IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION

THE STATE OF LOUISIANA, by and through its Attorney General, LIZ MURRILL; and NANCY LANDRY, Louisiana Secretary of State,

Plaintiffs,

v.

THE UNITED STATES ELECTION ASSISTANCE COMMISSION; and BRIANNA SCHLETZ, in her official capacity as the Executive Director of the United States Election Assistance Commission,

Defendants.

Civil Action No. 3:26-cv-01191

LEAGUE INTERVENORS' MOTION TO INTERVENE AS DEFENDANTS

Pursuant to Federal Rule of Civil Procedure 24, League of Women Voters of Louisiana and League of Women Voters of Louisiana Education Fund (together, "LWVLA"), Voice of the Experienced ("VOTE"), National Association for the Advancement of Colored People Louisiana State Conference ("Louisiana NAACP"), Power Coalition for Equity and Justice ("Power Coalition," or "PCEJ"), and League of Women Voters of the United States and the League of Women Voters Education Fund (together, "LWV" or "the national League") (collectively, the "League Intervenors") respectfully move to intervene as a matter of right in the above-captioned matter as Defendants. League Intervenors are entitled to intervene as of right under Rule 24(a) because (1) their motion is timely, (2) they have direct and legally protectable interests in this action, (3) which may be impaired by the disposition of this case, and (4) they are not adequately represented by the existing parties.

Alternatively, the Court should grant permissive intervention under Rule 24(b) because League Intervenors have swiftly moved for intervention at the outset of the case and permitting their intervention will not unduly delay or prejudice the existing parties. Their proposed answer, attached hereto as Exhibit 1, raises defenses and other legal issues that present common questions of law and fact with the existing suit. Moreover, several of the League Intervenors—specifically, LWVLA, VOTE, Louisiana NAACP, and PCEJ—are already involved in related litigation over Louisiana's Act 500. Their distinct perspective and expertise on related litigation and relevant issues of election administration will assist the Court in adjudicating this matter.

Pursuant to Local Rule 7.6, League Intervenors shared a copy of their proposed answer (Exhibit 1) with counsel for both Plaintiffs and Defendants and solicited their positions on the motion on April 16, 2026. Plaintiffs oppose League Intervenors' motion. At the time of filing, Defendants had not yet indicated their position.

REQUEST FOR RELIEF

For the reasons stated in the accompanying memorandum, League Intervenors' motion should be granted and their proposed answer accepted for filing. A proposed order granting intervention and accepting Proposed Intervenors' answer is also attached hereto.

Dated: April 17, 2026

Respectfully submitted,

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**Pro hac vice* motion forthcoming

Counsel for Proposed Intervenor-Defendants League of Women Voters of Louisiana, League of Women Voters of Louisiana Education Fund, Voice of the Experienced, Power Coalition for Equity and Justice, Louisiana State Conference of the NAACP, League of Women Voters of the United States, and the League of Women Voters Education Fund

CERTIFICATE OF SERVICE

I hereby certify that on this date, April 17, 2026, I electronically filed the foregoing Motion with the Clerk of the Court using the Court's CM/ECF system, which will send a notice of electronic filing to counsel of record who are registered with the Court's CM/ECF system.

/s/ *Valencia Richardson*
Valencia Richardson

Counsel for Proposed Intervenor-Defendants

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION

THE STATE OF LOUISIANA, by and through its Attorney General, LIZ MURRILL; and NANCY LANDRY, Louisiana Secretary of State,

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MEMORANDUM IN SUPPORT OF LEAGUE INTERVENORS' MOTION TO INTERVENE AS DEFENDANTS

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases **Pages**

Statutes and Rules

Other Authorities

INTRODUCTION

Last year, Louisiana enacted Act 500, which requires voter-registration applicants to provide additional proof of citizenship. League Intervenors the League of Women Voters of Louisiana and League of Women Voters of Louisiana Education Fund (collectively "LWVLA"), Voice of the Experienced ("VOTE"), the Louisiana State Conference of the National Association for the Advancement of Colored People ("Louisiana NAACP"), and Power Coalition for Equity and Justice ("Power Coalition") are actively challenging Act 500 in the Middle District of Louisiana as unlawful under the National Voter Registration Act ("NVRA") and the Constitution. *See League of Women Voters of Louisiana v. Landry*, No. 3:25-cv-413 (M.D. La.).

Secretary of State Landry has asserted, however, that she will not fully enforce Act 500 unless and until the U.S. Election Assistance Commission ("EAC") alters Louisiana's instructions on the National Mail Voter Registration Form ("Federal Form") to require additional proof of citizenship. Consistent with the NVRA and its longstanding practice, the EAC has refused that request. Plaintiffs Louisiana and Secretary Landry then filed this action to compel the EAC to do so.

League Intervenors seek to intervene to prevent that result. If Plaintiffs obtain the requested relief, it would both (1) clear the way for enforcement of Act 500 throughout Louisiana and (2) discourage use of the Federal Form for Louisiana voters—each of which would impede League Intervenors' voter-registration efforts, force them to divert resources from their core activities, and disenfranchise their members who lack proof of citizenship.

League of Women Voters of the United States and League of Women Voters Education Fund (collectively "LWVUS" or "the national League") likewise have a strong interest in preventing changes to the Federal Form that burden eligible voters. Courts have recognized and protected that interest, including by granting LWVUS intervention in similar litigation. *See*

Kobach v. U.S. Election Assistance Comm'n, No. 13-cv-4095, 2013 WL 6511874, at *4 (D. Kan. Dec. 12, 2013).

Accordingly, League Intervenors move to intervene to prevent the Federal Form from being altered to require additional proof of citizenship beyond what the EAC has long deemed necessary. Defendants—who are zealously advocating to impose additional proof of citizenship requirements to the Federal Form in other litigation *against* the national League—cannot adequately represent them. Because this case was filed only this week, intervention will not delay or disrupt the proceedings. Intervention as of right is therefore warranted under Rule 24(a) and, in any event, permissive intervention is appropriate under Rule 24(b).

BACKGROUND

I. Congress Enacts the NVRA and Rejects Documentary Proof of Citizenship for the Federal Form

Congress passed the National Voter Registration Act ("NVRA") in 1993. Pub. L. No. 103-31, 107 Stat. 77 (codified as amended at 52 U.S.C. § 20501 *et seq.*). It did so to "increase the number of eligible citizens who register to vote in elections for Federal office," 52 U.S.C. § 20501(b)(1), while also recognizing the need to protect the "integrity of the electoral process." *Id.* § 20501(b)(3). It also sought to cure the "direct and damaging effect on voter participation in elections for Federal office and disproportionate[] harm [to] voter participation by various groups, including racial minorities," caused by "discriminatory and unfair registration laws and procedures." *Id.* § 20501(a)(3).

