

**The Impact of
The National Voter Registration Act of 1993**

on the

**Administration of Elections for Federal Office
1995-1996**



A Report to the 105th Congress



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This report is submitted to the United States Congress
pursuant to the Provisions of the National Voter Registration
Act of 1993 (Public Law 103-31)

A handwritten signature in black ink, appearing to read "John Warren McGarry". The signature is stylized and cursive.

John Warren McGarry
Chairman
Federal Election Commission

EXECUTIVE SUMMARY

This document is a report to the United States Congress on the impact of the National Voter Registration Act of 1993 (NVRA) on the administration of elections for federal office during the preceding two-year period, 1995 through 1996.

This second report is based on survey results from 43 States and the District of Columbia. Six (6) States are not included because they are exempt from the provisions of the Act. Vermont is not included because of State constitutional impediments that have delayed full implementation.

General

States reported a total of 142,995,856 registered voters nationwide for 1996, amounting to 72.77% of the Voting Age Population (VAP). This is the highest percentage of voter registration since reliable records were first available in 1960.

The report also notes that the number of Americans actually voting in 1996 declined by over 5 percentage points from 1992 — the first presidential election since 1972, when the franchise was extended to 18–21 year olds, that voter registration rose while turnout declined.

According to the highlights of the report, which covers the first two years in which the new law was in effect, during 1995 and 1996:

- There were, in total, 41,452,428 registration applications or transactions processed nationwide.

- Two thirds or 27,485,055 represented new transactions
- There was a 5.2% rate of duplicates.
- The remaining one third of the total transactions, or about 13,967,373, represented changes of name and address.
- A total of 8,723,301 names were deleted from the registration lists under the new lists verification procedures of the law, while another 7,083,794 registrants were declared “inactive” and will be removed after 1998 if they fail to vote in that election.

In summary, the report finds that voter registration in States covered by the NVRA rose in 1996 by 1.82 percentage points — or some 3,390,000 people — over 1992, the previous comparable election.¹ It should be noted, however, that the NVRA was in effect for only 22 months or less in the covered States.

Highlights of this Report

Mail Registration

The mail registration provisions of the NVRA caused relatively few problems for the States and accounted for nearly one third of all voter registration applications from 1995 through 1996. This general success of mail registration is traceable in part to the fact that 25 of the 43 States that responded to our survey had already implemented mail registration before the NVRA. Today, all 45 States covered by the NVRA have mail registration. Several of the States were, however, delayed in implementing it well past January of 1995 because of legislative, litigative, or printing problems. By the same token, all 45 States now accept the National voter registration form devised by the Federal Election Commission, as do several States exempt from the Act.

Motor Voter

The motor vehicle provisions of the NVRA appeared to be the easiest for States to implement. This is due in large part to the fact that at least twenty-six (26) States reported that they had conducted some form of motor voter registration program prior to the passage of the NVRA. Motor voter agencies also yielded the highest volume of registration applications among the various agencies mandated by the NVRA, accounting for 33.1% (13,722,000) of the total number of registration applications in the United States during 1995 and 1996.

Agency Registration

Figures provided by forty-one (41) States indicate that over 24,600 separate sites provided agency voter registration opportunities to their clientele during the period covered by this report. Applications received at all agency sites combined represented 11.07% of the total number of registration applications in the United States. Public assistance agencies accounted for 6.28% of this figure; agencies designated by the States accounted for 4.18%; disability service agencies accounted for .43%; and armed forces recruitment offices accounted for .18%.

States had some difficulty in implementing the provision at Section 7 (a)(3)(A) of the Act which requires States to designate offices other than those required by the Act to provide agency voter registration services. Four (4) States reported that they did not designate any agencies to participate in this program. Only twenty-one (21) of the forty-three (43) States responding to the survey reported designating more than one State agency to participate under this provision of the Act. Our survey responses reveal a wide variety of agencies selected by these 21 States.

List Maintenance

The list maintenance provisions of the NVRA grant the States considerable latitude in the routine and systematic methods by which they may ensure the accuracy of their voter registration lists by removing the names of those who are no longer eligible. They also prohibit the States from removing names from the voter registration list merely for failure to vote or for moving within the registrar's jurisdiction. As one might expect, the 45 States covered by this report approached the rather technical and detailed problems of list maintenance quite differently and unevenly.

Fail-safe Provisions

The fail-safe provisions of the NVRA allow States options on where and how registrants who have moved within the registrar's jurisdiction or who have inadvertently been placed on the inactive list may vote. And once again, the States pursued a variety of different approaches to this matter.

Recommendations

The most significant problems reported by the States tended to group into three broad categories. Accordingly, the FEC offers three core recommendations for improving the NVRA:

- that States which do not require all or part of the applicant's social security number voluntarily (1) amend their election codes to require only the last four digits from all new voter registration applicants, and (2) endeavor to obtain that same item of information from all current registered voters;
- that States which have not yet done so voluntarily (1) develop and implement a state-wide computerized voter registration data-

base; (2) ensure that all local registration offices are computerized; and (3) link their statewide computerized system, where feasible, with the computerized systems of the collateral public agencies relevant to the NVRA (motor vehicle offices, public assistance offices, etc.); and

- that the U.S. Postal Service (1) create a new class of mail for "official election material"

that encompasses all mail items requisite to the NVRA and provide the most favorable reduced rates affordable for the first class treatment of such mailings; and (2) provide space in their postal lobbies free of charge to State and local election officials for voter registration material.

The rationale for each of these recommendations is provided in Section 6 of this report.

THE IMPACT OF THE NATIONAL VOTER REGISTRATION ACT OF 1993 ON THE ADMINISTRATION OF ELECTIONS FOR FEDERAL OFFICE 1995–1996

SECTION 1: INTRODUCTION

This document is a report to the United States Congress on the impact of the National Voter Registration Act of 1993 (Public Law 103–31, 42 U.S.C. 1973gg) on the administration of elections for federal office during the period of 1995 through 1996. It is the second of a series of such reports to be submitted biennially by the Federal Election Commission pursuant to the provisions of that Act which read in part:

SEC 9... (a) In General—The Federal Election Commission—

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act;

Accordingly, the Federal Election Commission, in 1993 and 1994, promulgated rules identifying the information we considered necessary to obtain from the States in order to generate useful reports to the Congress (11 CFR Part 8, Subpart C). We further described and explained our need for these data elements in a communication to the affected State election officials in October of 1995 (see Appendix B).

The vast majority of State and local election officials were very cooperative in providing the information requested in our 1997 survey of the States — although there were some complaints about the reporting burden coming mostly from

small, uncomputerized local registration offices. It should also be noted that Vermont did not respond because they have not yet implemented the NVRA, while California declined to respond to the battery of questions regarding how that State went about implementing the Act.

SECTION 2: BACKGROUND

The Purposes and Requirements of the National Voter Registration Act

The overall objectives of the National Voter Registration Act of 1993 (NVRA) are:

- to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office
- to protect the integrity of the electoral process by ensuring that accurate and current voter registration rolls are maintained, and
- to enhance the participation of eligible citizens as voters in elections for Federal office [Section 2(b)].

The Act pursues these objectives by:

- expanding the number of locations and opportunities whereby eligible citizens may apply to register to vote
- requiring voter registration file maintenance procedures that, in a uniform and nondiscriminatory manner, identify and remove the names of only those individuals who are no longer eligible to vote, and

- providing certain “fail-safe” voting procedures to ensure that an individual’s right to vote prevails over current bureaucratic or legal technicalities.

Expanding the Number of Locations and Opportunities Whereby Eligible Citizens May Apply to Register to Vote

The locations and opportunities for eligible citizens to apply for voter registration have heretofore varied widely throughout the States. Based on two decades of State experimentation, however, evidence suggested that expanding the number of locations and opportunities for voter registration results in increased registration.

Accordingly, the Act requires that individuals be given an opportunity to apply for voter registration in elections for federal offices when they are applying for or renewing a driver’s license, when they are applying for services at certain other public offices, and by mail. The reasoning behind these provisions can be found in the legislative history of the Act.

Driver’s license offices were selected on the basis of statistics from the Department of Transportation indicating that approximately 87% of persons eighteen years and older have driver’s licenses while an additional three or four percent have, in lieu of a driver’s license, an identification card issued by the State motor vehicle agency. Moreover, several States have already adopted a version of this “motor voter” approach [H.Rept. 103–9, at page 4].

Public assistance and other public agencies were selected in order to ensure that “the poor and persons with disabilities who do not have driver’s licenses” will “not be excluded from those

for whom registration will be convenient and readily available” [H.Rept. 103–66 (Conf.), at page 19].

And finally, “[s]ince registration by mail was already in place in approximately half the states, and there was substantial evidence that this procedure not only increased registration but successfully reached out to those groups most under-represented on the registration rolls, this method of registration was considered appropriate as a national standard” [H.Rept. 103–9, at page 4].

“By combining the driver’s license application approach with mail and agency-based registration, the Committee felt that any eligible citizen who wished to register would have ready access to an application” [H.Rept. 103–9, at page 5].

Requiring Voter Registration File Maintenance Procedures That, in a Uniform and Non-discriminatory Manner, Identify and Remove the Names of Only Those Individuals Who Are No Longer Eligible to Vote

While expanding voter registration opportunities, the House Committee “felt strongly that no legislative provision should be considered that did not at least maintain the current level of fraud prevention” [H.Rept. 103–9, at page 5]. But at the same time, one of the purposes of the Act is “to ensure that once a citizen is registered to vote, he or she should remain on the list so long as he or she remains eligible to vote in that jurisdiction” [H.Rept. 103–9, at page 18], [S.Rept. 103–6, at pages 17 & 19].

Accordingly, the Act requires States to “conduct a program to maintain the integrity of the

rolls” [S.Rept. 103–6, at page 18]. Any such program, however, “may not remove the name of a voter from the list of eligible voters by reason of a person’s failure to vote. States are permitted to remove the names of eligible voters from the rolls at the request of the voter or as provided by State law by reason of mental incapacity or criminal conviction. In addition, States are required to conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists by reason of death or change of residence” [S.Rept. 103–6, at page 18].

Mindful that list cleaning can sometimes be abused, however, the Act requires that any such program be “uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965...” [Section 8(b)(1)]. “The purpose of this requirement is to prohibit selective or discriminatory purge programs.”

“The term ‘uniform’ is intended to mean that any purge program or activity must be applied to an entire jurisdiction. The term ‘nondiscriminatory’ means that the procedure complies with the requirements of the Voting Rights Act of 1965” [H.Rept. 103–9, at page 15].

Providing Certain “Fail-Safe” Voting Procedures in Order to Ensure That an Individual’s Right to Vote Prevails Over Current Bureaucratic or Legal Technicalities

Heretofore, registrants were sometimes denied the right to vote on election day either because of some oversight on their part or even because of some clerical error by the election office. Registrants who changed residence within the registrar’s jurisdiction, for example, often mistakenly assumed they were still entitled to vote —

only to discover on election day that their failure to re-register from their new address disenfranchised them. Similarly, registrants who may have failed to receive or return certain election office mailings were often purged from the lists. Even clerical errors, such as erroneous change of address in the registration files, often resulted either in the loss of the right to vote or else in an elaborate and daunting bureaucratic ordeal.

In order to solve such problems, the Act permits certain classes of registrants to vote despite bureaucratic or legal technicalities. The Congress incorporated these “fail-safe” provisions based on the principle that “once registered, a voter should remain on the list of voters so long as the individual remains eligible to vote in that jurisdiction” [H.Rept. 103–9, at page 18].

The History of the National Voter Registration Act

The history of the National Voter Registration Act (NVRA) dates back to the 1970’s when some of its key provisions — motor voter registration, agency registration, and mail registration — were first separately introduced in Congress. Its current comprehensive form, however, dates back to 1989 when Representative Al Swift of Washington introduced H.R. 2190 in the House of Representatives and Senator Wendell Ford of Kentucky introduced a companion bill, S. 874, in the Senate. Although H.R. 2190 passed the House in 1990, the Senate took no action on either H.R. 2190 or S. 874.

In 1991, Senators Ford and Hatfield introduced S. 250 which closely resembled the previous S. 874. Although S. 250 passed both the Senate and the House a year after its introduction, President Bush vetoed the legislation. Lacking a veto-overriding majority in both the Senate and the House, the legislation died.

S. 250 was resurrected, however, on January 5, 1993 as H.R. 2, introduced by Representative Al Swift and others. In virtually every respect, H.R. 2 and its Senate companion, S. 460, introduced by Senator Wendell Ford were identical to S. 250.

The House of Representatives passed H.R. 2 on February 4, 1993 by a vote of 259 to 160. The Senate passed H.R. 2 with some amendments on March 17, 1993 by a vote of 62 to 37. The Joint Conference Committee version of H.R. 2, retaining some but not all of the Senate amendments, passed the House on May 5, 1993 by a vote of 259 to 164 and the Senate on May 11, 1993 by a vote of 62 to 36. On May 20, 1993, President Bill Clinton signed the National Voter Registration Act of 1993 into law [Public Law 103-31, 42 U.S.C. 1973 gg et seq.].

A copy of the law is provided in Appendix A.

The Role of the Federal Election Commission

The National Voter Registration Act is something of an experiment in governance in that the federal responsibilities for its proper implementation are divided between two separate federal agencies. Section 11 of the Act places the responsibility for civil enforcement in the Department of Justice. Yet Section 9(a) of the Act states that the Federal Election Commission:

- 1) in consultation with the chief election officers of the States, shall prescribe such regulations as are necessary to carry out paragraphs (2) and (3);
- 2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

- 3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act; and
- 4) shall provide information to the States with respect to the responsibilities of the States under this Act.

Accordingly, the Federal Election Commission, through its National Clearinghouse on Election Administration:

During 1993

- In June, one month after its enactment, arranged and conducted a 30-member Ad Hoc Discussion Group meeting (with an audience of twice that number) for the purpose of airing the wide range of views and concerns about the requirements of the Act. That group included representatives of many of the advocacy groups that were behind the Act, State and local election officials, and representatives of the several federal agencies either directly or tangentially involved in the Act.
- In July and August, based on the results of the discussion group meeting and a painstaking analysis of the Act, produced the first draft of a detailed implementation guide for the States.
- In September and October, arranged and conducted a total of 5 two-day regional workshops around the country—in Seattle, Dallas, Chicago, Boston, and Atlanta—designed to carry the information contained in the guide to State officials prior to their January State legislative sessions.

- In October, published in the *Federal Register* an Advance Notice of Proposed Rulemaking seeking comments on the National Mail Registration Form and information to be reported by the States to the Commission.
- In November and December, on the basis of the regional conferences, refined and completed the implementation guide for the States.

During 1994

- In January and February, on the basis of responses to the Advance Notice, prepared a Notice of Proposed Rulemaking.
- In March, developed a first rough draft of the National Voter Registration Form and distributed to the States the final version of the implementation guide
- In April and May, on the basis of responses to the Notice of Proposed Rulemaking, submitted a draft of the Final Rule to the Commissioners who adopted it unanimously on June 8.
- In late June, distributed to the State election officials, to all commenters on the rulemaking, and to other interested parties copies of the Final Rules.
- On July 8, formally requested of the States a certification of their voter registration eligibility requirements needed to complete the National Voter Registration Form.
- On August 5, conducted the second and final meeting of the Ad Hoc Discussion Group.
- In September and October, completed the design of the National Voter Registration

Form which the Commission approved on November 3.

- On December 5, distributed to the States camera-ready copies of the English version of the National Voter Registration Form.

During 1995

- In January, distributed to the States a “starter kit” of 100 to 1000 printed copies of the English version of the National Voter Registration Form while having the Form translated, in accordance with the language minority requirements of the Voting Rights Act, into:
 - Spanish
 - Chinese
 - Japanese
 - Vietnamese, and
 - Tagalog
- In February and March, developed the State reporting form covering the 1994 general federal election
- In March, distributed to the affected States both the 1994 reporting form and camera-ready copies of the appropriate translations of the National Voter Registration Form.

Throughout this same period, members of the Clearinghouse staff spoke with hundreds of State and local election officials and State legislators — both by telephone and through speaking engagements — in an effort to help clarify some of the nuances and subtleties of the Act.

Finally, in an effort to share the experiences of those States that had already experimented with programs required or encouraged by the NVRA, the Clearinghouse published four brief

studies: *Motor Voter Registration Programs, Agency Voter Registration Programs, Mail Voter Registration Programs, and Using NCOA Files for Verifying Voter Registration Lists*. Currently under way is a project to provide States *Alternative Models for Integrating Voter Registration Data Bases* (see the section on Public Sector Computerization below for a discussion of the need for such a study).

SECTION 3: APPLICABILITY OF THE NVRA

This report is based on survey results from 44 States and the District of Columbia. Of the 6 States not covered by this report,

- **North Dakota** does not have voter registration and therefore considers itself to be exempt from the NVRA under Section 4(b)(1) of the Act.
- **Minnesota and Wisconsin** each had election day registration at the polls in effect before March 11, 1993, and therefore consider themselves to be exempt from the NVRA under Section 4(b)(2) of the Act.
- **Wyoming** had enacted legislation before March 11, 1993 which had the effect of implementing election day registration at the polls upon the subsequent passage of the NVRA and is therefore exempt under Section 4(b)(2) of the Act.
- **Idaho and New Hampshire** enacted legislation subsequent to March 11, 1993 which implemented election day registration at the

polls retroactive to March 11, 1993, and were therefore specifically exempted by a 1996 amendment to the NVRA.

- Although **Vermont** is covered by the NVRA, it has not yet implemented most of the Act's provisions owing to State Constitutional impediments.

SECTION 4: COMPARISONS OF THE 1992, 1994, AND 1996 DATA

The results of the 1996 survey of the States are provided in Section 5 below and, along with baseline figures from 1992 and 1994, in the accompanying tables. But in order to interpret the data properly, it is important to bear in mind their limitations and avoid certain pitfalls.

Three Pitfalls to Avoid in Making Comparisons Across Years

The first pitfall to avoid in making comparisons across years is the phenomenon that political scientists call "surge and decline." This refers to the historical pattern that presidential elections always attract a greater registration and turnout than do non-presidential federal elections. The significance of this pattern is that any comparison across years must be made between elections of the same type. The figures from 1996 should therefore be compared to the figures from 1992.

The second pitfall to avoid in making cross-year comparisons is the "apples and oranges"

problem. In 1992 and 1994, the vast majority of States did not maintain lists of “inactive” registrants. Instead, registration lists were periodically purged of persons who had not voted during a length of time specified in State law. As a result, total registration figures in 1992 and 1994 included an unknown number of people who had moved to a new jurisdiction, registered there to vote, but remained on the list in their previous jurisdiction (since their absence had not yet been reflected in their failure to vote within the specified time frame).

The NVRA, in contrast, prohibits the removal of names from the registry solely for failure to vote and replaces that purging process with a positive verification of the registry (either through the mails or else through the U.S. Postal Service’s National Change of Address Files) at times and frequencies to be determined by the individual States. Persons reported by the USPS to have moved outside the registrar’s jurisdiction are sent a confirmation mailing and may, at the option of the State, be placed on an “inactive” list (in order to permit them to vote should there have been a Postal Service error).

As a result of the NVRA, 37 of the 45 States covered by this report conducted a positive verification of their lists between 1994 and 1996. However, only 31 States opted to establish an “inactive” list. The remaining 14 States did not distinguish between “active” and “inactive” registrants; hence, their registration figures are inflated by the inclusion of the “inactives” — the vast majority of whom, it is reasonably safe to assume, did indeed move away.²

What this all comes down to is that the only appropriate cross-year comparison is between the TOTAL REGISTRATION figures of 1992 and the ACTIVE REGISTRATION figures of 1996. States. (We have attempted in Table 1 to guide your eyes to the appropriate comparisons). Fo-

cusings on the “active” registration figures will be even more important in 1998 when the number of “inactive” registrants is expected to peak.

Finally, it is important to note that the 1996 data provided by some of the States are incomplete for the reasons explained immediately below.

