



U.S. Department of Justice

Civil Rights Division

Voting Section
950 Pennsylvania Ave, NW – 4CON
Washington, DC 20530

August 7, 2025

Via Mail and Email

The Honorable Jane Nelson
Secretary of State
P.O. Box 12887
Austin, TX 78701
jnelson@sos.texas.gov; secretary@sos.texas.gov

Dear Secretary Nelson:

We write to you as the chief election official for the State of Texas to request Texas' statewide voter registration list and information regarding Texas' procedures for complying with the statewide voter registration list maintenance provisions of the National Voter Registration Act ("NVRA"), 52 U.S.C. § 20501 *et seq.* On July 8, we contacted your office about obtaining an electronic copy of the statewide voter registration list for purposes of enforcing the NVRA and the Help America Vote Act, 52 U.S.C. § 20901 *et seq.*, and we are renewing our request for that information today.

The NVRA requires each state and the District of Columbia to make available for inspection "all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters." 52 U.S.C. § 20507(i)(1). Section 11 of the NVRA authorizes the Attorney General to bring NVRA enforcement actions. *See* 52 U.S.C. § 20510.

The plain text of § 20507(i) requires disclosure. The phrase "all records" envisions an expansive application and includes the registration information of cancelled records and accompanying voter history. *Project Vote/Voting for Am, Inc. v. Long*, 682 F.3d 331, 336 (4th Cir. 2012); *see also Voter Reference Foundation, LLC v. Torrez*, 727 F.Supp.3d 1014, 1212 (D. N.M. 2024) (finding "all records" includes voter list). Similarly, "programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters" encompasses a broad range of state programs, including the removal of non-citizens from voter rolls. *Id.* The capacious language of the Public Disclosure Provision has been found to "set[] a floor, not a ceiling" to the types of records that must be disclosed. *Public Interest Legal Foundation, Inc. v. Matthews*, 589 F.Supp.3d 932, 941 (C.D. Ill. 2022) (citing *Project Vote/Voting for Am., Inc.*, 682 F.3d at 337). The request for the statewide voter registration list sits firmly above that floor. Courts have continuously found that Section 8(i) requires the disclosure of voter registration records. *See, e.g., Public Interest Legal Foundation v. Boockvar*, 431 F.Supp.3d 553, 556 (M.D. Pa. 2019) (permitting disclosure of documents regarding "all registrants who were identified as potentially not satisfying the citizenship

requirement”); *Project Vote/Voting for Am, Inc*, 682 F.3d at 333 (4th Cir. 2012) (requiring disclosure of voter registration applications for “any individual” who timely completed an application) (emphasis added); *Project Vote, Inc. v. Kemp*, 208 F.Supp.3d 1320, 1344 (N.D. Ga. 2016) (holding that “Section 8(i) requires the disclosure of individual voter registration records”).

Congress passed the NVRA in an effort to “protect the integrity of the electoral process” and “ensure that accurate and current voter registration rolls are maintained.” NVRA § 20501. This intention is achieved through the public disclosure provision, which Congress created to establish external checks on potential administrative oversights or inefficiencies regarding ineligible voters appearing on voter rolls. *See Project Vote/Voting for Am, Inc.*, 682 F.3d at 334-35. State laws are not a bar to providing this information. If the NVRA, a federal act, and state law “do not operate harmoniously in a single procedural scheme for federal voter registration, then Congress has exercised its power to ‘alter’ the state’s regulation, and that regulation is superseded.” *Gonzalez v. Arizona*, 677 F.3d 383, 394 (9th Cir. 2012) (en banc), *aff’d sub nom. Arizona v. Inter Tribal Council of Arizona, Inc.* (“ITCA”), 570 U.S. 1 (2013).

Please also provide a list of the election officials who are responsible for implementing Texas’ general program of voter registration list maintenance from November 2022 through receipt of this letter, including those responsible officials not employed by your office (such as local election officials) who are also involved in that effort. Please also provide a description of the steps that you have taken, and when those steps were taken, to ensure that the State’s list maintenance program has been properly carried out in full compliance with the NVRA.

Please provide this information within 14 days of the date of this letter. The information and materials may be sent by encrypted email to voting.section@usdoj.gov or via the Department’s secure file-sharing system, Justice Enterprise File Sharing (JEFS).

Should further clarification be required, please contact Maureen Riordan at maureen.riordan2@usdoj.gov. We look forward to your assistance in advance.

Sincerely,



Michael E. Gates
Deputy Assistant Attorney General
Civil Rights Division

Maureen Riordan
Acting Chief, Voting Section
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cc: Christina Adkins
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