



September 16, 2026

Dear Governor:

The undersigned Black and Latino nonpartisan, civil rights organizations represent two of the nation's largest racial and ethnic communities, with long, interconnected histories in the struggle for voting rights and racial justice. We have convened as a Joint Black Brown Summit to deepen trust, strengthen solidarity, and dispel narratives that seek to divide our communities. Collectively we represent or work and advocate on behalf of millions of Americans, including members, partners, or other stakeholders in your state.

We write today to urge you to review and strengthen voter protections as we enter the 2026 election season. The right to vote sits at the foundation of every other right Americans hold, and American democracy has always required vigilance from Governors and state leaders to protect it, regardless of party. As detailed below, this year the federal government is threatening to engage in voter intimidation, disenfranchise millions of voters, undermine the constitutional authority of states to administer elections, and ultimately undermine the security and fairness of our elections. Robust preparation by governors, in coordination with local leaders and state election officials, is essential to ensure that access to the ballot box is safe, unimpeded, and free from discrimination.

This is not a hypothetical concern. Over the past year, federal agencies have taken concrete steps that bear directly on how the 2026 elections will be run in your state—from demands for voter data, to a personal-data pipeline that keeps expanding, to on-the-ground federal law enforcement deployments.

As of August 2026, the federal government has filed 30 lawsuits to compel disclosure of full voter registration records—including Social Security and driver's license numbers—and courts have already dismissed 23 of those suits as unlawful.¹ Tens of millions of voter records have been run through a federal database with a documented history of errors,² putting eligible, lawfully registered

¹ Tracker of Justice Department Requests for Voter Information, Brennan Center for Justice (last updated Aug. 2026) <https://www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information>.

² Jude Joffe-Block, A Federal Judge Finds a Trump Data System to Verify Voters Is Unlawful (June 22, 2026) <https://www.npr.org/2026/06/22/nx-s1-5866719/save-voter-data-trump-judge-unlawful>; Jasleen Singh, Watch Out for False Voter Fraud Claims Fueled by SAVE Program (June 12, 2026) <https://www.brennancenter.org/our-work/research-reports/watch-out-false-voter-fraud-claims-fueled-save-program>

voters at risk of wrongful removal from voter rolls and forcing local election officials to spend scarce time and resources chasing down false flags. Federal agents have appeared at election offices and polling sites, and the Administration has not ruled out deploying more.³ Additionally, the administration has already sought to interfere with election operations in Arizona, California, Georgia, and Michigan.⁴ Most recently, President Trump declined to rule out declaring a national security emergency to impose voter ID, proof-of-citizenship, and mail-ballot restrictions unilaterally.⁵

The same federal database being used to incorrectly flag voters has grown by absorbing more of residents' personal data: DHS has expanded the Systemic Alien Verification for Entitlements (SAVE) Program to draw on Social Security Administration records and, more recently, state Department of Motor Vehicles (DMV) data.⁶ A federal court has already ruled this expansion as unlawful, yet the administration is continuing to run the modified system in at least four states under a separate, conflicting court order, and that carve-out is now being challenged on appeal.⁷ This litigation is ongoing, and it comes as federal Voting Rights Act enforcement recedes, leaving states to supply the protections no longer provided federally.

Because protecting a free and fair election depends upon coordination between governors, attorneys general, and the state and local officials who administer elections day to day, we encourage you to review and adopt, as appropriate under your respective state laws and authorities, the suggested measures; and coordinate and share information with other governors and their administrations regarding election interference, voter intimidation, federal requests for voter data, and other emerging threats. We also encourage governors nationwide and through the National Governors Association to convene their attorneys general, secretaries of state, and local election officials now to jointly operationalize the recommendations.

- **Protect voter data from federal overreach.** Direct election officials and local clerks not to disclose non-public voter registration data to federal agencies absent a court order, and

³ Jacob Knutson, ICE Agents Confront New York Poll Worker During Voting, as State Prosecutors Review Incident (June 25, 2026) <https://www.democracymarket.com/news-alerts/ice-agents-poll-worker-syracuse-new-york-polling-site-primary-elections/>; Yuniar Rivas, DHS Chief Says ICE Could Make Arrests at Polling Places — Ignoring Federal Ban on Armed Agents at Voting Sites (Sept. 2, 2026) <https://www.democracymarket.com/news-alerts/dhs-chief-says-ice-could-make-arrests-at-polling-places-ignoring-federal-ban/>.