Three Pitfalls to Avoid in Making Comparisons Across States

The most important pitfall to avoid in making comparisons of 1996 data across the States is the problem of incomplete reporting. Indeed, only 17 of the 45 States covered by this report indicated that their data were complete. The remainder reported problems in obtaining data from some of their local jurisdictions or from sister State agencies — either because these entities did not keep the necessary records or else did not provide the information to the State election authority. (See Table 4).

As a result of this incomplete reporting, the total registration figures for 1996 provided in Table 1 will in some cases be at variance with 1996 registration figures reported elsewhere by the FEC and by other authoritative sources. But in order to make the “actives” plus the “inactives” equal the total, some States reported only the figures they received from their cooperative localities rather than the statewide total they knew to be true.

The second pitfall to avoid in comparing the States is the problem of timing. Not all covered States implemented all aspects of the NVRA at the same time. Some were delayed pending litigation. Others were delayed by State legislative or rule-making processes. Still others suffered practical delays. In some States, then, the data cover only a portion of the two-year period between 1994 and 1996. Table 5 summarizes the dates of coverage.

Finally, it is important to remember in making any cross-State comparisons that, as noted above, 14 of the States did not distinguish between their “active” and “inactive” registrants. These States are readily apparent in Table 1.

With these limitations on the data in mind, the following Section summarizes the results of the 1996 survey.

SECTION 5: 1997 SURVEY RESULTS

What follows are highlights from the Federal Election Commission’s survey of the States regarding the impact of the NVRA on the administration of elections for federal office from 1994 through 1996. The survey was conducted from January through March of 1997 pursuant to the requirements of the Act and regulations.

Any survey is essentially a photograph at a particular moment in time. And for the reasons cited above, there are noteworthy limitations on the quality and completeness of this photograph. Moreover, this is the first survey conducted after the implementation of the NVRA, so that any conclusions drawn from it are necessarily tentative. Greater clarity of the NVRA’s long term impact will emerge over time in future reports.

Regarding Overall Voter Registration Rates

According to the most conservative analysis, voter registration in those States covered by the NVRA rose in 1996 by approximately 1.82 percentage points — or by about 3,390,000 people

— over 1992, the previous comparable election.³² This is especially noteworthy in light of the fact that interest in the 1996 election, as measured by turnout, actually declined by over 5 percentage points from 1992. Normally, registration rates vary with turnout. But 1996 was the first presidential election since 1972, when the franchise was first extended to 18–21 year olds, in which registration rose while turnout declined.

The approximately 136,791,892 active registered voters in 1996 represented the highest percentage of voting age population (VAP) since reliable records were first available in 1960. Estimates range from 72.77% (based on the incomplete data provided by the States in this survey) to 74.4% (based on more complete data gathered by other authoritative sources).

Interestingly, voter registration in 1996 actually declined in 9 of the States under the NVRA for reasons that are not entirely clear. There are four possible explanations: (1) some of those States may have conducted a thorough purge under the old rules just prior to implementing the NVRA, (2) some may have conducted a strikingly effective and first time ever verification of their voting lists in accordance with the NVRA, (3) there was a genuine decline in public interest in the 1996 election reflected in the registration rates in those States, or (4) a combination of some or all of these factors.

Regarding Sources of Voter Registration Applications

The reporting requirements of the NVRA, as reflected in the FEC’s survey of the States, provide a panoramic view of voter registration activity throughout the nation. (See Table 2). The covered States reported a total of 41,452,428

voter registration applications received during the last two years.

Despite the incompleteness of the data provided by some of the States, it seems clear that, from 1994 through 1996, voter registration in motor vehicle offices was the most productive feature of the NVRA. Registration in motor vehicle offices accounted for one third (33.10%) of all new voter registration applications. This finding is hardly surprising, though, in light of the fact that, according to the Department of Transportation, 87% of the voting age population obtain drivers licenses or non-driver certificates.

Registration by mail proved nearly as productive as motor vehicle offices — yielding nearly another third (29.74%) of all new registration applications. (Some of these mail applications may have resulted from voter registration drives or from people personally mailing in forms they obtained from public assistance agencies. In most States, it was virtually impossible to detect where applicants obtained their mail-in forms.)

About a quarter (26.08%) of all new registration applications came from “Other Sources” which included organized registration drives, deputy registrars, and in-person registrations. (It should be noted, however, that this number is slightly inflated since some local jurisdictions failed to track the sources of applications and therefore reported all new applications in this “Other “ category).

All the remaining intake agencies taken together accounted for only around 11% of registration applications — public assistance offices yielding 6.28%, other agencies designated by the State (libraries, schools, and such) yielding 4.18%, offices providing services to the disabled yielding .43%, and Armed Forces recruiting offices yielding .18%.

There was some initial concern that the NVRA’s broad expansion of opportunities to register would result in significantly increasing the number of duplicates — that is, applications from persons who were already registered under the same name at the same address. As it turned out, however, the number of duplicates reported (5.20%) was not especially remarkable. Nor did any one category of intake agencies seem to be responsible for a significantly greater percentage of duplicates than any other. (Again, see Table 2). Although it is true that a few States reported duplicates in the double digits (and three States were unable to report on duplicates), it remains to be seen whether their initial experience was the result of novelty or whether it will continue in future years. [It is also worth noting that because of their extremely sophisticated statewide computerized voter registration file, Kentucky is able to prevent duplicates at the point of data entry.]

Finally, 13,967,373 — over one third (33.70%) of the total number of applications — represented forms received that were changes to current voter registration information or rejected applications. The FEC deduced this figure by subtracting the total number of new registrations from the total number of applications received. The FEC had not wanted to burden local registrars by asking them to distinguish which applications were changes to the voter registration record versus which were rejected. Anecdotal evidence from conversations with election officials around the country, however, suggests that the overwhelming majority of these transactions were changes of name or address.

Thus, not only did overall voter registration increase in 1996, but the NVRA also facilitated millions of Americans in updating their current voter registration records.

Regarding Costs

A few people, during the rulemaking process, urged the FEC to collect data regarding the costs of the NVRA. But for several reasons, there is no practical way of determining what the added costs of the NVRA might be.

Most voter registration and election services are provided from a larger, multi-purpose public office — such as the County Clerk or the County Auditor. Such offices almost invariably prepare an office-wide line item budget rather than a mission-oriented, activity based budget. As a result, they are in most instances unable to identify even their total election-related costs, let alone the costs of a change in voter registration procedures. Without imposing a terrible cost accounting burden on local registrars, the FEC would have had to rely on estimated costs. And past experience (with the bilingual provisions of the Voting Rights Act and with the polling place provisions of the Voting Accessibility for the Elderly and Handicapped Act) suggests that estimated costs tend to vary inversely with the estimator's opinion of the law in the first place.

Even if election officials were able to identify their election-related costs by subcategory, there is still the problem that the NVRA had a differential impact on State procedures. Some States already had some or most of the procedures required by the NVRA. (Half already had mail registration, for example; a third had some form “motor-voter” registration, etc.) They therefore incurred no new costs for implementing these procedures compared to the States that did not already have them. Moreover, a few States took the opportunity of implementing the NVRA to make other important changes in their procedures such as computerizing their voter registration files. And while these costs could be viewed as NVRA-related, they are not really di-

rect costs of implementing the specific requirements of the Act.

In sum, true cost figures are just too murky. But instead of trying to wade through the minor costs, it seems more sensible to focus on the major cost factor that virtually all voter registrars noticed: mailing costs. That issue *can* be addressed, though only in terms of volumes rather than precise dollar figures (since the types of mailings and any special discount arrangements with the USPS have a direct bearing on the per item mailing costs and vary from place to place).

Perhaps the most dramatic new cost associated with the NVRA is the requirement that voter registration lists be positively verified rather than passively purged for failure to vote. There are basically only two ways to accomplish this task: either running the entire voter list against the Postal Service's computerized National Change of Address files (NCOA), or else mailing non-forwardable notices to everyone on the voter registry. The NCOA option is by far the less expensive approach. Yet it can be problematical; nor does it, by definition, capture either deaths or the 10% of the population who move but do not file a change of address with the Postal Service. Those folks may be captured by a direct mailing that entails a first class service (return if undeliverable, address correction requested) and, presumably, first class postage.

It is not yet clear how States plan to periodically verify their lists in future. Sixteen (16) States reported the statewide use of a direct mailing to their entire registry this first time. Another fourteen (14) reported the statewide use of NCOA files. The remainder of States that verified their lists left the choice to their local registrars. The thriftiest thorough approach would be to alternate between the two strategies each two years. But even such a fiscally conservative

policy would entail the cost of a direct mailing to the entire voter registration list each four years. And with a current total of around 137,000,000 registered voters in the States covered by the NVRA, it is not difficult to see that local registrars would collectively incur millions of dollars in new mailing costs just for the verification mailing alone.

In addition to the verification mailing, however, the NVRA requires persons reported by the Postal Service to have moved outside the registrar's jurisdiction be mailed a nonforwardable confirmation notice containing a postage paid return postcard. Similarly, folks who are reported to have moved within the jurisdiction are to be mailed a notice indicating their change of address for voting purposes along with a postage paid response card. Because the outgoing mailings also entail first class service, they presumably command first class postage (although the postage paid return postcard may be less expensive). In any event, from 1994 through 1996 a nationwide total of 11,469,948 confirmation notices were mailed out by registrars to persons who were reported to have moved outside the registrar's jurisdiction (along with an untold number of notices to those who had moved within the jurisdiction). These confirmation notices, in turn, induced 2,203,740 postcard responses with postage also paid by the registrars. At a very minimum, then, registrars collectively bore additional mailing costs for the confirmation process that easily reached into seven figures.

The NVRA also requires that all voter registration applications be acknowledged by the registrar, although many States already required this. Still, from 1994 through 1996, this procedure triggered around 41,452,428 acknowledgment mailings from registrars nationwide at a cost, again, in seven figures.

Viewed nationwide, then, with

- quadrennial verification mailings to a minimum of 186,000,000 people
- biennial confirmation mailings to a minimum of 10,000,000 people
- biennial return postage on confirmation postcards from a minimum of 2,000,000 people, and
- biennial acknowledgment mailings to a minimum of 40,000,000 people -

it is not hard to perceive that total postage costs (not to mention printing and handling costs) have now become and will continue to be a major item in every registrar's budget.

Regarding Mail Registration Programs

The NVRA requires States to accept and use a national mail voter registration form [Section 6(a)(1)]. This form was prescribed by the FEC in consultation with chief State election officials [Section 9(a)(2)]. In addition, States are permitted to use their own State mail registration form [Section 9(b)]. Such forms are to be made available through governmental and private entities with particular emphasis on organized voter registration programs [Section 6(b)].

The mail registration provisions of the NVRA caused relatively few problems for the States and, as previously noted, accounted for nearly one third of all voter registration applications from 1995 through 1996. This general success of mail registration is traceable in part to the fact that 25 of the 43 States that responded to our

survey had already implemented mail registration before the NVRA. Today, all 45 States covered by the NVRA have mail registration. Several of the States were, however, delayed in implementing it well past January of 1995 because of legislative, litigative, or printing problems (See Table 5 for implementation dates).

By the same token, all the covered States now accept the national voter registration form designed by the FEC as a valid application. The NVRA requires the chief State election officials to make the national form “available for distribution through governmental and private entities.” Accordingly, 37 of the States printed copies of the national form based on camera-ready copies and printing specifications provided by the FEC. Three States used supplies on hand that had been provided by the FEC as “starter kits” in January of 1995. Thirty eight (38) of the States made the national forms available upon request at the State Election Office; 33 of them made the forms available at local election offices; 16 made them available at colleges and universities; and only 5 States (Arkansas, Florida, New Mexico, Pennsylvania, and Tennessee) made them available at other locations such as the National Guard, public libraries, Centers for Independent Living, political parties, trade associations, and organizations such as the League of Women Voters.

In addition, several national voter registration groups obtained copies of the national form from the FEC. Unfortunately, budgetary restrictions limited the supply of forms available from the FEC, and there were a number of complaints on that score. The FEC also made the form available on its WEB site on the Internet so that it could be downloaded, completed, and mailed to one of the 23 States that will now accept paper reproductions of the form.

Although the States did not make national forms available quite as widely as might have been hoped (especially at colleges and universities, where it is most appropriate), it should also be said that the demand for it was less than originally anticipated. This is because all of the States covered by the NVRA designed and distributed their own State mail registration application forms based, in most cases, on the design and contents of the national form. The individual State forms proved to be the preferred and most practical vehicle for mail registrations. Further, twenty five (25) of the States permit private organizations to copy their State form — although four States require State approval of such duplications.

The NVRA specifically permits States to require that those persons who register by mail vote in person the first time. Seven States (Illinois, Louisiana, Michigan, Nevada, Tennessee, Virginia, and West Virginia) chose that option.

States reported very few problems with mail registration. And two of the problems are inherent in the mail registration process.

The most widespread complaint was about applications that were incomplete or illegible — obliging registrars either to contact the applicant to obtain crucial information or else to return the form to the applicant. Although simplifying the application language and layout can ameliorate these problems to some extent, they are for the most part simply unpleasant facts of life to which experienced registrars have resigned themselves.

The second most widespread complaint was about registration drive organizers who failed to submit completed applications before the registration closing date, who requested large num-

bers of forms and failed to return the many unused ones, or who delivered applications in bulk at the last moment. And despite some creative countermeasures, there is also a certain inevitability to these types of problems. In an attempt to minimize them, Ohio provided organizers with a Secretary of State's Instruction Kit; election officials in Arizona personally met with organizers requesting over 1,000 forms; Arkansas devised an instruction sheet for all those requesting over 25 forms; and Delaware and Missouri provided organizers training and instruction. Some countermeasures were more burdensome. Kansas requests a written plan from organizers requesting more than 25 forms; Maryland bans organizations that fail to deliver applications in time from future voter registration drives; and Georgia State law prohibits private organizations from delivering applications in bulk — requiring applicants to submit them individually.

Some organizations were specifically criticized.

Several States mentioned Rock the Vote. Apparently, Rock the Vote obtained a first class permit number in Santa Monica, California for the mailing of completed applications to the various State election officials. The applications contained the wording "No Postage Necessary if Mailed in the United States" and, somewhat confusingly, "Postage Will Be Paid by Addressee." Unfortunately, a sub-contractor to Rock the Vote failed to establish postal accounts in each State capitol corresponding to the permit number. The net result in several States was that completed applications were piling up in the State capitol post office which, understandably, demanded the postage before delivering them to the State election official (postage, for example, that amounted to \$600 in the State of Maryland). Happily, Rock the Vote responded promptly, and the problem was short lived.

A couple of States also complained about Blockbuster Video which reproduced the national registration form at only half the size specified by the FEC and made it available at some of their locations. These miniature forms created problems in legibility as well as in processing and filing.

There were also a few complaints about other unnamed organizations that improperly reproduced and distributed State registration forms — reproductions that were out of size, on improper paper stock, contained erroneous explanatory information, or omitted crucial information. Four States reported problems in processing and filing paper applications downloaded from the Internet.

The United States Postal Service drew a surprising number of complaints. Eight (8) States specifically complained about the number of applications that were mangled by USPS equipment despite the fact that forms were designed in accordance with postal specifications. According to the Ohio Secretary of State's office, for example, "...a significant number of these forms were mutilated by the U.S. Postal Service's equipment and delivered as pieces in little plastic bags." Other States expanded this complaint to include outgoing acknowledgment notices, and one State complained about postal markings obscuring vital information.

Two States reported the interesting problem of organizations combining petition signature drives with voter registration drives. The wrinkle is that **petition signers must be registered voters**. The problem arises when both the petition and the registration applications are delivered to the registrar at the same time.

Finally, there was a scattering of complaints about inadequate addresses, misdirected applications, underage applicants, ineligible appli-

cants, practical joke names, and the like. Yet on the whole, States seem to have had few difficulties in administering the mail registration provisions of the NVRA.

Regarding Motor Voter Registration Programs

The NVRA requires that individuals be given an opportunity to register to vote (or to change their voter registration data) in elections for federal office when applying for or renewing a driver's license or other personal identification document issued by a State motor vehicle authority.

The motor vehicle provisions of the NVRA appeared to be the easiest for States to implement. This is due in large part to the fact that twenty-six (26) States had conducted some form of motor voter registration program prior to the passage of the NVRA. Motor voter agencies also yielded the highest volume of registration applications among the various agencies mandated by the NVRA, accounting for 33.1% of the total number of registration applications in the United States during 1995 and 1996.

Sixteen (16) of the forty-three (43) States responding to our survey report operating a completely paper based voter registration system in motor vehicle offices. Twenty-two (22) States operate some combination of computer and paper based system. Arkansas, Georgia, Iowa, Louisiana, and Massachusetts are currently the only States to provide completely automated systems. Of the 43 States reporting, sixteen (16) provide computer generated voter application forms, fourteen (14) use a paper form completely separate from the drivers licensing form, while the remaining thirteen (13) use a combined drivers licensing/voter registration form.

Section 5(d) of the Act requires that any change of address submitted for a motor vehicle driver's license also serve as a notice of change of address for voter registration purposes unless otherwise stated by the individual. Once the majority of individuals have been captured upon their initial license registration or renewal, address changes will likely represent the bulk of voter registration transactions within motor vehicle offices. For this reason, Section 5(d) will take on increased significance, as will the procedures State motor vehicle offices use to transmit address change notifications to election offices.

Thirty-three States responded that a hard copy of the address change information was forwarded, usually by mail or hand delivery, from the motor vehicle office to the election office. In ten (10) States, the information was exchanged via electronic transmission, except in some jurisdictions (such as rural counties), which were mailed hard copies of the address change information. New York reports that it expects electronic transmission to be implemented by mid 1997.

The timely and efficient transmittal of completed voter application forms from the motor vehicle office to the election office is a crucial component of a successful motor voter program. Section 5 (e) of the Act requires that applications be forwarded to the appropriate election official within ten (10) days of acceptance, or, if accepted within five (5) days of the close of registration, within five (5) days of acceptance. Our survey found that twenty-seven (27) States place the responsibility for transmitting the completed applications with the motor vehicle officials, ten (10) place this responsibility with the election officials, and in six (6) States the responsibility is shared between both offices.

Twenty-five (25) States report that the transmittals occur on a weekly basis, although the

vast majority of these States switch to daily transmittal immediately prior to the close of registration. Twelve (12) States transmit completed applications on a daily basis. Three (3) States do either daily or weekly transmittals, presumably leaving it to the discretion of local authorities, and two (2) States transmit periodically within the framework of Section 5 (e), depending on volume. One (1) State reports that applications are transmitted on a bi-weekly basis.

One of the lessons learned from those States that had successful motor voter programs prior to the passage of the NVRA was the importance of adequate training for motor vehicle office staff. Heeding this lesson may certainly be one reason why States generally have had few problems implementing the NVRA's motor voter provisions.

Forty-one (41) States reported that motor vehicle office employees received some form of training on their NVRA related responsibilities. The two (2) States which reported that motor vehicle personnel received no training both had motor voter in place many years before the passage of the NVRA.

The number of training hours required of motor vehicle employees varied to an enormous extent. Ten (10) States required between one and two hours of training. Six (6) States required between two and three hours of training. Three (3) States required between three and four hours of training. Four (4) States required five or more hours of training. Seven (7) States reported that they had no formal requirement for training (although training was initiated in any case). In four (4) States the amount of training received was unknown. Four (4) other States responded that the question was not applicable. Two (2) States did not respond to this question. Two (2) States reported that training varied at each motor vehicle branch office. One (1) State said

that training for motor vehicle employees varied between one and ten hours.

Although motor voter programs proved easy to implement relative to other provisions of the Act, States did experience several common problems.

