



## ELECTORAL INTEGRITY AND THE 2026 UNITED STATES MIDTERM ELECTIONS

Jordan Ryan

# About the Author

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# Abstract

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The 2026 United States midterm elections will occur under conditions of unprecedented US federal intervention in electoral administration. This policy brief examines four interconnected threats to electoral integrity: the dismantling of US federal election security infrastructure, the Department of Justice campaign to obtain state voter files, the erosion of redistricting norms through mid-decade partisan gerrymandering, and the appointment of election deniers to key US federal positions. The analysis finds that the constitutional assignment of election administration to state and local governments—the ‘federalism firewall’—remains the primary constraint on federal overreach, though it is under sustained pressure. The brief concludes with policy recommendations for strengthening interstate cooperation, protecting election personnel, and preserving procedural accountability. This policy brief complements the companion report, “After Degradation: A Roadmap for US Democratic Repair,” ([Toda Report No.270](#)) which provides a broader framework for democratic recovery.

## 1. Introduction

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The integrity of elections depends not only on the conduct of voting itself but on the institutional infrastructure that surrounds it: the security systems that protect against interference, the legal frameworks that govern voter eligibility, the boundaries that determine representation, and the personnel who administer the process. Each of these elements is now subject to coordinated US federal pressure in ways that distinguish the 2026 US electoral environment from any previous midterm cycle.

This policy brief examines four interconnected developments that together constitute a systematic effort to reshape electoral conditions before ballots are cast. Unlike post-hoc challenges to election results, which characterised the 2020 cycle, the current strategy operates pre-emptively across multiple fronts simultaneously. The analysis draws on publicly available sources, including government documents, court filings, and investigative journalism, to document patterns that have received fragmented coverage but warrant integrated assessment.

The constitutional structure of American elections assigns primary responsibility for election administration to state and local governments. This decentralised architecture, often criticised for producing inconsistency and inefficiency, now functions as the principal institutional constraint on US federal overreach. Whether this ‘federalism firewall’ can withstand sustained pressure through November 2026 is this brief’s central question.

## 2. US federal election security capacity

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The Cybersecurity and Infrastructure Security Agency (CISA) was established in 2018, during President Trump's first term, with a mandate that included protecting election infrastructure from cyber threats and foreign interference. By 2024, CISA had developed extensive partnerships with state and local election officials, providing threat intelligence, vulnerability assessments, and technical assistance. The agency's Election Infrastructure Information Sharing and Analysis Centre (EI-ISAC) served as a hub for real-time threat monitoring, with participation from election offices in all fifty states. [1]

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[1] Eric Geller, "How CISA Became the Government's Election Security Hub," *Politico*, 23 October 2018.

This infrastructure has been systematically dismantled over the past year. The termination of CISA's Election Security Programme in early 2025 eliminated the primary US federal mechanism for coordinating election security across jurisdictions. While framed administratively as a programme termination, the effect has been a broader functional collapse of coordinated federal election security capacity. Staff with specialised expertise in election systems were among the first dismissed during the broader reduction of the federal workforce. The EI-ISAC, which had operated with approximately \$10 million in annual US federal funding, lost its primary support and has been forced to reduce services dramatically.[2]

The consequences fall disproportionately on smaller jurisdictions. Large states and major metropolitan areas retain capacity to conduct independent security assessments and maintain dedicated cybersecurity staff. Rural counties and smaller municipalities, which often lack both expertise and resources, depended heavily on US federal support. A patchwork of state-level initiatives and private-sector partnerships has emerged to fill the gap, but coverage remains uneven and coordination across state lines has deteriorated.

The timing is significant. Foreign adversaries, including Russia, China, and Iran, demonstrated both capability and intent to interfere in US elections during the 2016, 2020, and 2024 cycles. The degradation of US federal election security capacity occurs at a time when threat levels remain elevated and the need for coordinated defence is greatest.

### 3. US federal–state tensions over voter data

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The Trump Department of Justice has initiated an unprecedented campaign to obtain complete voter registration files from state governments. As of January 2026, the Department has filed suit against twenty-four states that have refused to comply with requests for their full voter rolls, including detailed personal information on registered voters.[3]

The legal basis for these requests remains contested. The Department has invoked provisions of the National Voter Registration Act and the Help America Vote Act, arguing that US federal oversight authority extends to comprehensive access to state voter data. State attorneys general from both parties have challenged this interpretation, contending that the requests exceed statutory authority and raise serious privacy concerns.

Several states have complied with the requests, while others have provided partial data or refused entirely. California and Oregon have obtained court orders blocking disclosure, with federal judges in both cases finding that the Department failed to demonstrate a legitimate US federal interest sufficient to override state data protection laws.[4] Litigation continues in multiple jurisdictions, with conflicting rulings creating uncertainty about the ultimate scope of US federal authority.

