

# Congress of the United States

Washington, DC 20515

February 26, 2025

Chairman Donald L. Palmer  
Vice Chairman Thomas Hicks  
Commissioner Christy McCormick  
Commissioner Benjamin W. Hovland  
U.S. Election Assistance Commission  
633 3rd Street NW, Suite 200  
Washington, D.C. 20001

Dear Chairman Palmer, Vice Chairman Hicks, and Commissioners McCormick and Hovland:

We write today to express our alarm over President Trump's February 18 Executive Order (EO) "Ensuring Accountability for All Agencies" and the impact it may have on the work of the Election Assistance Commission (EAC). While the bipartisan EAC is not a regulatory agency, we seek answers as to what actions, if any, the EAC is planning in response to this EO which seeks to illegally misuse independent agencies as a tool for his agenda. We believe that the EAC should take note that this EO follows the President's unlawful encroachment into other independent agencies, including the removal of leadership at the National Labor Relations Board, the Federal Election Commission, and the Office of Government Ethics, and serves as another example of this Administration's disregard for the laws and procedures that ensure federal agencies work as Congress intended.

The EAC was created over 20 years ago in the bipartisan *Help America Vote Act* and was designed to preserve independence from political interference. Election officials—nonpartisan and across the political spectrum—rely on the helpful assistance and resources that the EAC provides to ensure the successful administration of elections. The EAC is also entrusted with critical responsibilities such as certifying election equipment. We urge you to follow the law as enacted by Congress and protect the EAC's mission. As you know, the law cannot be superseded by an EO which places the EAC under the control of the Trump White House - cutting against its founding principles and opening the door to corrupt political interference in the EAC and the state election systems it supports.

We oppose plans by the EAC to take action in response to this EO and have great concerns that there is no clear way for the EAC to reach decisions on these matters given its bipartisan and independent structure. If it were to be implemented, the EAC would lose safeguards against the President directing its guidance, resources, or other actions in favor of a particular political party, candidate, or other entity. It would subvert the mission of the EAC if the Office of Management and Budget Director were able to adjust its budget to advance the President's priorities and layoff staff. If implemented, the EO would also seem to mandate Commissioners hire "White House Liaison" staff from the opposing party and allow access for the U.S. DOGE Service to gain access to the Commission's office, systems and make decisions about its operations. Finally, it would completely subvert the mission of the EAC if it were required to ask permission of the Attorney General before the release of any funding advisory opinions.

Sincerely,



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Alex Padilla  
United States Senator  
Ranking Member, Committee  
on Rules and Administration



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Joseph D. Morelle  
Member of Congress  
Ranking Member, Committee  
on House Administration