Fifteen (15) States reported problems with the timely transmission of completed voter registration applications from motor vehicle offices to election offices. Fifteen (15) States also had problems with illegible and/or incomplete information on registration applications from motor vehicle offices. Five (5) States reported problems at polling places from individuals who claimed to have registered at motor vehicle offices, but the election official had no record of the transaction. Four (4) States had problems with registration forms being lost by motor vehicle personnel. Three (3) States indicated that a significant number of non-U.S. citizens completed voter applications at motor vehicle offices, one (1) State simply reports having difficulty with "ineligibles," and one (1) other State indicates problems with non-residents completing the voter application form in motor vehicle offices. Three (3) States reported having excessive numbers of duplicate registrations coming from motor vehicle offices (One State indicated as much as 24% of applications received under their motor voter program were duplicates). Two (2) States reported that motor vehicle personnel were poorly trained prior to implementing motor voter resulting in various problems. Two (2) other States had problems stemming from human error in keying in voter information at motor vehicle offices. Finally, one (1) State noted that because driver's licenses are issued through private contractors instead of State employees, licensing personnel were initially reluctant to work with State election authorities.

The majority of States reported that these problems have, for the most part, been solved by working closely with motor vehicle authorities to improve the procedures by which individuals are offered the opportunity to vote at motor vehicle offices, or by providing additional training for motor vehicle personnel. In no instance did a State report significant opposition to the program by licensing management or personnel. On the contrary, information provided by State election officials generally shows that interagency cooperation was critical to the success of motor voter.

Regarding Agency Voter Registration Programs

The NVRA requires that individuals be given the opportunity to register to vote (or to change their voter registration address) in elections for federal office when applying for (or receiving) services or assistance: At any office in the State that provides public assistance; At or through any office in the State that provides State funded programs primarily engaged in providing services to persons with disabilities; at certain other offices designated by the State; and at Armed Forces recruitment offices.

Individuals must be provided this opportunity not only at the time of their original application for services, but also when filing any recertification, renewal, or change of address relating to such services.

Figures provided by forty-one (41) States indicate that over 24,600 separate sites provided agency voter registration opportunities to their clientele during the period covered by this report. Applications received at all agency sites combined represented 11.07% of the total number of registration applications in the United States. Public assistance agencies accounted for

6.28% of this figure; agencies designated by the States accounted for 4.18%; disability service agencies accounted for .43%; and armed forces recruitment offices accounted for .18%.

States had some difficulty in implementing the provision at Section 7 (a)(3)(A) of the Act which requires States to designate offices other than those required by the Act to provide agency voter registration services. Four (4) States reported that they did not designate any agencies to participate in this program. Only twenty-one (21) of the forty-three (43) States responding to the survey reported designating more than one State agency to participate under this provision of the Act. Our survey responses reveal a wide variety of agencies selected by these 21 States.

Fourteen (14) States designated public libraries; eleven (11) designated public high schools, seven (7) designated colleges or universities, six (6) designated unemployment offices, five (5) designated various municipal offices, five (5) States designated the offices of city/county clerks or registrars, three (3) designated tax /revenue offices, and three (3) designated marriage license bureaus.

The following agencies were designated by only one or two States: State Department of Education, fire stations, Register of Deeds, Department of Consumer Affairs, State National Guard, Department of Game and Inland Fisheries, Secretary of State, local election offices, Centers for Independent Living, Center for Aging, Disabilities Commission, Office of Handicapped Concerns, Commission for the Blind, Orphan's Court, U.S. Post Offices, and public utilities. One State also reports that agency voter registration services are offered in *all* State agencies

Thirty-eight (38) of the States reported using a voter registration form in agencies which is separate from the agencies' own application form.

Two (2) States use a combined agency/voter registration form, two (2) reported the type of form varies from agency to agency, and one (1) reports using a combined form only in public assistance agencies. Twenty-five (25) States reported using the State mail voter registration form in their agency programs, while fifteen (15) reported using a form designed specifically for use in agencies. One (1) State reported using a computer generated form in public assistance agencies, and one (1) other State reported that the style of the form varies among the agencies. One (1) State did not disclose the style of the form used in agency registration.

Section 7(a)(6)(B) of the Act requires that applicants in public agencies be presented a "declination" form on which they may indicate whether or not they wish to register to vote.

Twenty-nine (29) States reported that they provide this declination form as a separate document from the voter registration application. Ten (10) States indicated that the declination is combined as a detachable portion of the voter registration application. Three (3) States reported that the declination form is combined with the voter registration application in public assistance offices but not in offices providing services to those with disabilities. One (1) State reported using either a separate or combined declination form depending on the agency.

Because these forms must be retained for 22 months under the federal election documentation retention requirements of 42 U.S.C. 1974 through 1974e, where these documents are stored is also of concern. Thirty-six (36) States indicated that the individual agencies are responsible for retaining and storing the declinations. Six (6) States retain these documents in the local election offices. One (1) State retains these documents at the State Public Records Retention Center.

The Act also provides that agency voter registrations applications may be transmitted to the appropriate local election office either by the agency, or directly (usually via mail using the State mail voter registration application) by the individual. In those instances where the applicant chooses to mail the completed form to the local election official, States must decide whether to consider these applications as being received through the mail registration provisions or through the agency registration provisions of the Act. Twenty-three (23) States reported that they consider applications received in this manner as mail-in registrations. Eighteen (18) States indicate that these registrations are considered to have come from the agency. Two (2) States reported that if the applications are coded or identified as such, they are considered agency registrations. Unidentified forms are credited to the mail registration program.

Thirty-four (34) States reported that it is the responsibility of each agency to transmit completed registration applications from the agency to the appropriate local election office. Seven (7) States place this responsibility with the election office. Two (2) States indicated that this responsibility varies by agency. Thirty-three (33) States reported that the forms are sent directly from the agency office to the local election office, six (6) States reveal that the applications are first routed through a central office or offices, two (2) States felt this question was not applicable to their situation, one (1) State indicated that the procedure varied by agency, and one (1) State did not respond.

States are fairly consistent in the way that the applications are transmitted to election offices. Twenty-six (26) States reported using both mail delivery and delivery by courier/messenger, while fifteen (15) States transmit applications solely through the mail. Only two (2) States indicated that the method of transmittal varied by county.

Twenty-five (25) States transmit completed voter registration applications to the appropriate election office on a weekly basis, most changing to daily transmittal near the close of voter registration. Seven (7) States transmitted applications daily. Three (3) States transmit applications every ten days, and every 5 days before the close of registration. Three (3) States also transmit applications within 5 days of receipt of the application. One (1) State indicates that transmission occurs every ten days and on the registration closing date. One (1) State reported that transmissions occur either weekly or monthly. One (1) other State transmits completed registration applications on a bi-weekly basis.

In contrast to the many States using motor voter prior to the implementation of the NVRA, agency registration, as mandated in the Act, was practically unknown. This lack of familiarity with election terms, procedures, and processes made adequate training of agency personnel vitally important.

All forty-three (43) States responding to our survey reported that agency personnel were provided some form of training prior to or during implementation of the agency voter registration provisions of the Act. The Federal Voting Assistance Program (FVAP) reported that 70% of the personnel in armed forces recruitment offices received some form of training to assist with implementation of the NVRA. In seventeen (17) States, training was conducted jointly by both election officials and agency management. State or local election officials had sole responsibility for conducting training in fifteen (15) States. Agency management undertook the responsibility for training in nine (9) States, while two (2) States reported that an outside contractor assisted both election officials and agency personnel in conducting training for agency employees. In those instances where someone other than an election official conducted training, election offi-

cial were still involved in the process by providing, as was the case in ten (10) States, either election manuals, forms or other training material. Eight (8) other States used election officials as resources to conduct "train-the-trainer" programs with selected agency personnel. Five (5) used a combination of these last two methods. One (1) State provided several full-time employees in the State election office to answer questions from agency personnel across the State.

As was the case in motor voter programs, States reported wide variations on hours of training required of agency employees. Eleven (11) States required between one and two hours of training; six (6) States required between two and three hours, four (4) States required between three and four hours, and three (3) States required 5 or more hours of training, and one (1) State required between one and ten hours of training. Ten (10) States had no formal requirement that agency personnel be trained in their new voter registration responsibilities. Five (5) States reported that the requirement for training varied by agency. Three (3) States reported that they did not know how many hours agency employees had been trained.

Despite the numerous concerns expressed regarding agency voter registration by both election officials and agency personnel during implementation of the NVRA, States reported surprisingly few problems.

Six (6) States indicated that they had significant problems overcoming the initial reluctance of agency personnel to accept their new responsibilities to assist in the voter registration process. Three (3) States reported that local election officials had problems with forms received from agencies being either illegible or incomplete. Two (2) States identified problems with a steady influx of new employees in need of training because of the high turnover rate of agency

personnel. Four (4) other States reported problems either in getting agencies to participate as "designated" agencies, or in identifying State disability agencies. One (1) State reported problems with a large number of duplicate registration applications being received from agencies. One (1) additional State reported problems with timely transmittal of the completed applications from agency offices to local election offices. One (1) State reported that agency based registration procedures had not been finalized inasmuch as a bill to fully implement the NVRA was pending before the State legislature.

The FVAP indicated that similar problems occurred when individuals applied to vote at armed forces recruitment offices. The timely transmittal of forms was a significant concern in recruitment offices, with statistics showing that 26% of local registrars surveyed by the FVAP received at least one form after the close of voter registration. Other problems cited by local election officials included illegible forms, missing or inadequate information, and missing signatures.

As with motor voter, States reported that many of these problems were solved, or are in the process of being solved, by improving relationships and communication between the agencies and election officials, by improving forms and procedures, and by providing more comprehensive training for agency personnel.

States might have reported more procedural problems with motor voter programs than with agency programs for several reasons. One reason for this anomaly might stem from the sheer volume of applications submitted to motor vehicle offices. Public assistance agencies, disability service agencies, armed forces recruitment offices and designated agencies combined accounted for only 1/3 as many applications as did motor voter nationally. Logic dictates that the more applications processed, the greater the like-

lihood that systematic or procedural problems will arise. Another somewhat interrelated problem results from a number of States lagging behind in the implementation of agency voter registration programs. Various factors, including ongoing litigation and the lack of enabling State legislation prevented many States from implementing effective agency registration programs until well into 1996. At least one State has yet to fully implement these programs. It is reasonable to assume then, that problems which surfaced and which were solved early on by motor vehicle offices will emerge once agency programs are uniformly in place nationwide over the next several years.

The League of Women Voters, Human SERVE, Americans with Disabilities Vote and similar advocacy groups cited problems with voter registration procedures in public assistance and disability agencies which they feel may be more wide-spread than reported by the States. Problems in public assistance agencies reported by these groups include:

- Inadequate training for agency personnel.
- Voter registration forms are poorly designed and not user friendly.
- Applications are not being transmitted to election offices in a timely manner.
- Voter registration services are not being offered consistently in public assistance agencies.

The advocacy groups feel that disability agencies are having several specific problems (some of which may or may not require federal legislative action to correct):

- Because there is generally no recertification or renewal process in disability agencies, the opportunity to register to vote reaches only

new applicants and neglects the large existing disability caseload.

- Disability service agencies have proved difficult to designate because of their decentralized structure and because of their many and disparate funding sources.
- With regard to those with mental disabilities, States have generally designated residential facilities, but not outpatient facilities to provide voter registration services. Since, only about 5% of the mentally disabled reside in residential facilities, the vast majority of mentally disabled Americans remain outside the agency voter registration process.

Where relevant remedies can be delineated, these also will be incorporated into the forthcoming report to the States on the administration of the NVRA.

Regarding List Maintenance Programs

One of the purposes of the NVRA, as stated in the accompanying House and Senate committee reports, is to ensure that once citizens are registered to vote, they remain on the voting list as long as they remain eligible to vote in the same jurisdiction [H. Rept. 103–9, at page 18, and S. Rept. 103–6, at pages 17 and 19]. The statute's list maintenance provisions prohibit States from removing names from the voter registration list:

- for failure to vote [Section 8(b)(2)]; or
- for change of address to another location within the registrar's jurisdiction [Section 8(f)].

The law requires registrars who receive information on a voter's change of address to an-

other location within the registrar's jurisdiction to update the registrant's voting address [Section 8(f)]. The House Committee report makes it clear that this is to be done without requiring the registrant to reregister or otherwise to notify the registrar of the change [H. Rept. 103–9, at page 18].

Another stated purpose of the list maintenance provisions is to ensure the accuracy and currency of the voter registration rolls. The Act requires driver's license changes of address to serve as changes of voter registration address, unless the individual indicates that the change is not for voter registration purposes [Section 5(d)]. The law also requires States to conduct a uniform and non-discriminatory general program [Section 8(b)(1)] to remove the names of ineligible voters:

- upon their death [Section 8(a)(4)(A)];
- upon their written confirmation that their address has changed to a location outside the registrar's jurisdiction [Sections 8(a)(4)(B) and 8(d)(1)(A)]; and
- upon their failure to respond to certain confirmation mailings along with their failure to offer to vote in any federal general elections subsequent to the mailing [Sections 8(a)(4)(B) and 8(d)(1)(B)]. (The confirmation mailings in this case are those mailed out to registrants who, based on information received from the Postal Service, have apparently changed their address to a location outside the registrar's jurisdiction.)

The NVRA also permits States to remove the names of registrants:

- upon the request of the registrant [Section 8(a)(3)(B)];

- for mental incapacity of the registrant, as provided for in State law, [Section 8(a)(3)(B)]; and
- upon criminal conviction of the registrant, as provided for in State law [Section 8(a)(3)(B)].

Other than these provisions, the law grants States wide latitude in the routine or systematic methods by which they may ensure the accuracy of their voter registration lists. Most of the forty-three (43) States that reported how they maintained their lists have made an effort to employ a broad range of sources to keep their voter registration lists up to date.

Removal by Reason of Death

Forty-three (43) States reported their methods for removing the names of registrants because they have died. Thirty-one (31) of these States use more than one source of information to accomplish this task. The methods reported are reflected in the chart on the next page.

With regard to receiving reports from the State or local office that maintains vital statistics, twenty-two (22) States receive that information monthly, seven (7) receive it quarterly, two (2) reported receiving it “periodically”, one (1) reported receiving it every six weeks, and one (1) reported receiving it semiannually. The remaining States did not report the frequency.

While most States reported receiving this information in paper form either as a report or computer printout, three (3) States (Kentucky, Oklahoma, and Oregon) receive the information electronically; two (2) States (North Carolina and South Carolina) are working toward the use of electronic media; and New York reported that the medium varies according to the county’s preference.

Registrants Whose Addresses Have Changed

Forty-three (43) States reported their methods for identifying registrants who may have moved or whose addresses otherwise need to be updated. While all of these States use changes of address reported at the polls, the majority use a variety of other methods to identify possible changes of address prior to election day. The following chart illustrates other sources of information the States reported using to identify registrants whose address may have changed.

Several methods are particularly popular. Almost universally, States reported using written information submitted by the registrant to determine address changes needed. Slightly fewer States use cancellation notices from election officials in other jurisdictions to identify registrants who have moved and registered in another community.

Most States reported that they use change of address information from motor vehicle offices and agencies designated to offer voter registration. Nine (9) States, however, reported that they do not use changes of address from motor vehicle offices, despite the Act’s requirement that such changes are to serve as changes of address for voter registration purposes unless the holder of the license indicates the change is not for voter registration purposes. Some of these States reported that they hope to capture such changes by having individuals complete a new voter registration form, but the FEC has received no data on the success rate for this approach.

There are only two methods widely used by States to verify the current address of the entire registration list. One is to run the computerized voter registration list against Postal Service National Change of Address (NCOA) information. States that permit this approach split al-

Methods for Identifying the Dead

<i>Source</i>	<i>Used Statewide</i>	<i>Local Option</i>
Information provided by the State or local office that maintains information on the deceased	42	1
Review of obituaries in newspapers	6	18
Information received from local funeral homes	1	12
Information received from relatives	9	18
Information from neighboring States' Departments of Health	1	0
Copies of death certificates provided to local officials	0	1
Information received from election officials (e.g., poll workers)	1	0
Information from hospitals	1	0
Information from the Secretary of State that a comparison of records shows a person to be deceased	1	0
Annual canvass of registered voters	0	1
Any other credible source	0	1

most equally on whether or not the method would be used statewide or remain an option for local jurisdictions. The other method is to mail a nonforwardable notice to all registrants with address correction requested endorsements. Of those States that reported the frequency of these mailings, five (5) indicated that the frequency varies by local jurisdiction and two (2) stated that the method is used on an "as needed" basis. In five (5), it is done annually, and another five (5) use it every two years. One (1) State reported that it is used three times a year; one (1) uses it every four years; and one (1) uses it every five years.

In an effort to save money, election officials in some States regularly send nonforwardable mailings only to a targeted group of registrants. Seven (7) States reported that they target for

election mailings that are returned. Election officials in three (3) States target for failure to vote, while those in one (1) target for failure to maintain contact (i.e.; those who failed to vote and failed to update the registration record recently or decline to register to vote at motor vehicle offices or agencies). Two (2) States reported that their election officials target registrants for nonforwardable mailings when there is an NCOA match. One (1) State noted that election officials target registrants who sign ballot access petitions using another address. Two (2) States reported that their local jurisdictions target registrants in other ways, such as for reprecincting, to confirm address changes from rural routes to the more specific Emergency-911 location addresses, or by a selected portion of the alphabet. In one (1) State, election officials can target registrants when they have reason to believe that

Methods of Identifying Potential Address Changes

<i>Source</i>	<i>Used Statewide</i>	<i>Local Option</i>
Written information directly from registrant	42	0
Changes of address from State's own offices of motor vehicles	33	1
Change of address from voter registration agencies	37	0
Returned election mailings	32	5
Cancellations of prior registrations from other jurisdictions	40	1
Files generated by conversion to E-911 address	11	10
Returned or responses to jury duty notices	10	9
Information from other States on drivers licenses surrendered	4	3
Informations from local utility or telephone companies	0	10
Regularly scheduled comparisons of the registration list against the National Change of Address files	14	15
Non-forwardable mailings to all registered voters	16	12
Non-forwardable mailings to a targeted portion of the registered voters	8	9
Forwardable confirmation mailings (with postage-paid reply card) to a targeted portion of the registered voters	15	3
Forwardable confirmation mailings (with postage paid reply card) to all registered voters	1	0
Door to door canvas	0	11
Telephone canvas	0	1
Annual census (non-forwardable mailings to all <i>residents</i> regardless of whether or not they are registered)	1	0
Information from telephone calls	0	1

the file needs to be updated, such as due to renovation of an area of town. One (1) other State reported that election officials can use "any reasonable or reliable means" to target registrants for nonforwardable notices. In most States, targeted nonforwardable mailings are sent periodically as needed; however, in three (3) States, such targeted mailings are sent annually.

All responding States reported that further action is taken only on nonforwardable notices that are returned to the election office with or without address correction. Election officials then send the appropriate forwardable confirmation notice. Aside from such returned election mailings, States reported that forwardable notices also are sent to registrants targeted because:

- their name has been matched through use of the NCOA program (2 States)
- there is more than one residential address on file for them (1 State)
- there has been no contact with them for two years (1 State)
- there has been no contact with them for four years and their name has not been matched through use of the NCOA program (1 State)
- they have failed to vote during the period covered by two general elections (1 State), or
- of any other reliable or reasonable means (1 State).

Although only one (1) State said that their targeting methods for forwardable notices vary by county, anecdotal evidence suggests that this is the case in some other States as well. Few States reported the frequency of sending forwardable confirmation notices. Of those that did, eight (8) reported that election officials send them annually; four (4) reported that it varies by local jurisdiction; and four (4) reported that election officials send them periodically (e.g.; within 90 days of returned election mailings, or as needed).

States have made varied choices of which addresses are used for the forwardable confirmation notice when both an old address from the registration record and a new address provided by the Postal Service are available for the registrant. Eleven (11) States leave the choice to the local registration official. Nine (9) send the notice to both addresses. Eight (8) reported that election officials send the notice to the new address first, then the old address if the notice is returned. Eight (8) use only the old address. Five (5) use only the new address. One (1) State re-

ported that the address used depends on the source of the information for the new address.

The House Committee report on the NVRA states that within “the official list of eligible voters, notations (such as an asterisk of “I” for inactive status) may be made of those eligible voters who have failed to respond to a notice under Section 8(d)(2).” Such a procedure “permits the State to decline to use these names in performing the type of routine, administrative responsibilities that do not impair the right of such voters to vote...” [H. Rept. 103–9, at pages 16 and 17].

States have taken different approaches to this matter. Fourteen (14) States do not employ an “inactive” list at all. Of the thirty-one (31) States that do, sixteen (16) include the number of inactive voters when calculating the number of ballots or voting machines needed. Fourteen (14) consider the number of inactive voters when determining precinct boundaries. Thirteen (13) include inactive voters in those who will receive election mailings. Eleven (11) include inactive voters when calculating the number of signatures needed for ballot access. Interestingly, fourteen (14) States reported that it is likely that a registrant is listed more than once as an inactive voter if the registrant moves frequently.

Removal by Reason of Criminal Conviction

In six (6) States, State law does not provide for the removal of names of registrants for criminal conviction. The following chart illustrates how the remaining thirty-seven (37) responding States identify such individuals.

The NVRA requires United States Attorneys to give written notice of felony convictions *in U.S. District Courts* to the chief State election

official in the State where the convicted person resides. The notice must include:

- the name of the offender
- the offender's age and residence address
- the date of entry of judgment
- a description of the offense, and
- the sentence imposed by the court.

The U.S. Attorney must also provide written notification to the appropriate chief State election official if the conviction is overturned. The Act requires the chief State election official to convey this information to the appropriate local voter registration official and obliges the U.S. Attorney to provide additional information in response to inquiries from election officials responsible for determining the effect of the conviction on voting rights.

The Act does not require State or local courts to provide the appropriate election official with information regarding disqualifying convictions. The majority of States that disenfranchise for certain crimes, however, reported they have established procedures to retrieve this information. Some

States obtain the information from their State court system, some receive information from local courts, and some use information from both.

Of those States reporting the frequency used to transmit information from the *State* court system, eight (8) receive this information monthly, four (4) receive the information quarterly, three (3) receive the information when the individual is convicted or incarcerated, one (1) receives the information every four to six weeks, and one (1) receives the information upon request. Most States receive this information through a copy of the legal papers, paper report, or computer printout. Three (3) States (Kentucky, New York, and South Carolina) receive the information electronically. New York reported that it sorts the information and distributes it to counties electronically or on paper copy, depending on the county's preference.

Of those States reporting the frequency used to transmit information from *local* court systems, nine (9) receive this information monthly, four (4) receive it when the individual is convicted or incarcerated, one (1) receives it quarterly, one (1) receives it every four to six weeks, one (1) receives it "periodically", and one (1) receives it upon request. Again, most of the States receive

Methods of Identifying Those Who Should Be Removed for Criminal Conviction

<i>Source</i>	<i>Used Statewide</i>	<i>Local Option</i>
Information provided by federal courts	35	0
Information provided by State courts, departments of correction, or criminal justice information centers	29	4
Information provided by local courts, departments of correction, or criminal justice information centers	25	3

the information through a copy of the legal papers, paper report, or printout. New York reported that it receives the information on computer tape, sorts it, and distributes it to counties electronically or on paper copy, depending on the county's preference.

Removal by Reason of Mental Incompetence

In twelve (12) States, State law does not provide for the removal of names of registrants for mental incompetence. Twenty-six (26) other States reported the statewide use of information on mental incompetence from the appropriate legal authority to remove names from registration lists. Three (3) States reported that it is the option of the local jurisdiction whether or not to use information on mental incompetence provided by the appropriate legal authority.

In most cases, States reported they did not receive this information on a regular schedule. Seven (7) States, however, reported receiving the information monthly, while another receives weekly reports. Most States did not report how the information was transmitted. Of the sixteen (16) that did, fourteen (14) receive it through a paper report or copy of the legal documentation, one (1) receives it either through a printout or telephone call, and one (1) receives it orally.

Other Methods of Keeping Accurate Registration Lists

The States reported that they also employ other methods to keep the voter registration list accurate. The most common method is to check for multiple registrations from the same person. Thirteen (13) States do a statewide check for multiple listings, while in five (5) States, such

checks are done only at the local jurisdiction level. Three (3) States reported that they investigate multiple registrations at the same address.

Kentucky reported that its statewide computerized voter registration system will not accept the new registrations using the same social security number as someone already on the registry. This prevents duplicates from being entered into the system and assists in identifying updates to existing records. Hawaii conducts computer comparisons of the voter registration list to motor vehicle files and house number files to identify possible address problems. New Mexico reported that the State runs a monthly error report that identifies possible underage registrants, addresses that are not residential addresses (e.g.; post office boxes), invalid social security numbers (not enough numbers or an alpha character), and other problems. Oregon, which conducts all mail ballot elections and has a high percentage of absentee voters in other elections, reported that local jurisdictions conduct signature and address comparisons of information currently on file with mail ballot applications and voted mail ballots. New York reported that mail check and postal notations by postal carriers and on-line street finders assist in detecting invalid addresses. Mississippi reported that local jurisdictions scrutinize their voter registration lists and registration applications.

Several States are currently developing statewide systems or computer programs that will help to identify questionable registrations. Kansas is developing a computer program to identify possible multiple registrations from the same person and registrants who have died. Missouri is developing a statewide system that will flag multiple registrations and non-existent addresses. Utah is developing a statewide system that will help to identify multiple registrations and other problems. West Virginia is developing

a statewide system that will identify multiple registrations from the same person.

Nine (9) States permit challenges of questionable registrants. Most of these specified that the subjects of such challenges are notified to appear at an administrative hearing before local election officials to provide evidence that they are eligible. One (1) of these States noted that the basis of the challenge had to be for reasons other than residence issues. In eight (8) States, the local election official may initiate the challenge; in two (2), the challenge can be initiated by any other registered voter; in one (1), the Secretary of State can initiate a challenge; in one (1), political parties can initiate a challenge; and in two (2), any other person can initiate a challenge. Two (2) States reported that they refer suspect applications to the local prosecutor in order to deter ineligible applicants.

On the whole, and in accordance with the wide latitude granted them by the NVRA, the States have adopted a variety of different methods for maintaining accurate voter registration lists. While some employ methods statewide, others permit local jurisdictions to choose the methods they will use — resulting in variations even within States.

Two (2) States report that the NVRA is helping them to maintain more up-to-date lists. Anecdotal evidence from conversations with other election officials around the country suggest that at least some of the NVRA's list maintenance requirements (such as address updates from motor vehicle departments) have assisted many more States in maintaining their voter registration lists on a continuing basis.

Twenty-six (26) of the forty-five (45) covered States, however, reported at least one challenge faced in their efforts to maintain accurate voter registrations lists. Table 6 summarizes the prob-

lems, current solutions, and proposed solutions reported by these States. The challenges fall into the following areas of concern:

- U.S. postal service;
- Lists inflated by those who no longer reside in the jurisdiction;
- Applicants' omission of previous registration information;
- Persons registered more than once;
- Ineligible persons becoming registered;
- Citizen complaints; and
- Other costs and complexities.

Some of the problems the States cite are directly related to implementing the NVRA. Many others existed prior to the Act, but affect the States' ability to meet the NVRA goal of ensuring accurate and current voter registries. Some of the proposed solutions only require action by a State or federal agency. Others may require Congressional intervention to implement if they are deemed worthy. These problems and solutions will be discussed in detail in a forthcoming FEC report to the States on the administration of the NVRA.

Regarding Fail-Safe Voting Programs

The NVRA provides for voting by registrants who may not have responded to certain notices sent to confirm their address or whose addresses may not be recorded correctly on the registry [Sections 8(c)(1)(B)(i), 8(d)(1)(B), 8(d)(2)(A), 8(e), and 8(f)]. These provisions are in keeping with one of the principles of the NVRA that, once registered, citizens remain on the rolls as long as

they are eligible to vote in that jurisdiction. While the law secures the right of these voters to vote and places some restrictions on where they are to vote, it leaves most decisions concerning the way such persons are to vote to the States.

The Act permits registrants to vote at their old polling place if they remain *within* the area covered by the same precinct [Section 8(e)(1)]. Yet, States have considerable latitude in prescribing *how* these fail-safe voters may cast their ballots. Thirty-two (32) of the forty-two (42) responding States provide these voters with full regular ballots (including all contests). Four (4) provide full provisional ballots, which are not counted until the voter's eligibility is verified after the polls close. In one (1) State, most counties provide full regular ballots, but two or three counties use full provisional ballots. Three (3) States provide a full regular ballot when eligibility can be determined promptly and a full provisional ballot when eligibility remains in question. One (1) State provides a regular ballot limited to federal contests to those moving 30 days or more prior to the election and a full regular ballot to those moving within 30 days before the election. One (1) State provides a provisional ballot limited to federal races, and statewide races and issues.

If the registrant has moved *outside* of the precinct boundaries, but remains within the same registrar's jurisdiction, the State may require such voters to update their registration records and to vote upon oral or written affirmation of their current address at either the old or new polling place [Section 8(e)(2)(B)]. If the State does not mandate either the old or new polling place, then the NVRA permits voters to choose to:

- update their registration records and to vote upon oral or written affirmation of their current address at the old polling place

- update their registration records for future elections and, if State law permits, to vote in that election upon confirmation of their current address at the new polling place, or
- update their registration records and to vote upon or written affirmation of their current address on a standard form at a central location designated by the registrar [Section 8(e)(2)(A)].

The chart on the next page illustrates the choices of the forty-two (42) States that reported where and how these registrants may cast their ballots. The chart shows that most States chose between the old (16 States) or new (15 States) polling place. Five (5) reported allowing the voter to choose among the old polling place, the new polling place, or a central location. Several States appear to have gone beyond the letter of the law, but remain within its spirit by:

- allowing, but not requiring, fail-safe voters to use a central location in lieu of either the old or new polling place designated by the State (5 States), or
- permitting the voter to use either the old or the new polling place (1 State).

Two (2) States distinguish between registrants who move from their precinct 30 days or more before the election and those who move within 30 days of the election. One (1) of these uses the date of the voter's move to determine where he or she votes, and the other uses that date to determine what kind of ballot the voter will receive.

Twenty (20) States offer full regular ballots to all fail-safe voters who have moved from their precinct but within the same jurisdiction. Thirteen (13) States offer full provisional ballots to all such voters. One (1) State reports changing

from offering full regular ballots to providing full provisional ballots to all such voters after the 1996 primary. One (1) State reports that local jurisdictions decide whether or not a full regular ballot or full provisional ballot would be provided to all such voters in their county. One (1) State provides most of these voters with full regular ballots, but uses full provisional ballots when eligibility cannot be readily determined on election day. One (1) State reports providing a regular ballot limited to federal contests in federal elections, a full regular ballot in other elections, and provisional ballots when eligibility cannot be confirmed on election day. Only three (3) States reported that they limit the contests on the ballots provided to all of these voters. Two (2) of these gave such voters provisional ballots limited to federal contests. One (1) State provides provisional ballots limited to federal contests, and statewide contests and ballot issues.

Forty-two (42) States reported taking one or more of the following approaches to confirm the eligibility of fail-safe voters, with some States using a combination of these procedures depending on what was necessary to confirm an individual voter's eligibility:

- Poll workers determine eligibility using information from the voter and materials available at the polls (30 States)
- Poll workers contact central election office or satellite offices to confirm eligibility (17 States)
- Local election officials determine eligibility after the polls close (20 States).

Thirty-six (36) States reported local officials using one or more of the following materials to help confirm the fail-safe voter's eligibility to vote a given ballot:

- Voter registration applications (20 States)
- Voter registration lists (33 States)
- Detailed maps of the registrar's jurisdiction (13 States)
- Detailed precinct maps (18 States)
- Street indices for the registrar's jurisdiction (16 States), and/or
- Computer programs with GIS designations (7 States).

Thirty-nine (39) States reported that the following resources were provided to election day workers to help them process fail-safe voters, in addition to any materials given to them to help confirm eligibility:

- Telephones and/or pagers (31 States)
- Procedural manuals (35 States)
- Trouble-shooting guides (22 States)
- Pre-printed information notices to be provided to provisional ballot voters (10 States)
- Address index for the precinct or registrar's entire jurisdiction (13 States)
- Detailed map(s) of the precinct or the registrar's entire jurisdiction (12 States)
- Roving trouble-shooters to answer questions of voters and precinct officials (1 State), and
- County personnel at control centers statewide, with access to electronic and hard copy voter registrations lists, to provide information (1 State).

Fail-Safe Voting by Registrants Who Moved to a New Precinct¹

	<i>Old Polling Place</i>	<i>New Polling Place</i>	<i>Choice of Old, New, or Central</i>	<i>Other</i>
Regular Ballot with all Contests	Georgia, Indiana, Louisiana, Maryland, Massachusetts, Michigan, Nevada, Oklahoma, South Dakota, Texas, Utah	Connecticut, Delaware, Florida, Hawaii, Kentucky, Maine ²		Missouri, ³ Montana, ⁴ Rhode Island ⁵
Provisional Ballot with All Contests	Alabama, Massachusetts	Arizona, Arkansas, District of Columbia, Nebraska, New York, West Virginia	Kansas, New Mexico, Washington	Alaska, ⁶ Ohio ⁷
Regular Ballot Limited to Federal Contests		Mississippi	South Carolina	
Other	Illinois, ⁸ Pennsylvania, ⁹ Virginia ¹⁰	Iowa, ¹¹ New Jersey ¹²	Oregon	Tennessee

1. Three States covered by the NVRA are not reflected in this chart. Vermont has not yet implemented the NVRA. California and Colorado did not describe their fail-safe methods.
2. A central location is used in municipalities where it serves as the sole polling place.
3. Voters may choose the new polling place or central location.
4. Voters may vote at the old polling place or a central location designated by the local administrator.
5. Voters may vote at the old polling place or central location if they moved less than 30 days before the election; or the new polling place or central location if they moved 30 days or more prior to the election or they fail to respond to the confirmation mailing.
6. Voters may choose either the old or new polling place.
7. Voters may vote at the new polling place or the central location or other site designated by local election board.
8. A regular ballot limited to federal contests is provided if the voter moved more than 30 days prior to the election. A full regular ballot is provided if the voter moved less than 30 days prior to the election.
9. Most jurisdictions used a regular ballot; but 2 or 3 counties used provisional ballots.
10. A regular ballot limited to federal contests is provided if it is a federal election and the move is within the same congressional district. Otherwise, voters are given a full regular ballot. Provisional ballots are used for persons whose registration cannot be confirmed on election day.
11. A full regular ballot is provided if registration in the county is confirmed by the mater list at the polls or by phone and presentation of proper ID; otherwise, the voter is given a full provisional ballot.
12. A full regular ballot was provided for all 1995 elections and the 1996 primary. Full provisional ballots were provided for the 1996 general election.
13. Voters are given a provisional ballot limited to federal contests, and statewide races and ballot issues.
14. Voters are given a full provisional ballot at old polling place or a full regular ballot at a central location.

Six (6) of these States noted that the resources available varied among local jurisdictions.

States reported almost universally that they prefer fail-safe voters to affirm their current address in writing. The written affirmation is then used to update the registry. Five (5) States require only oral affirmation from all fail-safe voters. Four (4) States reported that they permit written or oral affirmation. Three (3) States reported allowing the voter to provide only oral affirmation if the registrant's address remains the same as in the voter registry, while three (3) indicated they allow oral affirmation in cases of illiteracy or disability preventing written affirmation. Two (2) States noted that a poll worker could fill out a form for the voter except for the voter's signature or mark. Two (2) States reported that the voter may be asked to show some form of identification or proof of the current address in order to vote a regular ballot. Voters who do not present this documentation are permitted to vote a provisional ballot. Three (3) States appear to go beyond the current provisions of the NVRA, reporting that fail-safe voters may be required to present certain identification in order to vote any ballot.

Forty-two (42) States reported using the following methods to transmit election day address changes to the local election official, often with different solutions being used under different circumstances:

- a separate official form completed by the voter or poll worker (36 States)
- information on provisional ballot envelopes (14 States)
- notations by poll workers in poll books (12 States), and
- registration applications that serve as a change of address form (4 States).

All forty-two (42) States reported that local election officials, sometimes with the help of State officials and State training materials, train their poll workers in how to process fail-safe voters. Thirteen (13) States did not report the frequency of the training. For the twenty-nine (29) that did, the timing of the training varied from State to State, and sometimes within the State. Seventeen (17) States train their poll workers before each election. The remaining States train them less frequently. Three (3) train them once a year. Six (6) train them once an election cycle or every two years. One (1) reported that local officials train their poll workers before every federal election and most other elections. One (1) State reports that the frequency of the training is determined by county election officials. Two (2) States noted that the chief poll workers must attend additional training. One (1) reported that moderators must attend a school conducted by the Secretary of State's Office every four years and be certified. Another reported that presiding judges are trained before every primary election in even-numbered years, while other former poll workers are required to be retrained only every three years and new poll workers are trained before they participate in their first election.

States reported that local election officials inform voters of fail-safe voting provisions in response to calls for information. In addition, forty-one (41) States reported providing fail-safe information:

- orally and/or in writing at the polls (34 States)
- via newspaper ads or announcements prior to and/or on election day (16 States)
- through public service announcements on radio and/or television on or before election day (16 States)

- through press releases (4 States)
- using notices to certain voters (2 States)
- in State voter guides (2 States), and
- through the State's voter education program (1 State).

One State reported that it is putting fail-safe voting information on its Internet homepage.

Thirty-eight (38) States reported using a number of resources to direct fail-safe voters to the correct polling place including:

- Telephone banks (26 States)
- Providing detailed maps of the registrar's jurisdiction (24 States) to
 - the polls (16 States)
 - political parties (12 States)
 - candidates (11 States)
 - libraries (4 States), and/or
 - news media (6 States).
- Providing street indices for the registrar's jurisdiction (22 States) to
 - the polls (14 States)
 - political parties (10 States);
 - candidates (10 States)
 - the local election office (2 States)
 - the State election office on-line (1 State), and/or
 - on-line statewide (1 State).
- Mailings to voters (10 States)
- Newspaper advertisements or announcements identifying districts, precincts, and/or polling place locations (9 States), and

- Posters placed near polls that identify the name of the polling place and attach a list of eligible voters for that precinct (1 State).

Six (6) States reported that the methods used vary by local jurisdiction.

Twenty-seven (27) of the forty-five (45) covered States did not report any problems with fail-safe voting. Eighteen (18) of the covered States reported confronting challenges in the following areas:

- delays in voting;
- delays in the vote count;
- voter misunderstandings and complaints;
- poll workers' failure to adapt to new procedures; and
- concerns with the potential for fraud.

The specific problems and solutions reported by these States are summarized in Table 7. It is evident from the reports that some of the problems on election day were caused by flaws in the administration of motor vehicle and agency registration, organized voter registration drives, and voter registration list maintenance. Some problems were made more likely by the State's chosen fail-safe voting methods; others by miscalculating the resources needed to administer fail-safe voting. Still others were due to the common problem of getting long-term election day workers to adapt to new procedures. Administrative solutions to these challenges will be addressed in the FEC's forthcoming report to the States.

SECTION 6: RECOMMENDATIONS

The Federal Election Commission's survey of the 45 States covered by the NVRA invited them to describe any problems they may have encountered and any ideas or recommendations they might have for improving the administration of the Act. The bulk of their responses focused on some of the more technical procedures associated with list maintenance, fail-safe voting, and the agency declination procedure. Many of these technical recommendations depend upon how individual States have chosen to implement various provisions of the Act. Since this report is directed to the United States Congress and not State legislatures, we limit our recommendations to those universal enough to be applicable to all States covered by the Act.

In addition, the majority of these recommendations are procedural by nature and require administrative, not legislative, action.⁴ The FEC intends to discuss these technical recommendations, in a separate report to the States on the implementation of the NVRA, to be issued subsequent to this report to the Congress.]

The most significant problems reported by the States tended to group into three broad categories. Accordingly, the FEC offers three core recommendations:

- that States which do not require all or part of the applicant's social security number voluntarily (1) amend their election codes to require only the last four digits from all new voter registration applicants, and (2) endeavor to obtain that same item of information from all current registered voters;
- that States which have not yet done so voluntarily (1) develop and implement a statewide computerized voter registration database; (2) ensure that all local registration offices are computerized; and (3) link their statewide computerized system, where feasible, with the computerized systems of the collateral public agencies relevant to the NVRA (motor vehicle offices, public assistance offices, etc.); and
- that the U.S. Postal Service (1) create a new class of mail for "official election material" that encompasses all mail items requisite to the NVRA and provides the most favorable reduced rates affordable for the first class treatment of such mailings; and (2) provide space in their postal lobbies free of charge to State and local election officials for voter registration material.

