

**SUBSTITUTE FOR
HOUSE RESOLUTION NO. 196**

1 A resolution to demand that the Michigan Secretary of State
2 comply with the United States Department of Justice's request for
3 an unredacted copy of Michigan's computerized statewide voter
4 registration list, as required by section 303 of the Civil Rights
5 Act of 1960 and section 8(i)(1) of the National Voter Registration
6 Act of 1993, to the full extent permitted by law.

7 Whereas, The administration of voter registration for
8 elections for federal office is regulated, in part, at the federal
9 level; and

10 Whereas, The National Voter Registration Act of 1993 (NVRA)
11 was enacted to "protect the integrity of the electoral process" and
12 "ensure that accurate and current voter registration rolls are
13 maintained," and this purpose was furthered by the requirements of

1 the Help America Vote Act of 2002 (HAVA), which requires states to
2 conduct voter registration list maintenance "on a regular basis";
3 and

4 Whereas, Federal law also imposes transparency requirements
5 related to voter registration. Under Title III of the Civil Rights
6 Act of 1960, state election officers are required to retain and
7 preserve "all records and papers which come into [their] possession
8 relating to any application, registration, payment of poll tax, or
9 other act requisite to voting" in an election for federal office
10 for a period of 22 months from the date of the election. Section
11 303 of the Civil Rights Act, 52 U.S.C. § 20703, further provides
12 that any such record "shall, upon demand in writing by the Attorney
13 General or his representative . . . be made available for
14 inspection, reproduction, and copying at the principal office" of
15 the custodian of the record. Furthermore, section 8(i)(1) of the
16 NVRA, 52 U.S.C. § 20507(i)(1), requires each state to maintain for
17 at least two years and make available for public inspection "all
18 records concerning the implementation of programs and activities
19 conducted for the purpose of ensuring the accuracy and currency of
20 official lists of eligible voters," with limited exceptions; and

21 Whereas, The Attorney General of the United States is entitled
22 to certain state election records under these laws and has the
23 power to bring suit against the state to obtain them. Section 303
24 of the Civil Rights Act expressly requires records relating to
25 voter registration to be made available upon the demand of the
26 Attorney General, and section 401 of the HAVA, 52 U.S.C. § 21111,
27 grants the Attorney General civil enforcement authority for that
28 act. Under the Supremacy Clause of the United States Constitution,
29 these federal requirements take precedence over state laws, even

1 when they conflict. Federal law authorizes the Attorney General to
2 bring a civil action against a state "to carry out the uniform and
3 nondiscriminatory election technology and administration
4 requirements" of the HAVA, including requirements to conduct voter
5 registration list maintenance in compliance with the NVRA; and

6 Whereas, On July 21, 2025, the Civil Rights Division of the
7 United States Department of Justice wrote a letter to Michigan
8 Secretary of State Jocelyn Benson to request "information regarding
9 the State's procedures for complying with the statewide voter
10 registration list maintenance provisions of the [NVRA] and the
11 voter verification requirements of the [HAVA]." One specific piece
12 of information requested by the Department was "[t]he current
13 electronic copy of Michigan's computerized statewide voter
14 registration list." The United States Department of Justice sent an
15 additional letter to Secretary Benson on August 14, describing the
16 Department's authority under the NVRA and the HAVA and further
17 requesting an unredacted copy of the statewide voter registration
18 list pursuant to Title III of the Civil Rights Act of 1960; and

19 Whereas, On September 2, 2025, the Michigan Department of
20 State provided a partial response to the request of the United
21 States Department of Justice. However, the Michigan Department of
22 State refused to provide an unredacted copy of the statewide voter
23 registration list, instead providing the United States Department
24 of Justice with the public version of our statewide voter
25 registration list, the Qualified Voter File (QVF), citing the
26 Michigan Election Law and Michigan's Freedom of Information Act and
27 disputing the United States Department of Justice's arguments about
28 privacy protections under federal law. The Michigan Department of
29 State reiterated that it would only be providing the public version

1 of the QVF in a further response to the United States Department of
2 Justice on September 9, 2025; and

3 Whereas, On September 25, 2025, the United States filed suit
4 against the Michigan Secretary of State, seeking an order
5 compelling the state to provide an unredacted copy of Michigan's
6 computerized statewide voter registration list. The federal
7 government has indicated that each registrant's date of birth and
8 their driver's license number or the last four digits of their
9 Social Security number are necessary for the Attorney General of
10 the United States to determine whether Michigan is complying with
11 the voter registration list maintenance requirements of the NVRA
12 and the HAVA; and

13 Whereas, While the QVF does contain personal information, the
14 United States Department of Justice has provided the Michigan
15 Department of State options for sharing this data in a secure
16 manner. The Department has indicated that the data "will be kept
17 securely and treated consistently with the Privacy Act" of 1974,
18 which provides strong safeguards against improper disclosure of
19 information; and

20 Whereas, As the state's chief election officer, the Michigan
21 Secretary of State has a duty to administer and enforce Michigan
22 election laws, including laws on voter registration list
23 maintenance. The United States Department of Justice and the
24 Michigan Department of State thus share a common goal in ensuring
25 that elections held in Michigan are free and fair, which is
26 facilitated by the careful review of voter registration records to
27 confirm they are as accurate and up to date as possible. Compliance
28 with federal law supports this shared goal; now, therefore, be it

29 Resolved by the House of Representatives, That we demand that

1 the Michigan Secretary of State comply with the United States
2 Department of Justice's request for an unredacted copy of
3 Michigan's computerized statewide voter registration list, as
4 required by section 303 of the Civil Rights Act of 1960 and section
5 8(i)(1) of the National Voter Registration Act of 1993, to the full
6 extent permitted by law; and be it further

7 Resolved, That copies of this resolution be transmitted to the
8 Michigan Secretary of State and the Attorney General of the United
9 States.