

Forcing States to Turn Over Voter Registration Rolls

What is this issue?

In compliance with the president's executive order in May 2025, the Department of Justice (DOJ), Civil Rights Division, requested voter registration data from all 50 states to "enforce federal election laws, verify that states are properly maintaining accurate voter registration, have proper and effective voter registration and voter list maintenance programs" (Source: DOJ). Access to these lists would allow the Attorney General to inspect state voter registration records as part of oversight of federal elections. DOJ cites its authority under the following laws:

- National Voter Registration Act (NVRA)
- Help America Vote Act
- Civil Rights ACT

The requests to the chief election officials nationwide to acquire complete, unredacted records containing personal identifying information such as full dates of birth, residential addresses, driver's license numbers, and partial Social Security Numbers. (CBS News, August 17, 2026 Text Report)

<https://www.cbsnews.com/news/trump-lawsuits-state-voter-rolls-justice-department/>

How Have States Responded to the Request for Voter rolls?

Push back from the states for this request has taken several forms:

- Asking how the information will be used and/or asking about how the DOJ will comply with state and federal privacy laws but not providing any list.
 - Examples: [Arizona](#), [Georgia](#), [New Hampshire](#), and [Washington](#)
- Answering the DOJ's questions about list maintenance processes and providing or guiding the DOJ to the publicly available version of the statewide voter list, excluding private information. Examples: [Colorado](#), [Pennsylvania](#), [Utah](#) and [West Virginia](#)
- Some states (Alaska, Arkansas, Indiana, Kansas, Louisiana, Mississippi, Nebraska, Ohio, South Carolina, South Dakota, Tennessee, Texas and Wyoming) have provided (or agreed to provide) the entire statewide voter list, including dates of birth and partial SSNs and DMV numbers. As a result, advocacy organizations have filed lawsuits against [Alaska](#) and [Nebraska](#) for providing entire lists.

Throughout fall 2025, the DOJ sent multiple follow-up communications including offers to enter memorandums of understanding with states to share unredacted voter list information. Many states [responded to the offers with more questions](#) ([Statescoop.com](#)) on how the lists will be used. Some officials expressed concern that the lists may be used alongside the Department of Homeland Security's [Systematic Alien Verification for Entitlements \(SAVE\) system](#), to compare state records with DHS records to ensure that potential noncitizens are removed from voter registration lists.

Overview of Additional Relevant Federal and State Privacy Laws

The United States has laws that protect private information of its citizens. Examples:

[The Privacy Act of 1974](#): prohibits any federal, state or local government from denying an individual of any of their rights—including registering to vote or voting—because of their refusal to disclose their Social Security number. This means that states cannot require an individual to provide their Social Security number to register to vote.

The [Driver's Privacy Protection Act of 1993](#); prohibits the disclosure of certain individual information derived from motor vehicle records. The protected information includes an individual's DMV number and SSN. Federal law permits this information to be used for government functions such as list maintenance, but states often place additional safeguards on using this information for cross-state comparisons of voter registration lists and frequently prohibit sensitive ID number disclosure in public versions of voter lists.

Some state laws prohibit disclosure of some voter data such as SSNs and DMV numbers as well as complete date of birth. For example, in the [Wisconsin Election Commission's response](#) to the DOJ's request for their statewide list, they cite [Wis. Stat. § 6.36\(1\)\(b\)1.a](#) which prohibits anyone—except state and local election officials—from viewing a voter's date of birth, DMV number or SSN. State laws and parts of the previously mentioned federal laws are why some state election officials claim they cannot provide the entire lists to comply with voter privacy laws.

Source: National Conference of State Legislatures

Retrieved from [Brief Federal Requests for Statewide Voter Lists](#) 08/28/2026

Why is the DOJ obtaining voter roll data a concern?

States that have been refusing the request to send their voter roll data to the DOJ list the following concerns:

1. Voter privacy
2. Concerns over how the data will be used. For example, data could be shared with other agencies, or citizenship investigation or voter roll challenges.
3. The states argue that election integrity can be protected without turning over complete, unredacted statewide data bases. Multiple federal courts have so far sided with the states on this question. [22 courts have rejected Trump DOJ's voter roll crusade. DOJ says they're all just wrong](#) Democracy Docket, August 8, 2026 (updated September 11, 2026). [DOJ is 0-24 in its voter roll grab after Vermont demand rejected](#) Democracy Docket, September 17, 2026.
4. States are questioning whether the federal statutes cited by the DOJ authorize the DOJ to obtain the data.
5. Voters could be removed from the list without their knowledge and be unable to vote on election day.

6. The states suggest that the information could be used for purposes beyond routine election oversight, such as immigration enforcement or voter eligibility investigations. ([Protectdemocracy.org](https://protectdemocracy.org)) Feb.10, 2026
7. If the DOJ is unable to access this information, the president could use this resistance to take over the elections. ([Protectdemocracy.org](https://protectdemocracy.org)) Feb10, 2026

What is the urgency with addressing these requests? (5 - Urgent)

These requests have been made in anticipation of the November 2026 midterm elections and could be used to alter the results of the midterms. Actions taken by the DOJ could lead to the harassment of election officials and secretaries of state, and is intended to create unrest and uncertainty among voters. If used to monitor immigration status, it could inhibit voting by raising concerns about ICE agents or federal agents at the polling place.

Federal judges have agreed with the states that laws given as the authority for the request for documents do not require them to turn over complete statewide databases. Eight judges, including four court appointees, have rebuffed Trump's demands, finding that they do not have a right to obtain states' voter roll data. So far (July 15, 2026), the DOJ has lost all 15 of its district court cases. No judge has ordered a state to turn over an unredacted statewide voter file. (source: Democracy Docket).

"Notably, several Republican-leaning states have also refused to turn over their voter data — including Idaho, Utah, Kentucky, West Virginia, and Georgia. Courts have already ruled in favor of Kentucky and West Virginia; Idaho, Utah, and Georgia remain in active litigation." [Brennan Tracker](#)

As of mid-September 2026, the Justice Department has ongoing litigation in seven states — Delaware, Georgia, Hawaii, Idaho, Nevada, Utah, and Washington — plus an appeal in Minnesota after losing at the district court level. Cases against Colorado, D.C., Illinois, and Vermont have since been dismissed. [Brennan Tracker](#)

Current Status of State lawsuits with DOJ

While several states supplied public voter records instead of unredacted files, the Justice Department initiated legal action against 31 states and the District of Columbia in an effort to get them to force them to hand over voter data.

What can we do?

Let state representatives know we support not turning over files to DOJ.

Support judges who stand up to pressure from DOJ

Encourage early voting and "get out the vote" efforts.

Identify groups who may be intimidated by the threats and may need support to go to the polls.

Use Indivisible's "Hands Off Our Vote" information to explain what they are doing and why it is illegal in protests, social media and in letters to the editor, etc.