

United States Senate

WASHINGTON, DC 20510

COMMITTEES:

AGRICULTURE, NUTRITION,
AND FORESTRY

ARMED SERVICES

HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

VETERANS' AFFAIRS

September 1, 2026

The Honorable Kash Patel
Director, Federal Bureau of Investigation
935 Pennsylvania Ave NW
Washington, D.C. 20535

Dear Director Patel,

As we approach the November 2026 elections, I'd ask you to confirm a simple statement: the Federal Bureau of Investigation will not send armed federal agents to the polls or to unlawfully seize election materials of any kind. The President has made it clear through speeches, statements, official guidance, and continued legal action that he is seeking to use all possible tools to interfere with the midterms, to include publicly lamenting that he did not send federal forces to the polls in 2020. So when and if the President orders the use of FBI agents in November, it will fall on you to make a fundamental choice on how to respond. I therefore hope you will confirm that deploying federal law enforcement to polling places for political purposes would undermine the integrity of our free and fair elections and pose an existential threat to our democracy.

It is hard to miss that the President is laying the groundwork to send armed agents to the polls during the midterm elections. President Trump has made clear his belief that the only way Republicans can lose the midterms is if they are stolen.ⁱ He has said over 100 times this year that the 2020 election was rigged and that he would like to "nationalize" our elections.ⁱⁱ He is attempting to change the rules of the Postal Service to disrupt mail-in voting.ⁱⁱⁱ The Federal Bureau of Investigation has repeatedly intervened in state election administration, including by seizing election materials in Fulton County, Georgia and raiding a voting rights group in Ohio.^{iv} These actions have continued despite investigations and court rulings finding no evidence of widespread fraud that would have altered the 2020 election.^v On May 12, President Trump would not rule out sending federal law enforcement to polling places during the midterms, just like Attorney General Blanche, Secretary Mullin, and other administration officials have refused to do.^{vi} This is not a new idea for the President – he tried to send FBI agents to the polls during the 2020 election.^{vii} The story is clear as day. As someone who barricaded herself in her office on January 6, 2021, and faced an attempted criminal indictment at the President's direction, I have learned to believe him when he tells us what he is going to do.

To be clear, it is unlawful to deploy federal law enforcement to our polling locations. Since 1865, federal law has prohibited deploying armed men to polling places except to "repel armed enemies of the United States"—an exception no President has ever invoked, including during World War II or just after September 11th.^{viii} Earlier this year, the Commander of Northern Command testified that he was unaware of any threat that met this standard and confirmed that sending troops to polling places for political purposes would be illegal.^{ix} Our nation relies on state and local law enforcement to protect us from legitimate threats to our elections—not armed

federal agents. I have repeatedly asked the Department of Defense and Department of Homeland Security for information on any threats to the election that rise to the level of needing armed federal agents and have not received any evidence to support that claim.

This issue has been taken so seriously by previous generations that the law states that anyone who deploys armed federal agents where an election is being held could face *criminal* liability, including up to five years in prison. The Founders believed that protecting against federal interference in voting was so fundamental to our democracy that they placed the power to administer elections with the states in the very first article of our Constitution. As one constitutional scholar put it, “If a president is truly determined to make himself a dictator, the question at the end of the day is whether the military and other force-deploying agencies of the federal government are willing to go along.”^x Thus, our nation’s senior-most defense and security leaders are the final failsafe for our democracy.

Given that, I feel compelled to ask for your confirmation regarding the concerns below that fall squarely into the constitutional responsibilities that you swore to uphold. ^{xi} The Chairman of the Joint Chiefs of Staff confirmed to me last week that “[e]lection administration and security remain the fundamental responsibility of state and local officials.” He also said the Joint Force has “no plans to send Federal military personnel or Federalized members of the National Guard to polling places during the 2026 elections” and “no plans to use such personnel to seize ballots, voting machines, or other election-related material.” I hope you can provide that same confirmation.

- Please confirm that the Federal Bureau of Investigation has no plans to and will not send armed agents to polling places during the 2026 elections.
- Please confirm that you have no plans to and will not send armed agents to seize ballots, voting machines, or other election-related material.
- If you were ordered by President Trump to send armed agents for political purposes to be present at the polls or to unlawfully seize election materials, would you refuse such an order?
- If the President directed you to use armed agents to prevent the lawful seating of Members of Congress or state officials following the 2026 elections, would you refuse such an order?

I look forward to your response by September 10, 2026, on these issues that are critical to American democracy.

Sincerely,



Elissa Slotkin
United States Senator

Attachment:

- Chairman of the Joint Chiefs of Staff General Caine’s response to Senator Slotkin’s August 18, 2026 Letter

ⁱ “Trump, Democrats and Election Security in Pennsylvania Ahead of the Midterms,” NPR, March 12, 2026, www.npr.org/2026/03/12/nx-s1-5745129/trump-democrats-cheat-election-security-pennsylvania-midterms.

