

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

LEAGUE OF UNITED LATIN AMERICAN  
CITIZENS, *et al.*,

*Plaintiffs,*

v.

EXECUTIVE OFFICE OF THE  
PRESIDENT, *et al.*,

*Defendants.*

Civil Action No. 25-0946 (CKK)

DEMOCRATIC NATIONAL COMMITTEE,  
*et al.*,

*Plaintiffs,*

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, *et al.*,

*Defendants.*

Civil Action No. 25-0952 (CKK)

LEAGUE OF WOMEN VOTERS  
EDUCATION FUND, *et al.*,

*Plaintiffs,*

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, *et al.*,

*Defendants.*

Civil Action No. 25-0955 (CKK)

**LEAGUE AND LULAC PLAINTIFFS' RESPONSE TO THE REPUBLICAN  
NATIONAL COMMITTEE'S STATEMENT OF MATERIAL FACTS**

In accordance with Local Civil Rule 7(h), the League<sup>1</sup> and LULAC<sup>2</sup> Plaintiffs (“Nonpartisan Plaintiffs”) respond to the Republican National Committee’s Statement of Material Facts (ECF No. 161-3)<sup>3</sup> and submit this “concise statement of genuine issues” that preclude partial summary judgment in favor of the RNC-intervenors on their defense of Section 2(a) of the Executive Order. When Nonpartisan Plaintiffs respond to a statement made by the RNC as “undisputed,” it does not mean that they are admitting the truth of the matter asserted. Rather, Nonpartisan Plaintiffs are acknowledging only that they do not currently dispute the statement for purposes of resolving RNC’s summary judgment motion. Nonpartisan Plaintiffs reserve the right to dispute any statement made by the RNC at a later stage of this case. Nonpartisan Plaintiffs respond to each numbered paragraph of the RNC’s Statement of Material Facts as follows:

1. On March 25, 2025, President Trump ordered the Election Assistance Commission to “take appropriate action to require, in its national mail voter registration form” issued under the National Voter Registration Act, “proof of United States citizenship.” Exec. Order No. 14248, §2(a), 2025 WL 929182, at \*14005 (March 25, 2025).

**RESPONSE: Undisputed.**

2. Congress tasked the Commission, an executive branch agency, with developing a national mail voter-registration form that shall require “such identifying information” and “other information” as is “necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process.” 52 U.S.C. §20508.

---

<sup>1</sup> The League Plaintiffs are the League of Women Voters Education Fund, League of Women Voters of the United States, League of Women Voters of Arizona, Hispanic Federation, National Association for the Advancement of Colored People, OCA-Asian Pacific American Advocates, and Asian and Pacific Islander American Vote.

<sup>2</sup> The LULAC Plaintiffs are the League of United Latin American Citizens, Secure Families Initiative, and Arizona Students’ Association.

<sup>3</sup> Citations to “ECF” herein refer to filings in the consolidated action, *League of United Latin American Citizens v. Executive Office of the President* (“LULAC”), No. 1:25-00946, unless otherwise noted.

**RESPONSE: Disputed.** Congress created the Election Assistance Commission (“EAC” or “Commission”) as an “independent entity.” 52 U.S.C. § 20921. The text of the cited statute speaks for itself.

3. When it created the Commission, Congress gave the President the authority to appoint members of the Commission. 52 U.S.C. §20923.

**RESPONSE: Disputed.** The President may not unilaterally appoint members. He may do so only “by and with the advice and consent of the Senate.” 52 U.S.C. § 20923(a)(1). In addition, the President may not appoint a member unless that person has “experience with or expertise in election administration or the study of elections.” *Id.* § 20923(a)(3). Nor may the President appoint more than two members who are “affiliated with the same political party.” *Id.* § 20923(b)(2).

4. President Trump ordered that when the Commission takes “appropriate action” to revise the federal voter-registration form, it “shall include” the following documents as acceptable “documentary proof of United States citizenship:” a “United States passport;” an “identification document compliant with the requirements of the REAL ID Act of 2005” that “indicates the applicant is a citizen of the United States;” an “official military identification card that indicates the applicant is a citizen of the United States;” and “a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship.” Exec. Order No. 14248, 2025 WL 929182, at \*14005.

**RESPONSE: Disputed.** This statement is misleading in that it suggests that President Trump left the Commission discretion to decide for itself whether to revise the Federal Form to require documentary proof of citizenship. In fact, President Trump ordered that the Commission “shall take appropriate action” within 30 days from issuance of the Executive Order “to require” the specified forms of “documentary proof of United States citizenship” in the national mail voter registration form. Exec. Order. § 2(a).

