

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

Plaintiff,

v.

STEVE SIMON, in his official
capacity as Secretary of State for the
State of Minnesota, and the STATE
OF MINNESOTA,

Defendants.

Case No. 25-cv-3761-KMM-EMB

UNITED STATES' MOTION FOR
ORDER TO COMPEL
PRODUCTION OF FEDERAL
ELECTION RECORDS PURSUANT
TO 52 U.S.C. § 20701, *et seq.*

**MOTION FOR ORDER TO COMPEL FEDERAL ELECTION RECORDS
DEMANDED PURSUANT TO THE CIVIL RIGHTS ACT OF 1960**

Plaintiff, United States of America, by and through the Attorney General, pursuant to Title III of the Civil Rights Act of 1960 (“CRA”), 52 U.S.C. § 20701, *et seq.*, hereby moves this Honorable Court for an Order compelling Defendants, Steve Simon, and the State of Minnesota, to produce the federal election records demanded in writing under the CRA. The Attorney General offers the attached Memorandum of Law, Declaration of Eric Neff, and Exhibits, in support of its Motion to Compel.

Introduction

Congress has exclusively vested the Attorney General with authority to enforce the Help America Vote Act (“HAVA”). *See* 52 U.S.C. § 21111. This statute

requires Defendants to conduct specified maintenance of Minnesota's voter registration list. These requirements are an integral measure to ensure that Defendants' statewide voter registration lists ("SVRL") are accurate. Ensuring the accuracy of the list of eligible voters preserves the integrity of Minnesota's federal election procedures.

Pursuant to Section 301 of the CRA, "every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, *all* records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election[.]" 52 U.S.C. § 20701 (emphasis added).

Further, Section 303 of the CRA provides, "Any record or paper required by section 301 to be retained and preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying at the principal office of such custodian by the Attorney

General or his representative. This demand shall contain a statement of the basis and the purpose therefor.” 52 U.S.C. § 20703.

The United States has properly demanded records from Defendants pursuant to these federal statutes and Defendants have failed to comply as detailed in the Memorandum of Law in Support of this Motion, and exhibits filed contemporaneously herein. The United States brings this action and files this Motion to compel Defendants to produce the requested federal election records.

Section 305 of the CRA provides that “[t]he United States District Court for the district in which a demand is made pursuant to [section 303], or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.” 52 U.S.C. § 20705.

Prayer for Relief

For the foregoing reasons, the United States requests that this Court enter an Order directing Defendants to produce the demanded federal election records. Plaintiff further requests this Court:

- A. Order Defendants to produce an electronic copy of the Minnesota Statewide Voter Registration List with all fields, including each registrant’s name, date of birth, address, and as required by HAVA, the last four digits of the registrant’s social security number,

driver's license/state identification number or the unique HAVA identifier;

B. Order Defendants to produce such other federal election records demanded by the Attorney General to ascertain Defendants' compliance with the Help America Vote Act of 2002 ("HAVA"), 52 U.S.C § 20901, *et seq.*;

C. Order Defendants to submit the demanded federal election records electronically by secure means to the Attorney General within five (5) days of the Court's order; and

D. Such other relief as the Court determines to be just and proper.

DATED: December 23, 2025

Respectfully submitted,

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

/s/ James Thomas Tucker
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CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2025, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

Respectfully submitted,

/s/ James Thomas Tucker
James Thomas Tucker