

No.26-98

In the
Supreme Court of the United States

PUBLIC INTEREST LEGAL FOUNDATION, INC.,

Petitioner,

v.

SCOTT T. NAGO, in his official capacity as Chief
Election Officer for the State of Hawaii,

Respondent.

**On Petition for Writ of Certiorari to the
United States Court of Appeals
for the Ninth Circuit**

**BRIEF FOR *AMICUS CURIAE* CENTER FOR
ELECTION CONFIDENCE IN SUPPORT OF
PETITIONER**

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CORPORATE DISCLOSURE STATEMENT

Pursuant to this Court's Rule 29.6, Applicant states as follows: The Center for Election Confidence has no parent corporation, and no publicly held corporation owns ten percent or more of its stock.

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STATEMENT OF INTEREST¹

Center for Election Confidence, Inc. (CEC), is a nonprofit organization that promotes ethics, integrity, and professionalism in the electoral process. CEC works to ensure that all eligible citizens can vote freely within an election system with reasonable procedures that promote election integrity, prevent vote dilution and disenfranchisement, and instill public confidence in election systems and outcomes. To accomplish these objectives, CEC conducts, funds, and publishes research and analysis regarding the effectiveness of current and proposed election methods. CEC is a resource for lawyers, journalists, policymakers, courts, and others interested in the electoral process. CEC also periodically engages in public-interest litigation to uphold the rule of law and election integrity and files amicus briefs in cases where its background, expertise, and national perspective may illuminate the issues under consideration. *See, e.g.,* Ctr. for Election Confidence Amicus Br., *Bost v. Ill. State Bd. of Elections*, No. 24-568 (U.S. July 29, 2025). CEC submits this brief not to discuss the merits or the acknowledged circuit split, which are ably addressed in the Petition, but to explain why public access to lists of registered voters is critical to the NVRA's goals and why this Court's intervention is vital now.

¹ Pursuant to Supreme Court Rule 37.6, *amicus curiae* states that no counsel for any party authored this brief in whole or in part and that no entity or person, aside from *amicus curiae*, its members, and its counsel, made any monetary contribution toward the preparation or submission of this brief. Pursuant to Supreme Court Rule 37.2, counsel of record were given timely notice of this filing.

SUMMARY OF THE ARGUMENT

Congress enacted the National Voter Registration Act (“NVRA”) to further two complementary goals: increasing the number of eligible voters registered and removing ineligible voters from registration rolls. Congress did not just leave it to election officials to try to make strides behind closed doors. Instead, transparency is a cornerstone of Congress’ effort to increase participation while securing election integrity. The NVRA thus requires state officials to maintain and produce records of voter-roll maintenance programs and activities so that the public can inspect them—and thereby verify that states are meeting their statutory roll-maintenance efforts and that states are neither including ineligible voters nor excluding eligible ones. Organizations across the political spectrum have long relied on the public-inspection mandate to ensure that state officials are pursuing both goals, and not one at the expense of the other.

The NVRA’s promised transparency is critical to Congress’ ultimate objective of ensuring that voter rolls are both accurate and comprehensive. As to accuracy, Congress recognized that the debasement or dilution of eligible votes by ineligible ones both infringes basic rights and discourages some citizens from participating in the democratic process. Congress also recognized that requiring transparency would have the dual benefits of cross-checking state roll-maintenance efforts and assuring the public that state electoral processes are above board. And Congress viewed its intervention as necessary to promote state roll-maintenance efforts because of the

abysmal records of voter-roll list maintenance in many states. By excluding the most essential record that represents the culmination of the entire process—the voting rolls themselves—from the NVRA transparency mandate, the decision below undermines Congress’ goals, and it does so in a circuit where transparency is most needed.

The public-inspection mandate is no less critical to the NVRA’s goal of ensuring comprehensive voter rolls. For one, public confidence in election integrity begets more participation. And many organizations across the political spectrum, including groups like Greater Birmingham Ministries and Project Vote, rely on the public-inspection mandate to ensure that eligible voters are not excluded from the rolls. Once again, excluding the voter rolls themselves from the NVRA’s transparency mandate can only frustrate efforts to ensure that the voter rolls are comprehensive.

