Office of the Deputy Attorney General
Washington, D.C. 20530

October 29, 2026

Stephanie Thomas
Secretary of the State
P.O. Box 150470
Hartford, CT 06115-0470

RE: Obligations Under 52 U.S.C. § 20701

Dear Secretary Thomas:

Election Day is fast approaching, and I write to ensure that your office is protecting the integrity of your state's elections and following federal recordkeeping requirements. America is no stranger to exceptionally close races. Just last cycle, California's 13th congressional district was decided by 187 votes. In 2020, Iowa's 2nd congressional district was decided by six votes. In 2008, the candidates in the U.S. Senate race in Minnesota were separated by only 312 votes. And famously, in 2000, the election for the President of the United States was decided by approximately 500 votes in Florida.

To protect the franchise and maintain public confidence in our democratic process, Congress requires election officials to retain election records. I am writing to remind you of that obligation.

Under 52 U.S.C. § 20701, election officers like yourself shall ensure preservation—"for a period of twenty-two months from the date of any … [federal] election"—of all records that are "requisite to voting in such election" and that "come into [your] possession." These records include, for example, completed voter registration forms, pollbooks and precinct sign-in sheets, copies of identity documents, requests for a vote-by-mail ballot, envelopes containing a completed ballot, the ballot itself whether mailed, placed in a drop box, or submitted in person, any document that vouches for the eligibility and qualifications of another voter, and other related records produced by the act of registering to vote or voting. This obligation is also borne by each county or local election official charged with administering a federal election in your state.

It is a crime to willfully fail to comply with Section 20701. Such a failure is punishable by up to a year in prison and a $1,000 fine. It is also unlawful to willfully steal, destroy, conceal, mutilate, or alter these records under Section 20702.

Thank you for your commitment to ensuring election integrity.

Sincerely,

R. Trent McCotter
Acting Deputy Attorney General