To advance these goals, Congress created the Federal Form that "[e]ach State shall accept and use." *Id.* § 20505(a)(1). Congress delegated authority over the Federal Form—first to the Federal Elections Commission and later to the EAC, *see* Help America Vote Act of 2002 ("HAVA"), Pub. L. 107-252, Title VIII, § 802, 116 Stat. 1666, 1726 (Oct. 29, 2002)—but tightly

circumscribed that authority. The NVRA requires that the Federal Form "contain[] an attestation that the applicant meets" each eligibility requirement, "including citizenship," and that the attestation be signed by the applicant "under penalty of perjury." 52 U.S.C § 20508(b)(2). Every applicant registering using the Federal Form must therefore swear, under penalty of perjury, that they are a U.S. citizen. *Id.* §§ 20504(c)(2)(C), 20506(a)(6)(A), 20508(b)(2). At the same time, Congress expressly prohibited "any requirement for notarization or other formal authentication." *Id.* § 20508(b)(3). Congress further authorized the EAC to request "identifying information" or "other information" on the Federal Form only if that information "is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process." *Id.* § 20508(b)(1).

This statutory framework was the product of extensive debate over whether applicants using the Federal Form should be required to submit additional proof of citizenship with their application. *See Kobach v. U.S. Election Assistance Comm'n*, 772 F.3d 1183, 1195 n.7 (10th Cir. 2014) (reviewing legislative history). Both the House and Senate passed bills requiring states to accept and use the Federal Form, with the shared objective of making voter registration simple and straightforward. H.R. Rep. No. 103-9, at 9 (1993); S. Rep. No. 103-6, at 12 (1993). Each bill required the form to "include a statement that specifies each eligibility requirement for voting, contain an attestation that the applicant meets each such requirement, including citizenship, and require the signature of the applicant, under penalty of perjury." H. Rep. No. 103-9, at 9 (1993); S. Rep. No. 103-6, at 12, 26 (1993).

The House Committee concluded that these requirements were adequate safeguards that it believed "are sufficient to deter fraudulent registrations." H.R. Rep. No. 103-9, at 10. The Senate Committee report was even more explicit, noting that existing federal law already "prohibits the

knowing and false assertion of United States citizenship by an alien," (citing 18 U.S.C. § 911 which criminalizes false assertion of U.S. citizenship), and emphasizing that the bill required every registrant swear to their citizenship eligibility. S. Rep. No. 103-6, at 11. Taken together with the bill's criminal penalties, the Committee stated it was "confident that this Act provides sufficient safeguards to prevent noncitizens from registering to vote." *Id.*

During floor consideration, the Senate initially adopted an amendment providing that "[n]othing in this Act shall be construed to preclude a State from requiring presentation of documentary evidence of the citizenship of an applicant for voter registration." 139 Cong. Rec. S5098, S5099 (Mar. 16, 1993); *see* 139 Cong. Rec. S5233-37 (Mar. 17, 1993). The conferees expressly rejected the Senate amendment, concluding it was "not necessary or consistent with the purposes of this Act." H.R. Rep. No. 103-66, at 23–24 (1993) (Conf. Rep.). They further warned such a provision could be interpreted to permit requirements that "adversely affect the administration of the other registration programs" and create "confusion with regard to the relationship of this Act to the Voting Rights Act." *Id.* Because the NVRA was "carefully drafted to assure that it would not supersede, restrict or limit the application of the Voting Rights Act," the conference committee concluded that the Senate provision should be deleted. *Id.*

Congress ultimately enacted the NVRA, reflecting the House's approach and declining to authorize additional proof of citizenship requirements for use of the Federal Form.

II. The Federal Election Commission and Election Assistance Commission Consistently Reject Requests to Require Additional Proof of Citizenship with the Federal Form as Unnecessary, and Courts Uphold Those Decisions

The Federal Election Commission ("FEC") and the Election Assistance Commission ("EAC")—the two bipartisan, independent agencies that have been tasked with the responsibility to administer the Federal Form—have likewise consistently declined requests by states to require registrants to provide additional proof of citizenship. Since the Federal Form's inception, these

agencies have concluded—as Congress did when it passed the law—that the NVRA's sworn attestation requirement provides a sufficient means of verifying citizenship, such that additional proof was not "necessary" under the law.

Shortly after enactment of the NVRA, the FEC finalized regulations governing the Federal Form. In that rulemaking, the FEC rejected proposals to require applicants to submit additional "information concerning naturalization." *See Final Rules: National Voter Registration Act of 1993*, 59 Fed. Reg. 32,311, 32,316 (June 23, 1994). The FEC explained that, although "U.S. citizenship is a prerequisite for voting in every state," the NVRA requires no more than an "oath required by the Act and signed by the applicant under penalty of perjury," and "[t]he issue of U.S. citizenship is addressed within [that oath]." *Id.* The FEC further rejected commenters' proposals to require additional information regarding an applicant's "place of birth," noting the "potential for inviting unequal scrutiny of applications from citizens born outside the United States" as a key reason that "the final rules do not include place of birth" on the Federal Form. *Id.*; *see also id.* at 32,317 (declining to require additional information regarding "mother's maiden name" on the application, which the notice of proposed rulemaking described as "neither essential for determining voter eligibility nor for the administration of the election process").

When Congress later transferred limited authority over the Federal Form to the EAC, that agency preserved the same approach. Over more than two decades, the EAC has never reversed the FEC's determination that additional proof of citizenship is unnecessary. In 2006, the EAC denied Arizona's request to modify the Federal Form to accommodate the State's proof of citizenship requirements, noting that the form already required applicants to attest to their citizenship under penalty of perjury and to complete a mandatory checkbox indicating that they are citizens of the United States and observing that Congress itself had "specifically considered

whether states should retain authority to require that registrants provide proof of citizenship, but rejected the idea as 'not necessary or consistent with the purpose of the NVRA.'" *See* Ex. 2, U.S. Election Assistance Comm'n, Letter from Exec. Dir. Thomas R. Wilkey to Ariz. Sec. of State Jan Brewer at 2–3 (Mar. 6, 2006); *see also* Ex. 3, U.S. Election Assistance Comm'n, Mem. of Decision Concerning State Requests to Include Additional Proof-of-Citizenship Instructions on the National Form, Dkt. No. EAC-2013-0004, at 2 (Jan. 17, 2014).

The EAC revisited the issue in 2014, when Arizona—joined by Georgia and Kansas—again asked the agency to revise the Federal Form to instruct applicants in those States to submit additional proof of citizenship in the form of citizenship documentation. The Commission rejected the request, explaining that both the FEC and the EAC had "specifically considered and determined, in their discretion," that a sworn attestation, the designation "For U.S. Citizens Only," and later-added citizenship questions required by HAVA were "all that was necessary to enable state officials to establish the bona fides of a voter registration applicant's citizenship." *Id.* at 22 (citing 42 U.S.C. § 15483(b)(4)(A)). The EAC further reasoned that requiring additional proof of citizenship "would require applicants to submit more information than is necessary to . . . assess eligibility," whereas a sworn attestation "provides the necessary means for assessing applicants' eligibility." *Id*. at 28–31. When Arizona and Kansas sued to challenge the EAC's decision, the national and state Leagues intervened, *Kobach v. U.S. Election Assistance Comm'n*, No. 13-cv-4095, 2013 WL 6511874, at *4 (D. Kan. Dec. 12, 2013), and the Tenth Circuit affirmed the EAC's decision not to alter the Federal Form as requested, *Kobach v. U.S. Election Assistance Comm'n*, 772 F.3d 1183, 1199 (10th Cir. 2014).

In 2015, a newly appointed Executive Director of the EAC attempted to approve those States' requests without a vote of the Commission. The national League sued and the D.C. Circuit

preliminarily enjoined that action, holding that the Executive Director lacked authority to unilaterally alter the Federal Form. *League of Women Voters of U.S. v. Newby*, 838 F.3d 1, 15 (D.C. Cir. 2016). On remand, the district court granted summary judgment to the national League, concluding that the EAC had failed to make the statutorily required determination that additional proof of citizenship was "necessary" to assess eligibility under the NVRA. *League of Women Voters of U.S. v. Harrington*, 560 F. Supp. 3d 177, 188–89 (D.D.C. 2021).

III. Louisiana Seeks to Impose Additional Proof of Citizenship on the Federal Form

On January 1, 2025, Plaintiff Louisiana adopted a state-law requirement that voter-registration applicants provide proof of citizenship beyond an attestation. *See* Act 500 of the 2024 Reg. Sess. of the La. Legislature, amending La. Rev. Stat. § 18:104(D)(2). Act 500 amended Section 104 of the Louisiana Election Code, which sets out the parameters for the state voter registration form, to include the statement: "Each applicant shall include with his application proof of United States citizenship." La. Stat. Ann. § 18:104(D)(2). Act 500 did not explicitly amend other portions of the Louisiana Election Code related to voter registration, including provisions pertaining to online voter registration. *See* La. Stat. Ann. § 18:115.1.

On January 30, 2025, Louisiana petitioned the EAC to revise its state-specific instructions on the Federal Form either (1) to instruct applicants to provide information regarding their place of birth or immigration status ("Option 1(A)") or, in the alternative, (2) to instruct applicants to attach a separate document containing that information ("Option 1(B)"). ECF No. 1-4. Louisiana claimed that, because it did not want separate rules for state and federal elections, it would not revise its state voter registration form until the EAC approved its requested changes to the Federal Form. Ex. 4, Decl. of Sherri Wharton Hadskey to the Election Assistance Comm'n at ¶ 20 (June 5, 2025).

On February 24, 2025, Louisiana submitted an amended and supplemental request to the EAC. *See* ECF No. 1-7. On May 17, 2025, Louisiana asked the EAC to pause its review to allow the State to submit additional evidence to support its request. *Id*. On June 25, 2025, Louisiana requested that the EAC resume its review. *See id.*

On August 27, 2025, the EAC denied the request. *See* ECF No. 1-8. The Commission deadlocked 2–2, thereby rejecting Option 1(A), and it declined to vote on Option 1(B). *Id.* at 5; *see* 52 U.S.C. § 20928 (2002) (requiring the EAC to have "the approval of at least three of its members" to act).

On September 26, 2025, Louisiana requested that the EAC hold a vote on Option 1(B). *See* ECF No. 1-9. On November 10, 2025, Louisiana asked the EAC to pause consideration of Option 1(B) pending submission of supplemental information. *See* ECF No. 1-11. On November 20, 2025, Louisiana renewed its request, asking the EAC to reconsider its rejection of Option 1(A) and to render a decision on Option 1(B). *See id.*

The EAC thereafter voted 2–2, falling short of the EAC's majority requirement to approve an action and therefore rejecting Option 1(B) in late 2025. The Commission again voted 2–2 to reject both options in January 2026. In explaining why they voted in favor of maintaining the EAC's longstanding position regarding additional proof of citizenship and against modifying Louisiana's State-specific instructions as requested, Commissioners Hicks and Hovland issued joint comments citing, *inter alia*, equal protection concerns if naturalized citizens face different requirements than other applicants, precedent finding that requiring voter registration applicants to provide their birthplace violates the Civil Rights Act's Materiality Provision, and accessibility concerns. Joint Comments of Comm'rs Hicks and Hovland, ECF No. 1-12 at 16-19.

On April 14, 2026, Louisiana filed the instant action against the EAC under the NVRA, the Administrative Procedure Act ("APA"), and the federal Constitution, seeking "a declaration that the EAC's action" in not allowing them to require additional proof of citizenship for Federal Form applicants is unlawful and "an injunction against the EAC's effort to foreclose the implementation of Louisiana law." Compl. ¶ 3, ECF No. 1.

Contrary to the complaint's allegations, *id.* ¶¶ 45–46, Plaintiffs themselves rejected the notion that noncitizen voter fraud is a problem in Louisiana. On September 4, 2025, Louisiana's Secretary of State Nancy Landry announced during a press conference that her office examined state voting records going back to the early 1980s, comparing them with federal citizenship data. In that over-forty-year period, during which tens of millions of votes were cast, the Secretary of State's office identified only 79 *potential* noncitizens who had voted. On that basis, Secretary Landry concluded that voter fraud is "not a systemic problem in Louisiana."[1]

Commissioners Hicks and Hovland also acknowledged Louisiana's concerns about noncitizen voting in their comments explaining why they had voted against the requested changes to the Federal Form instructions, but they noted that Louisiana did not "provide any evidence in any submission" to the EAC "that the identified 500 potential non-citizens removed from the rolls had registered using the federal form" and did not "mention at all how many people utilize the federal form in Louisiana." Joint Comments of Comm's Hicks and Hovland, ECF No. 1-12 at 16-19. In fact, the Commissioners explained that they had "solicited feedback from all states about usage of the federal form" to which Louisiana had not responded, leaving the EAC with "no information about the usage of the federal form in Louisiana" and "therefore unable to assess either

[1] Wesley Muller, *Louisiana Election Investigation Finds 79 Noncitizens Have Voted Since 1980s*, La. Illuminator (Sep. 4, 2025), https://lailluminator.com/2025/09/04/louisiana-election-investigation-finds-79-noncitizens-have-voted-since-1980s/.

the positive impact or potential harm this request seeks to avert." *Id.* This was one reason the EAC found that Louisiana had failed to show it was necessary for it to collect citizenship data through means other than an attestation.

IV. League Intervenors and Their Interests

League Intervenors are civic organizations that regularly register Louisiana voters and that have members who are or will be subject to the proof of citizenship requirements under Act 500. Their registration assistance is impaired by Act 500's introduction of additional proof of citizenship requirements and Plaintiffs' haphazard implementation of the same.

LWVLA, VOTE, Louisiana NAACP, and PECJ's litigation with Plaintiffs regarding Act 500 (previously known as SB 436), including Plaintiff Landry's attempts to make changes to the Federal Form, has been ongoing for more than a year. *See League of Women Voters of La. v. Landry*, No. 3:25-413 (M.D. La. 2025). League Intervenors sent a pre-suit NVRA notice letter warning that "by its text, SB 436 only amends requirements with respect to the State Form, not the Federal Form," such that "[a]ny interpretation of SB 436 to apply to the Federal Form would not only be atextual but also would plainly violate Louisiana's obligation to 'accept and use' the Federal Form." Amended Compl. Exhibit A at 4, *League of Women Voters v. Landry*, No. 3:25-413 (M.D. La. Dec. 10, 2025) Dkt. No. 61-1. Moreover, League Intervenors notified the State that Act 500 violated Sections 5, 6, 7, and 9 of the NVRA and that its enforcement would therefore violate federal law. *Id.* at 5. League Intervenors brought suit on May 14, 2025. *See* Amended Compl. ¶ 138, *League of Women Voters v. Landry*, No. 3:25-413 (M.D. La. Dec. 10, 2025) Dkt. No. 61.

Secretary Landry filed a motion to dismiss in that matter, which remains pending. In that motion, Secretary Landry argued that League Intervenors' claims against Act 500 are not ripe because she will not enforce the law until her requested changes to the Federal Form are approved

by the EAC. *See* Mot. to Dismiss at 15, 22, *League of Women Voters of La. v. Landry,* No. 25-cv-413 (M.D. La. Feb. 27, 2026) Dkt. No. 86. She also argued that, to the extent the NVRA preempts Act 500, it is unconstitutional. *Id.* at 22–23. Secretary Landry unsuccessfully sought to stay the proceedings pending resolution of her application to the EAC. *See League of Women Voters of La. v. Landry,* No. 25-cv-413, 2025 WL 3516786, at *6 (M.D. La. Dec. 8, 2025) (citation modified).

Meanwhile, League Intervenors have been harmed by the confusion around Plaintiff Landry's haphazard implementation of Act 500 and will be harmed further by its ultimate enforcement. Opp. to Mot. to Dismiss at 7–11, *League of Women Voters v. Landry,* No. 3:25-cv-00413 (M.D. La. Mar. 20, 2026) Dkt. No. 91. These harms have been exacerbated by Plaintiff Landry's refusal to provide guidance regarding Act 500's requirements to parish election officials, and her insistence that unlawful requirements are included on the Federal Form before she will provide clear guidance. Louisiana claims that, because it does not want separate rules for state and federal elections, it will not revise its state voter registration form until the EAC approves its requested changes to the Federal Form. *See* Ex. 4. League Intervenors dispute that the Secretary has not yet begun to implement Act 500. *See generally* Opp. to Mot. to Dismiss at 7–11, *League of Women Voters v. Landry,* No. 3:25-cv-00413 (M.D. La. Mar. 20, 2026) Dkt. No. 91. But, in the Secretary's view, this case is all that stands between League Intervenors and the complete enforcement of an unconstitutional proof of citizenship regime in Louisiana.

Further, the national League has an interest in ensuring that Louisiana, along with other states across the country, cannot impose burdensome voter registration requirements not permitted by federal law. If Louisiana is successful, that would impede implementation of the national League's core mission to expand democratic participation through voter registration.

ARGUMENT

I. Movants Are Entitled to Intervene as a Matter of Right

In the Fifth Circuit, a movant is entitled to intervene as of right under Fed. R. Civ. P. 24(a) if such an applicant (1) files a timely application; (2) has "an interest relating to the . . . subject of the action"; (3) is situated such that "the action may . . . impair or impede his ability to protect that interest"; and (4) is not adequately represented "by the existing parties to the suit." *Texas v. United States*, 805 F.3d 653, 657 (5th Cir. 2015). Although the proposed intervenor "bears the burden of establishing its right to intervene, Rule 24 is to be liberally construed." *Brumfield v. Dodd*, 749 F.3d 339, 341 (5th Cir. 2014). As such, "[f]ederal courts should allow intervention where no one would be hurt and the greater justice could be attained." *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 305 (5th Cir. 2022) (internal quotation marks omitted).

A. The League Intervenors' Motion Is Timely.

Timeliness is determined from "all the circumstances." *Stallworth v. Monsanto Co.*, 558 F.2d 257, 263 (5th Cir. 1977) (citation omitted). In the Fifth Circuit, courts consider four factors to determine if a motion to intervene is timely: (1) the amount of time during which intervenors "actually know or reasonably should have known of [their] interest in the case;" (2) how much prejudice existing parties may suffer as a result of intervenors' failure to request intervention "as soon as [they] knew or reasonably should have known about [their] interest in the action;" (3) the amount of prejudice the would suffer intervenors if their request is denied; and (4) "unusual circumstances militating either for or against a determination that the application is timely." *Id.* at 264–66. All four *Stallworth* factors cut in League Intervenors' favor.

First, this suit is merely days old, filed on April 14, 2026. Upon learning of it, the League Intervenors promptly prepared this motion. *Stallworth*, 558 F.2d at 264; *see also La. State Conf. of NAACP v. Louisiana*, No. 19-cv-479-JWD-SDJ, 2022 WL 2663850, at *6 (M.D. La. July 11,

2022) ("The Fifth Circuit has found motions to intervene filed both close to and longer than two months [after learning of one's interest in a matter] were timely."); *Ass'n of Prof. Flight Attendants v. Gibbs*, 804 F.2d 318 (5th Cir. 1986) (five-month lapse found not unreasonable).

Both prejudice factors cut in the League Intervenors' favor as well. The second factor, specifically—the prejudice existing parties may face because of the would-be intervenors' delay in intervening—has been labeled by the Fifth Circuit as "the most important consideration." *Rotstain v. Mendez*, 986 F.3d 931, 938 (5th Cir. 2021) (quoting *McDonald v. E.J. Lavino Co.*, 430 F.2d 1065, 1073 (5th Cir. 1970)). "In fact, [prejudice] may well be the only significant consideration when the proposed intervenor seeks intervention of right." *McDonald*, 430 F.2d at 1073. Louisiana filed suit a mere three days ago, meaning the case is at its earliest possible stage and granting intervention would not disrupt any existing schedule. Because there was no failure to seek intervention expeditiously, the existing parties would suffer no prejudice for that reason. In contrast, the League Intervenors will be substantially prejudiced absent intervention given the serious threats that the relief sought poses to their interests, as explained below.

League Intervenors also have distinct interests that would be prejudiced due to their role as litigants in a pre-existing suit challenging Louisiana's Act 500. For more than a year, Plaintiff Landry has engaged in delay tactics, using her attempt to change the Federal Form to request stays of League Intervenors' litigation and to refuse to respond to discovery requests. In other words, Plaintiff Landry here seeks to litigate the very issue she has leveraged to prejudice League Intervenors in their action in a separate forum. Thus, League Intervenors would be highly prejudiced if they were not allowed to participate in this litigation.

Finally, the last *Stallworth* factor is whether there are "unusual circumstances militating either for or against a determination that the application is timely." *Stallworth*, 558 F.2d at 265–

66; *see, e.g.*, *Gen. Land Off. v. Trump*, No. 24-40447, 2025 WL 1410414, at *7 (5th Cir. 2025); *cf. John Doe #1 v. Glickman*, 256 F.3d 371, 379 (5th Cir. 2001). Because League Intervenors are filing this motion at the outset of the litigation and are opposing, rather than seeking, an injunction against a federal official, there are no special circumstances that cut against intervention here.

B. League Intervenors Have Substantial Legal Interests in the Litigation.

League Intervenors also satisfy the Fifth Circuit's second requirement for intervention: that they have a substantial legal interest, or one that is "concrete, personalized, and legally protectable." *Texas v. United States*, 805 F.3d 653, 658 (5th Cir. 2015). "[T]he inquiry turns on whether the intervenor has a stake in the matter that goes beyond a generalized preference that the case come out a certain way." *Id.* at 657. In addition, because this case "involves a public interest question" and League Intervenors are "public interest group[s]," "the interest requirement may be judged by a more lenient standard" such that this factor "easily supports intervention." *Brumfield v. Dodd*, 749 F.3d 339, 344 (5th Cir. 2014) (cleaned up); *See La Union del Pueblo Entero*, 29 F.4th at 306 (quoting *Brumfield*, 749 F.3d at 344). League Intervenors plainly satisfy that standard.

First, League Intervenors have an interest in parallel litigation directly responsive to the litigation they have brought. As noted above, Plaintiffs have repeatedly stated that the outcome of League Intervenors' litigation is contingent on the outcome of the Federal Form. Plaintiffs themselves have acknowledged the relation between the cases. Notice, *League of Women Voters of Louisiana v. Landry*, No. 3:25-cv-413 (M.D. La. Apr. 14, 2026), Dkt. No. 103 (Secretary Landry notifying the Court of this matter).

Second, League Intervenors have a long-standing interest in civic participation and expend significant resources toward assisting eligible citizens registering to vote, including recruiting and

training volunteers to do so.[2] In addition, both the Louisiana NAACP and Power Coalition have a direct interest in this action by virtue of their long history of working to engage Black voters across the state of Louisiana in the political process through educating, mobilizing, and registering voters. Amended Compl. ¶¶ 46–49, 63–67, *League of Women Voters v. Landry,* No. 3:25-cv-00413 (M.D. La. Dec. 10, 2025), Dkt. No. 61. Requiring applicants to provide additional proof of citizenship to register to vote will necessarily "change[] the landscape" for what it takes to carry out those voter registration activities. *La Union del Pueblo Entero*, 29 F.4th at 306. These interests are "direct" and "substantial"—not unlike those asserted by the Republic National Party ("RNC") and recognized by the Fifth Circuit in granting the RNC's motion to intervene in *La Union del Pueblo Entero v. Abbott*. *Id*. (finding the RNC expending "resources regarding the recruitment, training, and appointment of poll watchers" to be a legally protectable interest).

Third, League Intervenors have a protectable interest in continuing to engage voters—core to their respective missions—through voter registration activities. Indeed, the national League has established one of the longest-running and largest nonpartisan voter registration efforts in the country, including in Louisiana, *see* Ex. 5, Green Decl. ¶ 3, and Louisiana NAACP and Power Coalition host voter registration opportunities year-round. Amended Compl. ¶¶ 21, 22, 24, 26, *League of Women Voters v. Landry,* No. 3:25-cv-00413 (M.D. La. Dec. 10, 2025), Dkt. No. 61. Additionally, VOTE hosts voter registration drives among the eligible populations within jails. *Id*. ¶ 32. The additional burden of the unlawful requirements that the Plaintiff seeks to impose on

[2] The League of Women Voters (LWV) mission is to achieve to fully participate in our democracy. *See* About Us, https://www.lwv.org/about-us (last visited Apr. 16, 2026). The NAACP and the Power Coalition regularly engage in voter registration events. *See* NAACP, *Voter's Registration Drive Recap* (Mar. 26, 2026), https://www.instagram.com/p/DWXDl4WCd07/?igsh=MWRwYWFuczA1cjFheQ%3D%3D. (last visited Apr. 16, 2026); La. NAACP, *100 Days & Counting: We Register. We Vote. We Win.* (July 28, 2024), https://www.instagram.com/p/C9-03KyPgoM/?igsh=MXZ3eTViYzlleGRicA== (last visited Apr. 16, 2026); PCEJ, *Power Voter Registration Training*, https://powercoalition.org/powervrtaccess/, (last visited Apr. 16, 2026).

voters using the Federal Form will make conducting voter registration activities more difficult for League Intervenors because prospective Louisiana voters will be less likely to register to vote if they are required to provide additional proof of citizenship to do so. And because the relief Plaintiffs seek opens the door to the EAC revising the Federal Form for other states for any number of additional proof requirements, the national League foresees a reverberating chilling effect on voter registration far beyond Louisiana.

C. The League Intervenors' Ability to Protect Their Interests Will Be Impaired Absent Intervention.

League Intervenors' interests may be impaired if Plaintiff succeeds in obtaining its requested relief. League Intervenors bear a "minimal" burden of showing that "the disposition of [an] action 'may' impair or impede their ability to protect their interests." *Brumfield*, 749 F.3d at 344 & n.2 (5th Cir. 2014) (quoting *Grutter v. Bollinger*, 188 F.3d 394, 399 (6th Cir. 1999)). In other words, League Intervenors must only show "a *possibility*" that, without their intervention, "their interest could be impaired or impeded." *La Union del Pueblo Entero*, 29 F.4th at 307 (emphasis added). League Intervenors satisfy this requirement.

First, Plaintiffs' requested relief—an order compelling the EAC to revise the Federal Form to require additional proof of citizenship—would directly and indirectly burden League Intervenors' voter registration activities, frustrate their organizational missions, impede their efforts to assist eligible Louisiana citizens in registering to vote, and undermine their position in ongoing litigation against Plaintiff Landry regarding Act 500.[3] Most immediately, if Plaintiffs win here, the Federal Form will be changed to require additional proof of citizenship, which will itself discourage voter registration. Further, the State has promised to use the information it will solicit

[3] Demonstrating that Plaintiffs understand the impact of the outcome of this matter on the ongoing litigation still pending in another Louisiana Federal Court, Plaintiffs filed notice with that court about their recently filed Complaint. Notice at 4, *League of Women Voters v. Landry*, No. 3:25-413 (M.D. La. Apr. 15, 2025), Dkt. No. 91.

in the altered Federal Form to conduct concerningly inaccurate database searches that are especially likely to erroneously disenfranchise some of Intervenors' core constituencies. Perhaps most concerningly, if Plaintiffs win here, the Secretary has promised to enforce Act 500 to its fullest extent, imposing harsher burdens on League Intervenors' activities and more severely threatening the voting rights of their constituents and members.

Second, the national League has an organizational interest in the implementation of the NVRA[4] and has previously litigated to prevent the EAC from altering the Federal Form in ways that will impair voter registration. *See, e.g.*, *League of Women Voters of the U.S. v. Newby*, 838 F.3d 1 (D.C. Cir. 2016). The national League's members and volunteers throughout the country provide voter registration assistance using the Federal Form in reliance on the EAC's current guidance regarding the Federal Form.[5] Here, Plaintiffs seek a ruling that the EAC lacks discretion and must amend the Federal Form whenever a State decides that a change is necessary to assess voter eligibility. *See* Compl. ¶ 80. But that interpretation of the NVRA is inconsistent with the statute's plain text, which courts have held to require that "the Commission, not the states, determines necessity." *Newby*, 838 F.3d at 10. The national League achieves its core mission of registering as many eligible voters as possible relying on this precedent. If this Court grants Plaintiffs' requested relief and orders the EAC to revise the Federal Form on that basis, that ruling will impair the national League's ability to protect the Federal Form in future litigation nationwide because "the district court's ruling would have persuasive weight with a new court." *Crossroads Grassroots Pol'y Strategies v. Fed. Election Comm'n*, 788 F.3d 312, 320 (D.C. Cir. 2015). League Intervenors thus "satisf[y] the impairment requirement" because they "will have to expend

[4] The national League led the campaign to originally enact the NVRA. *See Protecting the National Voter Registration Act*, League of Women Voters (May 18, 2023), https://www.lwv.org/blog/protecting-national-voter-regstration-act.
[5] *Find Your Local League*, League of Women Voters, https://www.lwv.org/local-leagues/find-local-league (last visited Apr. 17, 2026) (listing all the state and local Leagues and providing information about their activities).

resources to educate their members" and volunteers who conduct their voter registration activities "on the shifting situation in the lead-up to the [2026] election." *La Union del Pueblo Entero*, 29 F.4th at 307.

D. The EAC's Interests Differ from Those of League Intervenors.

League Intervenors' interests are not adequately represented by the existing parties. A proposed intervenor need not show that the representation by existing parties *will* be inadequate. *Entergy Gulf States La., L.L.C. v. E.P.A.*, 817 F.3d 198, 203 (5th Cir. 2016). All that is required is the "minimal" burden of showing that the representation "*may* be" inadequate. *Ross v. Marshall*, 426 F.3d 745, 761 (5th Cir. 2005).

Here, that burden is easily satisfied given the context of this case amid related cases because the U.S. Department of Justice cannot be relied on to defend against Louisiana's position in this lawsuit. Although he lacks any constitutional basis for doing so, *League of United Latin Am. Citizens v. Exec. Off. of President*, 808 F. Supp. 3d 29, 41 (D.D.C. 2025), President Donald Trump has nevertheless purported to direct Defendant EAC through Executive Order 14,248 to require additional proof of citizenship as part of the Federal Form—which is akin to the relief sought by Plaintiffs in this case, and which they claim is necessary to seeking to implement Act 500. *See* Section 2(a) of Exec. Order No. 14,248, 90 Fed. Reg. 14005 (Mar. 25, 2025). The League of Women Voters, among other plaintiffs, sued the EAC, its Executive Director Brianna Schletz, and others, and obtained a permanent injunction barring the EAC from enforcing the portion of President Trump's Executive Order that would have required additional proof of citizenship for the Federal Form. *See League of United Latin Am. Citizens v. Exec. Off. of President*, 808 F. Supp. 3d 29, 41 (D.D.C. 2025). The U.S. Department of Justice has zealously defended the case on behalf of the EAC and has appealed the district court's order. *See League of United Latin Am. Citizens v. Exec. Off. of President*, No. 25-5476 (D.C. Cir. 2026). In other words, the interests of League

Intervenors and the Defendants in this case could hardly be further afield.

Although the Fifth Circuit recognizes "two presumptions of adequate representation," *Brumfield*, 749 F.3d at 345 (quoting *Edwards*, 78 F.3d at 1005), those presumptions only apply under limited circumstances and neither precludes intervention here. The Fifth Circuit has described the first presumption as arising "when the intervenor 'has the same ultimate objective as a party to the lawsuit.'" *La Union del Pueblo Entero*, 29 F.4th at 308 & n.6 (quoting *Texas*, 805 F.3d at 661–62). However, the Supreme Court has recently clarified that "[w]here 'the absentee's interest is similar to, but not identical with, that of one of the parties,' that normally is not enough to trigger a presumption of adequate representation." *Berger v. N.C. State Conf. of the NAACP*, 597 U.S. 179, 197 (2022) (quoting 7C C. Wright, A. Miller, & M. Kane, *Federal Practice and Procedure*, § 1909 (3d ed. Supp. 2022)); *see La Union del Pueblo Entero*, 29 F.4th at 308 (internal citations omitted) (presumption does not apply when an intervenor's "interests diverge from the putative representative's interests in a manner germane to the case"); *see also, e.g.*, *Kane Cnty., Utah v. United States*, 94 F.4th 1017, 1030 (10th Cir. 2024) (stating that, under *Berger*, "this presumption applies only when interests overlap fully," and expressing doubt that the government "can 'adequately represent the interests of a private intervenor and the interests of the public'" (quoting *W. Energy All. V. Zinke*, 877 F.3d 1157, 1168 (10th Cir. 2017)).

