

2020 HAVV LOOKUP NATIONAL ANALYSIS

Jeffrey O'Donnell – 10/3/2023

1. BACKGROUND

The [Help America Vote Act of 2002, P.L. 107-252](#) (HAVA) requires States to verify the information of newly registered voters for Federal elections. Each State must establish a computerized State-wide voter registration list and verify new voter information with the State's Motor Vehicle Administration (MVA).

The States are required to verify the driver's license number against the state MVA database. *Only in situations where no driver's license exists should the states verify the last four digits of the new voter registrant's Social Security Number (SSN).* The State submits the last digits of the SSN, name, and date of birth to the MVA for verification with SSA. In addition, SSA is required to report whether its records indicate that the registrant is deceased.¹

39 states participate in HAVV lookups.

2. DATA

HAVV lookup records made public by the U.S. Social Security Administration (SSA) show the following aggregated totals:

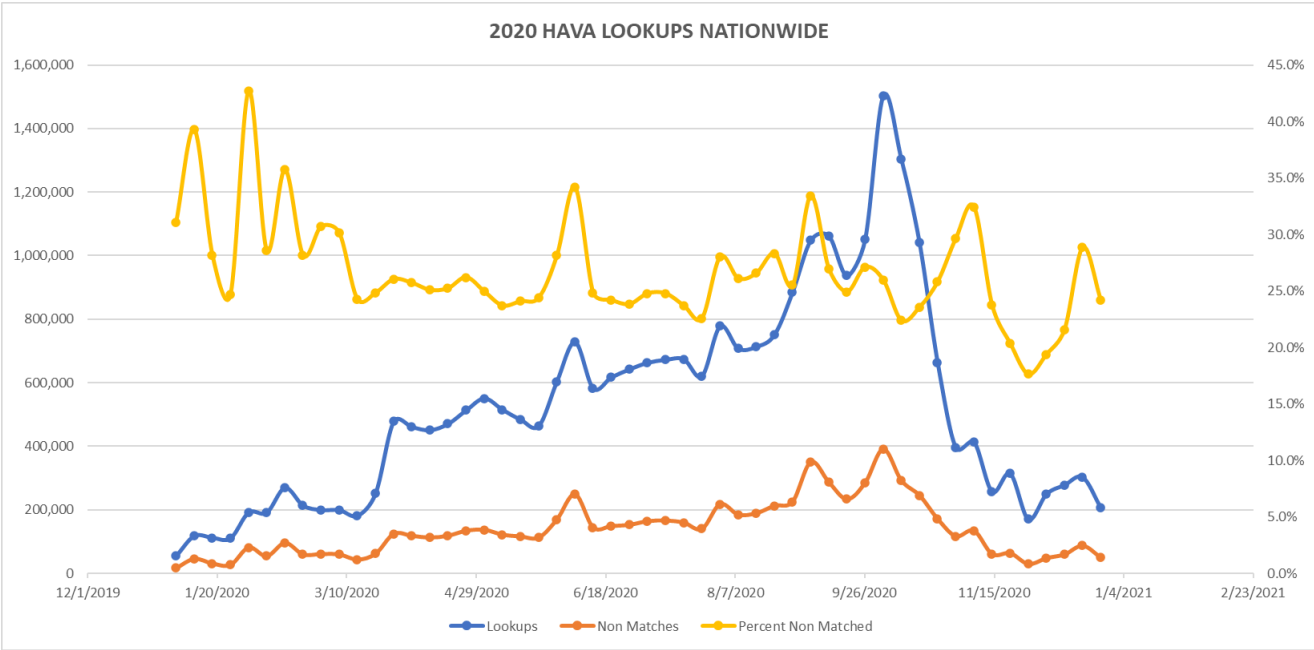
- A total of 27,327,786 requests were received by the SSA during the calendar year 2020. By the definition above, that would imply that this many individuals submitted voter registration without having a driver's license. This number represents about **16%** of the approximately 168 million registered voters in 2020.

- 7,177,676 of those requests were rejected as being a non-match, meaning that the last four digits of the SSN did not match anyone with that name and birthdate. This is a **26.3%** lookup failure rate.

