail-in ballots received after Election Day.<sup>34</sup> Contrary to the federalism and separation of powers principles codified in the Constitution's Elections and Electors Clauses, the Executive Order effectively coronates the president as the country's chief election policymaker and administrator. Department of Justice (DOJ) lawyers have already asked some states "to share information about voters to implement [the] Trump executive order" with reports noting that it would "shift some power over elections from the states to Washington."<sup>35</sup>

As a bipartisan group of former state secretaries of state have noted, the Executive Order represents an "existential threat" to states' Constitutional role in election administration.<sup>36</sup> Indeed, federal district courts in the District of Columbia and Massachusetts recognized exactly that when they enjoined enforcement of various provisions of the Executive Order Sections 2(a) and 2(d) because our "Constitution entrusts Congress and the States—not the President—with the authority to regulate federal elections . . . [a]nd no statutory delegation of authority to the Executive Branch permits the President to short-circuit Congress's deliberative process by executive order."<sup>37</sup> Indeed, as a federal court recently found in *California v. Trump*, "allowing the President to change election rules and procedures on [his] whim whenever he sees fit, without any input from election administrators charged with executing those rules and without the checks and balances provided by Congress, would be equivalent to dropping an anvil onto the carefully balanced scales of justice."<sup>38</sup>

## 3. The Trump Administration's Alleged Incursion on State Voter Rolls

Recent reports suggest that the Trump administration is escalating its assault on the Constitution as a predicate for undermining future elections. According to public reporting last week, the Trump administration and its political allies outside the government "have launched a multipronged effort to gather data on voters and inspect voting equipment, sparking concern among local and state election officials" about the federal government's "interference."<sup>39</sup>

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<sup>34</sup> Exec. Order No. 14248, 90 Fed. Reg. 14005 (Mar. 25, 2025).

<sup>35</sup> Marley & Sanchez, *supra* note 2.

<sup>36</sup> CREW, *CREW Files Amicus Briefs on Behalf of Former Secretaries of State on Election EO* (Apr. 16, 2025), <https://www.citizensforethics.org/legal-action/legal-complaints/crew-files-amicus-brief-on-behalf-of-former-secretaries-of-state-on-election-eo/>.

<sup>37</sup> *LULAC*, 2025 WL 1187730, at \*1; *California v. Trump*, --- F. Supp. 3d ----, No. 25-CV-10810, 2025 WL 1667949, at \*1-2 (D. Mass. June 13, 2025).

<sup>38</sup> 2025 WL 1667949, at \*17 (cleaned up).

<sup>39</sup> Marley & Sanchez, *supra* note 2.

The Trump administration's encroachment has already impacted several states across the country, but some especially egregious episodes stand out. In Colorado, for example, reporting indicates that a consultant claiming to be working with the Trump White House is asking county clerks to allow "the federal government or a third party to physically examine their election equipment."<sup>40</sup> As this public reporting notes, "[f]ederal agencies have long offered technical assistance and cybersecurity advice to election officials but have not examined their equipment because election laws tightly limit who has access."<sup>41</sup> State law expressly prohibits Colorado election officials from giving third parties access to its voting systems and none complied with the request.<sup>42</sup> Election officials predictably have been "on edge" about these issues, especially in Colorado where Tina Peters, a former Mesa County clerk, was sentenced to nine years in prison for her role in a "scheme to let an outsider into secure areas of her office to copy election data."<sup>43</sup> Disturbingly, the Trump administration is working to secure Peters' release.<sup>44</sup>

The DOJ has also taken the "unusual step" of requesting copies of voter rolls from at least nine states with at least two turning them over already.<sup>45</sup> Those inquiries went to a group of both Republican and Democratic-controlled states, including Alaska, Colorado, Florida, Minnesota, Nevada, New Hampshire, New York, Oklahoma and Wisconsin. In Colorado, DOJ also requested "all records" related to election administration, but in Alaska, the Department apparently "questioned why no voters had been removed from the rolls for mental incompetence."<sup>46</sup> In other states, DOJ reportedly "asked detailed questions about the process to remove noncitizens and other ineligible voters from the rolls."<sup>47</sup>

While the DOJ's interest in states' maintenance of their voter rolls may sound innocuous or even necessary, there are both substantive and process problems with the DOJ's actions. As election law expert Professor Justin Levitt noted, Congress established clear procedural protections for this data including informing the public "what's being collected for what purposes (and how it's stored and secured and transmitted and accessed, etc.)."<sup>48</sup> Levitt added, "So I don't think DOJ has jumped through the necessary [legal] hoops to collect what it's requesting, even if it were telling the truth about why. But I've also got questions about the why."<sup>49</sup>

In addition to the privacy and procedural concerns, as the voting rights experts at the Equal Justice Initiative report, "maintenance" efforts like these often entail "states 'clean[ing] up' registration lists by deleting names from voter rolls in an often-flawed and racially

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<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> Seth Klamann, *Consultant, Claiming White House Backing, Called Colorado Clerks to Gain Access to Voting Machines*, Denver Post (July 17, 2025), <https://www.denverpost.com/2025/07/16/colorado-clerks-voting-machine-access-elections-donald-trump/>.

