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June 20, 2025

Ms. Maureen S. Riordan
Senior Counsel
Acting Chief, Voting Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Via email to: Maureen.Riordan2@usdoj.gov

Re: Request for Unredacted Voter Registration Records

Dear Ms. Riordan:

Our office represents the County of Orange, California and its Registrar of Voters. We are in receipt of your letter dated June 17, 2025, requesting unredacted copies of records related to the cancellation of several non-citizen voter registrations.

The Registrar of Voters has provided all records responsive to your request, including registrants' names, dates of birth, home addresses, and other identifying information in accordance with National Voter Registration Act of 1993 (NVRA), California Government Code Section 7924.000, and California Elections Code Sections 2194 and 2188(g).

However, the NVRA and California law require certain redactions to voter registration records. Elections Code Section 2194 provides in pertinent part:

> (b)(1) Notwithstanding any other law, the California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on the affidavit of voter registration of a registered voter, or added to voter registration records to comply with the requirements of [HAVA] are confidential and shall not be disclosed to any person.
>
> (2) Notwithstanding any other law, the signature of the voter shown on the affidavit of voter registration or an image thereof is confidential and shall not be disclosed to any person [except under circumstances not relevant here].

Additionally, California Government Code Section 7924.005 provides that information revealing the identity of a person who has requested a bilingual ballot or ballot pamphlet shall not be provided to any person other than a public officer or public employee who is responsible for receiving the request and processing it.

The redactions applied here are necessary to balance the NVRA's goal of ensuring transparency and accountability in the voter registration process with registrants' statutory privacy rights. Among other reasons, the unprotected disclosure of driver's license or identity card numbers, social security numbers, or signature images may expose registrants to a greater threat of identity theft; and the disclosure of registrants' foreign language preferences could expose them to discrimination or harassment.

Your letter asserts that such redactions are improper because they conflict with your enforcement authority under the Help America Vote Act (HAVA). We agree that the NVRA and HAVA preempt conflicting State law. However, HAVA simply provides that the U.S. Attorney General may bring a civil action against any State or jurisdiction in District Court for declaratory and injunctive relief as necessary to carry out its uniform and nondiscriminatory election technology and administration requirements. 52 U.S.C. § 21111. Unlike the NVRA, we are unaware of any HAVA provision requiring the disclosure of registration records upon request without a subpoena, let alone confidential personal information.

The Registrar of Voters takes its obligation to maintain confidential voter registration information seriously. This includes proactively ensuring that its voter files are current, even exceeding minimum legal requirements by using optional sources of information such as credit bureaus. It also means adhering to the statutory requirements protecting certain voter information from disclosure. If the Department of Justice can provide legal authority that requires the Registrar of Voters to produce the sensitive information redacted here without a subpoena and without any protection from public disclosure, we would certainly be open to further consideration of the matter.

Very truly yours,

LEON J. PAGE
COUNTY COUNSEL

By James Steinmann
James D. P. Steinmann, Deputy

CC: Bob Page, Orange County Registrar of Voters