



Wisconsin Elections Commission

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July 2, 2025

Ms. Maureen Riordan
U.S. Department of Justice
Voting Section
4 Constitution Square
150 M Street NE, Room 8.923
Washington D.C. 20002

VIA U.S. Mail and email to voting.section@usdoj.gov

RE: Request for Information Related to HAVA Compliance

Dear Ms. Riordan,

Thank you for your interest in the State of Wisconsin's voter registration database. This letter is in response to your questions dated June 17, 2025. We have addressed each question in the paragraphs below.

QUESTION 1. Describe how Wisconsin's computerized statewide voter registration list ("voter registration list") is coordinated with the databases of other state agencies, as required by HAVA Section 303(a)(1)(A). Provide the name of each state database used for coordination, and describe the procedures used for coordination, as well as how often the databases are coordinated with the voter registration list;

RESPONSE 1. HAVA Section 303(a)(1)(A), codified at 52 U.S.C. § 21083(a)(1)(A), provides:

(A) In general

Except as provided in subparagraph (B), each State, acting through the chief State election official, shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and assigns a unique identifier to each legally registered voter in the State (in this subsection referred to as the "computerized list"), and includes the following:

- (i) The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State.
- (ii) The computerized list contains the name and registration information of every legally registered voter in the State.

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- (iii) Under the computerized list, a unique identifier is assigned to each legally registered voter in the State.
- (iv) The computerized list shall be coordinated with other agency databases within the State.
- (v) Any election official in the State, including any local election official, may obtain immediate electronic access to the information contained in the computerized list.
- (vi) All voter registration information obtained by any local election official in the State shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.
- (vii) The chief State election official shall provide such support as may be required so that local election officials are able to enter information as described in clause (vi).
- (viii) The computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.

This response assumes your question refers to subsection (iv), and the relationship between Wisconsin's statewide voter registration database and election administration system ("WisVote") and other Wisconsin state agency databases.

The Wisconsin Elections Commission ("WEC") routinely coordinates with the Wisconsin Department of Transportation ("DOT"), the Wisconsin Department of Corrections ("DOC"), and the Wisconsin Department of Health Services ("DHS"). The WEC may infrequently coordinate with other state agencies for specific purposes. For example, various voter registration list maintenance mailings require coordination with the Wisconsin Department of Administration, Bureau of Publishing and Distribution. However, these interactions do not necessarily involve another agency's "database," and are therefore probably not relevant to your query.

Coordination with Wisconsin DOT occurs to compare voter registration information with DOT records. The online voter registration (OVR) process includes a real-time records check against DOT records. Wis. Stat. § 6.30(5). This OVR check verifies that a voter's name, date of birth, license number, and residency match DMV records. If the OVR DMV check does not match, the voter is not permitted to register online. The OVR process is only available to voters with a Wisconsin DOT product. Registrations received on a paper application, either in person or by mail, are reviewed against DOT records in a separate process. If the voter does not have a Wisconsin driver license or state ID card, the system matches the name, date of birth and the last four digits of their Social Security Number. Finally, the Wisconsin DOT also provides the WEC driver's license signature images in accordance with Wisconsin law. Data is received from Wisconsin DOT daily.

Coordination with Wisconsin DOC occurs regularly to identify individuals convicted of a felony and also those who have completed their sentences. A person is not eligible to vote if they are convicted of a felony and still serving their term of imprisonment or probation for the crime. Wis. Stat. § 6.03(1)(b). The Wisconsin Department of Corrections provides felony conviction information to the WEC pursuant Wis. Stat. § 301.03(20m). Data is received from Wisconsin DOC daily.

Coordination with Wisconsin DHS occurs to identify recently deceased individuals. Wisconsin DHS provides the data monthly.

QUESTION 2. Describe the process by which voters who have been deemed ineligible are removed from the voter registration list pursuant to the list maintenance procedures referenced in HAVA Section 303(a)(2), the number of voters currently deemed ineligible that remain on the voter registration list, and the basis for not having removed them from the voter registration list;

RESPONSE 2. Voters identified as ineligible are inactivated in the database and removed from the voter rolls. The “voter registration list” contains only registered voters who will appear on poll books and are eligible to vote. Once a voter is marked as ineligible, they are no longer registered to vote. In some instances, there may be a time delay between the voter becoming ineligible and an election official learning about the event. For example, a voter who dies is immediately ineligible to vote, but election officials may not become aware of the death for hours, days, or weeks.

