

One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-6157
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The Hon. Steve Simon
Secretary of State of Minnesota
First National Bank Building
332 Minnesota Street, Suite N201
St. Paul, MN 55101

Dear Secretary Simon,

As Chairman of the U.S. House of Representatives Committee on House Administration, which has broad oversight of our nation's federal elections, and as members of Minnesota's congressional delegation, we write today to express our concern about testimony offered a January 10th hearing of the Minnesota House Transportation Finance and Policy Committee where a Deferred Action for Childhood Arrivals (DACA) recipient exclaimed, "We are voting. Our people are voting."¹ In response, instead of any investigation of this unlawful activity whatsoever, your office responded, "noncitizen voting is [not] a problem in Minnesota or nationally."²

The allegation that non-citizens are voting in Minnesota is deeply troubling for several reasons. First, federal law makes it unlawful for them to vote in federal elections.³ Second, Minnesota law requires every voter to certify that they are a citizen of the United States before being permitted to vote.⁴ Minnesota takes its citizen requirement so seriously that an intentional violation of it is a felony.⁵

For voters to have faith in our election system at the federal and state level, the enforcement of these prohibitions is of vital importance. Unfortunately, instead of finding ways to promote voter confidence, your office gave these allegations the back of the hand.

In the interest of ensuring that voter confidence in our elections processes and outcomes is protected in the next federal election, please respond with an explanation detailing what steps your office will take to investigate claims that DACA recipients and other non-citizens are voting in Minnesota's elections, and your plan for remediation if your office confirms the validity of these allegations.

Please send your response and any questions you may have by February 13, 2023, to the Committee's General Counsel and Deputy Staff Director, Caleb Hays, at Caleb.Hays@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration



Tom Emmer
Member of Congress



Pete Stauber
Member of Congress


¹ Fred Lucas, *How Blue State Election Official Responds to DACA Recipient Proclaiming, 'We Are Voting'*, Daily Signal (Jan. 24, 2023), <https://www.dailysignal.com/2023/01/24/we-are-voting-minnesota-unconcerned-about-noncitizens-casting-ballots-despite-daca-recipients-testimony/>.

² *Id.*

³ 18 U.S.C. § 611.

⁴ Minn. Stat. § 201.071 (2022).

⁵ *Id.* § 201.054, subd. 2(1) (2022).



Michelle Fischbach
Member of Congress



Brad Finstad
Member of Congress

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