

Paul D. Pate
Secretary of State



State Capitol
Des Moines, Iowa 50319

OFFICE OF THE IOWA SECRETARY OF STATE

March 5, 2026

Eric Neff
Acting Chief
Civil Rights Division, Voting Section
U.S. Dep't. of Justice
Washington, DC

Dear Mr. Neff:

After consulting with and receiving advice from the Iowa Attorney General's office, and reviewing the legal citations included in your proffered MOU, this office has concluded that it is likely that the U.S. Attorney General has authority under the Civil Rights Act of 1960 ("CRA") to demand voter registration data, including elements normally considered personally identifiable information ("PII") such as driver's license and social security numbers. We are further persuaded by language in the proffered MOU and other comments your office has made publicly that the data will be protected as appropriate under federal law. Because of these considerations, we will comply with your demand for unredacted voter registration data.

It is important to note that this office does not routinely provide sensitive PII such as driver's license numbers or any part of a voter's SSN. We are only releasing the information to USDOJ because the scope of the federal CRA appears to support your office's demands to access the data and is supreme over Iowa's limitation on the release of voter information under the voter registration chapter and the state's privacy laws. Similarly, the federal Drivers Privacy Protection Act of 1994 permits the sharing of certain driver's license data between government agencies if the use of the shared data is in support of the receiving agency's legal duties.

Even now, we do not take lightly our obligation to turn this information over. For many years, we have worked diligently with local, state, and federal partners to ensure the security of Iowa's elections – including data within our voter registration database. This work includes ensuring that we have the cleanest voter list possible. With the support of the Iowa General Assembly, we have increased the ability of this office to receive data from third-party agencies. In December 2024, we took the extraordinary step of suing the Biden administration to ensure we had free, long-term access to use the SAVE database. That work will continue apart from the data comparisons that your office plans to conduct.

Additionally, we are aware of ongoing litigation between USDOJ and states that have refused to provide data. This includes the decisions of federal courts in California and Oregon that cast doubt on USDOJ's entitlement to enhanced voter registration data. We will continue to monitor those situations for better insight into USDOJ's right to access this information.

Finally, we are not interested in signing the proffered MOU. As other states have noted in their communications with your office, there are potential conflicts between the terms of the MOU and the National Voter Registration Act of 1993 ("NVRA"). Any potential issues that USDOJ shares with this office will be acted upon under the terms of the NVRA and state law.

It is well-established fact and law that states are responsible for elections and voter list maintenance. We urge you to keep that in mind as you execute your duties to prosecute federal election fraud and misconduct.

Please continue to work with Eric Gookin on the details of getting the data transferred to your office.

Sincerely,

A handwritten signature in black ink, reading "Paul D. Pate". The signature is written in a cursive style with a large, stylized "P" and "D".

Paul D. Pate
Secretary of State
State of Iowa