⁴ Michael Sozan, Ben Olinsky, *The Trump Administration Is Interfering in the 2026 Midterm Elections To Entrench the Imperial Presidency* (Aug. 12, 2026) <https://www.americanprogress.org/article/the-trump-administration-is-interfering-in-the-2026-midterm-elections-to-entrench-the-imperial-presidency/>; John Keller, Chelsea Rice, *The Last Check: Magistrate Judges and Federal Seizures of Election Records* (June 16, 2026) <https://www.justsecurity.org/141602/magistrate-judges-federal-election-records/>.

⁵ Aaron Blake, *Trump Declines to Rule Out Declaring a National Security Emergency to Control the 2026 Election* (Aug. 11, 2026) <https://www.cnn.com/2026/08/11/politics/trump-national-emergency-election>.

⁶ UnidosUS, Comment Letter on Proposed Modification of DHS/USCIS SAVE System of Records Notice (Dec. 1, 2025) <https://www.regulations.gov/comment/USCIS-2025-0337-9211>; Jen Fifield, Zach Despart, *DHS Wants States to Hand Over Driver's License Data for Citizenship Checks* (Oct. 31, 2025) <https://www.propublica.org/article/dhs-citizenship-checks-drivers-license-data>.

⁷ Yuniar Rivas, *Voting Rights Groups Seek to Shut Down Voter Purge Database in Four GOP-Led States* (July 20, 2026) <https://www.democracymarket.com/news-alerts/voting-rights-groups-seek-to-shut-down-voter-purge-database-in-gop-led-states/>.

confirm with your attorney general that this directive is backed by clear legal authority state officials can point to if challenged.

- **Halt list maintenance until after the election.** Direct election officials to pause any pending list maintenance until after the election. Ensure that election officials are trained in the requirements of the federal National Voter Registration Act, including its prohibition on list maintenance within the 90 days before an election.⁸
- **Keep armed intimidation away from the polls and protect voters and election workers.** Support protections against intimidation at polling places, strengthen anti-doxing and address confidentiality protections for election workers, and ensure election security funding is focused on preventing, deterring, investigating, or responding to threats, intimidation, violence, harassment, and other unlawful conduct directed voters, election workers, or the safe administration of elections. Ask your attorney general to make clear that federal agents near polling places may constitute voter intimidation under state law. Federal law already prohibits this conduct: Section 11(b) of the Voting Rights Act (52 U.S.C. § 10307(b)) bars anyone, acting under color of law or otherwise, from intimidating, threatening, or coercing voters, and 18 U.S.C. §§ 592, 593, and 595 separately prohibit deploying federal troops or armed law enforcement to polling places and bar federal personnel from interfering with election administration. Governors should direct scenario planning now: train local officials to identify and report intimidation and to eject intimidating officers from polling places, assess the security of polling places located in or near federal buildings that could become staging areas, and ensure jurisdictions with 287(g) agreements are specifically briefed on these federal and state limits.
- **Prepare election officials for interference before it happens.** Working with your attorney general, secretary of state, and state and local law enforcement, train local election officials now on the limits of federal authority, with rapid-response legal support in place before November, including specific training for jurisdictions with 287(g) agreements on the boundary between immigration enforcement and election administration.
- **Prepare for and respond to irregular federal election-monitoring deployments.** Direct your attorney general to review the legal basis for any DOJ or other federal monitoring operation that is not coordinated transparently and in advance with the chief local election official and confirm that where state law authorizes outside observation at all, it reserves that role to certified poll watchers. This is not a partisan concern: Wyoming's Republican governor, Mark Gordon, directed his attorney general to review a DOJ monitoring operation after federal officials arrived at a county's primary-election polling site on election day with little advance notice, attempted to interview voters, and requested poll-worker training materials and access to election equipment and vote tabulators—requests the county clerk said went beyond what federal voting-rights law allows.⁹ Make clear that county election officials have

⁸ 52 U.S.C. § 20507(c)(2).

⁹ Clair McFarland, *Wyoming Clerk Warns Other Red States Of "Aggressive" DOJ Action At Elections*, Cowboy State Daily (Sept. 1, 2026) <https://cowboystatedaily.com/2026/08/31/make-plans-now-wyoming-clerk-warns-other-red-states-on-feds-probing-elections/>.

the authority—and the backing—to decline any monitor request that exceeds what state law allows.