It is vital that the Court grant certiorari in *this* case not only because the Ninth Circuit is the largest regional circuit in terms of population and geography, but because many jurisdictions in the Circuit have adopted policies that make accurate voting rolls especially critical. Unlike states in other parts of the country that require voters to request a mail-in ballot to receive one, several states in the Ninth Circuit (including California, Hawaii, Nevada, Oregon, and Washington) automatically send mail-in ballots to all voters whose names appear on the voter roll, so that the voter roll determines the total number of ballots issued and circulating in each election. And unlike states that include numerous procedures on the back

end to ensure that the mail-in vote is accurate (such as identification and witness requirements), many states in the Ninth Circuit have relatively weak safeguards, relying on signature matching (in some cases with a heavy thumb on the match-confirmation side of the scale) instead of more reliable methods of ensuring the accuracy of the vote. Making matters worse, several states in the Ninth Circuit permit third-party ballot collection, exacerbating concerns about pressure, intimidation, and potential fraud. *See Brnovich v. Democratic Nat’l Comm.*, 594 U.S. 647, 686 (2021). In those states, accurate voter rolls are especially critical to sound election administration, and providing transparency into the voter rolls is a critical tool to ensuring accuracy and public confidence.

This Court should grant the petition to resolve the acknowledged circuit split and reimpose public oversight in the states that most urgently need it.

ARGUMENT

I. Public Access To Statewide Lists Of Registered Voters Is Critical To The NVRA’s Goals Of Accurate Voter Rolls And Increased Registration Of Eligible Voters.

In 1993, Congress enacted the NVRA to increase eligible voter registration and remove ineligible persons from voter registration rolls. *Husted v. A. Philip Randolph Inst.*, 584 U.S. 756, 761 (2018); *see* 52 U.S.C. §20501(b). These goals are complementary. Increased voter registration is not an end in itself; the point is to “enhance[] the participation of eligible citizens as voters in elections for Federal office.” 52 U.S.C. §20501(b)(2). But without safeguards to ensure

that “accurate and current voter registration rolls are maintained,” *id.* §20501(b)(4)—with “ineligible persons,” including people who have moved or passed away, removed, *Husted*, 584 U.S. at 761—eligible voters’ “right of suffrage [may] be denied by a debasement or dilution” of their votes, *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006) (quoting *Reynolds v. Sims*, 377 U.S. 533, 555 (1964)). More generally, a failure of public confidence in “the integrity of the electoral process,” 52 U.S.C. §20501(b)(3), “drive[s] honest citizens out of the democratic process and breed[s] distrust of our government,” *Purcell*, 549 U.S. at 4. The NVRA’s twin aims of registration and roll-accuracy thus work hand in glove to increase participation by eligible voters.

In enacting the NVRA, Congress was not content to have election officials improve their systems behind closed doors. Instead, consistent with its recognition of the importance of public confidence in the election process, Congress prioritized transparency. The NVRA requires that state election officials maintain records of their voter-roll-maintenance programs and activities for at least 2 years and make these records available to the public. Specifically, officials “shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters.” 52 U.S.C. §20507(i)(1). Congress’ use of the mandatory “shall” was intentional; the legislative history confirms Congress’ conviction that these “records *must* be made available for public inspection and, where available, photocopying at reasonable

costs.” S. Rep. No. 103-6, at 35 (1993) (emphasis added); *see also* H.R. Rep. No. 103-9, at 19 (1993) (same). Moreover, the end goal of all these records and all these transparency mandates is to ensure that the voting rolls are both accurate and comprehensive, making the voting rolls the most critical record that is subject to the NVRA transparency mandate.

While some groups may prioritize accuracy and others champion comprehensiveness, organizations from across the political spectrum have relied on the NVRA’s public-inspection mandate to seek records, including voter rolls, for a variety of purposes. Political and advocacy organizations need access to NVRA list information for a wide range of speech activities, including voter registration and get-out-the-vote efforts, confirming the accuracy of voter lists purchased from states, holding state officers accountable for election integrity, and informing the public about their elections. *See, e.g., Bellitto v. Snipes*, 302 F.Supp.3d 1335 (S.D. Fla. 2017); *Campaign Legal Ctr. v. Scott*, 49 F.4th 931 (5th Cir. 2022); *Greater Birmingham Ministries v. Sec’y of State for Ala.*, 105 F.4th 1324 (11th Cir. 2024); *Jud. Watch, Inc. v. Lamone*, 399 F.Supp.3d 425 (D. Md. 2019); *Project Vote/Voting for Am., Inc. v. Long*, 682 F.3d 331 (4th Cir. 2012); *Republican Nat’l Comm. v. Benson*, 2025 WL 2731704 (6th Cir. Sept. 25, 2025); *Va. Coalition for Immigrant Rts. v. Beals*, 803 F.Supp.3d 454 (E.D. Va. 2025); *Voter Reference Found., LLC v. Balderas*, 616 F.Supp.3d 1132 (D.N.M. 2022).

