

**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, *et al.*,
Defendants.

Civil Action No. 3:26-cv-01191

MEMORANDUM IN SUPPORT OF INTERVENTION

The Republican National Committee and the Republican Party of Louisiana move to intervene as Plaintiffs under Federal Rule of Civil Procedure 24. State Plaintiffs challenge the EAC's decision not to add a minimal proof of citizenship question to the federal voter registration form. The EAC's decision harms the RNC and the LAGOP, which rely on accurate voter rolls to conduct their regular activities, turn out Republican voters, and elect Republican candidates. The RNC and its affiliated state parties regularly bring suit to vindicate those interests with respect to list maintenance. *E.g.*, *RNC v. N.C. St. Bd. of Elec.*, 120 F.4th 390 (4th Cir. 2024). And the RNC regularly intervenes in defense of requirements that protect those interests. *E.g.*, *Mi Familia Vota v. Fontes*, 129 F.4th 691 (9th Cir. 2025), *cert. granted*, *RNC v. Mi Familia Vota*, (June 29, 2026).

The Movants' intervention here accords with the great weight of authority which recognizes that when election and voter registration rules are challenged in federal court, political competitors should be allowed to participate as parties to vindicate their unique interests. *E.g.*, *Bost v. Ill. State Bd. of Elections*, 607 U.S. 71 (2026).¹ This Court should grant the motion for two independent reasons. The

¹ See also, *NRSC v. FEC*, 145 S. Ct. 2843 (2025); *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 309 (5th Cir. 2022); *Thomas v. Andino*, 335 F.R.D. 364, 371 (D.S.C. 2020); *N.C. Green Party v. N.C.*

RNC and LAGOP satisfy the criteria for intervention by right under Rule 24(a)(2). And, independent of those requirements, permissive intervention is warranted under Rule 24(b) in the alternative, as the Movants' claims share common questions of law and fact with the existing parties. The State Plaintiffs take no position on the Movants' intervention. Defendants take no position on the motion at this time but reserve the right to respond after reviewing the filings.

INTERESTS OF MOVANTS

The Republican National Committee is the national organization of the Republican Party, representing Republican voters and candidates nationwide, as defined by 52 U.S.C. §30101(14). The RNC helps Republican candidates achieve electoral victories at the local, state, and national levels. Of particular relevance to this motion, the RNC engages in a variety of activities to register voters at the state and local levels, including in Louisiana. The RNC also identifies likely voters, contacts voters to encourage them to vote, and engages in get-out-the-vote drives to increase voter turnout. The RNC engages in these activities directly and assists state and local parties in doing the same.

Also central to the RNC's mission are its programs to promote sound election administration and election integrity because they are critical to protecting the voting rights of qualified voters and ensuring both the accuracy of election outcomes and public confidence in elections. The RNC monitors all aspects of election administration and deploys staff and volunteers to observe election administration. As part of these programs, the RNC devotes significant resources to identifying both qualified and unqualified voters who might dilute the votes of qualified voters. These efforts require reli-

State Bd. of Elections, 619 F. Supp. 3d 547, 560-62 (E.D.N.C. 2022); *Middleton v. Andino*, Doc. 27, No. 3:20-cv-01730 (D.S.C. May 12, 2020); *DNC v. N.C. State Bd. of Elections*, 2023 WL 12218247, at *1-3 (M.D.N.C. Nov. 6); *Ne. Ohio Coal. for the Homeless v. LaRose*, 2023 WL 2991932, *1 (N.D. Ohio Apr. 18); *King v. Whitmer*, 2020 WL 7053810, *1 (E.D. Mich. Dec. 2); *A. Philip Randolph Inst., of Ohio v. LaRose*, 2020 WL 5524842, *1-2 (N.D. Ohio Sept. 15); *League of Women Voters of Ohio v. LaRose*, Doc. 38, No. 2:20-cv-01638 (S.D. Ohio Apr. 2, 2020); *Priorities USA v. Nessel*, 2020 WL 2615504, at *1 (E.D. Mich. May 22); *Int'l All. of Theater Stage Emps. Local 927 v. Lindsey*, Doc. 84, No. 1:23-cv-4929 (N.D. Ga. May 3, 2024); *Mont. Pub. Int. Rsch. Grp. v. Jacobsen*, Doc. 34, No. 6:23-cv-70 (D. Mont. Jan. 18, 2024); *Vote.Org v. Byrd*, Doc. 85, No. 4:23-cv-111 (N.D. Fla. May 26, 2023).

ance on state voter registration lists. The RNC devotes millions of dollars each year to these activities. As part of its efforts to ensure election integrity, the RNC litigates important election administration issues. These include the verification of voter qualifications and state efforts to remove ineligible non-citizens from voter registration lists.

The RNC also has distinct interests in the rules governing voter registration and the collection of voter registration data. The EAC's failure to grant Louisiana's request affects the RNC's voter registration, get-out-the-vote, and election-integrity efforts. Voter registration is critical to the RNC's mission as a political party. The RNC has a direct stake in state efforts to maintain accurate voter rolls because it relies on voter rolls to communicate with voters, advise candidates, determine its representation, and turn out voters to vote. The RNC's candidates, members, and voters are also directly affected by measures to ensure that elections are conducted properly, that those elections yield accurate results, and that the votes of American voters are not diluted by the votes of non-citizens or voters who fail to vote by Election Day. The RNC also has a direct interest in preventing non-citizens from voting in federal elections and diluting the votes of its members, and in defending provisions that help States maintain accurate voter rolls, which the RNC relies on to turn out voters.

The LAGOP is a state-level political party, as defined by La. Rev. Stat. §18:441. As the state arm of the Republican Party, the LAGOP shares the RNC's interests in election integrity, voter registration, voter confidence, winning elections, and coordinating campaigns and candidates in Louisiana. Furthermore, as a political party recognized by the State, LAGOP's membership and recognition is determined by the State's voter registration lists. *See* La. Rev. Stat. §18:441(B)(1); *id.* 18:441(D)(1). Ensuring only eligible voters are registered allows the LAGOP to accurately assess its membership and representation.

ARGUMENT

“Federal courts should allow intervention when no one would be hurt and the greater justice could be attained.” *Wal-Mart Stores, Inc. v. Tex. Alcoholic Beverage Comm’n*, 834 F.3d 562, 565 (5th Cir. 2016). The Fifth Circuit has a “broad policy favoring intervention,” and the intervenor’s burden is “minimal.” *La Union del Pueblo Entero*, 29 F.4th at 305.

I. The Movants have a right to intervene under rule 24(a).

Under Rule 24(a), “the court must permit anyone to intervene who” files (1) a timely motion; (2) has an interest relating to the subject of the action; (3) is so situated that the disposition of the action may impair its interest; and (4) is inadequately represented by the existing parties to the suit. Fed. R. Civ. P. 24(a); *see also Brumfield v. Dodd*, 749 F.3d 339, 341 (5th Cir. 2014). Rule 24 is construed liberally in favor of the intervenor. *Id.*

A. Intervention is timely.

Whether intervention is timely depends on the circumstances of each case. *Wal-Mart Stores, Inc.*, 834 F.3d at 565. These circumstances include four factors: the time elapsed since the intervenor became aware of its interest in the case, prejudice to the current parties, the prejudice suffered by the intervenor if its motion is denied, and the existence of unusual circumstances militating either for or against timeliness. *Stallworth v. Monsanto Co.*, 558 F.2d 257, 263-66 (5th Cir. 1977). All four factors favor granting intervention.

First, the RNC and LAGOP filed this motion before Defendants have answered the Complaints in this case and before discovery, dispositive motions, or trial. This motion comes less than three months after the original Complaint was filed. Because the RNC and LAGOP seek “intervention before discovery progressed and because it d[oes] not seek to delay or reconsider” any portion of the litigation, their “motion [is] timely.” *Wal-Mart Stores, Inc.*, 834 F.3d at 565-66. A motion to intervene

“filed prior to entry of judgment favors timeliness.” *Edwards v. City of Houston*, 78 F.3d 983, 1001 (5th Cir. 1996). Judgment here is a long way off.

Second, there can be no credible prejudice to the existing parties given the early posture of the case. The State does not oppose intervention, and the RNC and LAGOP’s factual allegations are substantially similar. The Defendants have yet to file an answer or responsive pleading. So no delay will ensue from granting intervention. The RNC and LAGOP’s participation will not disrupt the State’s ability to pursue its case. And any prejudice to Defendants is minimal, given the substantial overlap of claims between the proposed complaint and the State’s complaint, the current pending motion to intervene by Public Interest Legal Foundation, and the recently granted extension to file an answer or responsive pleading.

Third, the RNC and LAGOP’s interests could be harmed if it cannot pursue its interests as an intervenor in this case, and is forced to file a duplicative lawsuit to protect its interests. Litigating in that parallel posture, “disposition of the action may, as a practical matter, impair or impede [the RNC’s] ability to protect its interest.” *Sierra Club v. Espy*, 18 F.3d 1202, 1205 (5th Cir. 1994).

Finally, no unusual circumstances militate against granting intervention.

B. The lawsuit implicates the RNC and LAGOP’s legally protected interests.

The Movants have legally protected rights at stake in this lawsuit. This “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.” *Texas v. United States*, 805 F.3d 653, 657 (5th Cir. 2015). While an intervenor need only meet the lower bar of a legally protected interest under Rule 24(a), the Movants more than satisfy the interest requirement by their showing of Article III standing in the accompanying proposed complaint. “[A] movant who shows standing is deemed to have a sufficiently substantial interest to intervene.” *Wal-Mart Stores*, 834 F.3d at 566 n.3. As the national committee and state arm of the Republican Party who represents candidates and voters across Louisiana and the nation, “[a]n

unfair and inaccurate election plainly affects” the Movants “in a different way” than it does other individuals and organizations who are not political competitors. *Bost*, 607 U.S. at 78. The Movants have an Article III “interest” in “a fair process and an accurate result” that is at risk of impairment based on the outcome of these proceedings. *Id.* at 77.

The Movants are not “common competitors in the economic marketplace.” *Id.* Rather, they represent Republican candidates who seek to serve the people. So “[w]in or lose,” the Movants “suffer when the process” of Louisiana’s elections “departs from the law.” *Id.* If the State loses, the Movants will thus be “deprive[d]” of “a fair process” for elections in which their candidates will participate. *Id.* The Movants’ interest in “a fair process” is “in no sense common to all members of the public.” *Id.* at 77-78 (cleaned up). Rather, the Movants’ interest “differs in kind.” *Id.* at 78. Because they “spend untold time and resources seeking” to help elect Republican candidates who can “claim the right to voice the will of the people,” the Movants have “an undeniably different—and more particularized—interest in knowing what that will is.” *Id.* (cleaned up). The Movants also have a significant interest in having a “chance to compete” in an electoral process that is structured according to Louisiana’s election code. *Id.* at 79. “The same is true of competitors in other contests,” and elections are no different. *Id.* The Movants’ interest in winning elections runs parallel to their interests in get-out-the-vote and voter registration efforts.

The Movants also have an interest in ensuring that Louisiana’s voter registration process is not structured in such a way as to “undermine” a Republican election “winner’s political legitimacy.” *Id.* at 78; *City of Houston v. Am. Traffic Sols.*, 668 F.3d 291, 294 (5th Cir. 2012). When noncitizens illegally register to vote, it “erodes public confidence that the election results reflect the people’s will.” *Bost*, 607 U.S. at 78. That “loss of legitimacy—or its diminution—is a concrete harm.” *Id.*; see also *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006) (per curiam). These reputational harms “are classic Article III injuries.” *Bost*, 607 U.S. at 78. The Movants are thus no mere bystanders when it comes to the elections of

Republican candidates. They have “an obvious personal stake in how the result is determined and regarded. Departures from the preordained rules cause” the Movants “particularized and concrete harm.” *Id.* at 79.

Federal courts thus “routinely” find that political parties have interests supporting intervention in litigation regarding election rules. *Issa v. Newsom*, 2020 WL 3074351, at *3 (E.D. Cal. June 10, 2020); see, e.g., *Siegel v. LePore*, 234 F.3d 1163, 1169 n.1 (11th Cir. 2001). Every election cycle, party organizations like the Movants “expend significant resources” on the election process—“conduct” that laws like those at issue here “unquestionably regulat[e].” *La Union del Pueblo Entero*, 29 F.4th at 306. These interests are at their zenith where, as here, “changes in voting procedures could affect candidates running as Republicans and voters who [may be] members of the ... Republican Party.” *Ohio Democratic Party v. Blackwell*, 2005 WL 8162665, *2 (S.D. Ohio Aug. 26). Under such circumstances, there can be “no dispute” that the Movants have “an interest in the subject matter of this case.” *Id.*

C. The outcome of this case may impair or impede the Movants’ interests.

A court should look at the practical consequences of denying intervention to determine whether a putative intervenor has interests that could be impaired. Fed. R. Civ. P. 24(a). Given their inherent and intense interest in elections, usually “[n]o one disputes” that political parties “meet the impaired interest requirement for intervention as of right.” *Citizens United v. Gessler*, 2014 WL 4549001, *2 (D. Colo. Sept. 15); see also *Bost*, 607 U.S. at 78-79. Here, the Movants’ interests are in registering qualified voters, preventing the registration of unqualified voters, maintaining accurate voter registration rolls, and participating in elections that are fair and accurate. The Movants have a significant interest in the process by which Louisiana manages its voter rolls, and the EAC’s refusal to implement a change necessary for implementing Louisiana’s voter registration laws impacts that interest. Changes to election rules necessarily impact the allocation of party resources and campaign strategies. For the Movants, that includes both voter registration activities and programs to ensure election integrity. See,

e.g., *Shays v. FEC*, 414 F.3d 76, 87 (D.C. Cir. 2005) (the “need to adjust [plaintiffs’] campaign strategy” imposed “harm to their legally protected interests”).

The Movants would also be forced to spend substantial resources to independently verify the accuracy of Louisiana’s voter registration rolls, to monitor and poll-watch for illegal noncitizen voting, and to educate voters and candidates concerning Louisiana’s changed voter registration list maintenance procedures. Those organizational costs are an independent injury. *Cf. N.C. State Bd. of Elections*, 120 F.4th at 397. Since the Movants have “an obvious personal stake” in this case, intervention by right is warranted. *Bost.*, 607 U.S. at 79.

D. The Movants advance private interests not fully represented by the State.

When addressing adequate representation, it is sufficient that a putative intervenor “shows that representation of his interest ‘may be’ inadequate; and the burden of making that showing should be treated as minimal.” *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 538 n.10 (1972). Rule 24’s language is “obviously designed to liberalize the right to intervene in federal actions.” *Nuesse v. Camp*, 385 F.2d 694, 701 (D.C. Cir. 1967).

“[I]t is well-established that governmental entities generally cannot represent the ‘more narrow and parochial financial interest’ of a private party.” *Wash. All. of Tech. Workers v. DHS*, 395 F. Supp. 3d 1, 21 (D.D.C. 2019). Unique organizational interests like those of the Movants have “satisfied” courts in numerous cases “that the Organizations have made the requisite minimal showing that the Government may not adequately represent the Organizations’ interests.” *Id.*; *La Union del Pueblo Entero*, 29 F.4th at 309. Movants’ interests are inherently “partisan—if for no other reason than that they are brought on behalf of a partisan group, representing its members to achieve favorable outcomes.” *La Union del Pueblo Entero*, 29 F.4th at 309. Thus the State will not fully vindicate those interests. *Coal. of Ariz./N.M. Cnty. for Stable Econ. Growth v. DOI*, 100 F.3d 837, 845 (10th Cir. 1996) (government necessarily represents “the public interest”). The Movants’ interests in the changes to the voter registra-

tion federal form, including its effect on voter registration and noncitizen voting, are not identical to the interests and claims pursued by the State.

For example, the Movants will argue that the EAC's action increases the difficulty of the voter registration and election integrity efforts, and impedes efforts to win elections conducted according to state rules. These rules promote voter confidence, which "is essential to the functioning of our participatory democracy." *Purcell*, 549 U.S. at 4. Voter confidence and election integrity also have a direct effect on voter turnout which is key to the Republican Party's mission to elect Republican candidates. Meanwhile, the State seeks to "vindicate its sovereign authority" to determine what is necessary for voting qualification and registration. Dkt. 1, ¶¶86-90. The RNC's interests in this case also extend beyond the borders of Louisiana. To the extent that the EAC acted beyond its statutory authorization, this Court's decision will affect the administration of NVRA voter maintenance and the RNC's voter registration efforts throughout the country.

Finally, that the State does not oppose the Movants' intervention only strengthens the presumption that Louisiana may not adequately pursue the Movants' unique interests. As courts have stressed, the government's "silence on any intent to defend [the Intervenor's] special interests is deafening." *Conservation Law Found. of N.E. v. Mosbacher*, 966 F.2d 39, 44 (1st Cir. 1992); accord *Utahns for Better Transp. v. DOT*, 295 F.3d 1111, 1117 (10th Cir. 2002) (same). Because the State "nowhere argues" that it "will adequately protect [the Intervenor's] interests," the Movants has "raised sufficient doubt concerning the adequacy of [its] representation." *U.S. House of Representatives v. Price*, 2017 WL 3271445, at *2 (D.C. Cir. Aug. 1). The Movants thus should be granted intervention under Rule 24(a)(2).

II. Alternatively, the Court should grant permissive intervention under Rule 24(b).

As an alternative to mandatory intervention under Rule 24(a), Rule 24(b) grants the Court broad discretion to permit intervention where the putative intervenor defense and the main action have a question of law or fact in common and the intervention will not unduly delay or prejudice

adjudication of the original parties' rights. The Movants meet that standard. The Movants' factual allegations and claims against the EAC substantially overlap with those of the State Plaintiffs.

The Movants' intervention will not unduly delay this litigation or prejudice anyone. There is no undue delay or prejudice where intervenors file their motion when "litigation is in a relatively nascent stage." *Ga. Aquarium, Inc. v. Pritzker*, 309 F.R.D. 680, 691 (N.D. Ga. 2014); *Wal-Mart Stores, Inc.*, 834 F.3d 565-66. Any purported "burdens fall well within the bounds of everyday case management." *Berger v. N.C. State Conf. of the NAACP*, 597 U.S. 179, 200 (2022). Responding to the Movants' arguments will not unduly prejudice the Defendants, since the Movants could simply bring their own separate suit that would cause greater inconvenience were the motion to intervene be denied. Movants also commit to submitting all filings in accordance with whatever briefing schedule the Court imposes, and does "not seek to delay or reconsider" any portion of the litigation, *Wal-Mart Stores*, 834 F.3d 565, "which is a promise" that undermines claims of undue delay, *Emerson Hall Assocs. v. Travelers Casualty Ins.*, 2016 WL 223794, *2 (W.D. Wis. Jan. 19). Allowing the Movants to intervene will allow the Court "to profit from a diversity of viewpoints as [intervenors] illuminate the ultimate questions posed by the parties." *Franconia Minerals (US) LLC v. United States*, 319 F.R.D. 261, 268 (D. Minn. 2017).

CONCLUSION

The RNC and LAGOP's intervention is proper under Rule 24 to bring claims against the EAC for its arbitrary, capricious, and illegal action and inaction. For the reasons above, the Court should grant the motion to intervene and direct the Clerk to docket the attached Complaint.

Dated: July 31, 2026

Respectfully submitted,

/s/ Jimmy R. Faircloth, Jr.

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