

SANTA FE COUNTY CLERK'S OFFICE

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April 1, 2026

Statement from Santa Fe County Clerk Katharine E. Clark on President Trump's Executive Order Targeting Absentee Voting

Santa Fe County, NM – Yesterday, Donald Trump signed a sweeping and deeply troubling executive order that would severely restrict absentee and mail-in voting across the United States.

This order attempts to force the creation of a federal voter eligibility list using data from agencies like the Department of Homeland Security and the Social Security Administration, and would limit access to absentee ballots for voters who are not included. It also directs federal involvement in how ballots are distributed and verified—an area of law that has long been the responsibility of states and local election officials.

Let's be clear: the President does not have the authority to unilaterally control how elections are administered. That authority rests with the states and Congress—not the executive branch.

This executive order is not about election security. It is about making it harder for eligible Americans to vote.

It is especially alarming that this action comes after the failure of the increasingly unpopular SAVE Act in Congress—legislation that would have imposed similar barriers to voter registration and participation.

And the hypocrisy is unmistakable. While pushing to restrict absentee voting nationwide, Donald Trump himself used absentee voting just last week.

We at the National Association of Counties have been actively discussing the possibility of federal overreach into election administration and preparing for exactly this scenario.

As Santa Fe County Clerk, I was already part of a coalition that won summary judgment against the Trump administration's last election executive order. We know this playbook, and we know it does not withstand legal scrutiny.

County clerks and local election officials are on the front lines of our democracy. We administer elections securely, transparently, and in accordance with state law. Attempts by the federal executive branch to override that authority are not only unlawful—they are dangerous.

This order raises serious concerns about voter privacy, the misuse of federal data, and the disenfranchisement of eligible voters who may be excluded from flawed or incomplete federal databases.

We expect immediate legal challenges from states and election officials across the country, and we are prepared to stand with them.

We will see this in court.

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