- 189,040 of the requests matched to a deceased individual.

The following chart shows, by week, the number of HAVV lookups submitted (blue), the number of non-matches (orange), and the percentage of non-matches (yellow, presented on a different scale for visibility).

¹ <https://www.ssa.gov/open/havv/>



The increase in both the number of lookups and the number of non-matches as the November election neared is obvious.

3. STATE SPECIFIC DATA

The following table shows the HAVV lookups and non-matches for calendar year 2020 by state. States not listed did not participate in the HAVV lookup process.

State	Population ('20)	Lookups	Non-Matches	Deceased	Percent Non-Matches	Lookups/Population
ALABAMA	5,030,053	62,555	8,044	5,076	12.9%	1.2%
ALASKA	736,081	8,481	2,570	335	30.3%	1.2%
ARIZONA	7,158,923	150,894	79,229	308	52.5%	2.1%
CALIFORNIA	39,576,757	1,440,069	657,698	2,003	45.7%	3.6%
COLORADO	5,782,171	19,225	1,903	3	9.9%	0.3%
CONNECTICUT	3,608,298	30,260	5,600	2	18.5%	0.8%
DELAWARE	990,837	4	1	0	25.0%	0.0%
FLORIDA	21,570,527	227,613	60,904	59	26.8%	1.1%
GEORGIA	10,725,274	54,521	15,859	21	29.1%	0.5%
HAWAII	1,460,137	17,072	2,220	76	13.0%	1.2%
IDAHO	1,841,377	76,765	14,463	1,231	18.8%	4.2%
ILLINOIS	12,822,739	702,248	81,366	1,672	11.6%	5.5%
INDIANA	6,790,280	251,292	24,984	484	9.9%	3.7%
IOWA	3,192,406	41,195	11,271	264	27.4%	1.3%
KANSAS	2,940,865	858,189	227,261	70,719	26.5%	29.2%
LOUISIANA	4,661,468	17,302	2,620	4	15.1%	0.4%
MARYLAND	6,185,278	56,465	17,251	28	30.6%	0.9%
MASSACHUSETTS	7,033,469	28,585	6,730	4	23.5%	0.4%
MICHIGAN	10,084,442	19,073	6,917	110	36.3%	0.2%
MINNESOTA	5,709,752	269,353	23,228	19	8.6%	4.7%
MISSISSIPPI	2,963,914	409	122	28	29.8%	0.0%
MISSOURI	6,160,281	496,583	92,750	4,790	18.7%	8.1%
MONTANA	1,085,407	54,789	15,506	47	28.3%	5.0%
NEBRASKA	1,963,333	8,224	1,570	35	19.1%	0.4%
NEVADA	3,108,462	222,359	135,936	1,804	61.1%	7.2%
NEW JERSEY	9,294,493	592,634	116,843	1,796	19.7%	6.4%
NEW YORK	20,215,751	249,184	108,439	138	43.5%	1.2%
NORTH CAROLINA	10,453,948	246,302	67,964	54	27.6%	2.4%
OHIO	11,808,848	41,090	13,048	11	31.8%	0.3%
OREGON	4,241,500	98,923	22,186	1,751	22.4%	2.3%
PENNSYLVANIA	13,011,844	265,227	43,934	57	16.6%	2.0%
RHODE ISLAND	1,098,163	22,892	1,327	10	5.8%	2.1%
SOUTH DAKOTA	887,770	21,446	3,388	45	15.8%	2.4%
TEXAS	29,183,290	6,799,346	1,682,274	1,177	24.7%	23.3%
UTAH	3,275,252	50,837	9,680	240	19.0%	1.6%
VERMONT	643,503	2,901	617	4	21.3%	0.5%
WASHINGTON	7,715,946	49,645	10,818	7	21.8%	0.6%
WISCONSIN	5,897,473	35,055	4,421	10	12.6%	0.6%
WYOMING	577,719	74,886	7,896	98	10.5%	13.0%

The following table shows the state-specific lookup data sorted by the percentage of lookups by state population, which shows that Kansas, Texas, and Wyoming show the highest per-capita number of HAVV lookups.

