



CBCF EXECUTIVE ORDER TRACKER

Ensuring Citizenship Verification and Integrity in Federal Elections

Executive Order #14399

Date Issued: March 31, 2026

Topic: Voting, Immigration

WHAT DOES THIS EXECUTIVE ORDER DO?

- This executive order authorizes federal agencies to develop a list of eligible voters in each state based on information from sensitive federal databases to ensure that only US citizens vote in federal elections, despite acknowledging that existing federal law already prohibits non-citizens from registering to vote or voting in federal elections.
- The order threatens election officials who provide ballots to ineligible voters with prosecution and encourages federal agencies to withhold funding from states that do not comply with this order.
- The order also empowers the United States Postal Service (USPS) to reject mail-in and absentee ballots from individuals who do not appear on a list developed by the federal government and shared with states.





HOW WILL THIS EXECUTIVE ORDER BE ENFORCED?

- This executive order will primarily be enforced by the Secretary of Homeland Security and the Postmaster General.
- The order directs the Secretary of Homeland Security to create the infrastructure necessary to develop a State Citizenship List within 60 days of this order's issuance.
 - The order requests for the list to contain US citizens who will be at least 18 years of age before the next federal election and maintain a residency in the state. It also authorizes the Department of Homeland Security to pull information from federal citizenship and naturalization records, the Social Security Administration, and other relevant federal databases.
- The order directs the Secretary of Homeland Security to send the State Citizenship List to the chief election official of each state at least 60 days before a scheduled federal election.
- The order instructs the Secretary of Homeland Security to create a process for individuals to access their records to update or correct them in advance of elections, and state officials to recommend modifications to the State Citizenship List.
- The order clarifies that an individual's inclusion on the State Citizenship List does not guarantee their eligibility for voter registration, which is subject to state law.
- The order instructs the Postmaster General to outline new provisions for mail-in ballots within 60 days of this order's issuance, including:
 - Prohibiting the USPS from transmitting mail-in or absentee ballots from any individual unless those individuals have been enrolled on the State Citizenship List
 - Providing each state with a Mail-In and Absentee Participation List with unique identifiers for each person's ballot
 - Facilitating coordination between the USPS Office of Inspector General and the Department of Justice for investigation of suspected unlawful use of the mail involving federal election materials.



HOW WILL THIS EXECUTIVE ORDER BE ENFORCED?

- The order directs the Attorney General (AG) to prioritize prosecuting election officials who issue ballots, or assist in the printing, production, shipment, or distribution of ballots to individuals who are ineligible to vote in federal elections.
- The order directs states and municipalities to preserve election records, excluding cast ballots, that prove voter participation in a federal election for a five-year period.
- The order directs all Cabinet Secretaries and agency heads to deter noncompliance with the policies outlined in this order by withholding federal funds from noncompliant jurisdictions or referring offenders to the Department of Justice for consideration of legal repercussions.

HOW DOES THIS IMPACT BLACK COMMUNITIES?

- This executive order seeks to address election fraud and non-citizen voting; however, voting has been illegal for non-citizens in all fifty states [since 1924](#). In 1993, Congress passed [The National Voter Registration Act](#), which required individuals registering to vote in the United States to attest that they are a U.S. citizen or face the penalty of perjury, and, in 1996, it enacted [legislation](#) to make non-citizen voting a federal crime. The penalty for registering to vote as a non-citizen is up to five years in federal prison, and non-citizens found guilty of voting in federal elections can face more serious consequences, including deportation. The Trump Administration argues that this order is necessary to protect American elections from foreign interference, but it will likely make voting more difficult for Black Americans and other vulnerable populations.



HOW DOES THIS IMPACT BLACK COMMUNITIES?

- This executive order gives the federal government the authority to determine who is eligible to submit mail-in and absentee ballots, which is an unprecedented shift in election administration. Article 1 of the Constitution gives states the authority to administer elections, and states have different criteria for election eligibility. For example, over 20 states have laws that restrict people with criminal convictions from voting, and many states allow seniors and people with documented disabilities to vote by mail.
- U.S. Citizenship and Immigration Services has developed a tool called SAVE to verify citizenship status, assess voter eligibility and determine eligibility for federal benefits. Twenty-three states have opted into the SAVE tool and nearly 200 million names were entered into the system in 2025, but not without incident. In December 2025, NPR reported that several people were incorrectly flagged as non-citizens and had their voter registration cancelled in error. This executive order could lead to more inaccuracies and prevent people from being able to vote in the 2026 midterm elections. One in three Black households lack a high-speed home internet connection, and this order forces Black Americans to go online and check if their names appear on the State Citizenship and Mail-In Ballot Lists, creating unnecessary hurdles to prevent non-citizen voting, an extremely rare phenomenon.
- This executive order will have repercussions for voting accessibility. States are not required to preemptively notify people who are not on the lists, which could mean people will not realize they are ineligible to submit a mail-in ballot until after the election is over. Because of this order, voters with disabilities and older voters who do not drive may have to take public transportation to vote in-person to ensure that their ballot is counted.
- This order will also disenfranchise college students, who may have to leave school and return to their hometown to ensure that their vote is tabulated. Out-of-state college students who wish to vote in their college town may also face disenfranchisement, because their name is not likely to appear on the State Citizenship List in the new area.



HOW DOES THIS IMPACT BLACK COMMUNITIES?

- This order also increases the burden for newly married women who change their name and transgender people, whose identity may not match the name on the list. This new requirement will create barriers to electoral participation for the [more than 5 million married Black women](#) in the United States. The order designates a point of contact for people to submit changes to the lists but does not guarantee that the lists will be updated prior to Election Day. This is significant because Black women have been one of the most consistent voting blocs in the country, and this order could suppress turnout.
- This order creates additional scrutiny for poll workers, who could now face legal repercussions for allowing non-citizens to vote. After the 2020 election and January 6th Insurrection, Black poll workers [Shaye Moss and Ruby Freeman](#) faced spurious election fraud charges. The charges were dismissed, but still spawned fear that made it difficult to recruit poll workers during the next election cycle. While the order does not compel election officials to cross-reference the State Citizenship List with their voter rolls, some jurisdictions may do so to avoid criminal liability and disenfranchise eligible voters in the process.

HOW ARE CBC MEMBERS RESPONDING?

- The Congressional Black Caucus (CBC) has affirmed the right to vote and advanced voting rights legislation since its inception in 1971. **Rep. Yvette D. Clarke**, CBC Chair, issued the following statement on behalf of the caucus in response to this executive order.
 - “The executive order signed by President Trump is an unlawful and unconstitutional attempt to dictate who in this country is allowed to vote. This sweeping order would allow the Trump Administration to unilaterally determine voter eligibility, intimidate state election officials through politically motivated investigations, and jeopardize the privacy of millions of law-abiding Americans. It would also disenfranchise Black and other minority voters, women, young people, individuals with disabilities, and older Americans. [...] There is no scenario in which this unlawful, anti-democratic, and authoritarian executive order will not go unchallenged to the fullest extent of the law.” [Full Statement](#)