

Analysis of Secretary Mullin's **JULY 17TH ADDRESS**

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Alongside President Trump's recent speech on the 2020 election, Department of Homeland Security (DHS) Secretary Mullin's July 17 press conference, and DHS letters to four secretaries of state, there is understandable concern regarding attempts by the Trump administration to interfere with state and local election administration. This document provides a high-level overview of how federal election funding operates, the structural safeguards in place for voting machines, and contextual analysis of the administration's recent claims regarding non-citizens on voter rolls.

No Changes to Federal Election Funding

In light of the Trump administration's recent actions, it is important to emphasize that the administration cannot legally withhold or condition federal election funding or interfere with state voting machinery. The U.S. election system is highly decentralized, and the Constitution vests the authority to administer elections with the states. Any federal changes would need to come from Congress. This applies to all types of election infrastructure including HAVA and DHS administered grants such as the State and Local Cybersecurity Grant Program (SLCGP), Urban Area Security Initiative (UASI) grants, other FEMA funding, or any proposed new grant programs.

No New Conditions Without Congress

The President, the DHS Secretary, and anyone else in the executive branch cannot unilaterally impose new requirements (e.g., proof of citizenship or bans on mail-in voting) on existing federal election grants. The primary vehicle for federal election funding is the Help America Vote Act (HAVA), administered by the independent Election Assistance Commission (EAC). **Congress alone establishes the parameters for HAVA funding.** In recent years, Congress has consistently set funding levels and basic match requirements but imposed no additional conditions on HAVA grants.

The Role of DHS and FEMA

The administration has also recently announced, and DHS Secretary Mullin touted in his July 17 speech, an attempt to add conditions to federal grants to force states to change election policies. While DHS administers various security and emergency grants to states, **DHS has no role in administering or distributing HAVA election security grants.** Furthermore, while DHS can attach specific conditions to the grants it does control (such as emergency preparedness funds), these conditions are strictly bound by the laws that authorize those grants. Courts have consistently struck down executive attempts to attach sweeping, unrelated conditions to federal grants absent clear congressional authorization.

Voting Machines are Secure from Federal Interference

In his July 16 speech, President Trump claimed that voting systems are “vulnerable” and “easily compromised,” referencing newly declassified intelligence. This purportedly new information was in fact mostly old information, combined with airing internal disagreements within the intelligence community before the 2020 election, with no new allegations or evidence about voting equipment theoretical or actually exploited vulnerabilities.

- **Theoretical vs. Exploited Vulnerabilities:** Declassified documents showing hypothetical vulnerabilities—such as those requiring physical access to a machine to modify files—do not equate to compromised elections. The Cybersecurity and Infrastructure Security Agency (CISA) has previously confirmed that while theoretical weaknesses exist in complex code (just as they do in banking or power grid software), there is no evidence these vulnerabilities have been successfully exploited to affect the outcome of U.S. elections.
- **State Control:** Voting machines are procured, tested, and secured by state and local jurisdictions. The federal government sets voluntary guidelines via the EAC, but it cannot mandate the removal or alteration of specific voting systems.

The President may try to take further action to interfere with the equipment states use to conduct elections, but laws and policy, along with the independence of the EAC and the U.S. Postal Service, serve as checks. Anything he tries to do in violation of law will be met with quick legal challenge.

Significant Exaggerated Claims of Non-Citizens on Voter Rolls

On July 17, 2026, DHS Secretary Markwayne Mullin issued letters to California, New Jersey, Nevada, and Pennsylvania, claiming that preliminary reviews identified over 250,000 “potential non-citizens illegally registered to vote” across these four states. These numbers should be viewed with significant skepticism.

The DHS claims are based on “preliminary reviews” purportedly matching public voter files against government databases. As public voter files contain limited data - and do not contain social security numbers - it is unclear how DHS actually ran this process for voters in these four states. It is likely impossible to make use of the Systematic Alien Verification for Entitlements (SAVE) program, the method that DHS has been pushing states to adopt, without a voter’s social security number or other protected information not contained in public voter files.

Without SSNs, federal database matching is notoriously imprecise, since many individuals share the same name and birthdate. Matching a non-citizen in a federal database to a voter in a state database purely on name/DOB leads to an extremely high number of erroneous matches. As one prominent elections expert summed up these issues: “Anyone with experience in these data-matching exercises should expect those numbers to melt as quickly as ice cream in a Phoenix August. The reason is straightforward. The released DHS summary says the four-state figure was generated from public voter files from states that had not used the enhanced SAVE system, DHS’s citizenship-verification service. That is important because public voter files generally lack the sensitive identifiers needed for reliable first-round citizenship matching.”

Even if DHS somehow had access to SSNs for the set of voters they claim to have analyzed and used the SAVE system, those checks are still unreliable:

- Initially, SAVE was not built to verify citizenship status. While a significant overhaul was initiated in May 2025, that overhaul remains a work in progress. SAVE’s queries rely upon significantly incomplete and occasionally unreliable data.
- Evidence from multiple states’ use of SAVE in the last year demonstrates a failure to verify U.S. citizenship for a meaningful portion of registered voters. An extensive investigation by ProPublica and the Texas Tribune stated: “According to correspondence between state and federal officials, DHS has had to correct information provided to at least five states after SAVE misidentified some voters as noncitizens.”

We will likely hear more from the states that received these DHS letters in the coming weeks, and the DHS assertions about possible noncitizens on voter rolls will quickly fall apart.

BOTTOM *Line*

While the rhetoric surrounding election administration has escalated, the structural, legal, and operational realities of the U.S. election system provide robust guardrails. **State and local officials maintain control over election administration, federal funding streams are insulated by law, and headline-grabbing statistics regarding noncitizen voting rely on methodologies known to produce extremely high numbers of false positives.**