Critics argue that the campaign serves purposes beyond legitimate US federal oversight. The construction of a de facto federal voter database could enable coordinated challenges to voter eligibility, facilitate targeted voter roll purges, or provide a foundation for post-election claims of fraud. The Department has not articulated a clear rationale for why comprehensive voter files are necessary for any lawful US federal purpose.

The pattern of litigation itself imposes costs on state election administration. Attorneys general and election officials must divert resources to legal defence at a time when those resources are needed for election preparation. The uncertainty created by ongoing litigation complicates planning and undermines the stability that effective election administration requires.

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[2] Carrie Levine and Jessica Huseman, "CISA Halts Support for States on Election Security," *Votebeat*, 15 January 2026.

[3] Brennan Center for Justice, "Tracker of Justice Department Requests for Voter Information," updated 15 January 2026.

[4] *United States v. Weber*, No. 3:25-cv-01892 (N.D. Cal. 2025); *United States v. Fagan*, No. 6:25-cv-00847 (D. Or. 2025).

## 4. Redistricting and the erosion of decennial norms

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Congressional redistricting in the United States has historically followed a decennial cycle tied to the census. Whilst partisan gerrymandering has long distorted this process, the norm of drawing district lines once per decade provided a measure of stability and predictability. That norm is now eroding.

Following the administration's encouragement, several Republican-controlled state legislatures have undertaken mid-decade redistricting, redrawing congressional boundaries to maximise partisan advantage before the 2026 elections. Texas enacted a new congressional map in late 2025 that is projected to convert two competitive districts into safe Republican seats. Missouri followed with legislation that similarly advantages the majority party.[5]

These actions have triggered responses in kind. California, which had previously delegated redistricting to an independent commission, enacted emergency legislation authorising the legislature to redraw congressional boundaries. The resulting map is projected to shift three seats toward Democrats. Other states are considering similar measures, creating a redistricting 'arms race' that threatens to make mid-decade line-drawing routine rather than exceptional.[6]

The Supreme Court's 2019 decision in *Rucho v. Common Cause* held that federal courts lack jurisdiction to adjudicate partisan gerrymandering claims, leaving the issue to state courts and political processes.[7] This has removed a potential check on the escalation now underway. State courts in some jurisdictions have intervened on state constitutional grounds, but coverage is inconsistent and remedies are often delayed.

The erosion of decennial redistricting norms has implications beyond any single election cycle. When district boundaries become subject to continuous revision based on partisan advantage, the relationship between voters and representatives becomes increasingly unstable. The incentive to gerrymander intensifies as the costs of restraint rise. The long-term trajectory, absent intervention, points toward a system in which electoral competition is progressively eliminated through boundary manipulation.

## 5. Personnel and institutional capture

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The appointment of individuals who promoted false claims about the 2020 election to positions with authority over voting rights enforcement and election security represents a distinct category of threat. Unlike policy changes that can be reversed through subsequent administrative action, personnel decisions shape institutional culture and operational priorities in ways that persist beyond individual tenures.

At the Department of Justice, the Civil Rights Division has experienced substantial turnover. Career attorneys with expertise in voting rights enforcement have departed in significant numbers, with reports indicating that approximately 250 lawyers have left the Division since January 2025, representing roughly 70 per cent of its professional staff.[8] Their replacements include individuals whose prior work focused on challenging rather than protecting voting rights.

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[5] Nicholas Riccardi, "Redistricting Returns as States Redraw Maps Ahead of 2026 Midterms," *Associated Press*, 8 January 2026.

[6] *Ibid.*

[7] *Rucho v. Common Cause*, 588 U.S. 684 (2019).

[8] James Zirin, "The Destruction of the DOJ Civil Rights Division Will Damage Voting Rights," *Arab American Institute*, 10 January 2026.

At the Department of Homeland Security, officials with responsibility for election security coordination have been replaced by appointees who have publicly questioned the legitimacy of the 2020 election results. This has poisoned relationships with state election officials who previously relied on US federal partners for threat intelligence and technical support. Several state election directors have reported that they no longer share sensitive information with US federal counterparts due to concerns about how that information might be used.[9]

The cumulative effect is institutional capture: the conversion of agencies designed to protect electoral integrity into instruments that may be deployed to undermine it. This represents a more durable form of damage than policy reversals alone, as it embeds changed priorities into organisational structures and professional networks.

