



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

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Media Contacts:
press@oag.state.md.us
410-576-7009

Attorney General Brown Joins Multistate Lawsuit Against Trump Administration Over Unlawful Executive Order Seeking to Impose Sweeping Voting Restrictions

Lawsuit Asserts That EO Unconstitutionally Interferes with State Management of Elections

BALTIMORE, MD (April 3, 2025) – Attorney General Anthony G. Brown today joined a coalition of 19 attorneys general in filing a [lawsuit](#) against President Donald J. Trump, U.S. Attorney General Pam Bondi, the federal Election Assistance Commission, and other administration officials over [Executive Order No. 14248](#) (the Elections Executive Order), President Trump’s antidemocratic and un-American attempt to impose sweeping voting restrictions across the country even though the U.S. Constitution gives the president no role in setting election rules. Among other things, the Elections Executive Order imposes a documentary proof of citizenship requirement when Americans seek to register to vote, which negatively impacts military and overseas voters, as well as other Americans who are unable to access the required documents. It also seeks to upend common-sense, well-established state procedures for counting ballots – procedures that make it easier for eligible voters’ voices to be heard.

Attorney General Brown quote:

“This Voter Suppression Executive Order is an outrageous and unconstitutional attack on the fundamental right to vote. It’s a blatant power grab designed to rig the system by silencing eligible voters, undermining fair election rules, and punishing states for protecting democracy. The President has no authority to dictate how states run their elections, and his attempt to trample on the rights of voters—especially those in our military, overseas, and communities already facing barriers—is both unlawful and un-American. We will not stand by while this Administration tries to hijack our elections. I am taking this fight to court because every voter has the right to be heard, and no President is above the law.”

The President has no constitutional power to rewrite state election laws by decree, nor does the President have the authority to modify the rules Congress has created for elections. The coalition’s lawsuit, filed in the U.S. District Court for the District of Massachusetts, explains that the power to regulate elections is reserved to the states and Congress, and that therefore, the Elections Executive Order is beyond the scope of presidential power and violates separation of

powers. The coalition is asking the court to block the challenged provisions of the Elections Executive Order and declare them unconstitutional and void.

In its lawsuit, the coalition asserts that provisions of the Elections Executive Order will cause imminent and irreparable harm to the states if they are not enjoined. The challenged provisions include:

- **Forcing the Election Assistance Commission (the Commission) to require documentary proof of citizenship on the Federal mail registration form (the Federal Form).** The Commission is an independent, bipartisan, four-member body established by Congress. It is responsible for developing the Federal Form, in consultation with the chief election officers of the states, for the registration of voters for elections for Federal office. In their lawsuit, the attorneys general underscore that Congress has never required documentary proof of citizenship to register to vote using the Federal Form.
- **Commanding the head of each state-designated Federal voter registration agency to immediately begin “assess[ing] citizenship prior to providing a federal voter registration form to enrollees of public assistance programs.”** This aspect of the Elections Executive Order commandeers State agencies and their personnel, forcing States to participate in the President’s unlawful and unnecessary agenda.
- **Forcing States to alter their ballot-counting laws to exclude “absentee or mail-in ballots received after Election Day.”** Consistent with federal law, members of the multistate coalition have exercised their constitutional and statutory authority to determine how to best receive and count votes that are timely cast by mail in federal elections. Many of the plaintiff States provide for the counting of timely absentee and mail ballots received after Election Day.
- **Requiring military and overseas voters to submit documentary proof of citizenship and eligibility to vote in state elections.** The Federal Post Card Application form is used by voters in the military or living abroad to register to vote in federal elections. Federal law unequivocally grants them the ability to register and cast a ballot “in the last place in which the person was domiciled before leaving the United States” – there is no requirement that this form demand documentary proof of citizenship or proof of current eligibility to vote in a particular state.
- **Threatening to withhold various streams of federal funding to the States for purported noncompliance with the challenged provisions.** In so doing, the Elections Executive Order seeks to control plaintiff States’ exercise of their sovereign powers through raw Executive domination, contrary to the U.S. Constitution and its underlying principles of federalism and the separation of powers.

Joining Attorney General Brown in filing today’s lawsuit are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, Hawai’i, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Rhode Island, Vermont, and Wisconsin.

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