State	Population ('20)	Lookups	Non-Matches	Deceased	Percent Non-Matches	Lookups/Population
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Finally, the following table shows the state-specific lookup data sorted by the percentage of non-matches.

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4. CONCLUSIONS

As shown at the beginning of this report, the HAVV lookup system was designed to allow individuals without a driver's license to register to vote. *"Only in situations where no driver's license exists should the states verify the last four digits of the new voter registrant's Social Security Number (SSN)."* The results reported here demonstrate that the system is being, at best, misused by states and at worst, being used to create fraudulent registrations. Either of these cases cast doubt upon the validity of the voter registration in the states listed.

There are a number of dangers created by these findings, not the least of which is the potential for bad actors with access to state registration systems registering citizens without their knowledge, whose records can then be used to cast fraudulent votes. The large number of non-matches and deceased matches indicates to me that these bad actors could be working off of an incomplete list of state residents and are guessing at certain information until they get a match.

The small number of counties and states which have responded to public records requests have provided conflicting or irrelevant explanations for how the system is used. For instance, a directive from the Pennsylvania Secretary of State states, in part:

DIRECTIVE CONCERNING HAVA-MATCHING
DRIVERS' LICENSES OR SOCIAL SECURITY NUMBERS
FOR VOTER REGISTRATION APPLICATIONS

Pursuant to Section 1803(a) of Act 3 of 2002, 25 Pa.C.S. § 1803(a), the following Directive is issued by the Department of State to clarify and specify legal processes relating to HAVA-matching of drivers' license numbers (or PennDOT ID card numbers) and Social Security numbers when voters submit new voter registration applications or an application to reactivate a cancelled record.

This Directive underscores that Pennsylvania and federal law are clear that voter registrations may *not* be rejected based solely on a non-match between the applicant's identifying numbers on their application and the comparison database numbers.

As stated in the Department of State's August 9, 2006 *Alert Re: Driver's License and Social Security Data Comparison Processes Required by The Help America Vote Act (HAVA)*, HAVA requires only the following:

- (1) that all applications for new voter registration include a current and valid PA driver's license number, the last four digits of the applicant's social security number, or a statement indicating that the applicant has neither a valid and current PA driver's license or social security number; and
- (2) that voter registration commissions compare the information provided by an applicant with the Department of Transportation's driver's license database or the database of the Social Security Administration.

HAVA's data comparison process "was intended as an administrative safeguard for 'storing and managing the official list of registered voters,' and not as a restriction on voter eligibility." *Washington Ass'n of Churches v. Reed*, 492 F.Supp.2d 1264, 1268 (W.D. Wash. 2006).

Counties must ensure their procedures comply with state and federal law, which means that if there are no independent grounds to reject a voter registration application other than a non-match, the application may *not* be rejected and must be processed like all other applications.

Thus, any or all of Pennsylvania's almost 44,000 non-matching HAVV lookups performed in 2020 could have led to an accepted voter registration. One must wonder the utility of the HAVV system if the information is not being used to validate potential voters.

To reiterate the above information from the Social Security's own website, "The [Help America Vote Act of 2002, P.L. 107-252](#) (HAVA) **requires** States to verify the information of newly registered voters for Federal elections. Each State **must** establish a computerized State-wide voter registration list and **verify** new voter information with the State's Motor Vehicle Administration (MVA)." (emphasis added).

In my opinion, In *Washington Association of Churches v Reed*², which is the precedent listed above, District Judge Ricardo Martinez unilaterally interpreted the HAVA/HAVV law to say the opposite of what it actually intends. A statement from the case summary states "...enjoining enforcement of "matching" statute, requiring state to match potential voter's name to Social Security Administration or Department of Licensing database, because **failure to match applicant's information was not material to determining qualification to vote.**" (emphasis added) This radical interpretation of Federal law needs to be revisited by higher courts as soon as possible to close this dangerous loophole.

In addition, the procedures for how counties and states utilize this system must be made transparent, as many election officials I have spoken with are not themselves sure of the process. An audit of the HAVV system at the Social Security Administration must be performed to determine if unauthorized access is occurring, and to determine if adequate safeguards are in place to safeguard the access.

² <https://casetext.com/case/washington-association-of-churches-v-reed>