Local election officials have also faced unprecedented pressure. Threats, harassment, and intimidation have driven experienced administrators from their positions across the country. A 2024 survey found that 41 per cent of local election officials had left their positions since 2020, with many citing safety concerns and hostile political environments as primary factors.[10]The loss of institutional knowledge and professional expertise at the local level compounds the effects of US federal institutional capture.

## 6. Analytical implications

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The four developments examined in this brief are not isolated phenomena but components of a coordinated strategy to reshape electoral conditions before voting occurs. The dismantling of US federal election security infrastructure removes a layer of protection against foreign and domestic interference. The campaign to obtain voter files creates tools that could be used for targeted challenges or post-election disputes. The erosion of redistricting norms reduces electoral competition and insulates incumbents from accountability. The appointment of election deniers to key positions converts oversight mechanisms into potential instruments of manipulation.

The primary constraint on this strategy remains the constitutional assignment of election administration to state and local governments. This federalism firewall has proven more resilient than many observers anticipated. State officials from both parties have resisted US federal pressure in numerous instances. Courts have blocked overreach in several jurisdictions. The decentralised structure of American elections, whilst creating inefficiencies, also creates redundancy that makes comprehensive capture difficult.

However, the firewall is under sustained pressure and its durability through November 2026 cannot be assumed. The combination of litigation, political pressure, and resource constraints is testing the capacity of state and local officials to maintain independent election administration. The loss of US federal security support has created vulnerabilities that adversaries may exploit. The normalisation of mid-decade redistricting threatens to make electoral manipulation routine.

International observers have noted these developments with concern. The Organisation for Security and Co-operation in Europe (OSCE), which has monitored US elections since 2002, issued an unusually pointed statement following its 2024 observation mission, noting "a deterioration in the conditions for democratic elections" and expressing concern about "the politicisation of election administration." [11]

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[9] Carrie Levine, Jessica Huseman, and Jen Fifield, "CISA Election Security Trust Broken Under Trump, Former Officials Say," *Votebeat*, 15 January 2026.

[10] Hansi Lo Wang, "Election Officials Are Leaving Their Jobs at an Alarming Rate," *NPR*, 20 August 2025.

[11] Organisation for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights, "United States of America General Elections 5 November 2024: ODIHR Election Observation Mission Final Report," Warsaw, 2025.

## 7. Policy recommendations

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The following recommendations are directed toward state and local officials, civil society organisations, and international actors concerned with electoral integrity. They focus on measures that can be implemented within existing legal frameworks and do not depend on US federal cooperation.

1. **Establish and strengthen interstate compacts for election security cooperation.** In the absence of US federal coordination, states should formalise mechanisms for sharing threat intelligence, best practices, and technical resources. The existing Election Infrastructure Information Sharing and Analysis Centre model can be adapted to operate on a state-funded, interstate basis.
2. **Coordinate legal defence strategies among state attorneys general when responding to US federal litigation affecting election administration.** A unified approach reduces duplication, strengthens legal arguments, and signals to federal actors that overreach will face organised and resilient opposition.
3. **Strengthen legal protections for election officials at state and local levels.** This includes enhanced penalties for threats and harassment, provisions for security support, and measures to ensure continuity of operations when officials are forced to resign.
4. **Support independent domestic election observation.** Civil society organisations should expand nonpartisan observation programmes to provide contemporaneous documentation of electoral processes. This creates an evidentiary record that can counter false claims and support legal challenges to irregularities.
5. **Codify redistricting procedures to prevent mid-cycle manipulation.** States that have not already done so should establish independent redistricting commissions with constitutional protections against legislative override. States with existing commissions should strengthen procedural safeguards.
6. **Commit to transparency in all aspects of election administration.** Public confidence depends on verifiable processes. Election officials should proactively publish information about procedures, security measures, and results in formats accessible to both experts and general audiences.

## Conclusion

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The 2026 midterm elections will test whether the decentralised structure of American election administration can withstand coordinated US federal pressure. The four threats examined in this brief—the dismantling of security infrastructure, the campaign for voter data, the erosion of redistricting norms, and the capture of oversight institutions—together constitute the most significant challenge to electoral integrity in modern American history.

The federalism firewall remains intact but is under sustained assault. Its preservation depends on the continued resistance of state and local officials, the vigilance of civil society, and the willingness of courts to enforce constitutional and statutory limits on US federal authority. The recommendations offered here are modest in scope but essential in purpose: to strengthen the institutional foundations that make democratic elections possible.

The stakes extend beyond any single election cycle. If the current strategy succeeds in reshaping electoral conditions to predetermine outcomes, the damage to democratic legitimacy will be profound and lasting. Conversely, if the firewall holds and the 2026 elections proceed with integrity, the precedent established will strengthen democratic resilience for future cycles. The outcome remains uncertain. The preparation must begin now.



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