The rationale for each of these recommendations follows.

RECOMMENDATION 1: that States, which do not require all or part of the applicant's social security number, voluntarily (1) amend their election codes to require but not divulge only the last four digits of their social security number from all new voter registration applicants; and (2) endeavor to obtain but not divulge that same item of information from all current registered voters.

Several election officials expressed their concerns about the problem of identifying multiple registrations by the same individual from different addresses. Others had problems identifying applications that were duplicates of registrants on file. Still others reported problems with changes of address when the applicant neglected to provide a former address. These problems are

exacerbated when applicants provide incomplete names (such as using nicknames or initials instead of full names, providing no middle name or initial, or failing to indicate the appropriate suffix of “Jr.” or “Sr.”). There has also been some concern about the prospect of undocumented aliens registering to vote. And finally, there have been some concerns about the potentiality of persons voting in the name of others.

All of these problems have in common the issue of accurately ascertaining a registrant’s identity. And to this end, the Federal Election Commission recommends the use of just the last four digits of each registrant’s social security number. There are at least four significant advantages to this strategy: (1) the combination of name, date of birth, and last four social security digits is about as close to a practical, unique personal identifier as we are likely to get in the foreseeable future; (2) requiring just the last four digits would not necessitate a change in federal law; (3) requiring just the last four digits protects registrants against the inadvertent or illegal disclosure of their full social security number; and (4) the universal use of the last four digits would greatly facilitate intrastate and even interstate communications regarding registered voters.⁵ These four advantages warrant some further explanation.

There has for years been a search for some unobtrusive, inexpensive way of ascertaining individual identities. Yet none are at hand. Fingerprints, voice prints, retinal prints, and even DNA prints, though technically possible, are far too intrusive and expensive for all but the rarest applications. And none suit the election environment. Even photo IDs entail major expenses, both initially and in maintenance, and seem an undue and potentially discriminatory burden on citizens in exercising their basic right. Moreover, the opportunity to register to vote by mail imposes severe limitations on what can be practically required of the citizenry.

Some have suggested that “place of birth” might be a reasonable choice. Yet “place of birth” has some serious drawbacks. First, it is not as precise as the last four digits of the social security number since, as a practical matter, it is far more likely that there will be more John Smiths (or whatever) born on the same day in the same large jurisdiction than there will be John Smiths born on the same day with the same last four digits of their social security numbers. Second, “place of birth” (especially if that place of birth is outside the United States) could in some circumstances be used for discriminatory purposes — subjecting applications from foreign born citizens to a greater scrutiny than those from citizens born inside the country. It should be noted, however, that undocumented aliens are unlikely to have a social security number and might thus be deterred from inadvertently or intentionally registering to vote. And finally, “place of birth” is a far more difficult data element to encode in a computer than is the straightforward last four digits of the social security number.

The Privacy Act of 1974 prohibits States from using the full social security number for voter registration purposes unless they did so prior to January of 1975. Today, seven (7) States can and do *require* the full social security number. One (1) State *requires* the last four digits of the social security number. Thirteen (13) other States only *request* the full social security number, and two (2) States *request* the last four digits. The remainder employ alternatives (such as the State drivers license number) or require nothing at all. Reverting to a requirement for the entire social security number would necessitate a change in federal law in the face of all the arguments supporting the Privacy Act in the first place. Requiring only the last four digits of that number accomplishes the same objective without necessitating a change in federal law.

Related to that legislative issue is the advantage that requiring only the last four digits of the social security number protects registrants from the inadvertent or illegal disclosure of their full social security number. The public disclosure of social security numbers is a growing problem. Unscrupulous people have used them to pry into other people's employment records, manipulate their financial records, and even ruin their credit ratings. It is therefore incumbent on public offices to guard against such abuses; and requiring only the last four digits of registrants' social security numbers seems, for voter registration purposes, the easiest way to do that.

The complex issue of divulging such numbers, while somewhat less sensitive than the full social security number, should be examined by the individual States themselves, with emphasis on the risks and benefits and the degree of automation present in their local jurisdictions.

The final advantage to requiring the last four digits of each registrant's social security number is that, if universally employed, such a feature would facilitate intrastate and even interstate communications regarding registered voters. In combination with Recommendation 2 below, using the last four digits would enable States to check for multiple registrations by the same person not only within local jurisdictions, but also between local jurisdictions within the State — an especially useful capability around large metropolitan areas. Further, it would facilitate the cancellation of a new registrant's prior registration — not only between local jurisdictions within the same State, but also among all local jurisdictions across all States.

All these matters taken together, then, requiring only the last four digits of the social security number from *all* registrants seems to be a highly desirable practice.

RECOMMENDATION 2: that States, which have not yet done so, voluntarily (1) develop and implement a statewide computerized voter registration database; (2) ensure that all local registration offices are computerized; and (3) link their statewide computerized system, where feasible, with the computerized systems of the collateral public agencies relevant to the NVRA (motor vehicle offices, public assistance offices, etc.)

A number of States reported problems in the timely transmittal of voter registration applications to their offices from motor vehicle and public assistance offices. Others, as noted, had difficulties in readily determining whether incoming applications were new or merely duplicative or else changes in name or address. Still others reported a variety of problems in verifying their voter lists and in otherwise maintaining an accurate registry. And a few remarked on the recordkeeping and reporting burden imposed by the FEC pursuant to our preparation of this report to the Congress.

All of these problems have in common the issue of information transmittal, storage, and retrieval. In order to resolve these problems, as well as to gain a host of other benefits, the Federal Election Commission recommends that all States computerize their voter registration files both locally and statewide and further, that these computerized voter registration systems be linked where feasible with the collateral public agencies that are appropriate under the NVRA. In order to hasten this process, the Congress may want to consider providing some sort of financial assistance to the States — perhaps in the form of a matching-fund grant program for them to develop or enhance such systems.

Possibly the most important role that a statewide computerized voter registration database

can play in facilitating compliance with the NVRA lies in that Act's intake provisions — specifically in the requirement that drivers license and public assistance offices offer their clients an opportunity to register to vote simultaneous with their other services. If these agencies are also computerized and are linked to the voter registration database, they can transmit new registration applications instantly to the appropriate registration official. Moreover, they can immediately ascertain whether applicants are already registered at their current address. Such a capability virtually eliminates duplicate applications from those agencies — thereby easing a burden on voter registrars.

A statewide voter registration database can also greatly facilitate the list maintenance provisions of the NVRA in at least five ways. First, it can handily accomplish the otherwise messy business of removing names by reason of death, felony conviction, or legal declaration of non compos mentis. Second, it can readily run the statewide list against the NCOA files to identify persons who have moved and left a forwarding address with the postal service. Third, it can serve as the point of contact for receiving cancellation notices from their State motor vehicle files or from election jurisdictions throughout the nation. Fourth, it can perform internal checks to guard against multiple or improper registrations. And fifth, it could even handle any or all the mailings required under the NVRA including acknowledgment notices, confirmation notices, and verification mailings.

Finally, a statewide computerized voter registration database could easily generate much of the data required by the FEC under regulations pursuant to the NVRA — thereby easing the data collection and reporting burden on local registrars.

Such systems are by no means new. In fact, over a dozen States already maintain some form

of statewide computerized voter registration list. Whether their level of computerization is “state of the art” (such as the Kentucky system of direct on-line access between the election offices, the motor vehicle offices, and the public agency offices), or whether their computerization has been more modestly developed to include only a portion or even one of these offices, States unanimously report that their initial investment in a computerized system has proven worthwhile.

In Massachusetts, which in February of 1996, brought on-line a computer system connecting all motor vehicle offices, the Secretary of State and 351 cities and towns found that their new system practically eliminated problems with the timely transmission of completed voter registration applications which were significant with their prior paper-based system. Iowa achieved similar success in reducing transmission problems. Under their system, each driver license examining station in the State electronically transmits to the central computer in the Department of transportation a list of all individuals registering to vote that day. When data from all the sites has been received, the computer creates a file of voter applications from all sites and transfers the file to the main frame computer used by the State Registrar of Voters. The State computer then creates county files which are electronically transferred to the counties, often allowing local election officials to retrieve registrations from all licensing stations across the State by 11:00 p.m. the same day.

New Jersey's automated system of voter registration in motor vehicle offices not only eliminated transmittal problems, but also made the process as painless as possible for the prospective voter by requiring only that those wishing to register sign their name and county of residence. All other necessary information is taken from the motor vehicle file and electronically transferred to the State election database. This

system also saves processing time and eliminates duplication of effort.

Computerization also had a favorable impact when integrated with agency based voter registration systems. The New York State Board of Elections reported that the development of an extensive NVRA database contributed significantly to the success of their agency registration programs.

The New York database contains all agency-site information, tracks site supply order and shipping histories, and stores all voter registration, declination, and other statistical information from participating agencies. They find that the database allows election officials to keep current on-site information changes, and provides the capability of producing up-to-date statistical reports.

An even more ambitious program of computerization was undertaken in Guilford County, North Carolina where on-line voter registration capability was given to the majority of offices in the Departments of Social Services, Health and Mental Health. During the first year of on-line service, 81% of these agency's transactions were executed on-line. The computer program used numbers to identify each agency employee to enable election officials to pinpoint where errors were occurring to provide the individuals with additional procedural clarification or training. Since all changes to a voter's registration information were logged as "history" transactions in the computer system, the integrity of the voting records was maintained.

This on-line system provided additional savings and quality improvement by reducing the number of duplicate registrations. Agency personnel were immediately able to check the voter files anytime a person requested to register or to make a change in registration information. If the voter was already registered, or the record on file was cor-

rect, no further action was necessary. During the first year, Guilford County election officials received only 18 duplicate registrations from these agencies, 13 of which came in the first quarter of the year. All of the duplicates came from agency transactions *not* executed on-line.

Estimated labor savings to Guilford County of the on-line setup of more than 1,800 agency transactions amounted to more than two months salary of a full time election office employee. If State law were to be changed to allow for the electronic transmittal of agency transactions, the County estimates that this would represent an additional annual savings of more than \$50,000.

The development of a completely integrated Statewide voter registration database is neither quick nor easy. It requires time, effort, and dedication by all the agencies involved at all levels of government — from the State legislature, the State election office, other agency offices, and the local registration offices. Nor can the product or its benefits be expected overnight. Depending on the complexity of the environment, the model chosen, the frequency of intervening elections, and the resources and skills available, the project can take two to four years (or even longer if fundamental changes to the design occur during the development cycle).

Because of the fundamental importance of computerization, yet in view of the costs and time frames involved, we reiterate that the Congress may want to consider providing some sort of financial assistance to the States — perhaps in the form of a matching-fund grant program for them to develop or enhance such systems. For although the NVRA does not mandate that State or local registration files be computerized, there can be no doubt that computerization makes it easier on everyone to comply with the Act's requirements.

RECOMMENDATION 3: that the U.S. Postal Service (1) create a new class of mail for “official election material” that encompasses all mail items requisite to the NVRA and provide the most favorable reduced rates affordable for the first class treatment of such mailings; and (2) provide space in their postal lobbies free of charge to State and local election officials for voter registration materials.

Quite a number of State and local registration officials have remarked (either in response to our survey, in professional meetings, or in personal communications with Commission staff) on the costs attendant on the mailings required by the NVRA.

The NVRA requires that local election officials employ at least four kinds of mailings:

- incoming mail registration forms (as single items coming in)
- outgoing acknowledgment forms (in response to each registration application)
- outgoing confirmation notices (which the Act requires be “forwardable”), and
- incoming confirmation postcards (as single items in response to the outgoing confirmation notices)

In addition, some jurisdictions may employ

- “non-forwardable” mailings as a means of periodically verifying their registration lists as required by the Act.

At the same time, Section 8(h)(1) of the Act amends 39 U.S.C. 36 to read “The Postal Service shall make available to a State or local voting registration official the rate for any class of

mail that is available to a qualified nonprofit organization under section 3626 for the purpose of making a mailing that the official certifies is required or authorized by the National Voter Registration Act of 1993.”

Accordingly, the Postal Service issued a rule (39 CFR Part 111, Special Bulk Third-Class Rates — State or Local Voting Registration Officials) which reads in part “As with all matters authorized to mail at the special rates, only third-class matter, deposited in prescribed minimum quantities and prepared in accordance with postal regulations, is eligible for these rates.”

After consultations with various postal authorities, it is the Commission’s understanding that:

- the rates available to qualified nonprofit organizations apply only to outgoing mailings of at least 200 items or more that are sorted by zip code or other order convenient to the Postal Service and that are delivered to a special officer at the Post Office
- such items would have to be generic and devoid of references to personal or unique information (the very sort of information that a confirmation mailing would have to contain), and
- the rate applies only to the original outgoing mailing and would not pertain to any “forwardable” or “address correction” services. Such services would cause a surcharge for each piece of mail so treated to be assessed to the original mailer on top of the nonprofit rate.

It would appear, then, that the “Reduced Postal Rate” offered in Section 8(h)(1) of the NVRA would not pertain, either for technical or practical reasons, to most of the mailings required or authorized by the Act. And the volume of all mailings required by the Act results in sub-

stantial costs to local jurisdictions (see Section 5 above "Regarding Costs") which are, in most cases, borne by local property taxes.

In view of these matters, the Federal Election Commission recommends that the U.S. Postal Service create a new class of mail for "official election material" that contains prescribed facing identification and indicia; that this new class of mail encompass at a minimum all mail items requisite to the NVRA; and that the USPS provide the most favorable reduced rates affordable for the first class treatment of such mailings regardless of their number or point of origin.

In a related matter, a number of State and local election officials have remarked that they are now being charged for providing voter registration materials in post offices — apparently because of a legally binding requirement to do so in the Postal Operations Manual (POM). In view of the other intake efforts required by the NVRA (in motor vehicle offices, public assistance agencies, and the like), the Commission recommends that the Postal Service provide space in their postal lobbies for voter registration materials free of charge to State and local election officials.

Endnotes

1. The total nationwide increase in registered voters from 1992 to 1996 was 9,183,680, some of which is the normal result of the increase in voting age population of 6,969,000 during the same period.

2. Our method of deducing the number of "active" and "inactive" registrants in most of the States not making that distinction is put forward in Appendix C.

3. See Appendix C for our method of calculation.

4. States made a number of recommendations related to voter registration list maintenance that could require federal legislation (See Table 6). No single recommendation was supported by more than four (4) States.

5. The Federal Election Commission considered requiring the last four digits of the social security number on the national mail voter registration form as a means of meeting privacy concerns while still allowing the use of these numbers for identification purposes. The Commission rejected this approach because it would have arbitrarily imposed on the States an identification system that might conflict with existing State needs and practices, such as established computerized voter registration systems that used the full social security number for records comparisons. The Commission, instead, provided a field for whatever identification number might be required or requested from the applicant's State of residence. This field would support any States that voluntarily implement a requirement for the last four digits.

TABLE 1
VOTING AGE POPULATION AND VOTER REGISTRATION

NOTES ON THE DATA ELEMENTS IN TABLE 1

- Data on all States are presented whether or not the State is under the NVRA. The names of the States exempt from the NVRA are printed in italics.
- VAP refers to Voting Age Population. The figures are from the U.S. Bureau of Census Estimated Voting Age Population based on the November 1996 Current Population Survey.
- Registration figures on Idaho, Minnesota, New Hampshire, North Dakota, Vermont, Wisconsin, and Wyoming were obtained from the Voter Registration and Turnout series produced by the *Government Division of the Congressional Research Service at the Library of Congress* with data provided by Election Data Services.
- Registration figures on the remaining States were provided by the States themselves and may be incomplete owing to incomplete local reporting or because of delays in implementing the NVRA. As a result of this incomplete reporting, the total registration figures for 1996 will in some cases be at variance with 1996 registration figures reported elsewhere by the FEC and by other authoritative sources.

Registration figures are provided in total registrants as well as in "active" registrants and "inactive" registrants in States that made such a distinction. ("Inactive" registrants are essentially all those that were, based on information provided by the Postal Service, mailed a confirmation notice but neither responded nor offered to vote in the subsequent federal election).

