Trump presses attack on midterm election as deadline looms for mail ballots

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The Trump administration is escalating its efforts to disrupt the November 3 midterm election with a series of legal appeals directed to the US Supreme Court, as well as efforts to mobilize immigration agents and other federal police at polling places, and an appeal by Trump himself to his followers to "cheat" as much as possible in the vote.

The Supreme Court is expected to issue a ruling this week on the legal challenges filed against Trump's executive order, issued in March, for the US Postal Service to impose new rules for the handling of mail ballots. Last month the court blocked a district court order against Trump and USPS, on the grounds that USPS had not formalized the rules and state governments therefore did not have standing to file suit.

Within days, however, USPS did issue the rules, and in a number of cases has rejected ballot envelopes submitted by state and local governments, claiming they did not meet its standards. The same district judge has issued a new temporary restraining order blocking the rules, and her order was upheld by the First Circuit Court of Appeals. The Department of Justice appealed to the Supreme Court even before the appeals court took action.

The timing of a Supreme Court ruling could well be driven by the September 19 deadline, set by federal law, for states to mail out absentee ballots to soldiers stationed overseas who wish to vote. USPS has not even completed work on the online portal through which states were supposed to submit lists of registered voters for verification, under the terms of Trump's executive order.

North Carolina began sending out mail ballots last week to voters who requested them, and Delaware and Alabama have also begun doing so. Some North Carolina voters have even marked their ballots and returned them to the state, meaning that the election has actually begun in that state. Nearly two dozen states will send out mail ballots by September 19 to any voter who requests them. Eight states conduct their entire election process by mail ballots, returned either through the USPS or ballot drop-boxes.

In addition to the civil rights groups that have filed lawsuits against the Trump executive order, as well as 22 state governments controlled by the Democratic Party, a group of Republican secretaries of state and local election officials have filed an *amicus* brief with the Supreme Court seeking a stay on the mail-ballot order on the grounds that there is not enough time to implement it before the midterm vote, now just seven weeks away.

These include secretaries of state in Georgia, Kansas, Kentucky, New Hampshire, North Dakota and South Dakota. They cited the longstanding principle that rules should not be changed so late in the election process, writing: "The principle rests on incontestable facts about voters and about the people who run elections: that late changes breed confusion, that confusion keeps eligible voters from voting, and that a chaotic election erodes confidence in the result."

Noting the federal deadline for all states to send ballots to overseas military personnel, and the mailing out of ballots more generally in many states, they argued, "In many respects, the election is already underway."

Georgia Secretary of State Brad Raffensperger—who in 2020 rejected Trump's telephone appeal that he "find" the 11,780 votes needed to overcome Trump's defeat in the state by Democrat Joe Biden—said that tens of thousands of absentee ballot applications were already awaiting processing. "We've already accepted 50,000 applications, and we expect probably upwards

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of 200,000 people that will want to vote," he said.

The appeals court ruling, which is now before the Supreme Court, agreed with the conclusion of district court judge Indira Talwani that the mail-ballot rule issued by Trump "will likely result in the disenfranchisement of millions of voters across the country while providing minimal—if any—gains in combating voter fraud."

The three-judge panel said that Talwani was correct in her finding that the US Constitution does not give the president any role in the conduct of elections and that Trump's executive order was therefore "unlawful."

The political atmosphere in Washington is increasingly tense ahead of the Supreme Court decision on the mail ballot rules, and Trump's response to any adverse ruling, which is likely to be explosive. This was reflected in a headline in the *Washington Post*, which read, "The new threat election officials fear: Trump's federal government."

The accompanying article began, "With seven weeks until Election Day, officials are preparing for seized ballots, ICE agents at the polls and a postal system that could reject ballots by the batch," and went on to recall armed actions by Trump supporters in prior elections in Arizona in 2022 (to say nothing of the January 6, 2021 attack on the US Capitol by several thousand fascists summoned to Washington by Trump).

The article went on to report that election officials

> across the nation are preparing for the possibility that the most serious risks may come from President Donald Trump, his agencies and allies—including many now in power at the federal, state and local levels. Election officials are contemplating ideas that once sounded outlandish, such as troops seizing voting machines, the president dictating last-minute election rules or rogue officials blocking the certification of results.

The *Post* report continued:

> Federal law makes it a felony to station troops or armed agents where an election is being held. But the statute carves out an exception for repelling enemies of the United States, and Trump's critics worry he could invoke that provision by arguing without evidence that noncitizens could try to vote.
>
> Even a brief appearance by troops at the polls—and the inevitable online clips of them there—could dissuade voters from casting ballots, election officials and experts worry.

A group of congressional Democrats has been conducting tabletop exercises for possible responses to Election Day provocations, including efforts by Trump to suspend the vote entirely. However, the responses are limited to preparing legal briefs and drafting court orders ahead of time. There will be no appeals to the American people to defend their democratic rights, because the Democratic Party is far more afraid of the social and political consequences of such an appeal than of anything Trump might do.

The *Post* reported that Democratic Senator Elissa Slotkin of Michigan, a former CIA officer and Pentagon official, has received a letter from General Dan Caine, chairman of the Joint Chiefs of Staff, assuring her that the military had no plans to use troops to seize ballots, voting machines or other election material. "I have neither received nor anticipate receiving any unlawful order concerning the role of the Joint Force in the upcoming November 2026 midterm elections," he wrote.

The very fact that the question was raised and answered—with a careful denial of receiving "any unlawful order," leaving open the possibility of a "lawful order"—is an indication of how far down the path of presidential dictatorship the United States has moved.

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