QUESTION 3. Determine how WEC determines who is an “inactive” voter, pursuant to the list maintenance procedures referenced in HAVA Section 303(a)(2), and explain the process for removal of inactive voters from the voter registration list;

RESPONSE 3. HAVA Section 303(a)(2), codified at 52 U.S.C. § 21083(a)(2), provides:

(2) Computerized list maintenance

(A) In general

The appropriate State or local election official shall perform list maintenance with respect to the computerized list on a regular basis as follows:

- (i)** If an individual is to be removed from the computerized list, such individual shall be removed in accordance with the provisions of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) [now 52 U.S.C. 20501 et seq.], including subsections (a)(4), (c)(2), (d), and (e) of section 8 of such Act (42 U.S.C. 1973gg–6) [now 52 U.S.C. 20507].
- (ii)** For purposes of removing names of ineligible voters from the official list of eligible voters—
 - (I)** under section 8(a)(3)(B) of such Act (42 U.S.C. 1973gg–6(a)(3)(B)) [now 52 U.S.C. 20507(a)(3)(B)], the State shall coordinate the computerized list with State agency records on felony status; and
 - (II)** by reason of the death of the registrant under section 8(a)(4)(A) of such Act (42 U.S.C. 1973gg–6(a)(4)(A)) [now 52 U.S.C. 20507(a)(4)(A)], the State shall coordinate the computerized list with State agency records on death.

(iii) Notwithstanding the preceding provisions of this subparagraph, if a State is described in section 4(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-2(b)) [now 52 U.S.C. 20503(b)], that State shall remove the names of ineligible voters from the computerized list in accordance with State law.

(B) Conduct

The list maintenance performed under subparagraph (A) shall be conducted in a manner that ensures that—

- (i) the name of each registered voter appears in the computerized list;
- (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and
- (iii) duplicate names are eliminated from the computerized list.

The HAVA section cited in question 3 does not use the term “inactive voter” and therefore it is unclear what this question is asking. This response assumes you are using the term “inactive voter” interchangeably with “ineligible voter.”

Wisconsin law assigns local election officials many voter registration list maintenance responsibilities and provides the WEC only limited authority in specific circumstances. Thus, the WEC is not the sole arbiter of eligibility. Indeed, the Wisconsin Supreme Court has ruled that state law specifically prohibits the WEC from making eligibility determinations in some circumstances.¹

Chapter 6 of the Wisconsin Statutes specifically details the circumstances and responsibilities for determinations of ineligibility for the following reasons:

- Four consecutive years of inactivity. Wis. Stat. § 6.50(1).
- Moving out of the municipality. Wis. Stat. § 6.50(3).
- Death. Wis. Stat. § 6.50(4).
- Residing in a Condemned Structure. Wis. Stat. § 6.50(5)
- Voter Request. Wis. Stat. § 6.50(6).
- Adjudication of Mental Incompetency. Wis. Stat. §§ 6.03(1)(a), 6.03(3), 54.25.
- Convicted of a Felony, Treason, or Bribery. Wis. Stat. § 6.03(1)(b).
- Duplicate Records. Wis. Stat. § 7.15(1)

QUESTION 4. Describe the process by which any duplicate voter registrations are identified, including how the State determines what constitutes a duplicate voter registration record, and the process for their removal from the voter registration list under HAVA Section 303(a)(2)(B)(iii);

RESPONSE 4. The voter registration list is automatically scanned nightly and any potential duplicates are flagged for review. The automated scan reviews first name, last name, middle initial, suffix, date of birth,

¹ [State of Wis. Ex rel. Timothy Zignego v. Wisconsin Elections Commission, 2021 WI 32.](#)

address record, and driver's license or state ID number. Municipal clerks review the potential duplicates and take appropriate action. Most commonly, duplicates are created when a newer registration record is created, and the clerk will identify the old record and inactivate it.

QUESTION 5. Describe the process by which voters who have moved outside the state and subsequently registered to vote in another state are identified and removed from the voter registration list under HAVA Section 3030(a)(4)(A);

RESPONSE 5. When a Wisconsin election official identifies a voter who has moved out of state, the voter record is marked as ineligible and removed from the voter registration list. The actual process requires an authorized WisVote user to select the voter record, change the record's eligibility status, and record a reason for the change. This most commonly occurs when the WEC receives notification from another state elections agency, often through its statutorily-directed membership in the Electronic Registration Information Center. *See Wis. Stat. § 6.36(1)(ae)*

QUESTION 6. Describe the process by which registrants who are ineligible due to non-citizenship are identified and removed from the voter registration list;

RESPONSE 6. Registrants ineligible due to non-citizenship are identified through the statutory challenge process or through law enforcement reporting. When a Wisconsin election official (state or local) identifies a voter who is not a U.S. citizen, the voter record is marked as ineligible and removed from the voter registration list. The actual process requires an authorized WisVote user to select the voter record, change the record's eligibility status, and record a reason for the change.

QUESTION 7. Please send us the current voter registration list. Please include both active and inactive voters.

RESPONSE 7. Wisconsin voter data is available through an online portal at <https://badgervoters.wi.gov>. Wisconsin law requires the Commission to charge a fee for access to voter registration data and makes no exceptions for elected officials, government agencies, journalists, non-profits, academics, or any other group. *See Wis. Stat. § 6.36(6) and Wis. Admin Code § EL 3.50.*

Sincerely,

Members, Wisconsin Elections Commission