

Trump backers prepare executive order to seize control of US midterm elections

Patrick Martin
26 February 2026

A group of right-wing election denialists has drafted a 17-page executive order under which President Donald Trump would declare a national emergency and assert federal control over the 2026 midterm elections, in which the Republican Party is currently expected to suffer heavy losses.

According to a report published Thursday by the *Washington Post*, a leader of the group, Florida attorney Peter Ticktin, said the draft order would claim that China interfered in the 2020 election and use this as a pretext to override the Constitution's clear provision that states—not the federal government—administer elections.

“Under the Constitution, it's the legislatures and states that really control how a state conducts its elections, and the president doesn't have any power to do that,” Ticktin told the *Post*. “But here we have a situation where the president is aware that there are foreign interests that are interfering in our election processes. ... That causes a national emergency where the president has to be able to deal with it.”

On February 13, Trump declared that he had the authority to take control of the 2026 elections, writing on social media that he had “searched the depths of Legal Arguments not yet articulated or vetted on this subject” and would soon present an “irrefutable” case. He added later, “I will be presenting them shortly, in the form of an Executive Order.” This appears to refer to Ticktin's document.

Ticktin has ties to Trump going back more than 65 years, when they were students at the New York Military Academy, a boys' secondary school. According to the *Post*, Ticktin did legal work for Trump, “part of his legal team that filed an unsuccessful 2022 lawsuit accusing Democrats of conspiring to damage him with allegations that his

2016 campaign colluded with Russia.”

Ticktin also contacted Trump last year on behalf of Tina Peters, a former Colorado county clerk imprisoned for giving Trump campaign aides unauthorized access to voting machines after the 2020 election in an attempt to manufacture “evidence” of fraud. They found nothing. Trump then issued a so-called “pardon” for Peters, which had no legal effect because she was convicted under state and not federal law.

While Ticktin told the *Post* he has had “certain coordination” with White House officials, it is likely that the draft executive order also involves Director of National Intelligence Tulsi Gabbard. The former Democratic congresswoman from Hawaii has been spearheading efforts to promote allegations of foreign interference in the 2020 election and recently attended an FBI raid on an election office in Fulton County, Georgia, which seized ballots, tabulation tapes and other documents from the 2020 vote.

Trump's efforts to rig the 2026 midterm elections are proceeding on several tracks. In his State of the Union address, he called on the Republican-controlled Senate to pass the “Save America Act,” which has already cleared the House. The bill would require proof of citizenship to register to vote and a photo ID at the polls. It would also restrict voting by mail to invalids, soldiers deployed overseas and those traveling for business on election day.

The purpose of such measures is not to combat fraud—for which there is no evidence—but to suppress voting among those layers least likely to have passports, birth certificates and driver's licenses. This includes the very poor, racial minorities and the elderly, but the impact could be even broader: Only about half the population has a passport, and many married women have birth certificates in their maiden names,

not the names under which they would register and vote.

The legislation is expected to fail in the Senate where it faces a Democratic filibuster. But Trump has called on Senate Majority Leader John Thune to change Senate rules to end the filibuster, an appeal he repeated in his State of the Union speech, appealing to “John” by name to assure passage of the Save America Act.

Trump has threatened that if Democrats block passage of the bill, he will impose the same measures by executive order, despite the Constitution’s clear language reserving the administration of elections to the states, under the supervision of Congress, with no role for the executive branch.

According to the *Post*, the draft executive order cites a Trump executive order from his first term that declared a national emergency based on allegations of foreign attempts to interfere with election infrastructure. Democrat Joe Biden extended that emergency, and in 2024 the Biden administration used the order to impose economic sanctions on “Iranian and Russian entities,” the *Post* said.

In other words, Trump is making use of the bogus claims of Russian interference, which the Democrats concocted to explain Hillary Clinton’s defeat in the 2016 elections, but turning the accusation around, suggesting that China interfered in 2020 on behalf of the Biden campaign.

There is not a shred of evidence that either Russian or Chinese interference had any effect on any US election. The two capitalist parties have resorted to such allegations as part of their sordid struggle over which gang of reactionaries will hold the reins of power and carry out the instructions of the financial oligarchy.

Another right-wing conspirator interviewed by the *Post* is Jerome Corsi, responsible for conspiracy theories that Barack Obama was born in Kenya, a lie promoted aggressively by Trump in 2011. “The stage is largely being set by the revelations coming out of foreign powers being involved in influencing the 2020 election,” Corsi told the *Post*. “If there was a provable foreign intrusion, that would be a national security emergency and the order could be issued under his powers as commander in chief,” he added.

The *Post* reviewed an earlier draft of the executive order, describing it as follows:

The measures listed in the 2025 draft of the proposed executive order include requiring hand-marked and hand-counted paper ballots, requiring voters to register anew for the 2026 midterms with proof of citizenship, and restricting mail ballots to limited circumstances. The draft also proposes authorizing the Justice Department, U.S. Citizen and Immigration Services, the Social Security Administration and the Postal Service to have a role in identifying ineligible voters.

In his State of the Union speech, Trump gave a preview of his efforts to rig the 2026 election, claiming that the Democrats were opposed to the Save America Act because they could only win elections through vote fraud. He bellowed, “They wanna cheat. They have cheated. And their policy is so bad that the only way they can get elected is to cheat. And we’re gonna stop it.”

The substance of this declaration was that Trump will not accept any outcome of the midterm elections in which his supporters are defeated. This is in the face of opinion polls showing his approval rating at below 40 percent. Democrats are heavily favored to win control of the House of Representatives (where the Republicans have only a three-seat margin), and Republican control of the Senate is also in danger.

Given the likelihood that Republican standing in the polls will slip even further, as Trump escalates his attacks on the working class and his program of worldwide military aggression, these statements would lead logically to a White House effort to cancel the elections entirely, something which Trump has already begun to suggest.



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact