STATE OF MINNESOTA
Office of Minnesota Secretary of State
Steve Simon

July 25, 2025

Maureen Riordan
Acting Chief, Voting Section
U.S. Department of Justice
950 Pennsylvania Avenue NW – 4CON
Washington D.C. 20530

Dear Acting Chief Riordan:

I write in response to your June 25, 2025 request for information regarding Minnesota's compliance with the Help America Vote Act (HAVA). Minnesota has a series of longstanding safeguards that meet or exceed the standards of that act. They are largely codified in Minnesota Statutes Chapter 201 and Minnesota Rules Chapter 8200 and are discussed in greater detail below.[1] They are responsible for an elections system that is accurate, fair, open, accessible, and widely trusted by Minnesotans.

Minnesota's HAVA safeguards are also subject to rigorous internal and external review. Local election officials conduct post-election reviews after each state general election. The Office of the Legislative Auditor (OLA) published an extensive report on Minnesota's voter registration practices in 2018 and will be publishing an update to that report in the spring of 2026. Each year, Minnesota's county attorneys report to the Office of the Secretary of State (OSS) the number of investigations and prosecutions related to election misconduct, including unlawful voter registration. The number of cases they report is exceedingly small and, of the few reported, nearly all the perpetrators are caught in the verification stage, before they can actually register to vote. Just recently, local election officials used these verification tools to identify and refer to law enforcement two individuals who were attempting to submit voter registration applications with fictitious names. The OSS worked with local partners, the Federal Bureau of Investigation, and the United States Attorney for the District of Minnesota to

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[1] As part of this discussion, it should be noted that since Minnesota is exempt from the National Voter Registration Act of 1993 because it has provided election-day registration since August 1, 1994, 52 U.S.C. § 20503(b)(2), certain obligations of that act that are cross referenced in HAVA apply differently to Minnesota compared to other states. *See e.g.*, 52 U.S.C. § 21083(a)(2)(A)(iii).

ensure these crimes were prosecuted.[2] As a result, the OSS is confident that Minnesota's HAVA safeguards are functioning exactly as they should.

I.   Registration

Several of your inquiries (request numbers 1, 2, 7, and 10) relate to the manner in which voter registration applications are processed, secured, and entered into the statewide voter registration database. Any Minnesota resident may register to vote if they are 18 years or older,[3] are a United States citizen, have lived in Minnesota for at least 20 days, and are not incarcerated for a felony offense or subject to a court order revoking their right to vote. Minn. Stat. § 201.014. Eligible Minnesotans may register to vote in several ways, including online at https://mnvotes.sos.mn.gov/VoterRegistration/index; by submitting a paper application to their county auditor or the OSS;[4] at their polling place on election day; or when they return an absentee ballot. Minn. Stat. §§ 201.061, 203B.04. In addition, eligible Minnesotans who provide citizenship affirming documentation when they apply for or renew their driver's license or state identification card are automatically registered to vote. Minn. Stat. § 201.161.

Regardless of the method of registration, the applicant must, at a minimum, provide their name, birth date, address, signature, and driver's license or state identification card number. Minn. Stat. § 201.071, subd. 3. If an applicant does not have a driver's license or state identification card, they may instead provide the last four digits of their Social Security number. *Id*. If they do not have a Social Security number, they may submit a certification to that effect. Minn. R. 8200.9310, subp. 2. Each applicant must also attest that they meet all the criteria to be eligible to vote, including that they are a United States citizen. Minn. Stat. § 201.071. Voters must again attest to their eligibility when they cast a ballot. Minn. Stat. § 204C.10.

The voter registration application is then sent to the county auditor of the county where the applicant resides. Minn. Stat. § 201.121. If the voter completed the application before election day, the auditor has 10 days to enter the information into the statewide voter registration system (SVRS). *Id*. If the voter completed the application on election

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[2] *See* https://www.mprnews.org/story/2025/07/10/couple-admits-submitting-hundreds-of-fake-voter-registration-forms.

[3] Individuals between 16 and 18 years old may preregister to vote if they meet all the other eligibility requirements.

[4] The paper application to register in advance of an election can be found here: https://www.sos.mn.gov/media/5975/minnesota-voter-registration-application.pdf. The paper election day registration application (which is also used for people registering to vote when they return an absentee ballot) can be found here: https://www.sos.mn.gov/media/uivlj5kq/election-day-voter-registration-application.pdf. The application for Minnesotans in the military or living abroad is located here: https://mnvotes.sos.mn.gov/uocava/index. Those individuals can also register using the federal post card application.

day, the auditor has 42 days to enter the information, unless the county requests, and the OSS grants, an extension of 28 additional days. *Id*.

The SVRS is Minnesota's centralized statewide voter registration list. It contains the registration information of each person who has registered to vote in Minnesota. Minn. Stat. § 201.021. It automatically generates a unique identifying number for each person when their data is entered into the system.[5] The OSS is responsible for maintaining and administering the SVRS, while the county auditors are the chief registrars of voters in their respective jurisdictions. Minn. Stat. §§ 201.021 – .022.

Maintaining the security of the voter registration system and protecting the privacy of voters are two of the OSS's highest priorities. Accordingly, the OSS has taken extensive measures to protect the SVRS from unauthorized access. The SVRS can only be used by state and local election officials who have a government-approved email address and whose access is subject to two-factor authentication. Before any local election official can access the SVRS, they must provide the OSS with the IP address they will be using to access the system. IP addresses that have not been approved in advance are blocked. Users are also subject to role-based access controls so that they can only access the data necessary to carry out their duties. In addition, audit logging is automatically enabled to track any changes made within the system.

The OSS also engages regularly with cybersecurity experts, including the federal Cybersecurity and Infrastructure Security Agency, Elections Infrastructure Information Sharing and Analysis Center, and Minnesota IT Services, to improve its security protocols and identify potential vulnerabilities. The OSS's security protocols include firewalls, secondary and concurrent layer protection, ongoing intrusion protection, penetration testing, encryption of application traffic, and ongoing analysis of the system logs for abnormal activity. If abnormal activity is found, the source IP address is denied at the firewall.

II.   Verification

You also ask about the ways (requests numbers 11, 12, 13, and 14) in which Minnesota verifies the information provided by those registering to vote. After the county auditor enters the applicant's data into the SVRS, the OSS verifies the applicant's identity by providing their name, date of birth, and driver's license or state identification card number to the Minnesota Department of Public Safety's Driver and Vehicle Services Division (DVS) or, if the applicant provided only the last four digits of their Social

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[5] For applicants who certify they do not have a driver's license, state identification card, or Social Security number, this number is used to identify the applicant for registration purposes.

Security number, to the Social Security Administration (SSA).[6] Minn. Stat. § 201.121. These two entities determine whether the information provided by the applicant matches the data in their respective systems. If the data cannot be verified, the OSS notifies the county auditor, who attempts to again match the data against the DVS or SSA database. Minn. R. 8200.9310. If the county auditor cannot do so, they must attempt to contact the applicant to obtain the information necessary for verification. *Id*. If the applicant cannot be verified after 10 days, and they are not a first-time voter for federal office in Minnesota who is registering by mail, the county auditor must mark the applicant's registration as incomplete and challenge their record.[7] Minn. Stat. § 201.121. The applicant must then clear the challenge at least 21 days before the next election or at the polling place on election day. *Id*.

If the applicant is a first-time voter in a federal election who is registering by mail, the county auditor must notify them that their application is incomplete. Minn. Stat. § 201.061, subd. 1a. The applicant must complete their registration by presenting a document authorized for election day registration either to their county auditor before election day; registering to vote in person on election day; or following the election day registration procedures for absentee voters. *See id.*, subds. 1a, 3 (listing documents that satisfy this standard). The applicant may also choose to register to vote in person at any time.

The county auditor then verifies the applicant's address by sending them a non-forwardable post card. Minn. Stat. § 201.121. If the card is returned as not deliverable with no permanent forwarding address, the county auditor must challenge the applicant's record.[8] *Id*. The county auditor may then send a second post card, no sooner than 60 days after the first one, to the same address. Minn. Stat. § 201.12 If the second notice is returned, the county auditor must inactivate the applicant's record. *Id*.

If the post card is returned with a permanent forwarding address, the county auditor must inactivate the person's record and, if the new address is located in Minnesota, send a copy of the card to the county auditor where the new address is located. Minn. Stat. § 201.12. The county auditor receiving the card must update the voter's information and again attempt to verify the applicant's address. *Id*. If the voter's new address is outside Minnesota, the county auditor must send a notice to the voter informing them that their record in the SVRS will be inactivated unless the voter notifies the county auditor

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[6] A copy of the agreement between the OSS and DVS is attached. Information regarding the sharing of information between DVS and the SSA can be obtained by contacting DVS.

[7] Information about the challenge process is available at Minnesota Statutes section 204C.12 and pages 34 and 35 of the OSS's election judge guide, available at https://www.sos.mn.gov/media/4905/election-judge-guide.pdf.

[8] Individuals who register on election day are verified after the election and are referred to the county attorney for investigation and potential prosecution if they cannot be verified.

within 21 days that they are retaining their former address as their permanent residence. *Id*.

If both the applicant's identity and address can be verified through this process, the applicant is registered to vote and listed as an active voter in the SVRS.

III. Maintenance

In addition, you ask (request numbers 3, 4, 5, 6, 8, and 9) about the ways in which Minnesota maintains the SVRS to ensure that only eligible individuals are registered to vote, duplicate registrations are eliminated, and voter names and addresses are updated when appropriate. The SVRS is updated daily and subject to rigorous checks to maintain its accuracy. These checks are the result of extensive efforts by the OSS and its county partners to ensure that only eligible people are registered to vote. As part of this process, state and local election officials rely on extensive reporting from several federal and state agencies. *See* Minn. Stat. §§ 201.13, .145. They include:

- A monthly report from the Minnesota Department of Corrections listing the name, address, last known residential address that is not a correctional facility, and date of birth of all individuals ages 16 years or older who are ineligible to vote under Minnesota law because they are currently incarcerated for a felony offense;[9]

- A monthly report from the Minnesota Department of Health containing the name, address, date of birth, and county of residence for all individuals 18 years or older who have died since the previous report;

- A monthly report provided by the Electronic Registration Information Center (ERIC)[10] listing all the people on the Social Security Death Index since the previous report;

- A report provided each business day by the Minnesota State Court Administrator containing the name, address, date of birth, and, if available, the driver's license number, state identification card number, or the last four digits of the Social Security number of each individual who is either subject to a guardianship order prohibiting them from voting or who has been found legally incompetent to vote; and

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[9] The OSS also receives periodic reports from the U.S. Department of Justice on individuals who have been convicted of federal felony offenses.

[10] ERIC is a nonprofit, nonpartisan organization comprised of 25 states and the District of Colombia that provides data matching services to its members to help maintain accurate voter records.

- A monthly report from the Minnesota Department of Public Safety listing the name, address, date of birth, driver's license or state identification card number, and, if available, the last four digits of the Social Security number of each individual the Department of Public Safety has identified as having temporary lawful status in the United States.

Each agency submits its report to the OSS, which compares it with data in the SVRS to determine whether any person listed in the report is a registered voter. *Id*. If so, the OSS notifies the appropriate county auditor so they can review and take appropriate action. *Id*. The auditor must challenge the record of each individual who is incarcerated, subject to a guardianship order, legally incompetent to vote, or listed as possessing temporary lawful status. *Id*. They must inactivate the record of each individual who has passed away. *Id*. In addition, the auditor must also refer any person who has been reported to have registered to vote while possessing temporary lawful status or voted while incarcerated to the county attorney. *Id*. Those cases are investigated for potential prosecution.

The OSS and its county partners also take extensive steps to update the SVRS when voters change their address or name. Each month, ERIC provides the OSS a list of voters who: (1) moved from Minnesota to another ERIC member state; (2) moved within Minnesota; or (3) filed a change of permanent address with the U.S. Postal Service. Any person appearing on any of the above lists has their record updated in the SVRS and their new address verified the same way as a person registering to vote for the first time. In addition, as part of Minnesota's automatic voter registration program, DVS provides the OSS with the addresses of all individuals who are eligible to vote when they apply for or renew their driver's license or state identification card. Minn. Stat. § 201.161. The OSS compares that data to data stored in the SVRS. If any of those individuals are already registered to vote, but have reported a new address to DVS, their voter record is updated and their new address verified. *Id*. With regard to name changes, the OSS receives a daily report from the State Court Administrator containing the name, address, and driver's license or state identification card number of each individual 18 years or older who changed their name. Minn. Stat. § 201.14. The OSS notifies county auditors of this information, and county auditors update each individual's voter record. *Id*.

Finally, the SVRS has several safeguards in place to prevent and eliminate duplicate voter registrations. If a county election official enters a new voter record or modifies an existing record, the SVRS checks to see if the driver's license or state identification card number or name, address, and date of birth match another record in the system. If

it does, the SVRS automatically generates an error message notifying the official they need to review the potential duplicate record before proceeding.

In addition, ERIC provides the OSS with a monthly report of all voters with duplicate registrations within Minnesota. The OSS distributes those names to the county auditor so they can remove the duplicate entries. County officials must also run an SVRS-generated report before and after each election that identifies potential duplicate registrations based on six different criteria, including name, address, driver's license number, state identification card number, and the last four digits of a Social Security number. County officials must compare all the data in the potential matches and merge any duplicate entries. And, at the end of each calendar year, the OSS inactivates any voter who has not voted or updated their registration in the previous four years. Minn. Stat. § 201.171.

The measures outlined above, which are the result of extraordinary partnerships between the OSS, county officials, and several other entities, not only meet or exceed HAVA standards, they have also resulted in one of the most secure and accurate voter registration systems in the country. Public trust in this system is exceedingly high, as evidenced by the fact that Minnesota routinely leads the nation in voter turnout. The OSS is proud to have a system that encourages voting while maintaining the safeguards necessary to preserve fair and accurate elections.

IV.   Voter Registration List

Finally, you ask (request number 15) that the OSS provide a copy of Minnesota's statewide voter registration list, including both active and inactive voters. That list contains sensitive personal identifying information on several million individuals. The OSS takes seriously its obligations under state and federal law, including HAVA, to protect that data from unauthorized use. *See generally* Minn. Stat. § 201.091 (placing restrictions on the sharing of voter registration data); 52 U.S.C. § 21083(a)(3). As a result, it is the long-standing practice of the OSS not to disclose any information contained on its statewide voter registration list unless expressly required by law.

The OSS also believes in public accountability and scrutiny of our systems and will share voter registration information when required by law. For example, the OSS is fully cooperating with the nonpartisan OLA in its review of Minnesota's voter registration practices and will be providing them with full access to any data they require to conduct that evaluation, as required by Minnesota Statutes section 3.978. More information about the OLA's review is available here: https://www.auditor.leg.state.mn.us/announce/2025-Voter-Registration-System-OSS-focus.pdf.

The Department of Justice did not, however, identify any legal basis in its June 25 letter that would entitle it to Minnesota's voter registration list. Nor did it explain how this information would be used, stored, and secured. It is unclear, for example, if this information would be subject to the Freedom of Information Act, 5 U.S.C. § 552, or whether the Department of Justice would share the data with other federal agencies. The OSS will require clear legal justification for the data and sufficient information to show that the data will be protected and used properly before it can consider whether it is appropriate to share Minnesota's voter registration list.

Please feel free to contact me with any questions. I can be reached at justin.erickson@state.mn.us or 651-201-6895. Thank you for your attention to this matter.

Sincerely,

Justin R. Erickson
General Counsel