



MINNESOTA SECRETARY OF STATE OFFICE
Mary Kiffmeyer, Secretary of State

October 26, 2004

Charles Samuelson
American Civil Liberties Union of Minnesota
456 North Syndicate, Ste 230
Saint Paul MN 55104

Dear Mr. Samuelson,

Thank you for your letter dated October 25, 2004.

The section of federal law 42 U.S.C. §, 15483, subd. (b) and Minnesota Rule 8200.5100 are not in conflict because they apply to two different sets of voters. The federal provisions in this section apply to individuals registering to vote by mail who vote in person. Minnesota Rule 8200.5100 applies to individuals who register and vote on election day. The latter is known as Minnesota's Election Day Registration procedure.

In the 2004 legislative session the legislature considered proposals providing for the utilization of tribal identification on a statewide basis. After considerable discussion the legislature amended Minn. Stat. 201.061 to only provide that for tribal members living on an Indian reservation, an individual may prove residence for purposes of registering by presenting an identification card issued by the tribal government of a tribal government recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, street address, signature, and picture of the individual.

While Minn. Stat. 201.061 does include documents approved by the Secretary of State, the policy on this matter has already been set by the legislature.

I thank you for your inquiry and regret that we are unable to comply with your request.

Sincerely

Mary Kiffmeyer
Minnesota Secretary of State