5. President Trump issued the “proof of citizenship” requirement “[t]o enforce the Federal prohibition on foreign nationals voting in Federal elections.” *Id.*

**RESPONSE: Disputed and immaterial.** To the extent the statement purports to identify President Trump’s motivation for issuing the Executive Order, Nonpartisan Plaintiffs dispute the statement as speculative and his motivation as irrelevant to the claims at issue. Nonpartisan Plaintiffs respectfully refer the Court to the text of the Executive Order for a true and accurate statement of its contents.

6. Federal law prohibits non-U.S. citizens from registering to vote and voting in federal elections. *See* 18 U.S.C. §§ 611, 1015.

**RESPONSE: Undisputed.**

7. President Trump ordered the Commission to take “appropriate action” to require “proof of citizenship” after finding that proof of citizenship was a “necessary” election protection and that “reli[ance] on self-attestation” to verify “citizenship” does not adequately “prohibit noncitizens from registering to vote.” Exec. Order No. 14248, 2025 WL 929182, at \*14005.

**RESPONSE: Disputed.** President Trump did not find that documentary proof of citizenship was necessary to assess voter eligibility, nor did the Commission make this finding. Nonpartisan Plaintiffs respectfully refer the Court to the text of the Executive Order for a true and accurate statement of its contents.

8. President Trump ordered the Commission to take “appropriate action” to require proof of citizenship after finding that “States fail adequately to vet voters’ citizenship.” *Id.*

**RESPONSE: Disputed.** To the extent the statement claims that President Trump made a finding that documentary proof of citizenship was necessary to assess voter eligibility or any other finding, Nonpartisan Plaintiffs respectfully refer the Court to the text of the Executive Order for a true and accurate statement of its contents.

9. In recent years, multiple States have reported finding noncitizens registered to vote on their voter rolls. For example, in 2019, the Texas Secretary of State reported identifying “95,000 individuals” as “non-U.S. citizens” with “a matching voter registration record in Texas, approximately 58,000 of whom have voted in one or more Texas elections.” Ex. D, *Secretary*

*Whitley Issues Advisory on Voter Registration List Maintenance Activity*, Tex. Sec’y of State (Jan. 25, 2019), perma.cc/26Z4-B3EM.

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). Section 2(a) is unlawful as a matter of law and any actions states have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, Nonpartisan Plaintiffs dispute any implication about purported noncitizens registering or voting in Texas as misleading and false. Indeed, a federal court found that “[t]he evidence has shown in a hearing before this Court that there is no widespread voter fraud.” *Tex. League of United Latin Am. Citizens v. Whitley*, No. CV SA-19-CA-074-FB, 2019 WL 7938511, at \*1 (W.D. Tex. Feb. 27, 2019). The Texas Secretary of State admitted his erroneous inclusion of 25,000 eligible voters on the list, and the court characterized the attempted purge as “a solution looking for a problem” and noted that the Secretary of State “has accepted responsibility and apologized for the failure to seek confirmation of the accuracy, appropriateness, competency and due diligence of the process before the rollout.” *Id.*

10. In 2022, Georgia’s Secretary of State reported finding that “1,634 individuals” had “attempted to register to vote in Georgia despite not being citizens.” Ex. N, *Citizenship Audit Finds 1,634 Noncitizens Attempted to Register to Vote*, Ga. Sec’y of State (Mar. 28, 2022), perma.cc/4378-HCF4.

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, the quote attributed to Georgia’s Secretary of State is not included in Exhibit N. Nonpartisan Plaintiffs dispute the RNC’s characterization of Georgia’s investigation, which reported that existing safeguards in Georgia’s voter registration process ensured that individuals for whom the State did not have affirmative evidence of citizenship were placed in “pending” status and were

not permitted to vote without providing additional evidence of citizenship. Furthermore, being placed in “pending” status in Georgia is *not* evidence that a person is not a U.S. citizen. *See Georgia Coal. for People’s Agenda, Inc. v. Kemp*, 347 F. Supp. 3d 1251, 1260 (N.D. Ga. 2018). The State conceded as much. *See* Defs.’ Resp. in Opp. to Pls.’ Separate Statement of Material Facts, *Georgia Coal. for People’s Agenda, Inc. v. Raffensperger*, No. 1:18-cv-04727, at 23–24 (N.D. Ga. Oct. 20, 2021), ECF No. 154-1.

11. The Governor of Virginia reported that Virginia found and removed “6,303 noncitizens” from its voter rolls since 2022. Ex. E, Exec. Order 35, *Comprehensive Election Security Protecting Legal Voters and Accurate Counting*, Off. of the Va. Gov. (Aug. 7, 2024), [perma.cc/6KSZ-EHS4](https://perma.cc/6KSZ-EHS4).

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, Nonpartisan Plaintiffs dispute the RNC’s characterization of Virginia’s list maintenance process, which failed to confirm that individuals removed under that program “were, in fact noncitizens,” and which resulted in “at least some eligible citizens . . . [whose] registrations [were] canceled and were unaware that this was even so.” *Va. Coal. For Immigrant Rts. v. Beals*, 2024 WL 4601052, at \*2 (4th Cir. Oct. 27, 2024) (internal quotation marks omitted).<sup>4</sup> For example, one county registrar examined 43 voters who were deemed noncitizens and removed from the voter rolls during the time period referred to in the Governor’s Executive Order and concluded that there was

---

<sup>4</sup> The U.S. Supreme Court granted an emergency stay of the underlying injunction in this case on October 30, 2024. *Beals v. Va. Coal. for Immigrant Rts.*, No. 24A407, 2024 WL 4608863 (Mem.) (Oct. 30, 2024). However, that summary stay grant did not analyze the accuracy of Virginia’s voter removal program. And as the district court noted in its order denying the State’s motion to dismiss, “[a]lthough the Supreme Court granted Defendants’ motion for a stay, without the Supreme Court’s reasoning, it does not follow that the Court necessarily repudiated the Fourth Circuit’s reasoning.” *Va. Coal. for Immigrant Rts. v. Beals*, No. 24-cv-1778 2025 WL 2345822, at \*12 (E.D. Va. Aug. 12, 2025).

“ample and consistent evidence that these individuals are fully qualified U.S. citizens who have had their voter registration cancelled due to an honest mistake and poor form design.” Supp. App. at 193, *Beals v. Va. Coal. For Immigrant Rts.*, No. 24A407 (Oct. 29, 2024).

12. The Alabama Secretary of State reported identifying “3,251 individuals who are registered to vote in Alabama who have been issued noncitizen identification numbers by the Department of Homeland Security.” Ex. F, *Secretary of State Wes Allen Implements Process to Remove Noncitizens Registered to Vote in Alabama*, OFF. OF ALA. SEC. OF STATE, <https://perma.cc/8KUS-PSVE>.

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, Nonpartisan Plaintiffs dispute the RNC’s characterization of Alabama’s list maintenance program, which the Secretary of State acknowledged wrongfully removed thousands of U.S. citizens who were legally registered to vote. *See* Prelim. Inj. Hr’g Tr., *Ala. Coal. For Immigrant Just. v. Allen*, No. 2:24-cv-01254-AMM, at 5, 13–16 (N.D. Ala. Oct. 18, 2024), ECF No. 91. The Alabama Secretary of State directed county registrars to reactivate most of the voters who were incorrectly identified as noncitizens and inactivated as part of the list maintenance program. *Id.* at 13–16.

13. The Michigan Secretary of State recently reported identifying “15 people who appear to be non-U.S. citizens and cast a ballot in the 2024 General Election.” Ex. G, *Michigan Department of State Review Confirms Instances of Noncitizen Voting are Extremely Rare*, Mich. Dep’t of State (Apr. 3, 2025), [perma.cc/W3DF-5VHY](https://perma.cc/W3DF-5VHY).

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, Nonpartisan Plaintiffs dispute the RNC’s characterization of Michigan’s review of the 2024

general election, through which the Secretary of State confirmed that 0.00028% of the more than 5.7 million total ballots cast in the 2024 general election were submitted by alleged noncitizens, 13 of whom have been referred to the Michigan Attorney General for potential prosecution. *See Michigan Department of State review confirms instances of noncitizen voting are extremely rare*, Mich. Dep't of State (Apr. 3, 2025), [perma.cc/W3DF-5VHY](https://perma.cc/W3DF-5VHY).

14. Last year, the Governor of Texas reported that “over 6,500 potential noncitizens” were “removed from the voter rolls” and “1,930” of those individuals had “a voter history.” Ex. C, *Governor Abbott Announces Over 1 Million Ineligible Voters Removed from Voter Rolls*, Off. of the Tex. Gov. (Aug. 26, 2024), [perma.cc/HZ5S-5EGB](https://perma.cc/HZ5S-5EGB).

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC's motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states have taken in relation to purported noncitizen voting are immaterial to the RNC's motion. In any event, Nonpartisan Plaintiffs dispute the RNC's characterization of the Governor's press release, which merely references “potential” noncitizens identified through Texas's list maintenance program. This program has proven to be an unreliable mechanism to identify purported noncitizen voters and has been found to misidentify U.S. citizens as ineligible to vote. *See supra* Resp. to Paragraph 9.

15. President Trump ordered the Commission to take “appropriate action” to require proof of citizenship after finding that “the prior administration actively prevented States from removing aliens from their voter lists.” Exec. Order No. 14248, 2025 WL 929182, at \*14005.

**RESPONSE: Disputed.** To the extent the statement claims that President Trump made a finding that documentary proof of citizenship was necessary to assess voter eligibility or any other finding, Nonpartisan Plaintiffs respectfully refer the Court to the text of the Executive Order for a true and accurate statement of its contents.

16. Under President Biden's administration, the Department of Justice sued the Commonwealth of Virginia, alleging that Virginia had taken “continued action” to “remove



noncitizens from the voter rolls” within 90 days of a federal election. Compl., *United States v. Virginia*, Doc. 1 at ¶43, No. 1:24-cv-01807 (E.D. Va. Oct. 11, 2024). A federal district court enjoined Virginia from removing those registered voters, but the Supreme Court stayed that injunction before the 2024 federal election. *See Beals v. Va. Coal. For Immigrant Rights*, No. 24A407 (S. Ct. Oct. 30, 2024).

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states or the U.S. Department of Justice have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, Nonpartisan Plaintiffs dispute the RNC’s characterization of the litigation relating to Virginia’s systematic list maintenance procedures in 2024, which is ongoing. *See supra* Resp. to Paragraph 11.

17. Under President Biden’s administration, the Department of Justice sued the State of Alabama for “remov[ing] from its voter rolls 3,251 individuals” whom the State of Alabama had concluded were “noncitizens.” Compl., *United States v. Alabama*, Doc. 1 at ¶¶4, 33, No. 2:24-cv-01329 (N.D. Ala. Sept. 27, 2024). The United States voluntarily dismissed that case in March of this year. *See id.*, Doc. 102.

**RESPONSE: Disputed and immaterial.** This statement is not material to the RNC’s motion for partial summary judgment because it will not “affect the outcome of the suit.” *Anderson*, 477 U.S. at 248. Section 2(a) is unlawful as a matter of law and any actions states or the U.S. Department of Justice have taken in relation to purported noncitizen voting are immaterial to the RNC’s motion. In any event, Nonpartisan Plaintiffs dispute the statement because the selective quotation of the complaint misleadingly suggests that all 3,251 individuals Alabama sought to remove were noncitizens. In fact, as the district court found in its conclusions of fact in issuing a preliminary injunction, Alabama’s list of alleged noncitizens on the rolls included at least 2,000 U.S. citizens eligible to vote, and the state was only able to identify between 4 and 10 individuals who were likely noncitizens. *See Prelim. Inj. Hr’g Tr., Ala. Coal. For Immigrant Just.*,

No. 2:24-cv-01254-AMM, at 13–16. The Alabama Secretary of State acknowledged flaws in Alabama’s process for identifying alleged noncitizens, which had a known error rate of more than 50%, and directed the reinstatement of the majority of voters removed from the rolls. *Id.* at 5, 13–16. Alabama did not appeal this ruling and has abandoned this program. *See supra* Resp. to Paragraph 12.

18. Within a week of President Trump signing his Executive Order directing the Commission to revise the national mail voter-registration form to require proof of citizenship, Plaintiffs sued demanding that the court enjoin enforcement of the Executive Order. DNC Compl., Doc. 1, No. 1:25-cv-952; LWV Compl., Doc. 1, No. 1:25-cv-955; LULAC Compl., Doc. 1.1.

**RESPONSE: Disputed.** Plaintiffs do not seek to enjoin enforcement of the Executive Order in whole. They seek to enjoin enforcement of specific provisions. *See* Compl., *LULAC*, ECF No. 1 at 49; Compl., *League of Women Voters Educ. Fund v. Trump*, No. 1:25-cv-00955, at 33 (D.D.C. Apr. 1, 2025), ECF No. 1; Compl., *Democratic Nat’l Comm. v. Trump*, No. 1:25-cv-00952, at 68–69 (D.D.C. Mar. 31, 2025), ECF No. 1.

19. When Plaintiffs filed their complaints, the time period that the Commission had to take “appropriate action” to revise the national mail voter-registration form to require proof of citizenship had not run. President Trump specifically gave the Commission “30 days” to take such “appropriate action.” Exec. Order No. 14248, 2025 WL 929182, at \*14005.

**RESPONSE: Undisputed.**

20. The Commission has not yet submitted a proposed rule for notice-and-comment implementing the proof of citizenship requirement contained in Section 2(a) of President Trump’s Executive Order.

**RESPONSE: Disputed in part.** Nonpartisan Plaintiffs do not dispute that the Commission has not yet submitted a proposed rule for notice-and-comment to implement the proof-of-citizenship requirement ordered by Section 2(a). To the extent the statement suggests that the Commission has not taken any action to implement Section 2(a), Nonpartisan Plaintiffs dispute it as misleading. *See LULAC*, 780 F. Supp. 3d 135, 187 (D.D.C. 2025); April 11 EAC Letter, ECF

No. 95-1, Ex. A. To the extent the statement suggests that Section 2(a) leaves the Commission with discretion to decide whether to add a documentary proof-of-citizenship requirement to the Federal Form, Nonpartisan Plaintiffs dispute the statement as misleading. *See* Resp. to Paragraph 4. The Commission has been preliminarily enjoined from implementing Section 2(a)'s proof of citizenship requirement since April 24, 2025. *See LULAC*, 780 F. Supp. 3d at 226.

21. The Commission has not yet promulgated a final rule implementing the proof of citizenship requirement contained in Section 2(a) of President Trump's Executive Order.

**RESPONSE: Disputed in part.** Nonpartisan Plaintiffs do not dispute that the Commission has not yet promulgated a final rule implementing the proof-of-citizenship requirement ordered by Section 2(a). To the extent the statement suggests that the Commission has not taken any action to implement Section 2(a), Nonpartisan Plaintiffs dispute it as misleading. *See LULAC*, 780 F. Supp. 3d at 187; April 11 EAC Letter, ECF No. 95-1, Ex. A. To the extent the statement suggests that Section 2(a) leaves the Commission with discretion to decide whether to add a documentary proof-of-citizenship requirement to the Federal Form, Nonpartisan Plaintiffs dispute the statement as misleading. *See* Resp. to Paragraph 4. The Commission has been preliminarily enjoined from implementing Section 2(a)'s proof of citizenship requirement since April 24, 2025. *See LULAC*, 780 F. Supp. 3d at 226.

22. Plaintiffs "agree" that their "challenges to Section 2(a)" of President Trump's Executive Order "can be resolved without discovery on cross-motions for summary judgment." Scheduling Order, Doc. 141 at 2.

**RESPONSE: Undisputed.**

23. Plaintiffs moved for summary judgment on their ultra vires claims concerning the proof of citizenship requirement of President Trump's Executive Order. Specifically, the DNC Plaintiffs moved for summary judgment on Counts I and II of their Complaint, the LWV Plaintiffs moved for summary judgment on Counts I and II of their Complaint, and the LULAC Plaintiffs moved for summary judgment on Count I of their Complaint. *See* Democratic Party Mot. for Partial Summ. J., Doc. 146; League and LULAC Mot. for Partial Summ. J., Doc. 145.

**RESPONSE: Undisputed.**

24. On June 12, 2025, the Court granted the RNC intervention by right in this case to permit the RNC to vindicate its “interest in competing in fair contests for public office by registering, educating, and turning out voters.” Order, Doc. 135 at 9.

**RESPONSE: Disputed in part.** The Court granted the RNC’s motion to intervene as to claims against the implementation of Sections 2(a), 2(b), 2(d), 3(a), and 7(a) of the Executive Order but denied it as to Sections 3(d), 4(a), 4(b), 4(c), 4(d), and 7(b). *See* Mem. Op. & Order, ECF No. 135. Nonpartisan Partisan Plaintiffs respectfully refer to the Court to its Order for a true and accurate statement of its contents. *See id.*

25. The Court ruled that the RNC has Article III standing “both in its own right (“organizational” standing) and standing to represent the interests of its members (“associational” standing) to defend those provisions of the Executive Order that directly benefit the electoral prospects of Republican candidates for federal office.” *Id.* at 5.

