

Local Control, Public Confidence: Keeping Elections Free from Undue Interference

Elections should be run and governed by states and localities free from intimidation or federal interference.

Without a strong democracy a republic cannot stand. Elected officials' legitimacy comes from the consent of the governed.¹ That consent is given through the will of the voters through locally-controlled elections. Elections that have for centuries successfully elected both Republican and Democrat across the country. The only places where people walk past armed guards to vote are authoritarian states or nations teetering on becoming failed states.²

The founders rightly vested the powers to legislate electoral changes and run elections with state and local officials. The Constitution states:

"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." (Article I, Section 4, Clause 1)

There have been instances of federal agents seizing local voter rolls;³ the president has refused to rule out sending federal agents to the polls;⁴ and the military patrols city streets most recently in cities like Portland, Chicago,⁵ and currently Washington, D.C.⁶ The Executive Branch is exercising an enormous and inordinate amount of power.

Those closest to the people best understand the needs of the people. For this reason, the role of states and Congress in the administration of their elections is vital. All powers not explicitly vested in the federal government belong to the states, consistent with the 10th Amendment to the U.S. Constitution.

¹ *The consent of the governed* | Constitution Center. (n.d.). National Constitution Center – [constitutioncenter.org](https://constitutioncenter.org/essays/the-consent-of-the-governed).
<https://constitutioncenter.org/essays/the-consent-of-the-governed>

² Dragu, T., Gieczewski, G., Bruce Bueno De Mesquita, Xiaochen Fan, Adam Przeworski, & David Stasavage. (2024). *Strength in Numbers? State Capacity, Military Power and Repression in Authoritarian Regimes*. Princeton University, 1.
<https://germang.scholar.princeton.edu/sites/g/files/toruqf4076/files/documents/security%200318%20%282024%29.pdf>

³ Proctor, A. (n.d.). Fulton County ratifies lawsuit against federal government over FBI election raid. MSN.
<https://www.msn.com/en-us/news/politics/fulton-county-ratifies-lawsuit-against-federal-government-over-fbi-election-raid/ar-AA1WffCm?ocid=BingNewsVerp>

⁴ Democratic district attorneys vow to prosecute federal agents who target voting sites. (2026, May 18). Politico. Retrieved September 2, 2026, from <https://www.politico.com/news/2026/05/18/district-attorneys-voter-intimidation-00927460>

⁵ Suter, T. (2025, November 16). Trump administration to withdraw some National Guard troops from Chicago, Portland: reports. The Hill. Retrieved September 2, 2026, from <https://thehill.com/policy/defense/5608492-national-guard-troops-leave/>

⁶ Borresen, J., & Petras, G. (2026, August 11). National Guard troops will stay on DC streets into 2029. Here's why. USA TODAY. <https://www.usatoday.com/story/graphics/2026/08/10/why-national-guard-troops-stay-washington-dc/91200755007/>

Congress and states are partners in the administration of free and fair elections free from federal interference.

There exists the possibility that ICE may operate near polling places. It's not in dispute that ICE may conduct investigations. However, the risks are great.

ICE may easily detain someone who appears Latino⁷ who is then disenfranchised on the evening of an election. Mixed status families may be detained in seeking one individual but the wife is a U.S. citizen who gets detained headed to the polls after work and loses her right to vote. In areas with large Latino populations this calamity may be repeated many times on election day, possibly suppressing thousands of votes.

There are numerous statutes that expressly prohibit, with penalty of fine and imprisonment, the use of the military, federal agents, or federal employees/contractors from interfering in the orderly administration of elections. Those statutes are as follows: **18 U.S.C. § 592**, **18 U.S.C. § 593**, **18 U.S.C. § 595**. Additionally, people cannot conspire to deny U.S. citizens suffrage: **42 U.S.C. § 1985(3)**. The Civil War era statute **18 U.S.C. § 592** clearly prohibits any armed federal presence at the polls.⁸

Congress needs to strongly speak to the importance of locally controlled elections so that the executive branch understands these limits to executive power well in advance of election day.

The U.S. constitutional democracy is the oldest in the world. It's incumbent upon members of Congress to support these systems that have endured war and generations of change. Election day is finite and we rightly expect results soon thereafter.

Locally run elections are the foundation of our democracy. If we allow a federal activation of armed agents, the damage cannot be undone. Congress should speak assertively to maintain election integrity by defending local control. Congress' role in U.S. elections is enshrined in the U.S. Constitution and they should defend our election integrity.

Publicly and strongly support the bedrock of American democracy: locally run elections. The polls should be state-run, and free from intimidation.

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⁷ Ryan, E. (2025, September 13). The Supreme Court clears the way for ICE agents to treat race as grounds for immigration stops. NPR. <https://www.npr.org/2025/09/13/nx-s1-5507125/the-supreme-court-clears-the-way-for-ice-agents-to-treat-race-as-grounds-for-immigration-stops>

⁸ 18 U.S.C. § 592 and related Statutes — Plain language summary. (n.d.). Protections for Elections. <https://protectionsforelections.org/voter-guide/the-law-explained/>