

The Protect our Polls Act

The Protect Our Polls Act limits the President's ability to deploy the military or federal law enforcement to polling places or to seize election material. This would apply to any attempt to send in the federalized National Guard, active-duty troops, or federal law enforcement, including ICE and the FBI.

Background

Federal law has restricted the deployments of military and armed federal forces to polling places since the Civil War era. While the law prohibits the use of troops or armed men at election sites, Section 592 of Title 18 contains a narrow exception allowing military forces and armed federal agents to be used to repel "armed enemies of the United States." Congress enacted these protections to ensure that voters could cast ballots free from intimidation or coercion. In the 161 years since this restriction became law, no President has deployed troops or armed personnel to polling places to repel armed enemies of the United States, including during World War I, World War II, and for New York City's mayoral elections just eight weeks after September 11th.

Following the 2020 election, the Trump Administration drafted an Executive Order that would have directed the military to seize voting machines and election-related materials in purple states like Michigan. President Trump said earlier this year that he "should have" used the National Guard to seize election boxes. He ordered armed FBI agents to seize ballots from Fulton County, Georgia this year and his DOJ has sued 30 states, including Michigan, to hand over voter rolls. Senior officials like Acting Attorney General Blanche and Secretary Hegseth have recently declined to rule out the deployment of armed federal troops and agents, including immigration enforcement personnel, to polling locations. On May 12, President Trump even left the door open to sending armed agents or troops to the polls during the November midterm elections.

Trump has repeatedly tried to attack our elections in his favor and make it harder for Americans to vote, even saying we should not have a midterm election. He called on Republicans to "nationalize" the midterm elections and take over in 15 states in violation of our Constitution. And President Trump has used our military against the American people in ways our founders never intended. He has deployed thousands of active duty and National Guard troops to cities to target the "enemy within" as he describes it. He has threatened to invoke the Insurrection Act, which would turn our military into police officers that are used against Americans in our streets.

Protect Our Polls Act

The Protect Our Polls Act strengthens longstanding federal protections against the use of Federal troops or armed agents at polling places by requiring Congress to pass a Joint Resolution of Approval before any deployment under the "armed enemies of the United States" exception in federal law. The bill requires the Executive Branch to provide Congress with intelligence, legal justification, deployment plans, and evidence that state and local authorities cannot address the threat on their own 48 hours before any deployment. It also prohibits military personnel and federal agencies from accessing election records preserved under federal law and reinforces longstanding law that elections should be administered by civilian authorities free from intimidation or military interference. This legislation preserves a longstanding bipartisan principle: ballots should be protected by election officials and the rule of law—not by armed federal agents or military force.