**RESPONSE: Undisputed.**

26. The RNC is the national committee of the Republican Party. Ex. A, Suppl. Decl. of Michael Ambrosini, Doc. at ¶2.

**RESPONSE: Undisputed.**

27. The RNC manages the business of the Republican Party at the national level, coordinating fundraising and election strategy; developing and promoting the Party’s national platform; and organizing and operating the Republican National Convention, which nominates a candidate for President and Vice President of the United States. *Id.* at ¶¶2-4.

**RESPONSE: Undisputed.**

28. The RNC represents over 30 million registered Republicans and has 168 voting members who hail from all 50 states, the District of Columbia, and U.S. territories. *Id.* at ¶2.

**RESPONSE: Undisputed.**

29. The RNC works to elect Republican candidates to state and federal office. *Id.* at ¶5.

**RESPONSE: Undisputed.**

30. In November 2026, the RNC's candidates will appear on the ballot in every State for election to the U.S. House of Representatives, and in each State holding an election for the U.S. Senate. *Id.*

**RESPONSE: Disputed.** The claim that the RNC's candidates will appear on the ballot in every State for the U.S. House of Representatives and in each State holding Senate elections is speculative because candidates have not yet been slated for those general elections held in November 2026.

31. In preparing for the upcoming election, the RNC's interests include protecting the ability of Republican voters to cast, and Republican candidates to receive, effective votes in federal and state elections. *Id.* at ¶8.

**RESPONSE: Undisputed.**

32. The RNC's candidate members running for reelection include, but are not limited to, U.S. Senator Dan Sullivan, running for reelection in Alaska; U.S. Representative Nick Begich, running for reelection in Alaska; U.S. Representative Warren Davidson, running for reelection in Ohio; U.S. Representative Michael Turner, running for reelection in Ohio; U.S. Representative Troy Balderson, running for reelection in Ohio; U.S. Representative David Joyce, running for reelection in Ohio; U.S. Representative Mike Carey, running for reelection in Ohio; U.S. Representative Robert Wittman, running for reelection in Virginia; U.S. Representative Jennifer Kiggans, running for reelection in Virginia; U.S. Representative Benjamin Cline, running for reelection in Virginia; U.S. Representative H. Morgan Griffith, running for reelection in Virginia; U.S. Representative Carol Miller, running for reelection in West Virginia; and U.S. Representative Riley Moore, running for reelection in West Virginia. *Id.* at ¶6.

**RESPONSE: Undisputed.**

33. Republican candidates who are RNC members will compete for votes against Democratic candidates supported by DNC Plaintiffs in the upcoming election, especially in competitive election contests. Decl. of Erik Ruselowski, Doc. 146-3 at ¶6. Democrats disproportionately benefit from rules that do not require voters to provide evidence of U.S.

citizenship. Decl. of Liberty Schneider, Doc. 146-3 at ¶¶18-23, 26-27; Decl. of Jillian Edelman, Doc. 146-3 at ¶¶13-17; Decl. of Lillie Boss, Doc. 146-3 at ¶¶16-21; Decl. of Erik Ruselowski, Doc. 146-3 at ¶¶18-24; Decl. of Hakeem Jeffries, Doc. 146-3 at ¶¶14, 18-19.

**RESPONSE: Disputed.** Federal law prohibits noncitizens from voting in federal elections. 18 U.S.C. §§ 611, 1015(f). The claim that Democratic candidates benefit from a lack of documentary proof-of-citizenship requirements is speculative.

34. The RNC supports numerous election integrity efforts, deploying election observers, both paid and volunteer, to ensure that only qualified voters vote and that unqualified voters do not dilute the votes cast by lawful voters with illegal ballots. Ex. A, Suppl. Decl. of Michael Ambrosini at ¶¶15, 18.

**RESPONSE: Disputed.** The claim that the RNC's efforts support the integrity of elections is speculative. The claim that the RNC's efforts include ensuring that legal votes are not diluted by purportedly illegal votes is speculative and unsupported by the cited paragraphs of the declaration. *See* Suppl. Decl. of Michael Ambrosini ("Ambrosini Decl."), ECF No. 161-2, Ex. A ¶¶ 15, 18.

35. The RNC devotes substantial time and resources to election-day and post-election activities such as poll watching, observing absentee ballots, and canvassing processes. *Id.* at ¶15.

**RESPONSE: Undisputed.**

36. When noncitizens are registered to vote and listed on State voter rolls, it harms the RNC's ability to provide services to candidates and voters, and to accomplish its core activities of electing Republican candidates and turning out Republican voters in local, state, and federal elections. *Id.* at ¶23.

**RESPONSE: Disputed.** The cited paragraph of the declaration does not mention purported noncitizen registration or voting, or the purported existence of noncitizens on state voter rolls. *See* Ambrosini Decl. at ¶ 23. Any claim regarding the existence or impact of purported noncitizen registration and voting or its impact on the RNC's ability to provide services to candidates and voters, elect Republican candidates, and turn out Republican voters is speculative.

37. The RNC engages in daily voter-registration services for candidates, voters, and local state parties. When noncitizens are illegally registered to vote, it artificially inflates the number of registrants on the voter rolls and the RNC cannot provide effective registration services for those groups. *Id.* at ¶24.

**RESPONSE: Disputed.** The claim that purported registration of noncitizens artificially inflates the number of registrants on voter rolls and prevents the RNC from effectively registering voters is speculative. To the extent the statement implies that noncitizens are purportedly illegally registered to vote, Nonpartisan Plaintiffs respectfully refer the Court to their earlier responses. *See* Resps. to Paragraphs 9–14, 16–17, 34, 36.

38. The RNC relies on accurate voter rolls for its voter contacts. The RNC contacts voters through mail and digital avenues, as well as both volunteer and paid in person contacts. These voter-contact efforts are essential to electing Republican candidates and turning out Republican voters. *Id.* at ¶25.

**RESPONSE: Disputed in part.** The statement that the RNC relies on accurate voter rolls for its voter contacts is speculative.

39. The RNC uses voter rolls to adjust the size, scope, and audience for these voter contacts. Inaccurate voter rolls harm the effectiveness of these voter-contact efforts by resulting in contacts with registered voters who are no longer eligible to vote and resulting in mail pieces being printed and sent but never properly delivered. *Id.*

**RESPONSE: Disputed in part.** The claim that inaccurate voter rolls harm the effectiveness of the RNC’s efforts is speculative.

40. Noncitizens registering and voting in elections also undermines the electoral confidence of RNC members. That decreased confidence harms the RNC’s registration and voter turnout efforts and diminishes the electoral chances of Republican candidates. To counteract that decrease in confidence, the RNC must run campaigns, educate voters, contact election officials at all levels, and engage in various efforts to increase election security against noncitizens registering and voting. Ex. A, Suppl. Decl. of Michael Ambrosini at ¶27.

**RESPONSE: Disputed.** The claim that purported noncitizen registration and voting undermines the electoral confidence of RNC members and harms the RNC's efforts is speculative. To the extent that the statement implies that noncitizens are purportedly registering and voting, Plaintiffs respectfully refer the Court to their earlier responses. *See* Resps. to Paragraphs 9–14, 16–17, 34, 36.

41. Enjoining enforcement of the proof-of-citizenship requirement in President Trump's Executive Order for upcoming elections will require the RNC to divert more resources toward absentee-voting, poll-watching activities, voter-roll monitoring, and voter-registration efforts. Because the RNC's resources are finite, it can expend resources on those efforts only by diverting them from the pursuit of its mission in other areas. *Id.* at ¶28.

**RESPONSE: Undisputed.**

42. In their summary judgment motion memorandum, the DNC Plaintiffs acknowledged the RNC's standing as their "direct competitor," that "the RNC's mission is to 'elect Republican candidates to state and federal office' and that enjoining the 'proof-of-citizenship requirement for upcoming elections' will require RNC to pursue its mission in other ways," and argued that the RNC's standing put to rest any "doubts" about the standing of the DNC Plaintiffs. DNC Br. (Doc. 146-1) at 22 n.5.