ⁱⁱ Bo Erickson, “Trump Claims 2020 Election ‘Rigged’ at Least 107 Times in Six Months as Midterms Loom,” Reuters, May 26, 2026, www.reuters.com/world/us/trump-claims-2020-election-rigged-least-107-times-six-months-midterms-loom-2026-05-26/; Ana Faguy and Kayla Epstein, “Trump says Republicans ‘should take over the voting’ and ‘nationalise’ US elections,” BBC, February 3, 2026, <https://www.bbc.com/news/articles/c0mke841zj0o>; Michelle Stoddart, Emily Chang, and Alexandra Hutzler, “Trump Doubles Down on Suggesting Federal Government ‘Get Involved’ in State Elections,” ABC News, February 3, 2026, abcnews.com/Politics/trump-doubles-suggesting-federal-government-involved-state-elections/story?id=129826521.

ⁱⁱⁱ “Ballot Mail for Federal Elections,” Federal Register, June 2, 2026, www.federalregister.gov/documents/2026/06/02/2026-10968/ballot-mail-for-federal-elections.

^{iv} Karen Martinez-Ochoa, Elizabeth O’Connor, and Patrick Berry, “Tracker of Justice Department Requests for Voter Information,” Brennan Center for Justice, August 28, 2025, www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information; Peter Stone, “Experts Alarmed as Trump Launches Broad-Front Attack on US Voting Rights,” The Guardian, June 16, 2026, www.theguardian.com/us-news/2026/jun/16/trump-voting-rights-elections; “AG Nessel, Governor Whitmer, Secretary Benson Denounce DOJ Demand for 2024 Ballots,” Michigan Department of Attorney General, April 19, 2026, <https://www.michigan.gov/ag/news/press-releases/2026/04/19/ag-nessel-governor-whitmer-secretary-benson-denounce-doj-demand-for-2024-ballots>.

^v Laina Stebbins, “GOP-led Senate Oversight panel debunks 2020 voter fraud conspiracies in new report,” Michigan Advance, June 23, 2021, <https://michiganadvance.com/2021/06/23/gop-led-senate-oversight-panel-debunks-2020-voter-fraud-conspiracies-in-new-report/>; “Results of Lawsuits Regarding the 2020 Elections,” Campaign Legal Center, <https://campaignlegal.org/results-lawsuits-regarding-2020-elections>.

^{vi} “President Trump Says He’s Willing to Send ICE, National Guard to the Polls in November,” C-SPAN, 2026, www.c-span.org/clip/white-house-event/president-trump-says-hes-willing-to-send-ice-national-guard-to-the-polls-in-november/5200208; Senator Slotkin Questions Markwayne Mullin on ICE at Polling Places, <https://www.youtube.com/shorts/7nH65PwCqMA>; Rebecca Beitsch, “Blanche: ‘Why is there objection to sending ICE officers to polling places?’,” The Hill, March 27, 2026, <https://thehill.com/homenews/administration/5803874-todd-blanche-immigration-enforcement-polling-places-2026-election/>; “Sen. Slotkin asks about Deploying National Guard to Polling Places in 2026 Elections,” C-SPAN, 2025, <https://www.youtube.com/watch?v=uJBtG6NgvmY>.

^{vii} Eric Lichtblau, “Justice Department Okays Use of Armed Agents at Polling Stations During Vote-Counting,” Time, November 5, 2020, <https://time.com/5907600/doj-armed-agents-polls>.

^{viii} 18 U.S.C. § 592; Natalie K. Orpett, Matt Roberts, and Lindsay Voss, “The Military and Elections, Part I: The Legal Wall,” Lawfare, July 8, 2026, www.lawfaremedia.org/article/the-military-and-elections--part-i--the-legal-wall.

^{ix} Senator Slotkin Questions General Guillot on Troops at Polling Places, https://www.youtube.com/watch?v=ZUYMDv_O1Mo.

^x Amber Phillips, “How Trump Is Becoming More Authoritarian,” The Washington Post, February 21, 2024, www.washingtonpost.com/politics/2024/02/21/how-trump-is-becoming-more-authoritarian/.



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, DC 20318-9999

The Honorable Elissa B. Slotkin
United States Senate
Washington, DC 20510

Dear Senator Slotkin:

Thank you for your letter dated August 18, 2026, regarding the upcoming November 2026 midterm elections and the role of the U.S. Armed Forces. I appreciate the opportunity to respond and to reaffirm our steadfast commitment to constitutional principles.

The American Military is a non-partisan Armed Force. As the Chairman of the Joint Chiefs of Staff, I provide my best military advice to the President, Secretary of War, National Security Council, and the Homeland Security Council.

Every member of the U.S. Armed Forces takes an oath to support and defend the Constitution of the United States, and the Joint Force has acted, and will continue to act, in accordance with the Constitution and the law.

Election administration and security remain the fundamental responsibility of state and local officials. The Joint Force has no plans to send Federal military personnel or Federalized members of the National Guard to polling places during the 2026 elections. Likewise, the Joint Force has no plans to use such personnel to seize ballots, voting machines, or other election-related material.

I have neither received nor anticipate receiving any unlawful order concerning the role of the Joint Force in the upcoming November 2026 midterm elections.

I stand ready to discuss this matter further with you or with other Senators.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Daniel Caine", is written over the word "Sincerely,".

J. DANIEL CAINE
General, U.S. Air Force