

United States Senate

WASHINGTON, DC 20510

September 1, 2026

General Steven Nordhaus
Chief of the National Guard Bureau
111 S. George Mason Drive
Arlington, VA 22204

Dear General Nordhaus,

As we approach the November 2026 elections, I'd ask you to confirm a simple statement: the National Guard will not send federalized troops to the polls or to 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 the National Guard in November, it will fall on you to make a fundamental choice on how to respond. I therefore hope you will confirm that deploying federalized National Guard troops to polling places for political purposes would undermine the integrity of our free and fair elections, pose an existential threat to our democracy, and taint the military as a politicized institution.

It is hard to miss that the President is laying the groundwork to send troops 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, used the FBI to seize local election records in Georgia, and sued for voter rolls in Michigan and 29 other states.ⁱⁱⁱ On May 12, he would not rule out sending troops to polling places during the midterms, just like Secretary Hegseth and other officials have refused to do under oath.^{iv} He has called for using the military against what he described as "the enemy within" during elections, and he lamented not signing an executive order in 2020 directing the military to seize voting machines and election materials in Michigan and other states.^v And he has no qualms about using the National Guard for his own purposes over the objections of state leaders. Last year, he federalized and sent more than 4,000 National Guard troops into American cities over the objections of their governors and threatened to invoke the Insurrection Act to use the military for domestic law enforcement.^{vi} 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 troops to interfere with our elections. While governors may call up their own National Guard, as was done in 2020 and 2024 to help with election-related concerns like cybersecurity, this was done under state authority, as you have acknowledged.^{vii} My concern is instead with the President deploying federalized National Guard personnel into a state against the wishes of its governor. Since 1865, federal law has prohibited deploying the military 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} 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.

We should be clear with the American public that it is also a crime for troops to interfere with election officials or seize election materials.^x This issue has been taken so seriously by previous generations that the law states that servicemembers could face *criminal* liability, including up to five years in prison, for touching voting machines or ballots.

The nonpartisan tradition of military service and the constitutional guardrails that prevent our military from becoming a domestic police force for one political party are essential to maintaining our democracy. 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.”^{xi} 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. Earlier this year, you testified before Congress that “the National Guard is always going to follow the law [and] the Constitution” regarding deployments to polling places.^{xii} 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 has “no plans to use such personnel to seize ballots, voting machines, or other election-related material.” I hope you can provide the same confirmation.

- Please confirm that the National Guard Bureau has no plans to and will not send federalized National Guard to polling places during the 2026 elections.
- Please confirm that you have no plans to and will not send federalized National Guard to seize ballots, voting machines, or other election-related material, which is a violation of the law as laid out in Title 18, Section 593.
- If you were ordered by President Trump to send the federalized National Guard for political purposes to be present at the polls or to seize election materials, would you refuse such an order?
- If the President directed you to use the federalized National Guard 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; 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.

^{iv} “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>; Senator Slotkin Questions Secretary Hegseth on Troops at Polling Places, <https://www.youtube.com/shorts/6sZTRetDefw>; “Sen. Slotkin asks about Deploying National Guard to Polling Places in 2026 Elections,” C-SPAN, 2025, <https://www.youtube.com/watch?v=uJBtG6NgvmY>.

^v “Two Hours, Scores of Questions, 23,000 Words: Our Interview with President Trump,” The New York Times, January 11, 2026, www.nytimes.com/2026/01/11/us/politics/trump-interview-transcript.html; Betsy Woodruff Swan, “Read the never-issued Trump order that would have seized voting machines,” Politico, January 21, 2022, <https://www.politico.com/news/2022/01/21/read-the-never-issued-trump-order-that-would-have-seized-voting-machines-527572>.

^{vi} “Slotkin Leads Colleagues to Introduce Bill to Rein in Abuse of National Guard in Domestic Deployments,” U.S. Senator Elissa Slotkin, November 13, 2025, www.slotkin.senate.gov/2025/11/13/slotkin-leads-colleagues-to-introduce-bill-to-rein-in-abuse-of-national-guard-in-domestic-deployments/; Juliana Kim and Alana Wise, “Trump Threatened to Invoke the Insurrection Act (Again). What Is It?,” NPR, January 15, 2026, www.npr.org/2026/01/15/nx-s1-5678612/minneapolis-insurrection-act-trump-threats.

^{vii} Daniel Dale, “Fact check: Hegseth twice made a false claim to Congress about troops being sent to voting places under Biden,” CNN, May 6, 2026; “Remarks by Gen. Steve Nordhaus, Chief, National Guard Bureau, at the House Appropriations Committee Budget Hearing – National Guard and Reserve Forces,” April 17, 2026, <https://www.cnn.com/2026/05/04/politics/hegseth-biden-2024-troops-voting-locations-fact-check>;

^{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 18 U.S.C. § 593

^{xi} 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/.

^{xii} “Remarks by Gen. Steve Nordhaus, Chief, National Guard Bureau, at the House Appropriations Committee Budget Hearing – National Guard and Reserve Forces,” April 17, 2026, <https://www.cnn.com/2026/05/04/politics/hegseth-biden-2024-troops-voting-locations-fact-check>;



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,". The signature is stylized with large loops and a long horizontal stroke at the end.

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