<sup>43</sup> Marley & Sanchez, *supra* note 2.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> Justin Levitt, *The Recent Rash of DOJ Voter File "Requests,"* Election L. Blog (July 18, 2025), <https://electionlawblog.org/?p=151010>.

<sup>49</sup> *Id.*

discriminatory manner.”<sup>50</sup> Unfortunately, only half of the states use the Electronic Registration Information Center (“ERIC”)—which allows participating states to securely submit voter registration and motor vehicle department data as well as using official death data from the Social Security Administration and change of address data from the United States Postal Service—to share and confirm the accuracy of their voter registration data by identifying inaccurate or out-of-date voter registration records, deceased voters, and individuals who appear to be eligible to vote but who are not yet registered.<sup>51</sup> Making matters worse, conservative activists “inspired by [President] Trump’s false stolen election claims” are using commercial databases like “EagleAI” and True the Vote’s “IV3” program, which have been plagued by reliability issues, to challenge states’ voter rolls. For example, a federal judge in Georgia said that a list of potentially ineligible voters compiled by IV3 was “shoddy and rife with errors” and “utterly lacked reliability. Indeed, it verge[d] on recklessness.”<sup>52</sup>

Simply put, using unreliable data to conduct voter roll purges means that “millions of prospective voters throughout America may be denied access to the polls ... because their names have been erased from registration lists.”<sup>53</sup> For example, Alabama voter William Pritchett was wrongfully included in the state’s efforts to identify and remove possible non-citizens from voter rolls, despite being born in Alabama.<sup>54</sup> Meanwhile, this effort is being led by the DOJ after the agency’s long-tenured Inspector General, Michael Horowitz, has been reassigned, and the Trump Administration is not answering questions about the political operative who contacted Colorado election officials trying to enforce the President’s Executive Order.<sup>55</sup> The administration’s tactics have been condemned by Republican and Democratic election officials alike.<sup>56</sup>

### **Trump Administration Rollbacks Undermine State Security and Election Integrity Needs**

The Trump administration has escalated its intrusion on states’ implementation of elections while also sabotaging its traditional and legal role in providing funding for security and other support systems. Across Republican and Democratic administrations, the federal government has long partnered with local election offices to fund and protect elections. As the Brennan Center for Justice notes, this practice is especially true since the Department of Homeland Security designated election systems as critical infrastructure in 2017.<sup>57</sup> The Cybersecurity and Infrastructure Security Agency (CISA), has played an invaluable role as the federal agency responsible for coordinating cybersecurity protections with states, offering critical resources to election officials, “such as threat intelligence briefings and

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<sup>50</sup> Equal Just. Initiative, *Voter Suppression Persists Through Purging* (July 23, 2018), <https://eji.org/news/voter-suppression-persists-through-purging/>.

<sup>51</sup> ERIC, ERIC Overview, <https://ericstates.org/> (last visited July 18, 2025).

<sup>52</sup> *Fair Fight Inc. v. True the Vote*, 710 F. Supp. 3d 1237, 1274 (N.D. Ga. 2024).

<sup>53</sup> Equal Just. Initiative, *supra* note 49.

<sup>54</sup> Jude Joffe-Block, *The GOP is Making False Claims About Noncitizens Voting. It’s Affecting Real Voters*, NPR (Aug. 30, 2024),

<https://www.npr.org/2024/08/30/nx-s1-5091032/noncitizens-voting-election-gop-texas-tennessee-alabama>.

<sup>55</sup> Patrick Marley & Yvonne Wingett Sanchez, *DOJ Hits States with Broad Requests for Voter Rolls, Election Data*, Wash. Post (July 16, 2025), <https://www.washingtonpost.com/politics/2025/07/16/trump-voter-fraud-elections/>.