- **Direct your attorney general and other relevant officials to enforce federal notice and cure rights** and require poll-worker training on provisional ballots as the built-in backstop. Confirm counties are providing the individualized notice and full cure period the National Voter Registration Act requires before any removal. Pair that enforcement with the registration and provisional-ballot fixes elsewhere in this letter: a voter still inside their cure window who shows up to vote should be able to correct their registration on the spot and cast a regular ballot or, if that's not possible, to cast a provisional ballot under the training standard described below, so a missed mailer or a data-match error never actually costs someone their vote.
- **Ensure poll workers are trained on provisional ballots as a backstop when a regular ballot cannot be provided.** Require or otherwise facilitate standardized statewide training so every poll worker knows when and how to properly offer, process, and—where state law allows—help a voter take necessary steps to ensure their provisional ballot is counted when a regular ballot cannot be provided.¹⁰ This especially matters for voters caught up in the erroneous list-matching and data-sharing problems described above: a wrongly flagged voter should never be turned away outright when a provisional ballot and a clear cure process would preserve their vote.
- **Prevent national origin discrimination and English-only election barriers.** Direct election officials to comply with existing language-access protections: under Section 208 of the Voting Rights Act, any voter with limited English proficiency or a disability has the right to bring an assistor of their choosing into the voting booth,¹¹ and under Section 4(e) of the VRA, Puerto Rican voters are entitled to Spanish-language voting services wherever they cast a ballot in the continental U.S.¹² Poll workers should also be explicitly trained that questioning a voter's citizenship based on an accent is unlawful national-origin discrimination, not a valid basis to challenge eligibility, and that language-line assistance must be readily accessible at every polling place.
- **Prepare to oppose seizure of ballots, voting machines, and other election materials.** Before Election Day, direct your attorney general and/or other relevant officials to issue clear, written guidance on the legal limits of federal law enforcement access to election materials, including what constitutes a valid warrant, confirming that federal law enforcement has no role in ballot counting, and setting consequences (such as loss of state-funded legal defense) for local officials who hand over materials without one.
- **Close the DMV backdoor feeding federal voter-verification systems.** Adopt four principles by executive order and statute—data minimization, purpose limitation,

¹⁰ 52 U.S.C. § 21082.

¹¹ 52 U.S.C. § 10508. Section 208 is also a valuable tool for many disabled, low-literacy, and elderly Black voters who require assistance to effectively cast their ballots each election.

¹² 52 U.S.C. § 10303(e).

transparency, and privacy by design—and restrict bulk federal access to DMV data flowing into systems like SAVE, requiring human review of restricted queries and publishing transparency reports.¹³

- **Give residents a remedy and prepare for interference now while building towards lasting protections.** Ahead of November, work with your attorney general and secretary of state to train local election officials on the limits of federal authority and put rapid-response legal support in place. Looking beyond this election cycle, work with your legislature to enact a state-law cause of action against officials who violate constitutional rights under color of federal law, so residents have a lasting remedy in place ahead of the next election.

Given the numerous threats to voting rights and election administration this election cycle, state governments have a critical responsibility to ensure that the will of voters is honored and that every eligible American can cast a ballot in an election that is secure, free, and fair. We urge you to take these steps and coordinate with other governors and state officials, including through the National Governors Association, as you prepare for the 2026 elections.

Finally, we encourage you to reach out directly to the 866-OUR-VOTE Election Protection Hotline and to any of the organizations that are signatories to this letter for support.

Sincerely,

The Undersigned Civil Rights Organizations

Advancement Project

NAACP

Black Voters Matter

National Coalition for Black Civic Participation

Hispanic Federation

National Council of Negro Women

LatinoJustice PRLDEF

NALEO Educational Fund

Lawyers Committee

National Urban League

Leadership Conference

Poder Latinx

League of United Latin American Citizens (LULAC)

Unidos US

LDF

Voto Latino

Mi Familia Vota

¹³ Laura MacCleery, *Pushing Back on Data Betrayal: The Need for a New State Bulwark*, ABA Human Rights Magazine (Oct. 2025) <https://www.americanbar.org/groups/crsj/resources/human-rights/2025-october/pushing-back-data-betrayal/>; Bipartisan Policy Center, *What Adding Motor Vehicle Data to USCIS's SAVE System Means for Election Administration* (Dec. 8, 2025) <https://bipartisanpolicy.org/issue-brief/what-adding-motor-vehicle-data-to-uscis-save-system-means-for-election-administration/>.

