

Congress of the United States

Washington, DC 20515

March 5, 2026

The Honorable Donald J. Trump
President of the United States
The White House
Washington, D.C. 20500

Dear President Trump:

I write to express my deep concern regarding reports that individuals working in coordination with your Administration are circulating a draft executive order that would declare a national emergency based on allegations of foreign interference in the 2020 election and use that declaration to assert sweeping presidential authority over federal elections.¹

According to reporting by the *Washington Post* on February 26, 2026, you have repeatedly previewed plans to mandate voter identification nationwide and ban mail-in ballots in the upcoming midterm elections, and proponents of this draft order believe it could serve as the vehicle to implement those changes.² If so, such action would represent an extraordinary and unlawful expansion of executive power.

The Constitution is clear. Article I, Section 4 explicitly assigns the authority to regulate federal elections to the states and to Congress. The President does not have a role in federal elections. The Constitution does not grant the executive branch any power to rewrite election laws, ban lawful voting methods, or override state-certified systems.

Invoking emergency powers to prohibit mail-in ballots, restrict the use of voting machines, or impose nationwide voter identification requirements would be unprecedented. A national emergency cannot be declared simply to circumvent constitutional limits or to accomplish policy objectives that have not been enacted through the legislative process.

There has been no credible finding that foreign interference altered the outcome of the 2020 election at the ballot box.³ The Intelligence Community (IC) assessed that they “have no indications that any foreign actor attempted to interfere in the 2020 US elections by altering any technical aspect of the voting process, including voter registration, ballot casting, vote tabulation, or reporting results.”⁴ More specifically, the IC assessed that “China did not deploy interference efforts and considered but did not deploy influence efforts intended to change the outcome of the US Presidential election.”⁵ In addition, courts across the country reviewed numerous challenges and found no evidence of irregularities that could have changed the results of the 2020 election.⁶ Our system worked as designed. At some point, leadership requires accepting the outcome of an election, even when the result is not the one you wanted.

¹ Arnsdorf, Isaac. "Trump, Seeking Executive Power over Elections, Is Urged to Declare Emergency." *The Washington Post*, 26 Feb. 2026, www.washingtonpost.com/politics/2026/02/26/trump-elections-executive-order-activists/.

² *Id*

³ *Final Report of the Select Committee to Investigate the January 6th Attack on the United States Capitol*. Appendix 4: “Malign Foreign Influence.” U.S. Government Publishing Office, 2022, <https://www.govinfo.gov/content/pkg/GPO-J6-REPORT/html-submitted/app4.html>

⁴ National Intelligence Council, “Intelligence Community Assessment: Foreign Threats to the 2020 US Federal Elections,” ICA 2020–00078D, (Mar. 10, 2021), pp. i, 1, available at <https://www.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf>

⁵ *Id*.

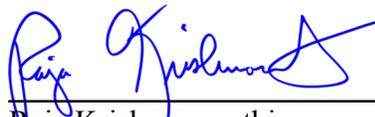
⁶ Brennan Center for Justice. “It’s Official: The Election Was Secure.” *Brennan Center for Justice*, 10 Dec. 2020, www.brennancenter.org/our-work/research-reports/its-official-election-was-secure.

In March 2025, your Administration issued an executive order requiring proof of citizenship for voter registration and threatening to withhold funding from states that accepted ballots after Election Day.⁷ Federal courts blocked significant portions of that order, reinforcing the principle that election administration is not to be governed by a unilateral executive mandate.⁸

Moreover, mail-in voting has long been a lawful and secure method relied upon by seniors, military servicemembers, and working families.⁹ Each state sets its own laws about mail-in voting, and nearly one in three Americans voted by mail in 2024.¹⁰ Any effort to eliminate the option to vote by mail nationwide by executive decree would be illegal and would undermine both the rule of law and public trust in our democratic institutions.

I urge you to not proceed with any proposal that would aim to nationalize elections or attempt to assert emergency powers that our Constitution clearly does not provide.

Sincerely,



Raja Krishnamoorthi
Member of Congress

⁷ "Preserving and Protecting the Integrity of American Elections." *The White House*, 25 Mar. 2025, www.whitehouse.gov/presidential-actions/2025/03/preserving-and-protecting-the-integrity-of-american-elections/

⁸ Wehner, Joey, and Nicholas Riccardi. "Judge Bars Trump From Withholding Election Funds to States." *The New York Times*, 9 Jan. 2026, www.nytimes.com/2026/01/09/us/politics/trump-court-ruling-elections.html.

⁹ *Mail Voting Is Safe and Secure*. Bipartisan Policy Center, 2020, <https://bipartisanpolicy.org/report/mail-voting-is-safe-secure/>.

¹⁰ "Nearly 1 in 3 Americans Voted by Mail in 2024," *States United Democracy Center*. 4 Sept 2025, <https://statesunited.org/resources/americans-vote-by-mail-2024/#section-7>.