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NEWS FOR IMMEDIATE RELEASE

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Wisconsin Department of Justice Files Lawsuit Challenging Latest Trump Administration Attempt to Coerce States, Undermine Elections

MADISON, Wis. — The Wisconsin Department of Justice (DOJ) is joining a coalition of 26 states in filing a [lawsuit](#) to stop the Trump administration’s continued efforts to use federal funds — specifically, billions of dollars in federal counterterrorism and other funds — to coerce states into complying with the administration’s policy priorities.

The coalition’s lawsuit challenges decisions by the Federal Emergency Management Agency (FEMA) and the U.S. Department of Homeland Security (DHS) to impose unlawful conditions on billions of dollars in federal funds that Congress appropriated for states to use in preparing for and responding to emergencies and natural disasters, including acts of terrorism. The conditions challenged in the lawsuit would require the states to change the way they conduct elections, including by transmitting lists of all registered voters to DHS, and to assist DHS in enforcing federal immigration law. The conditions would also permit DHS to terminate any federal grant at any time and for any reason.

“Once again, the Trump administration has put the president’s agenda ahead of federal law and the Constitution,” said AG Kaul. “And once again, we are taking action to defend the law and the Constitution and protect Wisconsinites.”

Wisconsin DOJ joined two similar and successful lawsuits in 2025, challenging [DHS’s efforts to condition billions in federal emergency funding on states’ agreement to enforce federal immigration law](#) and DHS’s subsequent attempt to attach other

unreasonable and arbitrary conditions on the Emergency Management Grant Program (EMPG) and the Homeland Security Grant Program (HSGP).

Now, DHS and FEMA have established grant conditions for 2026 funding that again attempt to coerce the states into complying with the administration's policy priorities. The conditions in total affect billions of dollars in funding, including over one billion dollars in HSGP funding that states use to support security measures and protect residents from terrorism, cyberattacks and more. Wisconsin receives approximately \$7 million in HSGP funding each year for state and municipal efforts to prevent, prepare for and respond to acts of terrorism and tens of millions of dollars for other emergency preparedness programs.

First, DHS and FEMA have again threatened to impose the same immigration conditions that they attempted to impose in 2025 on all federal grant programs. The conditions would require states to devote scarce law-enforcement resources to assisting DHS in enforcing federal immigration law. These conditions were found to be unlawful and were [enjoined by a district judge](#) last year.

Second, DHS and FEMA threaten to withhold 20% of each state's counterterrorism funding if states do not change state election law to conform to the Trump administration's policy goals.

Specifically, the challenged funding conditions would require states to transition to paper-ballot systems, conduct a mandatory 5% manual audit of voting systems, reconcile voters and ballots using a methodology DHS has not disclosed, and use DHS's Systematic Alien Verification for Entitlements (SAVE) system to verify the citizenship of every election worker and every registered voter in states' voter databases. If states do not comply, DHS and FEMA will withhold at least 20% of each state's HSGP funding.

Finally, the challenged funding conditions unlawfully claim effectively unfettered power to terminate these grants on a whim. This threat of termination undermines the stability and reliability that these critical programs rely on to be effective. Indeed, a federal court [recently rejected](#) the Trump administration's attempts to interpret an existing regulation to have that effect.

The coalition argues in the lawsuit that the grant conditions violate the Administrative Procedure Act and the U.S. Constitution's Spending Clause.

Joining Wisconsin DOJ in filing the lawsuit are attorneys general of California, Arizona, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois,

Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, and Washington, as well as the governors of Kentucky and Pennsylvania.