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
ALABAMA			
Total VAP	3,080,000	3,138,000	3,220,000
Total Active		2,306,419	2,477,355
% Active		73.50%	76.94%
Total Inactive		328,639	255,234
Total REG	2,367,972	2,635,058	2,732,589
% REG	76.88%	83.97%	84.86%
ALASKA			
Total VAP	405,000	429,000	425,000
Total Active		336,226	414,815
% Active		78.37%	97.60%
Total Inactive			54,216
Total REG	315,058	336,226	469,031
% REG	77.79%	78.37%	110.36%
ARIZONA			
Total VAP	2,812,000	2,923,000	3,145,000
Total Active		2,073,442	2,247,662
% Active		70.94%	71.47%
Total Inactive		242,320	254,932
Total REG	1,964,949	2,315,762	2,502,594
% REG	69.88%	79.23%	79.57%
ARKANSAS			
Total VAP	1,774,000	1,817,000	1,873,000
Total Active		1,274,885	1,369,459
% Active		70.16%	73.12%
Total Inactive			
Total REG	1,317,944	1,274,885	1,369,459
% REG	74.29%	70.16%	73.12%
CALIFORNIA			
Total VAP	22,521,000	23,225,000	22,826,000
Total Active		14,723,784	15,662,075
% Active		63.40%	68.62%
Total Inactive			1,025,952
Total REG	15,101,473	14,723,784	16,688,027
% REG	67.06%	63.40%	73.11%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
COLORADO			
Total VAP	2,579,000	2,713,000	2,862,000
Total Active		2,033,094	1,911,651
% Active		74.94%	66.79%
Total Inactive			434,602
Total REG	2,003,375	2,033,094	2,346,253
% REG	77.68%	74.94%	81.98%
CONNECTICUT			
Total VAP	2,508,000	2,486,000	2,479,000
Total Active		1,791,685	1,881,323
% Active		72.07%	75.89%
Total Inactive			95,426
Total REG	1,961,503	1,791,685	1,976,749
% REG	78.21%	72.07%	79.74%
DELAWARE			
Total VAP	521,000	534,000	548,000
Total Active		348,122	419,508
% Active		65.19%	76.55%
Total Inactive			18,426
Total REG	342,088	348,122	401,082
% REG	65.66%	65.19%	73.19%
DISTRICT OF COLUMBIA			
Total VAP	467,000	452,000	422,000
Total Active		361,890	361,419
% Active		80.06%	85.64%
Total Inactive			34,273
Total REG	340,953	361,890	395,692
% REG	73.01%	80.06%	93.77%
FLORIDA			
Total VAP	10,422,000	10,856,000	11,030,000
Total Active		6,559,598	7,484,341
% Active		60.42%	67.85%
Total Inactive			593,536
Total REG	6,541,825	6,559,598	8,077,877
% REG	62.77%	60.42%	73.24%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
GEORGIA			
Total VAP	5,006,000	5,159,000	5,418,000
Total Active		3,003,527	3,811,284
% Active		58.22%	70.34%
Total Inactive			
Total REG	3,177,061	3,003,527	3,811,284
% REG	63.47%	58.22%	70.34%
HAWAII			
Total VAP	866,000	900,000	890,000
Total Active		488,889	544,916
% Active		54.32%	61.23%
Total Inactive		61,620	17,127
Total REG	464,495	550,509	562,043
% REG	53.64%	61.17%	63.15%
IDAHO <i>(exempt from the NVRA)</i>			
Total VAP	750,000	803,000	858,000
Total Active		625,803	700,430
% Active		77.93%	81.64%
Total Inactive			
Total REG	611,121	625,803	700,430
% REG	81.48%	77.93%	81.64%
ILLINOIS			
Total VAP	8,598,000	8,712,000	8,754,000
Total Active		6,119,001	6,663,301
% Active		70.24%	76.12%
Total Inactive			797,513
Total REG	6,600,358	6,119,001	7,460,814
% REG	76.77%	70.24%	85.23%
INDIANA			
Total VAP	4,209,000	4,298,000	4,374,000
Total Active		2,976,255	3,488,088
% Active		69.25%	79.75%
Total Inactive			
Total REG	3,180,157	2,976,255	3,488,088
% REG	75.56%	69.25%	79.75%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
IOWA			
Total VAP	2,073,000	2,112,000	2,138,000
Total Active		1,640,533	1,741,949
% Active		77.68%	81.48%
Total Inactive			34,464
Total REG	1,703,532	1,640,533	1,776,433
% REG	82.18%	77.68%	83.09%
KANSAS			
Total VAP	1,840,000	1,889,000	1,897,000
Total Active		1,314,213	1,438,894
% Active		69.57%	75.85%
Total Inactive			
Total REG	1,365,847	1,314,213	1,438,894
% REG	74.23%	69.57%	75.85%
KENTUCKY			
Total VAP	2,798,000	2,857,000	2,928,000
Total Active		2,132,152	2,391,190
% Active		74.63%	81.67%
Total Inactive			4,896
Total REG	2,076,263	2,132,152	2,396,086
% REG	74.21%	74.63%	81.83%
LOUISIANA			
Total VAP	3,045,000	3,100,000	3,131,000
Total Active		2,151,955	2,480,033
% Active		69.42%	79.21%
Total Inactive			78,638
Total REG	2,292,129	2,151,955	2,558,671
% REG	75.28%	69.42%	81.72%
MAINE			
Total VAP	932,000	931,000	945,000
Total Active		940,569	1,001,292
% Active		101.03%	105.96%
Total Inactive			
Total REG	974,603	940,569	1,001,292
% REG	104.57%	101.03%	105.96%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
MARYLAND			
Total VAP	3,705,000	3,750,000	3,820,000
Total Active		2,299,580	2,577,191
% Active		61.32%	67.47%
Total Inactive			110,060
Total REG	2,463,010	2,299,580	2,687,251
% REG	66.48%	61.32%	70.35%
MASSACHUSETTS			
Total VAP	4,616,000	4,564,000	4,649,000
Total Active		3,153,341	3,494,927
% Active		69.09%	75.18%
Total Inactive			329,749
Total REG	3,351,918	3,153,341	3,824,676
% REG	72.62%	69.09%	82.27%
MICHIGAN			
Total VAP	6,947,000	6,983,000	7,072,000
Total Active		6,207,662	6,677,079
% Active		88.90%	94.42%
Total Inactive			
Total REG	6,157,675	6,207,662	6,677,079
% REG	88.64%	88.90%	94.42%
MINNESOTA <i>(exempt from the NVRA)</i>			
Total VAP	3,272,000	3,362,000	3,422,000
Total Active		2,857,463	3,067,802
% Active		84.99%	89.65%
Total Inactive			
Total REG	3,138,901	2,857,463	3,067,802
% REG	95.93%	84.99%	89.65%
MISSISSIPPI			
Total VAP	1,873,000	1,905,000	1,967,000
Total Active		1,625,640	1,731,852
% Active		85.34%	88.05%
Total Inactive			94,101
Total REG	1,640,150	1,625,640	1,825,953
% REG	87.57%	85.34%	92.83%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
MISSOURI			
Total VAP	3,851,000	3,902,000	3,995,000
Total Active		2,952,642	3,342,849
% Active		75.67%	83.68%
Total Inactive			
Total REG	3,067,955	2,952,642	3,342,849
% REG	79.67%	75.67%	83.68%
MONTANA			
Total VAP	600,000	623,000	656,000
Total Active		514,051	590,751
% Active		82.51%	90.05%
Total Inactive			
Total REG	529,822	514,051	590,751
% REG	88.30%	82.51%	90.05%
NEBRASKA			
Total VAP	1,164,000	1,192,000	1,211,000
Total Active		919,321	1,015,056
% Active		77.12%	83.82%
Total Inactive			
Total REG	951,395	919,321	1,015,056
% REG	81.73%	77.12%	83.82%
NEVADA			
Total VAP	1,011,000	1,088,000	1,212,000
Total Active		625,842	722,608
% Active		57.52%	59.62%
Total Inactive			56,416
Total REG	649,913	625,842	779,318
% REG	64.28%	57.52%	64.30%
NEW HAMPSHIRE <i>(exempt from the NVRA)</i>			
Total VAP	838,000	843,000	871,000
Total Active		677,620	754,771
% Active		80.38%	86.66%
Total Inactive			
Total REG	660,985	677,620	754,771
% REG	78.88%	80.38%	86.66%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
NEW JERSEY			
Total VAP	5,964,000	5,974,000	6,034,000
Total Active		3,905,435	4,111,031
% Active		65.37%	68.13%
Total Inactive			198,789
Total REG	4,060,337	3,905,435	4,309,820
% REG	68.08%	65.37%	71.43%
NEW MEXICO			
Total VAP	1,121,000	1,167,000	1,224,000
Total Active		713,645	738,525
% Active		61.15%	60.34%
Total Inactive			99,269
Total REG	706,966	713,645	837,794
% REG	63.07%	61.15%	68.45%
NEW YORK			
Total VAP	13,705,000	13,646,000	13,564,000
Total Active		8,818,691	9,567,988
% Active		64.62%	70.54%
Total Inactive			592,135
Total REG	9,193,391	8,818,691	10,160,123
% REG	67.08%	64.62%	74.91%
NORTH CAROLINA			
Total VAP	5,190,000	5,364,000	5,519,000
Total Active		3,635,875	4,225,765
% Active		67.78%	76.57%
Total Inactive			92,243
Total REG	3,817,380	3,635,875	4,318,008
% REG	73.55%	67.78%	78.24%
NORTH DAKOTA (exempt from the NVRA)			
Total VAP	462,000	467,000	476,000
Total Active			
% Active			
Total Inactive			
Total REG			
% REG			

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
OHIO			
Total VAP	8,207,000	8,313,000	8,347,000
Total Active		6,250,545	6,842,272
% Active		75.19%	81.97%
Total Inactive			
Total REG	6,542,931	6,250,545	6,842,272
% REG	79.72%	75.19%	81.97%
OKLAHOMA			
Total VAP	2,352,000	2,394,000	2,426,000
Total Active		1,706,194	1,985,535
% Active		71.27%	81.84%
Total Inactive		337,398	
Total REG	2,302,279	2,043,592	1,985,535
% REG	97.89%	85.36%	81.84%
OREGON			
Total VAP	2,220,000	2,311,000	2,411,000
Total Active		1,254,265	1,962,155
% Active		54.27%	81.38%
Total Inactive		578,509	140,394
Total REG	1,775,416	1,832,774	2,102,549
% REG	79.97%	79.31%	87.21%
PENNSYLVANIA			
Total VAP	9,161,000	9,212,000	9,197,000
Total Active		5,879,093	6,747,839
% Active		63.82%	73.37%
Total Inactive			57,749
Total REG	5,993,002	5,879,093	6,805,612
% REG	65.42%	63.82%	74.00%
RHODE ISLAND			
Total VAP	768,000	764,000	751,000
Total Active		552,638	602,692
% Active		72.33%	80.25%
Total Inactive			
Total REG	554,664	552,638	602,692
% REG	72.22%	72.33%	80.25%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
SOUTH CAROLINA			
Total VAP	2,669,000	2,740,000	2,771,000
Total Active		1,499,589	1,814,776
% Active		54.73%	65.49%
Total Inactive		103,950	213,599
Total REG	1,537,140	1,499,564	1,814,777
% REG	57.59%	54.73%	65.49%
SOUTH DAKOTA			
Total VAP	505,000	522,000	535,000
Total Active		430,539	462,858
% Active		82.48%	86.52%
Total Inactive			16,087
Total REG	448,292	430,539	478,945
% REG	88.77%	82.48%	89.52%
TENNESSEE			
Total VAP	3,796,000	3,913,000	4,035,000
Total Active		2,693,003	3,011,195
% Active		68.82%	74.63%
Total Inactive			86,141
Total REG	2,726,449	2,693,003	3,097,336
% REG	71.82%	68.82%	76.76%
TEXAS			
Total VAP	12,681,000	13,166,000	13,597,000
Total Active		8,641,848	9,551,191
% Active		65.64%	70.24%
Total Inactive			989,487
Total REG	8,440,143	8,641,848	10,540,678
% REG	66.56%	65.64%	77.52%
UTAH			
Total VAP	1,169,000	1,246,000	1,333,000
Total Active		921,981	1,070,586
% Active		74.00%	80.31%
Total Inactive			
Total REG	965,211	921,981	1,070,586
% REG	82.57%	74.00%	80.31%

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
VERMONT <i>(has not yet implemented the NVRA)</i>			
Total VAP	429,000	429,000	445,000
Total Active		373,442	385,328
% Active		87.05%	86.59%
Total Inactive			
Total REG	383,371	373,442	385,328
% REG	89.36%	87.05%	86.59%
VIRGINIA			
Total VAP	4,855,000	4,967,000	5,083,000
Total Active		3,000,560	3,180,862
% Active		60.41%	62.58%
Total Inactive			140,910
Total REG	3,045,662	3,000,560	3,321,772
% REG	62.73%	60.41%	65.35%
WASHINGTON			
Total VAP	3,812,000	4,000,000	4,115,000
Total Active		2,896,519	3,078,128
% Active		72.41%	74.80%
Total Inactive			147,233
Total REG	2,814,680	2,896,519	3,225,361
% REG	73.84%	72.41%	78.38%
WEST VIRGINIA			
Total VAP	1,376,000	1,389,000	1,417,000
Total Active		884,315	950,548
% Active		63.67%	67.08%
Total Inactive			20,197
Total REG	956,172	884,315	970,745
% REG	69.49%	63.67%	68.51%
WISCONSIN <i>(exempt from the NVRA)</i>			
Total VAP	3,675,000	3,777,000	3,824,000
Total Active			
% Active			
Total Inactive			
Total REG			
% REG			

Table 1 - Voting Age Population and Voter Registration			
	1992	1994	1996
WYOMING <i>(exempt from the NVRA)</i>			
Total VAP	329,000	343,000	356,000
Total Active		337,863	240,711
% Active		98.50%	67.62%
Total Inactive			
Total REG	234,260	337,863	240,711
% REG	71.20%	98.50%	67.62%
TOTALS FOR ALL STATES			
Total VAP	189,529,000	193,650,000	196,498,000
Total Active		129,431,244	142,995,856
% Active		66.84%	72.77%
Total Inactive		1,652,436	7,083,794
Total REG	133,812,176	130,979,705	149,829,538
% REG	70.60%	67.64%	76.25%
ADJUSTED TOTALS FOR THE 44 NVRA STATES			
Total VAP	179,774,000	183,626,000	186,246,000
Total Active	0	124,559,053	136,791,845
% Active	0	67.83%	73.45%
Total Inactive	0	1,652,436	8,138,763
Total REG	128,783,538	126,107,514	144,680,496
% REG	71.63%	68.68%	77.68%

TABLE 2
SOURCES OF VOTER REGISTRATION APPLICATIONS
1995-1996

Table 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
ALABAMA					
Motor Vehicle Offices	90,356	16.12%	10,189	11.28%	
By mail	106,199	18.95%	3,635	3.42%	
Public Assistance Offices	80,096	14.29%	5,514	6.88%	
Disability services	3,202	0.57%	167	5.22%	
Armed Forces Offices	4,730	0.84%	334	7.06%	
State Designated Sites	17,512	3.12%	746	4.26%	
All other sources	258,405	46.10%	11,429	4.42%	
TOTAL	560,500		32,014	5.71%	370,298
ALASKA					
Motor Vehicle Offices	55,215	32.35%	1,415	2.56%	
By mail	21,264	12.46%	1,411	6.64%	
Public Assistance Offices	3,673	2.15%	69	1.88%	
Disability services	133	0.08%	5	3.76%	
Armed Forces Offices	8	0.00%	-	0.00%	
State Designated Sites	40,668	23.83%	1,907	4.69%	
All other sources	49,708	29.13%	8,915	17.93%	
TOTAL	170,669		13,722	8.04%	78,589
ARIZONA					
Motor Vehicle Offices	81,317	15.52%	4,430	5.45%	
By mail	272,550	52.01%	5,667	2.08%	
Public Assistance Offices	17,845	3.41%	1,212	6.79%	
Disability services	2,662	0.51%	367	13.79%	
Armed Forces Offices	7,278	1.39%	1,198	16.46%	
State Designated Sites	57,108	10.90%	4,251	7.44%	
All other sources	85,282	16.27%	6,598	7.74%	
TOTAL	524,042		23,723	4.53%	325,415
ARKANSAS					
Motor Vehicle Offices	114,325	40.54%	9,295	8.13%	
By mail	52,305	18.55%	522	1.00%	
Public Assistance Offices	28,324	10.04%	368	1.30%	
Disability services	1,570	0.56%	15	0.96%	
Armed Forces Offices	956	0.34%	6	0.63%	
State Designated Sites	6,670	2.37%	25	0.37%	
All other sources	77,873	27.61%	938	1.20%	
TOTAL	282,023		11,169	3.96%	94,574

Table 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
CALIFORNIA					
Motor Vehicle Offices	818,927	14.21%	50,197	6.13%	
By mail	2,372,689	41.18%	159,930	6.74%	
Public Assistance Offices	129,273	2.24%	6,533	5.05%	
Disability services	4,132	0.07%	334	8.08%	
Armed Forces Offices	2,094	0.04%	148	7.07%	
State Designated Sites	25,219	0.44%	9,356	37.10%	
All other sources	2,409,241	41.82%	174,724	7.25%	
TOTAL	5,761,575		401,222	6.96%	3,233,214
COLORADO					
Motor Vehicle Offices	303,422	54.74%	16,425	5.41%	
By mail	52,644	9.50%	4,093	7.77%	
Public Assistance Offices	12,255	2.21%	566	4.62%	
Disability services	1,460	0.26%	181	12.40%	
Armed Forces Offices	2,292	0.41%	388	16.93%	
State Designated Sites	3,264	0.59%	222	6.80%	
All other sources	179,006	0.00%	3,400	1.90%	
TOTAL	554,343		25,275	4.56%	391,579
CONNECTICUT					
Motor Vehicle Offices	35,323	10.44%	4,809	13.61%	
By mail	97,829	28.93%	3,024	3.09%	
Public Assistance Offices	21,061	6.23%	1,451	6.89%	
Disability services	221	0.07%	7	3.17%	
Armed Forces Offices	919	0.27%	113	12.30%	
State Designated Sites	9,843	2.91%	225	2.29%	
All other sources	173,007	51.15%	4,638	2.68%	
TOTAL	338,203		14,267	4.22%	298,792
DELAWARE					
Motor Vehicle Offices	128,626	80.74%	15,435	12.00%	
By mail	5,956	3.74%	161	2.70%	
Public Assistance Offices	7,889	4.95%	244	3.09%	
Disability services	2,135	1.34%	29	1.36%	
Armed Forces Offices	917	0.58%	26	2.84%	
State Designated Sites	632	0.40%	13	2.06%	
All other sources	13,147	8.25%	447	3.40%	
TOTAL	159,302		16,355	10.27%	79,692

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
DISTRICT OF COLUMBIA					
Motor Vehicle Offices	276,653	86.19%	13,913	5.03%	
By mail	13,743	4.28%	1,282	9.33%	
Public Assistance Offices	14,268	4.45%	677	4.74%	
Disability services	129	0.04%	8	6.20%	
Armed Forces Offices	387	0.12%	-	0.00%	
State Designated Sites	15,788	4.92%	606	3.84%	
All other sources	-	0.00%	-		
TOTAL	320,968		16,486	5.14%	55,263
FLORIDA					
Motor Vehicle Offices	1,202,599	44.16%	17,459	1.45%	
By mail	706,163	25.93%	21,814	3.09%	
Public Assistance Offices	158,836	5.83%	5,626	3.54%	
Disability services	9,396	0.35%	336	3.58%	
Armed Forces Offices	4,787	0.18%	103	2.15%	
State Designated Sites	56,231	2.06%	1,457	2.59%	
All other sources	585,291	21.49%	10,930	1.87%	
TOTAL	2,723,303		57,725	2.12%	1,918,351
GEORGIA					
Motor Vehicle Offices	772,419	52.57%	21,002	2.72%	
By mail	295,283	20.10%	8,246	2.79%	
Public Assistance Offices	103,942	7.07%	1,803	1.73%	
Disability services	2,046	0.14%	75	3.67%	
Armed Forces Offices	231	0.02%	12	5.19%	
State Designated Sites	140,762	9.58%	3,168	2.25%	
All other sources	154,586	10.52%	4,198	2.72%	
TOTAL	1,469,269		38,504	2.62%	871,769
HAWAII					
Motor Vehicle Offices	27,370	19.63%	6,596	24.10%	
By mail	103,709	74.40%	10,648	10.27%	
Public Assistance Offices	1,040	0.75%	50	4.81%	
Disability services	-	0.00%	-		
Armed Forces Offices	-	0.00%	-		
State Designated Sites	2,606	1.87%	227	8.71%	
All other sources	4,674	3.35%	373	7.98%	
TOTAL	139,399		17,894	12.84%	38,381

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
<i>IDAHO is exempt from the NVRA</i>					
ILLINOIS					
Motor Vehicle Offices	295,255	33.25%	27,670	9.37%	
By mail	94,681	10.66%	6,817	7.20%	
Public Assistance Offices	33,837	3.81%	2,726	8.06%	
Disability services	26,676	3.00%	2,730	10.23%	
Armed Forces Offices	1,706	0.19%	115	6.74%	
State Designated Sites	5,068	0.57%	368	7.26%	
All other sources	430,651	48.50%	22,842	5.30%	
TOTAL	887,874		63,268	7.13%	853,293
INDIANA					
Motor Vehicle Offices	287,198	27.10%	27,903	9.72%	
By mail	478,351	45.14%	33,637	7.03%	
Public Assistance Offices	83,853	7.91%	6,872	8.20%	
Disability services	8,388	0.79%	990	11.80%	
Armed Forces Offices	2,697	0.25%	397	14.72%	
State Designated Sites	55,208	5.21%	5,777	10.46%	
All other sources	143,971	13.59%	6,869	4.77%	
TOTAL	1,059,666		82,445	7.78%	708,486
IOWA					
Motor Vehicle Offices	240,316	32.85%	15,090	6.28%	
By mail	142,058	19.42%	3,892	2.74%	
Public Assistance Offices	26,345	3.60%	677	2.57%	
Disability services	950	0.13%	25	2.63%	
Armed Forces Offices	507	0.07%	8	1.58%	
State Designated Sites	-	0.00%	-		
All other sources	321,338	43.93%	5,645	1.76%	
TOTAL	731,514		25,337	3.46%	299,971
KANSAS					
Motor Vehicle Offices	186,604	49.46%	18,084	9.69%	
By mail	56,228	14.90%	5,903	10.50%	
Public Assistance Offices	8,419	2.23%	760	9.03%	
Disability services	1,028	0.27%	38	3.70%	
Armed Forces Offices	630	0.17%	31	4.92%	
State Designated Sites	11,122	2.95%	1,655	14.88%	
All other sources	113,248	30.02%	12,815	11.32%	
TOTAL	377,279		39,286	10.41%	1,566,739

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
KENTUCKY					
Motor Vehicle Offices	731,840	48.93%	-	0.00%	
By mail	50,505	3.38%	-	0.00%	
Public Assistance Offices	63,477	4.24%	-	0.00%	
Disability services	4,624	0.31%	-	0.00%	
Armed Forces Offices	1,061	0.07%	-	0.00%	
State Designated Sites	23,402	1.56%	-	0.00%	
All other sources	620,644	41.50%	-	0.00%	
TOTAL	1,495,553			0.00%	392,278
LOUISIANA					
Motor Vehicle Offices	291,805	21.68%	6,908	2.37%	
By mail	226,014	16.79%	3,226	1.43%	
Public Assistance Offices	74,636	5.55%	1,042	1.40%	
Disability services	5,709	0.42%	92	1.61%	
Armed Forces Offices	4,826	0.36%	28	0.58%	
State Designated Sites	35,605	2.65%	515	1.45%	
All other sources	707,204	52.55%	268	0.04%	
TOTAL	1,345,799		12,079	0.90%	597,691
MAINE					
Motor Vehicle Offices	106,434	39.47%	7,581	7.12%	
By mail	46,254	17.15%	-	0.00%	
Public Assistance Offices	16,849	6.25%	-	0.00%	
Disability services	118	0.04%	-	0.00%	
Armed Forces Offices	54	0.02%	-	0.00%	
State Designated Sites	7,538	2.80%	-	0.00%	
All other sources	92,426	34.27%	3,916	4.24%	
TOTAL	269,673		11,497	4.26%	159,934
MARYLAND					
Motor Vehicle Offices	165,267	34.91%	7,827	4.74%	
By mail	222,233	46.94%	6,858	3.09%	
Public Assistance Offices	982	0.21%	821	83.60%	
Disability services	671	0.14%	9	1.34%	
Armed Forces Offices	188	0.04%	-	0.00%	
State Designated Sites	25,802	5.45%	228	0.88%	
All other sources	58,306	12.32%	1,965	3.37%	
TOTAL	473,449		17,708	3.74%	477,741

Table 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
MASSACHUSETTS					
Motor Vehicle Offices	96,097	15.50%	3,604	3.75%	
By mail	301,088	48.57%	13,810	4.59%	
Public Assistance Offices	10,895	1.76%	914	8.39%	
Disability services	2,258	0.36%	158	7.00%	
Armed Forces Offices	1,043	0.17%	154	14.77%	
State Designated Sites	92,910	14.99%	9,328	10.04%	
All other sources	115,675	18.66%	10,696	9.25%	
TOTAL	619,966		38,664	6.24%	579,393
MICHIGAN					
Motor Vehicle Offices	1,211,238	81.10%	177,092	14.62%	
By mail	64,717	4.33%	14,937	23.08%	
Public Assistance Offices	79,538	5.33%	16,216	20.39%	
Disability services	8,371	0.56%	2,191	26.17%	
Armed Forces Offices	4,237	0.28%	953	22.49%	
State Designated Sites		0.00%			
All other sources	125,440	8.40%	19,507	15.55%	
TOTAL	1,493,541		230,896	15.46%	1,003,123
MINNESOTA <i>is exempt from the NVRA</i>					
MISSISSIPPI					
Motor Vehicle Offices		0.00%	4,809		
By mail	77,938	29.03%	4,843	6.21%	
Public Assistance Offices	33,203	12.37%	5,276	15.89%	
Disability services	4,255	1.58%	168	3.95%	
Armed Forces Offices	1,097	0.41%		0.00%	
State Designated Sites		0.00%			
All other sources	151,966	56.61%	3,775	2.48%	
TOTAL	268,459		18,871	7.03%	246,530
MISSOURI					
Motor Vehicle Offices	409,323	43.67%	11,624	2.84%	
By mail	135,076	14.41%	5,562	4.12%	
Public Assistance Offices	143,135	15.27%	9,151	6.39%	
Disability services	4,507	0.48%	229	5.08%	
Armed Forces Offices	1,361	0.15%	55	4.04%	
State Designated Sites	15,851	1.69%	515	3.25%	
All other sources	227,956	24.32%	6,131	2.69%	
TOTAL	937,209		33,267	3.55%	632,014

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
MONTANA					
Motor Vehicle Offices	51,690	57.42%	258	0.50%	
By mail	21,553	23.94%	220	1.02%	
Public Assistance Offices	473	0.53%	35	7.40%	
Disability services	211	0.23%	-	0.00%	
Armed Forces Offices	232	0.26%	-	0.00%	
State Designated Sites	-	0.00%	-		
All other sources	15,858	17.62%	265	1.67%	
TOTAL	90,017		778	0.86%	152,775
NEBRASKA					
Motor Vehicle Offices	125,477	42.64%	8,043	6.41%	
By mail	25,784	8.76%	805	3.12%	
Public Assistance Offices	9,564	3.25%	435	4.55%	
Disability services	1,929	0.66%	67	3.47%	
Armed Forces Offices	780	0.27%	29	3.72%	
State Designated Sites	204	0.07%	7	3.43%	
All other sources	130,544	44.36%	2,339	1.79%	
TOTAL	294,282		11,725	3.98%	175,571
NEVADA					
Motor Vehicle Offices	150,695	52.08%	6,916	4.59%	
By mail	94,025	32.50%	8,711	9.26%	
Public Assistance Offices	13,200	4.56%	444	3.36%	
Disability services	340	0.12%	15	4.41%	
Armed Forces Offices	512	0.18%	9	1.76%	
State Designated Sites	-	0.00%	-		
All other sources	30,573	10.57%	1,469	4.80%	
TOTAL	289,345		17,564	6.07%	123,403
NEW HAMPSHIRE <i>is exempt from the NVRA</i>					
NEW JERSEY					
Motor Vehicle Offices	172,607	12.11%	10,432	6.04%	
By mail	39,358	2.76%	3,062	7.78%	
Public Assistance Offices	54,579	3.83%	1,714	3.14%	
Disability services	6,790	0.48%	106	1.56%	
Armed Forces Offices		0.00%	476		
State Designated Sites	374,686	26.28%	16,970	4.53%	
All other sources	777,806	54.55%	7,725	0.99%	
TOTAL	1,425,826		40,485	2.84%	779,291

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
NEW MEXICO					
Motor Vehicle Offices	35,650	17.56%	1,030	2.89%	
By mail	78,109	38.47%	2,273	2.91%	
Public Assistance Offices	16,668	8.21%	481	2.89%	
Disability services	543	0.27%	15	2.76%	
Armed Forces Offices	170	0.08%	-	0.00%	
State Designated Sites	6,671	3.29%	192	2.88%	
All other sources	65,241	32.13%	1,885	2.89%	
TOTAL	203,052		5,876	2.89%	124,149
NEW YORK					
Motor Vehicle Offices	699,644	21.36%	76,393	10.92%	
By mail	2,020,088	61.68%		0.00%	
Public Assistance Offices	358,105	10.93%	38,002	10.61%	
Disability services	32,216	0.98%	3,628	11.26%	
Armed Forces Offices	892	0.03%	64	7.17%	
State Designated Sites	90,292	2.76%	5,237	5.80%	
All other sources	73,865	2.26%		0.00%	
TOTAL	3,275,102		123,324	3.77%	1,691,827
NORTH CAROLINA					
Motor Vehicle Offices	539,287	37.20%	23,615	4.38%	
By mail	229,122	15.81%	17,736	7.74%	
Public Assistance Offices	74,882	5.17%	4,595	6.14%	
Disability services	8,097	0.56%	402	4.96%	
Armed Forces Offices	3,496	0.24%	143	4.09%	
State Designated Sites	139,477	9.62%	7,574	5.43%	
All other sources	455,298	31.41%	40,068	8.80%	
TOTAL	1,449,659		94,133	6.49%	937,038
NORTH DAKOTA <i>is exempt from the NVRA</i>					
OHIO					
Motor Vehicle Offices	528,762	28.34%	33,868	6.41%	
By mail	360,675	19.33%	15,845	4.39%	
Public Assistance Offices	100,129	5.37%	8,404	8.39%	
Disability services	4,041	0.22%	268	6.63%	
Armed Forces Offices	2,155	0.12%	114	5.29%	
State Designated Sites	240,236	12.87%	9,399	3.91%	
All other sources	630,050	33.76%	35,443	5.63%	
TOTAL	1,866,048		103,341	5.54%	1,174,146

Table 2 - Sources of Voter Registration Applications 1995-1996

	Number of Applications	Percent Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
OKLAHOMA					
Motor Vehicle Offices	228,138	41.13%	1,728	0.76%	
By mail	124,795	22.50%	751	0.60%	
Public Assistance Offices	58,811	10.60%	778	1.32%	
Disability services	1,213	0.22%	5	0.41%	
Armed Forces Offices	178	0.03%	1	0.56%	
State Designated Sites	1,760	0.32%	20	1.14%	
All other sources	139,784	25.20%	1,115	0.80%	
TOTAL	554,679		4,398	0.79%	369,413
OREGON					
Motor Vehicle Offices	199,065	24.80%	1,339	0.67%	
By mail	401,234	49.98%	2,211	0.55%	
Public Assistance Offices	38,446	4.79%	260	0.68%	
Disability services	5,174	0.64%	24	0.46%	
Armed Forces Offices	-	0.00%	49		
State Designated Sites	3,432	0.43%	172	5.01%	
All other sources	155,373	19.36%	647	0.42%	
TOTAL	802,724		4,702	0.59%	32,224
PENNSYLVANIA					
Motor Vehicle Offices	597,625	32.36%	72,217	12.08%	
By mail	959,041	51.93%	49,499	5.16%	
Public Assistance Offices	59,462	3.22%	2,201	3.70%	
Disability services	950	0.05%	44	4.63%	
Armed Forces Offices	4,953	0.27%	233	4.70%	
State Designated Sites	6,342	0.34%	120	1.89%	
All other sources	218,413	11.83%	5,260	2.41%	
TOTAL	1,846,786		129,574	7.02%	1,551,718
RHODE ISLAND					
Motor Vehicle Offices	31,217	75.90%		0.00%	
By mail	5,569	13.54%		0.00%	
Public Assistance Offices	3,822	9.29%		0.00%	
Disability services	523	1.27%		0.00%	
Armed Forces Offices		0.00%			
State Designated Sites		0.00%			
All other sources		0.00%			
TOTAL	41,131			0.00%	63,711

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
SOUTH CAROLINA					
Motor Vehicle Offices	93,881	80.11%		0.00%	
By mail		0.00%			
Public Assistance Offices	20,615	17.59%		0.00%	
Disability services	2,051	1.75%		0.00%	
Armed Forces Offices	650	0.55%		0.00%	
State Designated Sites		0.00%			
All other sources		0.00%			
TOTAL	117,197			0.00%	315,187
SOUTH DAKOTA					
Motor Vehicle Offices	5,030	5.34%	78	1.55%	-
By mail	14,993	15.93%	275	1.83%	
Public Assistance Offices	13,906	14.78%	809	5.82%	
Disability services	648	0.69%	20	3.09%	
Armed Forces Offices	2,022	2.15%	431	21.32%	
State Designated Sites	3,582	3.81%	40	1.12%	
All other sources	53,936	57.31%	891	1.65%	
TOTAL	94,117		2,544	2.70%	60,236
TENNESSEE					
Motor Vehicle Offices	186,563	24.04%	7,088	3.80%	
By mail	222,871	28.71%	6,766	3.04%	
Public Assistance Offices	147,830	19.05%	7,749	5.24%	
Disability services		0.00%			
Armed Forces Offices	4,568	0.59%	172	3.77%	
State Designated Sites	28,126	3.62%	633	2.25%	
All other sources	186,198	23.99%	4,676	2.51%	
TOTAL	776,156		27,084	3.49%	587,585
TEXAS					
Motor Vehicle Offices	1,494,846	44.75%	137,522	9.20%	
By mail	1,050,413	31.44%	58,334	5.55%	
Public Assistance Offices	353,550	10.58%	25,411	7.19%	
Disability services	7,690	0.23%	667	8.67%	
Armed Forces Offices	5,991	0.18%	430	7.18%	
State Designated Sites	129,066	3.86%	5,832	4.52%	
All other sources	299,031	8.95%	23,056	7.71%	
TOTAL	3,340,587		251,252	7.52%	2,183,743

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
UTAH					
Motor Vehicle Offices	84,743	25.67%	6,416	7.57%	
By mail	93,404	28.29%	1,973	2.11%	
Public Assistance Offices	24,913	7.55%	907	3.64%	
Disability services	754	0.23%	61	8.09%	
Armed Forces Offices	2,165	0.66%	222	10.25%	
State Designated Sites	47,229	14.30%	625	1.32%	
All other sources	76,961	23.31%	1,908	2.48%	
TOTAL	330,169		12,112	3.67%	199,601
VERMONT <i>has not yet implemented the NVRA</i>					
VIRGINIA					
Motor Vehicle Offices	181,128	27.25%	5,958	3.29%	-
By mail	228,418	34.36%	2,350	1.03%	
Public Assistance Offices	54,051	8.13%	784	1.45%	
Disability services	2,428	0.37%	3	0.12%	
Armed Forces Offices	906	0.14%	7	0.77%	
State Designated Sites	775	0.12%	23	2.97%	
All other sources	197,048	29.64%	32,723	16.61%	
TOTAL	664,754		41,848	6.30%	759,712
WASHINGTON					
Motor Vehicle Offices	350,304	39.64%	20,097	5.74%	
By mail	330,403	37.39%	15,230	4.61%	
Public Assistance Offices	22,859	2.59%	866	3.79%	
Disability services	5,360	0.61%	217	4.05%	
Armed Forces Offices	2,292	0.26%	145	6.33%	
State Designated Sites	7,313	0.83%	2,982	40.78%	
All other sources	165,191	18.69%		0.00%	
TOTAL	883,722		39,537	4.47%	844,185
WEST VIRGINIA					
Motor Vehicle Offices	37,952	26.45%		0.00%	
By mail	34,683	24.17%		0.00%	
Public Assistance Offices	23,212	16.18%		0.00%	
Disability services	2,416	1.68%		0.00%	
Armed Forces Offices	40	0.03%		0.00%	
State Designated Sites	4,475	3.12%		0.00%	
All other sources	40,719	28.38%		0.00%	
TOTAL	143,497		2,457		86,430

Table 2 - Sources of Voter Registration Applications 1995-1996					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
WISCONSIN	<i>is exempt from the NVRA</i>				
WYOMING	<i>is exempt from the NVRA</i>				
UNITED STATES					
Motor Vehicle Offices	13,722,233	33.10%	892,355	6.50%	
By mail	12,330,015	29.74%	505,959	4.10%	
Public Assistance Offices	2,602,748	6.28%	162,443	6.24%	
Disability services	178,015	0.43%	13,696	7.69%	
Armed Forces Offices	76,008	0.18%	6,594	8.68%	
State Designated Sites	1,732,475	4.18%	90,415	5.22%	
All other sources	10,810,934	26.08%	480,489	4.44%	
TOTAL	41,452,428		2,154,408	5.20%	27,485,055

TABLE 3
DELETIONS FROM VOTER REGISTRATION LISTS
1995-1996

Table 3 - Deletions from Voter Registration Lists 1995-1996

	Number of Confirmation Notices Sent	Number of Responses Received	Percent	Number Deleted from Active List	Number Deleted from Inactive List	Total Number Deleted
ALABAMA	-	-	-	-	-	-
ALASKA	-	-	-	-	-	-
ARIZONA	1,795,579	60,785	3.39%	97,610	68,363	209,094
ARKANSAS	-	-	-	-	-	-
CALIFORNIA	1,055,150	340,176	32.24%	-	-	1,420,397
COLORADO	166,576	31,537	18.93%	52,523	25,897	78,420
CONNECTICUT	163,359	49,615	30.37%	138,584	33,139	201,324
DELAWARE	4,317	338	7.83%	1,213	338	1,551
DISTRICT OF COLUMBIA	35,330	4,425	12.52%	23,288	69,603	92,891
FLORIDA	726,050	96,531	13.30%	563,160	46,369	609,529
GEORGIA	-	-	-	82,443	-	82,443
HAWAII	603,244	38,953	6.46%	-	-	-
IDAHO	<i>is exempt from the NVRA</i>					
ILLINOIS	446,870	64,821	14.51%	505,504	50,350	555,850
INDIANA	204,105	42,414	20.78%	143,211	-	143,211
IOWA	157,614	11,989	7.61%	155,114	9,642	164,756
KANSAS	25,512	6,065	23.77%	25,742	-	25,742
KENTUCKY	4,896	146	2.98%	54,810	-	54,810
LOUISIANA	398,208	31,441	7.90%	-	-	31,441
MAINE	29,247	9,670	33.06%	78,998	-	78,998
MARYLAND	258,075	19,689	7.63%	199,688	16,575	216,263
MASSACHUSETTS	405,112	58,639	14.47%	-	-	237,813
MICHIGAN	117,690	40,869	34.73%	446,064	-	446,064
MINNESOTA	<i>is exempt from the NVRA</i>					
MISSISSIPPI	82,963	27,800	33.51%	145,276	-	145,276
MISSOURI	333,036	212,351	63.76%	200,108	32,701	232,809
MONTANA	-	-	-	76,075	-	76,075
NEBRASKA	87,395	43,004	49.21%	77,178	-	77,178
NEVADA	70,032	11,924	17.03%	88,764	1,591	98,968
NEW HAMPSHIRE	<i>is exempt from the NVRA</i>					
NEW JERSEY	287,339	125,231	43.58%	-	-	218,574
NEW MEXICO	89,670	33,602	37.47%	-	-	51,113
NEW YORK	609,963	106,998	17.54%	453,379	31,427	484,806
NORTH CAROLINA	90,772	7,350	8.10%	226,624	-	226,624
NORTH DAKOTA	<i>is exempt from the NVRA</i>					
OHIO	831,461	225,398	27.11%	369,402	-	369,402

Table 3 - Deletions from Voter Registration Lists 1995-1996						
	Number of Confirmation Notices Sent	Number of Responses Received	Percent	Number Deleted from Active List	Number Deleted from Inactive List	Total Number Deleted
OKLAHOMA	-	-		91,030	337,398	428,428
OREGON	162,232	21,838	13.46%	142,785	15,534	158,319
PENNSYLVANIA	162,199	69,497	42.85%	209,980	9,299	219,279
RHODE ISLAND	668	-	0.00%			13,657
SOUTH CAROLINA	-	-		-	-	-
SOUTH DAKOTA	22,222	3,334	15.00%	22,776	1,279	24,055
TENNESSEE	141,319	36,019	25.49%	185,734	7,682	193,416
TEXAS	1,131,769	155,589	13.75%			329,232
UTAH	18,742	13,116	69.98%			51,216
VERMONT						
VIRGINIA	283,111	118,620	41.90%			407,393
WASHINGTON	410,158	83,966	20.47%	247,475	13,837	261,312
WEST VIRGINIA	57,963		0.00%	5,572		5,572
WISCONSIN	<i>is exempt from the NVRA</i>					
WYOMING	<i>is exempt from the NVRA</i>					
UNITED STATES	11,469,948	2,203,740	19.21%	5,110,110	771,024	8,723,301

TABLE 4
COMPLETENESS OF NUMERICAL DATA REPORTING
IN 1996

Table 4 - Completeness of Numerical Data Reporting in 1996

ALABAMA	Data are complete
ALASKA	Data are complete
ARIZONA	Data on intake agencies, confirmation notices, and deletions from the list are incomplete because various items were not reported by Apache, Cochise, Greenlee, La Paz, Maricopa, Mohave, Santa Cruz, and Yavapai Counties.
ARKANSAS	Data on duplicates are incomplete because three counties failed to track duplicates by point of origin.
CALIFORNIA	Data are incomplete because four (primarily small) counties were unable to track and report intakes, duplicates, confirmation notices, or deletions.
COLORADO	Data on intake agencies incomplete because not all of the counties report monthly, and one has never reported.
CONNECTICUT	Data on confirmation notices and deletions are incomplete because of the failure of approximately 20% of the municipalities to report on these items.
DELAWARE	Data are complete
DISTRICT OF COLUMBIA	Data are complete.
FLORIDA	Data are complete.
GEORGIA	Data are complete.
HAWAII	Data are complete except for intakes from disability and armed forces agencies. The first maintain this information on an agency basis. The second employ a national form that is not tracked by the State.
IDAHO	<i>is exempt from the NVRA.</i>

Table 4 - Completeness of Numerical Data Reporting in 1996

ILLINOIS	Data are complete except on deletions because twelve smaller jurisdictions kept no record of them.
INDIANA	Data are 99% complete -- missing only a few monthly reports from small counties.
IOWA	Data on intake agencies are incomplete because some counties failed to submit monthly reports from Jan 95 through Feb 96.
KANSAS	Some data are incomplete owing to delayed implementation of parts of the NVRA (See Appendix A)
KENTUCKY	Data are complete.
LOUISIANA	Data are complete.
MAINE	Data on intake agencies are incomplete for lack of a system to enable local registrars to identify dupes by agency type except for motor vehicle offices. Other data are incomplete for lack of about two dozen towns to report figures.
MARYLAND	Data are complete.
MASSACHUSETTS	Data incomplete because 74 of 351 local jurisdictions failed to provide data.
MICHIGAN	Data incomplete because 275 of 1515 local jurisdictions failed to provide data.
MINNESOTA	<i>is exempt from the NVRA.</i>
MISSISSIPPI	Data incomplete because 9 of 82 counties failed to provide data and Department of Public Safety did not provide data on the number of motor vehicle applications
MISSOURI	Some deletions are based on local estimates.

Table 4 - Completeness of Numerical Data Reporting in 1996

MONTANA	Data are incomplete because 17 of 56 counties failed to provide data.
NEBRASKA	For the first six months of implementation, mail registrations were included in the "other" category.
NEVADA	Some counties were not able to compile the data.
NEW HAMPSHIRE	<i>is exempt from the NVRA.</i>
NEW JERSEY	Data complete except for armed forces whose form, not clearly identifiable, was often included in "other."
NEW MEXICO	Data complete.
NEW YORK	Data complete
NORTH CAROLINA	Data complete
NORTH DAKOTA	<i>is exempt from the NVRA.</i>
OHIO	Data complete
OKLAHOMA	Data complete
OREGON	Data on armed forces not collected because of parallel data collection by the Department of Defense.
PENNSYLVANIA	A small number of counties did not report all requested data. Public assistance agencies also includes some disability numbers since they were not always recorded separately.

Table 4 - Completeness of Numerical Data Reporting in 1996

RHODE ISLAND	Data on intake agencies date from Jan 96 when reporting began. The other data date from Mar 96 when rreporting began
SOUTH CAROLINA	Data are complete.
SOUTH DAKOTA	Data are incomplete because 3 of 66 counties failed to provide data. In addition, some counties did not collect data on duplicates.
TENNESSEE	Data are complete.
TEXAS	Data are incomplete because 5 of 254 counties failed to provide data.
UTAH	Data are complete dating from Jan 95.
VERMONT	Not reported (has not yet implemented the NVRA).
VIRGINIA	Many of the data on intake agencies are based on local estimates or imperfect records (hence the large number listed in "other.")
WASHINGTON	Data are complete.
WEST VIRGINIA	Data on duplicates was not collected by agency. Data on mail registrations reflects those received locally in 1996 only plus those received by the Secretary of State in 1995 and 1996.
WISCONSIN	<i>is exempt from the NVRA.</i>
WYOMING	<i>is exempt from the NVRA.</i>

TABLE 5
DATES OF IMPLEMENTING THE PROVISIONS
OF THE NVRA

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fair Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
ALABAMA	Jan-95	Jan-95	Jan-95	Had before NVRA	Jan-97	Varied by County	Only some Counties
ALASKA	Had Before NVRA	Had Before NVRA	Had Before NVRA	Had Before NVRA	Not Implemented	1993	Statewide
ARIZONA	Had Before NVRA	Had Before NVRA	Jan-95	Feb-96	Jan-95	1988	Statewide
ARKANSAS	Jan-96	Jan-96	Jan-96	Jan-96	Jan-96	Local Option	Local Option
CALIFORNIA	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE	NO RESPONSE
COLORADO	1994	1994	1994	Had Before NVRA	1995	1994	Statewide
CONNECTICUT	Jan-94	Had Before NVRA	Jan-95	Had Before NVRA	Before Jan 95	Apr-Oct 1994	Statewide

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fail Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
DELAWARE	Had Before NVRA	Had Before NVRA	Had Before NVRA	Nov-95	Apr-96	1993	Statewide
DISTRICT OF COLUMBIA	Had Before NVRA	Had Before NVRA	Jan-95	Jan-95	Jan-95	1989	Statewide
FLORIDA	Jan-95	Jan-95	Jan-95	Jan-95	Jan-95 Confirmation Notices Not Yet Implemented	1993	Statewide
GEORGIA	Jan-95	Jan-95	Jan-95	Jan-95	Jan-95 Confirmation Notices Not Yet Implemented	Apr-93	Statewide
HAWAII	Had Before NVRA	Had Before NVRA	1993	Had Before NVRA	1995	1994	Statewide
IDAHO	<i>is exempt from the NVRA</i>						
ILLINOIS	Had Before NVRA	Aug-95	Had Before NVRA	Had Before NVRA	Jan-95	Summer thru Autumn 1994	Majority of Counties

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fail Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
INDIANA	Jan-95	Jan-95	Jan-95	Had Before NVRA	Jan-95	Jun-94	Statewide
IOWA	Had Before NVRA	Had Before NVRA	Had Before NVRA	Had Before NVRA	Jan-95	Nov-Dec 94	Statewide
KANSAS	Had Before NVRA	Had Before NVRA	Jan-95	Had Before NVRA	Apr-96	1994	Statewide
KENTUCKY	Jan-95	Had Before NVRA	Jan-95	May-95	Jan-95	1994	Statewide
LOUISIANA	Had Before NVRA	Apr-95	UNK	UNK	Apr-95	Nov-94	Statewide
MAINE	Had Before NVRA	Had Before NVRA	Jan-95	Had Before NVRA	Jun-95	None	N/A
MARYLAND	Had Before NVRA	Had Before NVRA	Had Before NVRA	UNK	Jan-95	1994	Statewide

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fail Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
MASSACHUSETTS	Jan-95	Jul-94	Jan-95	Had Before NVRA	Had Before NVRA	Jun-94	Statewide
MICHIGAN	Had Before NVRA	Jan-95	Feb-96	Had Before NVRA	Jan-95	Dec-94	Statewide
MINNESOTA	<i>is exempt from the NVRA</i>						
MISSISSIPPI	Had Before NVRA	Had Before NVRA	Jan-95	Had Before NVRA	Jan-95	Varies by County	Local Option
MISSOURI	Jan-95	Had Before NVRA	Jan-95	Apr-95	Jan-95	Between 1991 and 1994	Varies by County
MONTANA	Had Before NVRA	Had Before NVRA	Not Yet Implemented	Not Yet Implemented	Not Yet Implemented	1996	Statewide
NEBRASKA	Jan-95	Had Before NVRA	Jan-95	Had Before NVRA	Jan-95	None	N/A

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fail Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
NEVADA	Had Before NVRA	Had Before NVRA	Had Before NVRA	1995	1995	Dec-94	Most Counties
NEW HAMPSHIRE	<i>is exempt from the NVRA</i>						
NEW JERSEY	Had Before NVRA	Had Before NVRA	Jan-95	Jan-95	Jan-95	Dec-94	Statewide
NEW MEXICO	Had Before NVRA	Had Before NVRA	Jan-95	Had Before NVRA	Jan-95	Mar-93	Statewide
NEW YORK	Had Before NVRA	Had Before NVRA	Had Before NVRA	Had Before NVRA	Jan-95	1994	Statewide
NORTH CAROLINA	Had Before NVRA	Had Before NVRA	Jan-95	Jan-95	1997	1993	Statewide
NORTH DAKOTA	<i>is exempt from the NVRA</i>						

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fail Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
OHIO	Had Before NVRA	Had Before NVRA	Had Before NVRA	Had Before NVRA	Jan-95	1994	Statewide
OKLAHOMA	Jan-95	Had Before NVRA	Jan-95	Had Before NVRA	Jan-95	Dec-94	Statewide
OREGON	Had Before NVRA	Had Before NVRA	Jan-95	Mar-95	Jan-95	Varies by County	Varies by County
PENNSYLVANIA	May-95	Had Before NVRA	Had Before NVRA	Nov-95	Jun-95	1994	Varied by County
RHODE ISLAND	Had Before NVRA	1995	Nov-95	Had Before NVRA	Jan-95	1985	Statewide
SOUTH CAROLINA	Mar-96	Had Before NVRA	Mar-96	Apr-96	Jun-96	Jan-96	Statewide
SOUTH DAKOTA	Jan-95	Jan-95	Jan-95	Had Before NVRA	Jan-95	1993/1994	Statewide

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fall Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
TENNESSEE	Had Before NVRA	Had Before NVRA	1995	1995	1994	1994	Statewide
TEXAS	Had Before NVRA	Had Before NVRA	Jan-95	Had Before NVRA	Jan-95	Aug-94	Statewide
UTAH	Jan-95	Had Before NVRA	Jan-95	Jun-96	Jan-95	Nov-Dec 94	Most Counties
VERMONT	Not Yet Implemented	Not Yet Implemented	Not Yet Implemented	Not Yet Implemented	Not Yet Implemented	UNK	UNK
VIRGINIA	Mar-96	Mar-96	Mar-96	Had Before NVRA	Jul-96	Dec-95	Statewide
WASHINGTON	Had Before NVRA	Had Before NVRA	Jan-95	Had Before NVRA	Jan-95	Dec-94	Statewide
WEST VIRGINIA	Had Before NVRA	Had Before NVRA	Jan-95	1995	Jan-95	1994	Statewide

Table 5 - Dates of Implementing the Provisions of the NVRA

	Date Motor Voter Registration Was Adopted	Date Mail Registration Was Adopted	Date Agency Registration Was Adopted	Date Fail Safe Voting Was Adopted	Date List Maintenance Provisions Were Adopted	Date of Last Purge Before Implementing the NVRA	Was the Purge Uniform Throughout the State
WISCONSIN	<i>is exempt from the NVRA</i>						
WYOMING	<i>is exempt from the NVRA</i>						

TABLE 6
STATE REPORTED PROBLEMS AND SOLUTIONS
IN VOTER REGISTRATION LIST MAINTENANCE
1995-1996

Table 6

**STATE REPORTED PROBLEMS AND SOLUTIONS IN VOTER REGISTRATION LIST MAINTENANCE
1995-1996**

PROBLEMS	CURRENT SOLUTIONS	PROPOSED SOLUTIONS
<p>U.S. Postal Service</p> <ul style="list-style-type: none"> • Outdated, incorrect, or unusable (P.O. Box or business address) NCOA addresses. (12) • Cost of mailings. (5) • Errors such as misdelivered mail, incorrect or unclear USPS mailing labels on returned mail. (3) • Forwardable notices not forwarded because forwarding order expired (2) • Nonforwardable notices not returned when addressee no longer lives at address on notice. (1) • Confusion caused by inconsistencies in USPS policies and practices. (1) 	<ul style="list-style-type: none"> • Will find alternatives to NCOA to identify movers. (2) • Told the NCOA licensee to use "Individual Move Rules" when processing records (probably missing some movers). (1) • Wrote a program to exclude P.O. Box and business addresses from the NCOA match. (1) • Set a time frame for use of NCOA addresses to correct for outdated addresses. (1) • When the registration address and USPS change of address are both available, mailed confirmation notices to both addresses to ensure the voter receives at least one notice. (9) • Allowed registrars to ignore NCOA change of address information if contradictory information had been received from a reliable source. (1) • Batched confirmation mailings to utilize reduced postage rates. (1) • State purchased a bulk rate permit that provided some assistance to larger jurisdictions. (1) • State assumed the expense of processing county voter registration data with NCOA licensees. (1) • Established a user group (county commissioners, USPS, printers) to meet regularly and evaluate forms, processes, etc. (1) • The Secretary of State and county boards of election participated in seminars with representatives of USPS to identify the nature and source of problems and try to find solutions. (1) • Allowed registrants the option of updating their address by telephone or by mail. (1) 	<ul style="list-style-type: none"> • Provide funding for the Postal Service to add following question to the Change of Address Form: "Do you want this change of address to affect your voter registration? Y or N" and to include the response in NCOA data.* (1) • Support efforts to obtain reduced postal rates for official election mailings or no-cost election mailings.* (3) • Allow registration officials to delete the names of registrants without the expense of sending confirmation notices if previous mailings to these registrants have been returned with USPS indicator that they are undeliverable.* (3)

Table 6

**STATE REPORTED PROBLEMS AND SOLUTIONS IN VOTER REGISTRATION LIST MAINTENANCE
1995-1996**

PROBLEMS	CURRENT SOLUTIONS	PROPOSED SOLUTIONS
<p><i>Lists Inflated by Those Who No Longer Reside in the Jurisdiction</i></p> <ul style="list-style-type: none"> • A high number of registrants have not responded to forwardable confirmation mailings sent. (12) • Nonforwardable notices often are not returned when the addressee no longer lives at the address on the notice. (1) • The NCOA program does not have all address changes because not all movers report their change of address to the Postal Service. (1) • Nationwide, numerous jurisdictions now have greater than 100% voter registration. (1) 	<ul style="list-style-type: none"> • Mailed confirmation notices to both old and new address to ensure voter receives at least one notice, when registration address and USPS change of address both available. (9) • Establishing or established a statewide voter registration database to help identify those who have registered in another jurisdiction within the State. (17) • Used varied sources of information to help identify those who have moved and those who have died. (30+) • Used annual census of all residents to help identify registrants who may have moved. (1) 	<ul style="list-style-type: none"> • Permit all States to require the social security number on voter registration applications to assist in matching cancellations of former registration with the appropriate registrant and identifying those listed more than once on the registries in the State (active or inactive).* (4) • Encourage all States to use cancellations of former registration to help prevent multiple registrations of one person and create a form that can be used nationwide to cancel registration in the former jurisdiction. (1) • Allow registrars to remove the names of those who have been sent forwardable confirmation notices if they obtain "independent verification" that a person no longer lives in their jurisdiction.* (1) • Allow all registrars to target non-voters or those who have not maintained contact during a specific period of time to receive forwardable confirmation mailings.* (2) • Allow registrars to return to the practice of removing registrants who fail to vote during an agreed upon time period.* (3)
<p><i>Applicants' Omission of Previous Registration Information</i></p> <ul style="list-style-type: none"> • Upon change of name. (2) 	<ul style="list-style-type: none"> • None reported. 	<ul style="list-style-type: none"> • Allow States to require the social security number on voter registration applications to assist in determining if the person was previously registered under another name.* (1)

Table 6

**STATE REPORTED PROBLEMS AND SOLUTIONS IN VOTER REGISTRATION LIST MAINTENANCE
1995-1996**

PROBLEMS	CURRENT SOLUTIONS	PROPOSED SOLUTIONS
<p><i>Persons Registered More Than Once</i></p> <ul style="list-style-type: none"> • Duplicate registrations. (1) • Persons registered at different addresses in the same State. (1) • Persons also registered at an address in another State. (1) 	<ul style="list-style-type: none"> • Used local manual, and local or statewide computer-assisted checks for persons registered more than once. (21) • Encouraged local jurisdictions to check for duplicates before adding the name to the registry. (1) • Used notices of cancellation of old registration sent by registrar in jurisdiction of new registration to delete person's previous registration. (42) • Used a statewide computer system that will not accept new registrations using a social security number that is already on the registry. (1) 	<ul style="list-style-type: none"> • Permit all States to require the social security number on voter registration applications to assist in identifying multiple registrations from one person.* (4) • Establish statewide voter registration databases (in States where they are not being implemented) to assist in identifying those registered more than once in the State. (3) • Encourage all States to use cancellations of former registration to help prevent multiple registrations of one person and create a form that can be used nationwide to cancel registration in the former jurisdiction. (1)
<p><i>Ineligible Persons Becoming Registered</i></p> <ul style="list-style-type: none"> • Non-citizens. (2) • Convicted criminals. (2) • Nonexistent persons or non-residents. (2) • Dead. (1) • Under age. (1) 	<ul style="list-style-type: none"> • Required mail registrants to vote in person the first time after registration to combat registration of nonexistent persons. (7) • Investigated returned notices acknowledging receipt and disposition of registration application. (4) • Used computer comparisons of registration file against files of known addresses. (3) • Reviewed computer-generated lists of multiple registrations at the same address and investigated those deemed to be suspicious (e.g., not from known group homes or large families). (2) • Used State challenge procedures for registrants suspected of being ineligible. (9) • Held registration applications in a suspense file until a specified number of days after mailing the acknowledgment notice; then registered only those whose acknowledgment notices were not returned. (1) • Referred ineligible registrants for prosecution. (4) 	<ul style="list-style-type: none"> • Insert a separate question on all registration applications asking, "Are you a U.S. Citizen? Y or N", and require applicants to answer that question and sign the application before the application can be considered valid. (2) • Allow all States to require agency registration personnel to flag applications of suspected non-citizens.* (1) • Initiate computer comparisons of the registration file against other computerized files to help identify convicted criminals, deceased persons, non-existent or business addresses, and those underage. (2) • Allow election officials to investigate registration acknowledgments that are returned undeliverable and immediately remove apparent non-resident or non-existent registrants. (1) • Require INS assistance in verifying citizenship of voter registration applicants.* (1) • Require proof of citizenship upon application for registration.* (1)

Table 6

**STATE REPORTED PROBLEMS AND SOLUTIONS IN VOTER REGISTRATION LIST MAINTENANCE
1995-1996**

PROBLEMS	CURRENT SOLUTIONS	PROPOSED SOLUTIONS
<p><i>Citizen Complaints</i></p> <ul style="list-style-type: none"> • In general. (2) • Confirmation notice inquiry is overly intrusive. (1) • Did not understand why received notice. (1) 	<ul style="list-style-type: none"> • None reported. 	<ul style="list-style-type: none"> • None reported.
<p><i>Other Costs and Complexities</i></p> <ul style="list-style-type: none"> • Complexity and cost, in general. (6) • Administrative burden. (5) • Printing costs. (2) • Labor costs. (1) • Failure to properly track or limitations of office technology in tracking confirmation notices. (2) 	<ul style="list-style-type: none"> • Sent notices in batches making tracking easier. (1) 	<ul style="list-style-type: none"> • None reported.
<p>* Appears to require federal legislation.</p>		

TABLE 7
STATE REPORTED PROBLEMS AND SOLUTIONS
IN FAIL-SAFE VOTING
1995-1996

Table 7

STATE REPORTED PROBLEMS AND SOLUTIONS IN FAIL-SAFE VOTING
1995-1996

PROBLEMS	SOLUTIONS
<p><i>Delays in Voting</i></p> <ul style="list-style-type: none"> • Failure of a high number of movers to provide address changes to the election office prior to the election, requiring time to confirm eligibility and update records. (8) • Saturation of central office phone lines due to calls from voters & poll workers, causing delays in eligibility confirmation. (4) • Congestion at central election office because voters appeared there to vote when they could not get through on congested telephone lines to find the location of their polling places. (1) • Incorrect NCOA identification of some individuals as movers, resulting in erroneous "inactive" status designation that required eligibility confirmation and records update. (1) 	<ul style="list-style-type: none"> • Increased the number of poll workers. (3) • Increased poll worker training. (1) • Simplified forms. (1) • Provided a master list of "inactive" voters, supplemental precinct registers, and/or precinct maps at the polls. (1) • Increased phone bank operator training, increased number of operators, increased number of phone lines, increased number of computer terminals, streamlined procedures for processing calls, and/or used pagers and cellular phones to communicate between poll and central office. (3) • Used a computer program that includes a street index to help the central office process calls more quickly. (1) • Used provisional ballots for voters whose eligibility cannot be determined by materials provided at the polls, delaying determination of eligibility until after election day. (2) • Looked for alternatives to NCOA as source of information on movers. (1)
<p><i>Delays in the Vote Count</i></p> <ul style="list-style-type: none"> • Time needed to confirm eligibility of those casting provisional ballots. (2). 	<ul style="list-style-type: none"> • Delayed the canvass day by one day to allow more time to process provisional ballots. (1) • Trained more staff to handle provisional ballots. (1)
<p><i>Voter Misunderstandings & Complaints</i></p> <ul style="list-style-type: none"> • Voters who assumed that one could vote by showing driver's license (even one instance of an out of State license) even if not registered in the jurisdiction. (1) • Voters who appeared to vote saying they had registered (through motor vehicle office or Rock the Vote) but their applications had not been processed by election office. (2) • Voters who did not feel comfortable voting a provisional ballot. (1) • Voters who moved without notifying local election official and did not know the location of the appropriate polling place. (1) • