
LAWYERS DEFENDING AMERICAN DEMOCRACY

For Immediate Release:
August 28, 2025

Media Contact:
Lauren Stiller Rikleen
Executive Director, LDAD
lrinkleen@rikleeninstitute.com

LAWYERS DEFENDING AMERICAN DEMOCRACY FILES AMICUS BRIEF OPPOSING EXECUTIVE ORDER TO RESTRICT VOTING RIGHTS

Lawyers Defending American Democracy has filed an [amicus brief](#) in an important case challenging a presidential Executive Order that would unconstitutionally restrict the number of citizens who could register to vote in federal elections.

The background is this. Through the National Voters Registration Act, Congress sought to increase voter registration and encourage more citizens to vote in federal elections. The Act directed the Election Assistance Commission to create a uniform federal registration form, enabling citizens to prove their citizenship without a need to provide documentary evidence.

President Trump's Executive Order, however, directs the Election Assistance Commission to amend the registration form by requiring applicants to submit documentary proof of citizenship. This Executive Order violates the Constitution's foundational principle of separation of powers, as only Congress - not the President - has authority to regulate federal elections. The Executive Order also frustrates Congress's purpose in passing the National Voters Registration Act and violates one of the country's most fundamental rights: the right to vote.

Nonpartisan Plaintiffs, including the League of Latin American Citizens and the League of Women Voters, sued to enjoin enforcement of the documentary evidence requirement throughout the country. The federal district court granted a preliminary injunction, and the nonpartisan plaintiffs filed a summary judgment motion asking that the preliminary injunction be made permanent.

Seeking this relief follows the recent ruling in *Trump v. CASA, Inc.* in which the Supreme Court held that the federal courts can only issue injunctions that give "complete relief to the plaintiffs" and may not issue "universal" injunctions.

LDAD's amicus brief supports the challenges to the president's interference with Congress's constitutional authority to regulate federal elections. The brief presents multiple arguments supporting why an injunction to prevent enforcement of the Executive Order nationwide is necessary to provide "complete relief" to the plaintiff organizations and their hundreds of thousands of members around the country, thereby distinguishing this case from the universal injunction involved in *CASA*.

LDAD co-founder and Board member Gershon (“Gary”) Ratner, emphasizing the need for the courts to understand how this Executive Order undermines the fundamental principles of separation of powers and the right to vote, stated, “This presidential Executive Order requires the imposition of onerous documentary evidence requirements on citizens who are entitled under federal law to register to vote in federal elections using a federal form without imposing any such burdens. The court needs to make permanent its injunction against this unconstitutional intrusion on Congress’s power to regulate federal elections.”

Georgetown University Law Center Professor Mitt Regan, who also played a key role in developing this amicus brief, stated, "The President's unilateral attempt to effectively reduce the number of voters in federal elections is an egregious violation of separation of powers that poses a serious threat to democracy and the rule of law. Anything short of the injunction that the court entered would interfere with Plaintiffs’ key mission of registering more eligible persons to vote.”

About Lawyers Defending American Democracy

Founded in 2019, Lawyers Defending American Democracy (LDAD) is a 501(c)(3) organization dedicated to the protection of the rule of law, the Constitution, and democracy. LDAD’s work includes authoring Calls-to-Action, research reports, amicus briefs, and articles calling for adherence to the rule of law and encouraging the legal profession and the public to join in speaking out against threats to the norms, freedoms, and principles of our democratic institutions. For further information about LDAD, see <https://ldad.org/>