<sup>56</sup> *Id.*

<sup>57</sup> Edlin & Norden, *supra* note 7; DHS, *Statement by Secretary Jeh Johnson on the Designation of Election Infrastructure as a Critical Infrastructure Subsector* (Jan. 6, 2017),

<https://www.dhs.gov/archive/news/2017/01/06/statement-secretary-johnson-designation-election-infrastructure-critical>.



cybersecurity and physical security assessments.”<sup>58</sup> Unfortunately, soon after returning to office, the Trump administration froze all election security support and suspended CISA’s election security advisers.<sup>59</sup>

As *Politico* has reported, President Trump’s cuts to “funding and personnel that support state and local election security efforts have left officials deeply concerned about their ability to guarantee physical and cyber security during the voting process.”<sup>60</sup> These accounts were confirmed in the Brennan Center’s 2025 survey of local election officials, which found that a majority of election officials are concerned about the Trump administration’s recent cutbacks to election support, including election security programs.<sup>61</sup> According to the Brennan survey, 87% percent of respondents said it was important for state and local governments to help fill the void these cuts have created.<sup>62</sup> These concerns come amidst reports of persistent threats, harassment, and abuse of election workers, as well as long term challenges such as aging equipment and insufficient staff and poll workers despite their states’ best efforts.<sup>63</sup> The officials also expressed significant concerns about “potential efforts to interfere in their ability to run elections, including through politically motivated investigations.”<sup>64</sup>

The Trump administration “also cut funding for the Elections Infrastructure Information Sharing & Analysis Center, a network that facilitated information sharing about security risks and best practices between election vendors and election officials, among others.”<sup>65</sup> The network was integral to helping election officials prevent and respond to political violence. For example, “[i]n 2024, the network warned election officials that envelopes filled with white powder had been sent to election offices across the country.”<sup>66</sup> According to the Brennan Center survey, 60% of the election workers surveyed “said they are very or somewhat concerned about federal cuts to election security services.”<sup>67</sup> State and local experts tasked with election administration are best positioned to know how these cuts will threaten our elections, because they are the ones doing the daily work to ensure that they are efficient and secure.

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<sup>58</sup> Edlin & Norden, *supra* note 6.

<sup>59</sup> Eric Geller, *Top US Election Security Watchdog Forced to Stop Election Security Work*, *Wired* (Feb. 14, 2025), <https://www.wired.com/story/cisa-election-security-freeze-memo/>; CISA, *Security Advisors*, [https://www.cisa.gov/about/regions/security-advisors#:~:text=Election%20Security%20Advisors%20\(ESAs\)&text=ESAs%20increase%20the%20agency%27s%20internal,effective%20risk%20mitigation%20assistance%20possible](https://www.cisa.gov/about/regions/security-advisors#:~:text=Election%20Security%20Advisors%20(ESAs)&text=ESAs%20increase%20the%20agency%27s%20internal,effective%20risk%20mitigation%20assistance%20possible) (last visited July 18, 2025).

<sup>60</sup> Maggie Miller, *The Trump admin cut election security funds. Now officials fear future elections may be 'less secure'*, *Politico* (Mar. 31, 2025), <https://www.politico.com/news/2025/03/31/trump-admin-cut-election-security-funds-00258787>.

<sup>61</sup> Brennan Ctr., *Local Election Officials Survey – July 2025* (July 10, 2025), <https://www.brennancenter.org/our-work/research-reports/local-election-officials-survey-july-2025>; Edlin & Norden, *supra* note 6.

<sup>62</sup> Brennan Ctr., *supra* note 59.

<sup>63</sup> Edlin & Norden, *supra* note 6.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

<sup>66</sup> *Id.*; see Rebecca Falconer, *Suspicious Packages Mailed to Election Officials Across U.S.*, *Axios* (Sept. 18, 2024), <https://www.axios.com/2024/09/18/elections-officials-mail-suspicious-packages>.

<sup>67</sup> Edlin & Norden, *supra* note 6.

## **Conclusion**

Donald Trump's peddling of election lies undermined integrity in our elections, led to threats against election workers, and culminated in an unprecedented attack on our democracy. Now, his administration is once again violating the law based on long debunked myths about election fraud. This Committee is tasked with overseeing election reforms to ensure their safety and security. Today, the Committee has an opportunity to engage in the difficult bipartisan oversight and legislative work to support state and local officials' critical work to administer safe and secure elections. I hope that the Committee will examine and remediate the president's reckless gutting of federal support for election assistance and lawless incursion on states' duty to oversee election administration. Alternatively, the Committee could choose to conduct a sham proceeding that ignores President Trump's illegal abuses of our election system and gives cover to his conspiracy theories and efforts to undermine at best or potentially try to steal future elections. The choice is yours.