



Preserving and Protecting the Integrity of American Elections

Administration Policy:

This week President Trump issued an Executive Order (EO) titled [Preserving and Protecting the Integrity of American Elections](#). This EO states that, “Under the Constitution, State governments must safeguard American elections in compliance with Federal laws that protect Americans’ voting rights... Yet the United States has not adequately enforced Federal election requirements...”

This EO requires the [Election Assistance Commission](#) (EAC) to include proof of citizenship requirements on their national mail voter registration form within 30 days. It further requires that the head of each federal voter registration agency assess citizenship prior to providing a federal voter registration form to enrollees in public assistance programs.

The EO requires the Secretary of Homeland Security (DHS) and Secretary of State to ensure that state and local officials have access to appropriate systems for verifying citizenship without cost to state and local governments. Additionally, the EO requires DHS to coordinate with DOGE in reviewing publicly available voter registration lists compared with federal immigration databases. The EO requires that the Attorney General (AG) prioritize the enforcement of federal laws which restrict foreign nationals from voting in U.S. elections and assist state governments seeking to review or prosecute cases involving illegal voting.

The Social Security Commissioner is required to make available federal databases, such as the Social Security Number Verification Service and Death Master File, to state and local officials engaged in voter verification.

The EAC is prohibited from providing federal funding to states that do not comply with relevant federal law, including states that do not verify citizenship through the national mail voter registration form, as well as states that continue to count ballots after election day.

This EO would require the AG to seek to enter information sharing agreements with state chief election officials for the purpose of better prosecuting election crimes. This EO would require the AG and Secretary of Homeland Security to take all appropriate action as permitted by law to prevent non-citizens from being involved in the administration of any Federal election. Additionally, this EO requires the AG to take any necessary action against states that continue to count votes past election day. Finally, this EO requires that the AG prioritize the enforcement of laws prohibiting foreign nationals from interfering in American elections through campaign donations or contributions.

Background:

The following are specifically referenced under “Purpose and Policy” as the statutory basis for the actions required by this EO:

- [2 USC 7](#) as establishing a uniform Election Day date for federal office holders
- [3 USC 1](#) as requiring that electors in each state be appointed on election day
- [18 USC 1015](#) as prohibiting foreign nationals from registering to vote
- [18 USC 611](#) as prohibiting foreign nationals from voting
- The [National Voter Registration Act](#) and the [Help America Vote Act](#) as requiring states to maintain an accurate and current list of every registered voter.
- [8 USC 1373\(c\)](#) as requiring DHS to assist states verifying citizenship
- [52 USC 30121](#) as prohibiting foreign nationals from participating in American elections through campaign contributions or expenditures.