**A. Public Access to Information
Concerning Voter Rolls Is Critical to the
Accuracy of Voter Rolls.**

The franchise is denied not just when an eligible voter is barred from the polls, but when his vote is “debase[d] or dilut[ed]” through participation in elections by ineligible persons. *Reynolds*, 377 U.S. at 555. As a matter of constitutional principle, “[t]o the extent that a citizen’s right to vote is debased, he is that much less a citizen.” *Id.* at 567. And as a practical matter, “[v]oters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised” and may opt out of “our participatory democracy.” *Purcell*, 549 U.S. at 4. “Confidence in the integrity of our electoral processes is essential” to our form of government. *Id.*; see also *Republican Party v. Degraffenreid*, 141 S.Ct. 732, 734 (2021) (Thomas, J., dissenting from denial of certiorari) (citing *Democratic Nat’l Comm. v. Wisc. State Legis.*, 141 S.Ct. 28, 31 (2020) (Kavanaugh, J., concurring in denial of application to vacate stay)). And the NVRA recognizes that one critical way to assure public confidence in state electoral processes is to let the public see for itself how those processes work.

Access to voter lists is an essential tool for ensuring that election officials perform their “duty of accountability to the public in ensuring that voter lists include eligible voters and exclude ineligible ones.” *Project Vote*, 682 F.3d at 339 (Wilkinson, J., joined by Diaz and Floyd, JJ.). “[T]he NVRA as a whole[] make[s] evident Congress’[] intent to support the transparency and circulation of voter data among the public to help detect and correct errors.” *Voter*

Reference Found., LLC v. Torrez, 160 F.4th 1068, 1081 (10th Cir. 2025) (Tymkovich, J.). Armed with the public-inspection mandate and a private right of action, 52 U.S.C. §20510(b), members of the public can ensure that the democratic process is run fairly and without “administrative chicanery, oversights, or inefficiencies.” *Project Vote*, 682 F.3d at 335. “It is self-evident that disclosure will assist the identification of both error and fraud in the preparation and maintenance of voter rolls.” *Id.* at 339. The public can assess whether the state’s activities are effectively generating an up-to-date, well-maintained, and accurate voter list that includes all eligible applicants and excludes individuals who have (among other things) passed away, moved out of state, or are otherwise ineligible to vote—a list that becomes the baseline for future lists. “Without such transparency, public confidence in the essential workings of democracy will suffer.” *Id.*

Public oversight of list maintenance is critically important. Congress recognized in the NVRA that “[t]he maintenance of accurate and up-to-date voter registration lists is the hallmark of a national system seeking to prevent voter fraud.” S. Rep. No. 103-6, at 18. Yet many states do a poor job maintaining accurate rolls.² “It has been estimated that 24 million voter registrations in the United States—about one in

² Perhaps unsurprisingly, state officials do not always take kindly to such scrutiny. *See, e.g., Voter Reference Found., LLC v. Torrez*, 160 F.4th 1068, 1074-75 (10th Cir. 2025) (recounting advocacy group’s publication of discrepancy in New Mexico’s voter data, New Mexico’s accusation that the group was “perpetuating misinformation,” and the state’s referral of the group for criminal prosecution under invalid statute).

eight—are either invalid or significantly inaccurate,” and “about 2.75 million people are said to be registered to vote in more than one State.” *Husted*, 584 U.S. at 760. As discussed *infra* Part II, this problem is particularly acute in the Ninth Circuit, since states like California, Hawaii, Nevada, Oregon, and Washington send ballots to all registrants included on their voter rolls. This Court’s review of the acknowledged circuit split on public access to voter lists is essential now.