The second presumption may apply "when the existing party 'is a governmental body or officer charged by law with representing the interests' of the intervenor, which can be overcome by showing that the intervenor's 'interest is in fact different from that of the' governmental party 'and that the interest will not be represented' by the existing governmental party." *La Union del Pueblo Entero*, 29 F.4th at 308 (internal quotations omitted). However, the "government-representative presumption does not inherently apply whenever a state or federal agency is a

party." *Wal-Mart Stores, Inc. v. Texas Alcoholic Beverage Comm'n*, 834 F.3d 562, 569 n.7 (5th Cir. 2016) (citing *Entergy Gulf States La., L.L.C. v. U.S. E.P.A.*, 817 F.3d 198 (5th Cir. 2016)). When the suit involves a "matter of sovereign interest," a State "is presumed to represent the interest of all its citizens." *Entergy Gulf States La., L.L.C.*, 817 F.3d at 203 n.2 (quoting *Hopwood v. Texas*, 21 F.3d 603, 605 (5th Cir. 1994)). However, that logic is not universally applicable to government agencies because they often serve narrower purposes and interests, which is why the Fifth Circuit has repeatedly declined to apply this presumption to government agencies. *See, e.g.*, *Miller v. Vilsack*, No. 21-11271, 2022 WL 851782, at *2–3 n.4 (5th Cir. Mar. 22, 2022); *Wal-Mart Stores, Inc.*, 834 F.3d 562, 569 n.7 (5th Cir. 2016).

Both presumptions are easily overcome here. Intervenors need only demonstrate that their "private interests are different in kind from the public interests of the State or its officials" and "that the interest will not be represented by the existing governmental party," and they need not demonstrate "'for sure that the state's more extensive interests will *in* fact result in inadequate representation'" but rather need only show that "'they might[.]'" *La Union del Pueblo Entero,* 29 F.4th at 309 (quoting *Brumfield*, 749 F.3d at 346); *Louisiana v. Burgum*, 132 F.4th 918, 922 (5th Cir. 2025) (internal citations omitted).

First, "there are reasons to believe [League Intervenor'] interests are less broad than those of the governmental defendants, which may lead to divergent results." *La Union del Pueblo Entero*, 29 F.4th at 308. The EAC, as a government agency, "must represent the broad public interest," and will face institutional constraints that may lead it to prioritize defending the agency's own priorities. *Sierra Club v. Glickman*, 82 F.3d 106, 110 (5th Cir. 1996). The EAC has a generalized interest in carrying out its legal obligations and minimizing burdens on governmental employees and resources. It also must consider broader public policy concerns, including the need

to maintain working relationships with federal officials. In contrast, League Intervenors have "more flexibility" to advocate for their narrower interest in promoting expansive voter registration opportunities and defending their stake in related ongoing litigation. *Id.*; *see, e.g.*, *John Doe No. #1 v. Glickman*, 256 F.3d 371, 381 (5th Cir. 2001) (contrasting agency's broad interest in representing the public against advocacy organization intervenor's more narrow concerns). Thus, they bring a distinct, particular interest to this litigation: the perspective of civil rights groups whose primary commitment is to ensure access to the ballot and protect individual voters whose own rights are at risk. *See T-Mobile Ne. LLC v. Town of Barnstable*, 969 F.3d 33, 40 (1st Cir. 2020). Nor do government Defendants share League Intervenors' specific concerns related to the impact of the requested relief on their voter registration and voter education work. *See La Union del Pueblo Entero*, 29 F.4th at 309 (concluding that intervenors' "private interests are different in kind from the public interests of the State or its officials" when those "interests primarily rely on the expenditure of their resources to equip and educate their members . . . and volunteers who participate in the election").

For instance, in a prior challenge to the EAC's administration of the Federal Form, a federal court recognized that the Commission "may not adequately represent [the national and state Leagues'] specific interest[s]" because the EAC has "a duty to represent the public interest," which may diverge from the private organizational interests of the Leagues. *Kobach*, 2013 WL 6511874, at *4. The same structural divergence is present here, where the Intervenors' mission-driven interest in protecting eligible voters and ensuring uniform, lawful registration procedures is distinct from the EAC's broader institutional obligations.

Second, as it concerns the administrative decision challenged in this case, the nuances of the EAC's position are yet unclear. Notably, the EAC commissioners are of two minds, whereas

the League Intervenors are unified and consistent. Half of the EAC Commissioners voted to grant Louisiana the relief it seeks in this case, and the other half voted against it. *See* ECF No. 1-12, Compl. Ex. 11, EAC Letter (Jan. 16, 2026). While this results in a denial of the request by operation of law, it is unclear how those divergent institutional interests may play into this litigation. Indeed, half of the EAC has already expressed support for Louisiana's legal claims in this case by claiming that denying Louisiana's request "raises serious constitutional doubts" because, in their view, it is "neither legal nor constitutional" to "deny states the ability to request information from applicants." *Id.* at 12. But the League Intervenors are not divided or conflicted on Plaintiffs' statutory or constitutional claims. Indeed, several of the League Intervenors are presently litigating whether Act 500 complies with the NVRA and have taken the firm position that additional proof of citizenship is *not* necessary to assess voters' qualifications. *See, e.g.*, Amended Compl., *League of Women Voters v. Landry*, No. 3:25-413-JWD-SDJ (M.D. La. Dec. 10, 2025), Dkt. No. 61-1.

Third—and relatedly—Defendants and their representatives at the Department of Justice have consistently taken diametrically opposed positions to the League Intervenors on issues relevant to this litigation. For one, as described above, Defendants are actively litigating in other cases against two League Intervenors in an effort to require additional proof of citizenship on the Federal Form. Given the ongoing litigation with closely related subject matter, Defendant EAC will be constrained by the respective positions it has taken in the prior suit, which will necessarily restrict the ways in which it may defend its decision on Louisiana's request. For example, a central issue in the Executive Order litigation is whether the Order's direction to require additional proof of citizenship is consistent with the NVRA. League Intervenors' unequivocal position is that it is not.

Fourth, League Intervenors have a distinct perspective on matters relevant to the necessity

analysis. For instance, they disagree with Defendants about the accuracy of citizenship checks performed via the federal Department of Homeland Security's Systematic Alien Verification for Entitlements ("SAVE") system, which bears directly on the question of whether Louisiana's requested changes to its State-specific Federal Form instructions are necessary. This perspective, thus far, is entirely unrepresented in this lawsuit. League Intervenors have elsewhere argued that SAVE is not sufficiently accurate to function as the only indication of a person's citizenship in many contexts, especially in relation to naturalized citizens. *See, e.g.*, Compl. ¶ 140, *League of Women Voters v. U.S. Dep't of Homeland Sec'y*, No. 1:25-cv-3501 (D.D.C. Sep. 30, 2025), ECF No. 1. In this suit, League Intervenors seek to argue that Louisiana's purported justification for requiring additional proof of citizenship is based on data that is known to be inaccurate. However, even the Commissioners who voted against Louisiana's requested change did not raise the issue of SAVE's accuracy in their comments explaining their decision to vote against Louisiana's request. ECF. No. 1-12 at 16–19. At the same time, the federal government has been developing, encouraging, and even attempting to compel the use of SAVE for voter list maintenance purposes.[6] Divergent perspectives such as these strongly support the conclusion that Defendants may not adequately represent the League Intervenors' interests. For these reasons, League Intervenors have shown more than enough to demonstrate inadequacy of representation. The government "has many interests in this case" that contrast with the specific interests of League Intervenors; even if one could not "say for sure that the [government's] more extensive interests will *in fact* result in inadequate representation . . . surely they might, which is all that the rule requires." *Brumfield*, 749

[6] Press Release, U.S. Dep't of Homeland Sec., *DHS, USCIS, DOGE Overhaul Systematic Alien Verification for Entitlements Database* (Apr. 22, 2025), https://www.dhs.gov/news/2025/04/22/dhs-uscis-doge-overhaul-systematic-alien-verification-entitlements-database; Jude Joffe-Block, *The Justice Department Plans to Share Sensitive Voter Data with Homeland Security*, NPR (Mar. 27, 2026), https://www.npr.org/2026/03/27/nx-s1-5764266/voter-data-trump-doj-dhs.

F.3d at 346.

II. In the Alternative, This Court Should Grant Permissive Intervention

Should the Court decline to grant intervention as of right, the Court should use its broad discretion to grant permissive intervention. Rule 24(b)(1) provides that on timely motion, "the court may permit anyone to intervene who . . . has a claim or defense that shares with the main action a common question of law or fact." *See, e.g.*, *United States ex rel Hernandez v. Team Fin., L.L.C.*, 80 F.4th 571, 575 (5th Cir. 2023) ("The 'claim or defense' portion of Rule 24(b) is to be construed liberally.") (cleaned up). The court "must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties' rights." Fed. R. Civ. P. 24(b)(3). Courts may also consider whether the existing parties adequately represent the prospective intervenor's interest and whether the intervenors will significantly contribute to fully developing the factual record. *See Kneeland* v. *Nat'l Collegiate Athletic Ass'n*, 806 F.2d 1285, 1289 (5th Cir. 1987). As with intervention as of right, Rule 24 is to be "liberally construed" and "[f]ederal courts should allow intervention when no one would be hurt and the greater justice could be attained." *See Wal-Mart Stores, Inc.*, 834 F.3d at 565 (citations omitted). As discussed above, League Intervenors' Motion is timely, and poses no risk of delay or prejudice to the existing parties' rights. *See supra* Argument, Part I.A. To the contrary, a federal court in Kansas granted intervention to the national and two state Leagues to prevent the EAC from changing the Federal Form because their "experience, views, and expertise, particularly as to the effects of the state voting registration requirements at issue on voter registration efforts, will help to clarify, rather than clutter the issues in the action, which will in turn assist the Court in reaching its decision." *Kobach v. U.S. Election Assistance Comm'n*, No. 13-CV-4095-EFM-DJW, 2013 WL 6511874, at *4 (D. Kan. Dec. 12, 2013). The court also recognized that the Leagues "have demonstrated that they are individuals or entities with a 'special interest in the administration of election laws,' warranting permissive

intervention in this action specifically addressing the NVRA." *Id.* (quoting *Florida v. United States*, 820 F. Supp. 2d 85, 86–87 (D.D.C. 2011)). In addition, as previously stated, Movants' interests are not adequately represented by any of the existing parties. *See supra* Argument, Part I.D. That leaves only the question of whether Movants have a claim or defense that shares a common question of law or fact presented in this action.

League Intervenors' defenses go directly to the matters at issue. These include (1) whether the EAC's denial of Louisiana's request and adherence to its longstanding position on additional proof of citizenship resulted in unlawfully withheld action; (2) whether it is necessary to provide additional citizenship information beyond an attestation in order for a state to assess the qualifications of a voter; (3) whether the requirement of additional citizenship information places unnecessary burdens on, or increases the risk of unconstitutional treatment of, voters; and (4) whether Section 9 of the NVRA, on which many of League Intervenors' members and constituents rely to register to vote, is constitutional. Indeed, this case turns on proof of citizenship issues at the heart of League Intervenors' claims in a parallel action that is being actively litigated. Amended Compl., *League of Women Voters of Louisiana v. Landry,* No. 3:25-cv-00413 (M.D. La. Dec. 10, 2025), Dkt. No. 61. League Intervenors thus bring substantial familiarity with the issues that will enable them to offer this Court a crucial perspective. This distinct perspective on proof of citizenship issues will sharpen the quality of the record, aiding the Court's resolution of the issues before it. *See Hanover Ins. Co. v. Superior Lab. Servs., Inc.*, 179 F. Supp. 3d 656, 668–69 (E.D. La. 2016).

CONCLUSION

For all these reasons, the Motion should be granted.

Dated: April 17, 2026

Respectfully submitted,

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**Pro hac vice* motion forthcoming

United States, and the League of Women Voters Education Fund

CERTIFICATE OF SERVICE

I hereby certify that on this date, April 17, 2026, I electronically filed the foregoing Motion with the Clerk of the Court using the Court's CM/ECF system, which will send a notice of electronic filing to counsel of record who are registered with the Court's CM/ECF system.

/s/ *Valencia Richardson*
Valencia Richardson

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