



FACTSHEET | No State Should be Exempt from the National Voter Registration Act's (NVRA) Transparency Requirements

Wisconsin, Minnesota, New Hampshire, Idaho, Wyoming, and North Dakota were given special exemptions by Congress from the NVRA transparency obligations.

- In 1993, Congress passed the NVRA, more commonly known as Motor Voter, to ensure the public can evaluate a state's voter list maintenance activities and to bring transparency to our elections.
- The Public Disclosure Provision of the NVRA requires that states make voter list maintenance records, including voter rolls, available to the public at a reasonable cost.
- Congress gave exemptions to the six states that offered same-day voter registration or did not have voter registration.
- The Public Interest Legal Foundation (PILF) filed federal lawsuits in [Wisconsin](#) and [Minnesota](#) to have these state's exemptions from the NVRA declared invalid in order to receive a copy of their voter rolls.
 - Wisconsin refuses to disclose the voter roll with date of birth information at a reasonable cost.
 - Minnesota law prohibits out-of-state residents or organizations from purchasing the voter roll.

Wisconsin and Minnesota's NVRA exemptions violate the principle of equal state sovereignty.

- The principle of equal state sovereignty requires that Congress cannot treat some states differently than other states without substantial justification.
- In the Supreme Court case *Shelby County v. Holder*, the Court reaffirmed that all states enjoy equal sovereignty and that if Congress treats states differently, the differential treatment must "make sense in light of current conditions."
- Wisconsin and Minnesota's exemptions when the NVRA was passed in 1993 were mismatched because these states still conducted the voter list maintenance activities that Congress sought to make transparent.
- The exemptions do not fit current circumstances. In 2024, Wisconsin and Minnesota, along with 18 other states and the District of Columbia (D.C), offer same-day voter registration, but only 13 of those states and D.C. are subject to the NVRA's transparency requirements.
- These NVRA exemptions are not congruent and proportional with the current circumstances.

No state should be immune from election transparency or able to hide voter rolls from the public.

- Transparency in elections allows the public to monitor the activities of officials who grant and remove voting rights and increases the public's trust and confidence in our electoral process.
- All states should be treated equally under the law and required to make voter rolls with dates of birth available to the public regardless of residency.
- There should be no special exemptions that allow certain election officials to hide documents relating to their mistakes and voter list maintenance activities.