**RESPONSE: Undisputed.**



Dated: August 29, 2025

Wendy R. Weiser\*  
Sean Morales-Doyle\*  
Eliza Sweren-Becker\*  
Jasleen K. Singh\*  
Andrew B. Garber\*  
BRENNAN CENTER FOR JUSTICE AT  
NYU SCHOOL OF LAW  
120 Broadway, Suite 1750  
New York, NY 10271  
(646) 292-8310  
weiserw@brennan.law.nyu.edu  
morales-doyle@brennan.law.nyu.edu  
sweren-beckere@brennan.law.nyu.edu  
singhj@brennan.law.nyu.edu  
garbera@brennan.law.nyu.edu

Leah C. Aden\*  
John S. Cusick\*  
Brenda Wright\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
40 Rector Street, 5th Floor  
New York, NY 10006  
(212) 965-2200  
laden@naacpldf.org  
jcusick@naacpldf.org  
bwright@naacpldf.org

Miranda Galindo\*  
Cesar Z. Ruiz\*  
Delmarie Alicea\*  
LATINOJUSTICE PRLDEF  
475 Riverside Drive, Suite 1901  
New York, NY 10115  
(212) 392-4752  
mgalindo@latinojustice.org  
cruiz@latinojustice.org  
dalicea@latinojustice.org

Niyati Shah (D.C. Bar No. 1659560)  
Alizeh Ahmad (D.C. Bar No. 90018919)  
ASIAN AMERICANS  
ADVANCING JUSTICE-AAJC  
1620 L Street, NW, Suite 1050  
Washington, D.C. 20036  
(202) 296-2300

Respectfully submitted,

/s/ Sophia Lin Lakin  
Sophia Lin Lakin\*  
Ethan Herenstein\*  
Jonathan Topaz\*  
Clayton Pierce\*  
Davin Rosborough\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad St., 18th Floor  
New York, NY 10004  
(212) 549-2500  
slakin@aclu.org  
eherenstein@aclu.org  
jtopaz@aclu.org  
cpierce@aclu.org  
drosborough@aclu.org

Megan C. Keenan (D.C. Bar No.  
1672508)  
Sarah Brannon (D.C. Bar No. 90024493)  
Adriel I. Cepeda Derieux (D.C. Bar No.  
90026636)  
Jacob Van Leer (D.C. Bar No. 1742196)  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
915 15th St. NW  
Washington, DC 20001  
(202) 457-0800  
mkeenana@aclu.org  
sbrannon@aclu.org  
acepedaderieux@aclu.org  
jvanleer@aclu.org

Michael Perloff (D.C. Bar No. 1601047)  
Scott Michelman (D.C. Bar No. 1006945)  
Aditi Shah (D.C. Bar No. 90033136)  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
OF THE DISTRICT OF COLUMBIA  
529 14th Street NW, Suite 722  
Washington, D.C. 20045  
(202) 457-0800  
mperloff@acludc.org  
smichelman@acludc.org  
ashah@acludc.org

nshah@advancingjustice-aajc.org  
aahmad@advancingjustice-aajc.org

*Counsel for Plaintiffs League of Women  
Voters Education Fund, League of Women  
Voters of the United States, League of  
Women Voters of Arizona, Hispanic  
Federation, National Association for the  
Advancement of Colored People, OCA-  
Asian Pacific American Advocates, and  
Asian and Pacific Islander American Vote*

*\*Admitted pro hac vice*

/s/ Norman L. Eisen

Norman L. Eisen (D.C. Bar No. 435051)  
Tianna J. Mays (D.C. Bar No. 90005882)  
Pooja Chaudhuri (D.C. Bar No. 888314523)  
Sofia Fernandez Gold (D.C. Bar No.  
90010196)  
DEMOCRACY DEFENDERS FUND  
600 Pennsylvania Avenue SE #15180  
Washington, D.C. 20003  
(202) 601-8678  
norman@statedemocracydefenders.org  
tianna@statedemocracydefenders.org  
pooja@statedemocracydefenders.org  
sofia@statedemocracydefenders.org

/s/ Danielle Lang

Danielle Lang (D.C. Bar No. 1500218)  
Jonathan Diaz (D.C. Bar No. 1613558)  
Robert Brent Ferguson (D.C. Bar No. 1782289)  
Anna Baldwin (D.C. Bar No. 998713)  
Heather Szilagyi (D.C. Bar No. 90006787)  
Benjamin Phillips (D.C. Bar No. 90005450)  
CAMPAIGN LEGAL CENTER  
1101 14th St. NW, Suite 400  
Washington, D.C. 20005  
(202) 736-2200  
dlang@campaignlegalcenter.org  
jdiaz@campaignlegalcenter.org  
bferguson@campaignlegalcenter.org  
abaldwin@campaignlegalcenter.org  
hszilagyi@campaignlegalcenter.org  
bphillips@campaignlegalcenter.org

*Counsel for Plaintiffs League of United Latin  
American Citizens, Secure Families Initiative,  
and Arizona Students Association*