**B. Public Access to Information
Concerning Voter Rolls Is Critical to the
Increased Registration of Eligible
Voters.**

The NVRA’s public-inspection mandate is also vital to the increased registration of eligible voters. For one, as explained above, ensuring election integrity via transparency and accountability *also* promotes voter involvement. Indeed, as Justice Stevens explained, “public confidence in the integrity of the electoral process has independent significance, because it encourages citizen participation in the democratic process.” *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 197 (2008) (plurality op.).

For another, members of the public rely on the public-inspection mandate not just to ensure that voter rolls “exclude ineligible [voters,]” but that they “include eligible voters.” *Project Vote*, 682 F.3d at 339. When Greater Birmingham Ministries “sought to guide previously disenfranchised individuals through the process to have their rights restored and to register to vote,” *Greater Birmingham Ministries*, 105 F.4th at 1336 (Abudu, J., concurring in part and

dissenting in part), it relied on the public-inspection mandate to compel the production of “the list of every voter removed from the statewide voter rolls following the 2020 general election” and “records related to voters who were removed or denied registration because of a disqualifying felony conviction,” *id.* at 1328 (majority op.). And when Project Vote sought to ensure that “students at Norfolk State University, a historically African-American college,” were not improperly denied registration, it, too, relied on the public-inspection mandate to compel production of voter registration applications for voters who had not registered to vote in time for the relevant election. *Project Vote*, 682 F.3d at 333. Those are just two of the many cases demonstrating that individuals and advocacy groups across the ideological spectrum rely on the public-inspection mandate to further the NVRA’s interlocking goals of increased participation and election integrity.

As Greater Birmingham Ministries learned, courts have been divided on the proper scope of transparency protected by the NVRA. Even well-intentioned requests for voter-registration information to facilitate the restoration of the franchise to those removed from voter rolls have been stymied by overly narrow interpretations of the NVRA.

* * *

At bottom, public oversight of state registration and list-maintenance processes is about good government. While the perceived viewpoints or partisan affiliation of a given inspection-mandate plaintiff may differ from case to case, it should be

common ground that, when it comes to state-government processes, “[s]unlight’ ... is ‘the best of disinfectants’ in elections.” *Del. Strong Fams. v. Denn*, 136 S.Ct. 2376 (2016) (Thomas, J., dissenting from denial of certiorari) (quoting *Buckley v. Valeo*, 424 U.S. 1, 67 (1976) (per curiam)).

II. The Decision Below Frustrates The NVRA’s Purposes In The Very Circuit Where They Are Most Essential.

“[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order, rather than chaos, is to accompany the democratic processes.” *Storer v. Brown*, 415 U.S. 724, 730 (1974). With respect to state voter rolls, “[f]or many years, Congress left it up to the States to maintain accurate lists of those eligible to vote in federal elections, but in 1993, with the enactment of the [NVRA], Congress intervened.” *Husted*, 584 U.S. at 761. With the advent of widespread mail-in voting in the wake of the pandemic, accurate voting rolls and transparency to ensure public confidence are more important than ever. And nowhere are the NVRA’s list-maintenance requirements, and public oversight of compliance, more important than within the Ninth Circuit. The problem of ineligible voters on state rolls is sharply exacerbated there by state election regimes that automatically send all registered voters mail-in ballots, have limited safeguards to ensure the integrity of those automatically mailed ballots, and next to no restrictions on third-party ballot collection.

1. The widespread mail-in voting that has characterized recent elections is historically unique. In the 1936 election, “only about 2% of 45 million votes

were being cast by absentee ballot,” and “[b]y 1960, it was estimated that less than 5% of voters had cast absentee ballots in any election.”³ “In the 1980s, California became the first state to allow eligible voters to request absentee ballots for any reason at all, including their convenience.”⁴ The practice expanded slowly in the decades that followed, before exploding during and after the COVID-19 pandemic.

That development poses a real problem for election integrity and public confidence. Mail-in voting creates more links in the chain between the printing and casting of a ballot. This creates more opportunities for honest mistakes *and* political chicanery, and partisan actors of all political stripes—including Republican⁵ and Democratic⁶ officials and operatives—have seized the opportunity for electoral advantage.

It is therefore no surprise that diverse sources have recognized that “[f]raud is a real risk that accompanies mail-in voting.” *Brnovich*, 594 U.S. at 686; *accord Watson v. Republican Nat’l Comm.*, 146 S.Ct. 2165, 2183, 2191 (2026) (Alito, J., dissenting);

³ D. Palmer, *Absentee and Mail Ballots in America: Improving the Integrity of the Absentee and Mail Balloting* 6 Lawyers Democracy Fund (Jan. 2019), <https://perma.cc/VSC4-TF8E>.

⁴ *Voting by Mail and Absentee Voting*, MIT Election Data & Science Lab (Feb. 28, 2024), <https://perma.cc/4R83-NMDQ>.

⁵ Richard Gonzales, *North Carolina GOP Operative Faces New Felony Charges That Allege Ballot Fraud*, NPR (July 30, 2019), <https://perma.cc/VU86-6G8J>.

⁶ Bob Christie, *Former San Luis Mayor Pleads Guilty to Illegally Collecting Early Ballots in 2020 Primary*, AZCentral (June 2, 2022), <https://perma.cc/ML8R-P6EW>.

Crawford, 553 U.S. at 195-96 (documenting fraud “perpetrated using absentee ballots and not in-person fraud”); *id.* at 225 (Souter, J., dissenting) (“absentee-ballot fraud ... is a documented problem”); *League of Women Voters of Fla. Inc. v. Fla. Sec’y of State*, 81 F.4th 1328, 1334 (11th Cir. 2023) (Pryor, J., respecting denial of rehearing en banc) (“the record before the district court contained undisputed evidence that vote-by-mail fraud[] *has* plagued Florida elections in the past.”); *La Union del Pueblo Entero v. Abbott*, 167 F.4th 743, 753 (5th Cir. 2026) (“mail-in voting is a rich field for fraud”); *United States v. Paxton*, 148 F.4th 335, 337 (5th Cir. 2025) (“Mail-in ballots are not secure.”); *Veasey v. Abbott*, 830 F.3d 216, 263 (5th Cir. 2016) (en banc) (“mail-in voting ... is far more vulnerable to fraud [than in-person voting], particularly among the elderly”); John C. Fortier, *Absentee and Early Voting: Trends, Promises, and Perils* 51-58 (AEI Press 2006); John C. Fortier & Norman J. Ornstein, *The Absentee Ballot and the Secret Ballot: Challenges for Election Reform*, 36 U. Mich. J.L. Reform 483, 508 (2003).

2. Despite these well-documented vulnerabilities, mail-in voting makes voting easier, and most states within the Ninth Circuit have made the policy choice to send mail-in ballots to all registered voters without any need to apply or opt in. California, Hawaii, Nevada, Oregon, and Washington automatically send mail-in ballots to all registered voters. Cal. Elec. Code §3000.5(a); Haw. Rev. Stat. Ann. §11-102(b); Nev. Rev. Stat. Ann. §293.269911(1); Or. Rev. Stat. Ann. §254.470(2)(a); Wash. Rev. Code Ann. §29A.40.010. While voter rolls that include erroneous registrations of individuals who have moved, died, or are otherwise

ineligible threaten election integrity and voter confidence in every state, these issues are particularly acute in states that automatically send mail-in ballots to all registered voters. (After all, in a state that requires voters to affirmatively request a mail-in ballot, voters who have died, for example, will not be able to request a mail-in ballot.). Thus, when Oregon state employees mistakenly registered nearly 2,000 voters⁷ (including, the state itself has suggested, because employees mistakenly classified foreign passports and birth certificates as proof of U.S. citizenship),⁸ the state sent each of those erroneously registered individuals a ballot, and some of those individuals ended up casting votes they were ineligible to cast.⁹

On the back end, each of these states relies on signature matching to verify that a mailed ballot was actually cast by a registered voter, eschewing stronger safeguards such as “number-matching requirements ... designed to confirm that every mail-in voter is indeed who he claims he is.” *Paxton*, 148 F.4th at 341. See Cal. Elec. Code §3019; Haw. Rev. Stat. Ann. §11-106(2); Nev. Rev. Stat. Ann. §293.269927(1); Or. Rev. Stat. Ann. §254.470(11); Wash. Rev. Code Ann. §29A.40.110. Signature matching looks at whether a

⁷ Or. Sec’y of State, *DMV Automatic Voter Registration Error* (updated Aug. 5, 2026), <https://perma.cc/RCC9-KM4T>.

⁸ Or. Dep’t of Transp., *After-Action Report Regarding Oregon Motor Voter Issues 2* (Oct. 7, 2024), <https://perma.cc/H4A7-7EH5>.

⁹ In fact, a similar error occurred in 2023 in New Jersey, and “roughly 400” ineligible voters ended up casting unlawful ballots. See Tracey Tully, *Error Led to 400 Noncitizens Voting, New Jersey Governor Says*, N.Y. Times (July 21, 2026).

ballot envelope signature appears similar to a signature on file from a voter's registration; there is no independent check of the voter's identity, such as with an identification card, Social Security number, or proof of residence.¹⁰

Moreover, some of the Ninth Circuit's most populous states water down even the relatively weak safeguard of signature verification. *See, e.g.*, Cal. Elec. Code §3019(a)(2)(A), (B) (requiring not a match, but only "similar characteristics" between signatures and establishing "[a] presumption ... that the signature on the identification envelope, ... is the voter's signature and that the vote will be counted"); Wash. Admin. Code §§434-261-051(2), 434-261-052(2) (establishing similar presumption and requiring two separate election officials to find discrepancy before sending notice requiring voter to cure). Signature mismatch cure provisions, for their part, are a one-way ratchet in favor of eligibility; they do nothing to weed out ballots cast by ineligible voters.

3. The integrity problems with automatic mail-in voting and weak signature-matching safeguards are further compounded by the third-party ballot collection permitted in many states within the Ninth Circuit. "As the Carter-Baker Commission recognized, third-party ballot collection can lead to pressure and intimidation." *Brnovich*, 594 U.S. at 686. At its worst, so-called "ballot harvesting" may involve "partisan operatives ... collect[ing] ... voters' completed mail ballots" while "ensur[ing] that the

¹⁰ The Help America Vote Act supplies such a requirement, but it applies only to new registrants who register by mail, 52 U.S.C. §21083(b)(1)(A), (2)(A)(ii).

ballots were cast for a particular candidate.” *La Union del Pueblo Entero*, 167 F.4th at 753.

Sensibly, then, “[r]estrictions on ballot collection are ... common” throughout the Nation. *Brnovich*, 594 U.S. at 685. But they are rare in the Ninth Circuit. California, for instance, imposes next to no restrictions on third-party ballot collection. It permits a “vote by mail voter who is unable to return the ballot [to] designate another person” to do so. Cal. Elec. Code §3017(a)(2). Anyone may be “designat[ed]”—California in 2016 repealed a requirement that the ballot collector have a familial or cohabitation relationship to the voter, and the same bill repealed a prohibition on paid or volunteer campaign operatives acting as ballot collectors. A.B. 1921, 2015-2016 Gen. Assemb., Reg. Sess. (Cal. 2016). Whether a voter is actually “unable to return [a] ballot” is not verified, and, while the ballot envelope must bear “the name and signature of the person authorized by the voter to return the vote by mail ballot,” omitting that information does not disqualify the ballot. Cal. Elec. Code §§3017(a)(2), 3011(a)(9), (c). (Similarly, California requires a ballot to be mailed within three days of third-party collection, but does not disqualify ballots “solely” for ignoring this deadline, *id.* §3017(a)(2).)

Regimes like California’s abound in the Ninth Circuit: Nevada and Oregon have similarly relaxed rules, *see* Nev. Rev. Stat. Ann. §293.269923; Or. Rev. Stat. Ann. §§254.470, 260.695, while Washington and Hawaii law say nothing about who may or may not return ballots. For its part, when Montana tried to impose restrictions, including a prohibition on paid

collection, its state supreme court invalidated them. *Mont. Democratic Party v. Jacobsen*, 545 P.3d 1074, 1100-07 (2024).

* * *

The decision below frustrates the NVRA's core purposes precisely where the Act's transparency and public-oversight mechanisms are most needed—in the Ninth Circuit. Likewise, other courts have diverged on the scope of transparency rights the NVRA affords the public. This Court should not await further percolation of the acknowledged split on the question presented; it should grant certiorari and enforce the public-inspection mandate where it matters most.

CONCLUSION

For the foregoing reasons, this Court should grant the petition for certiorari.

Respectfully submitted,

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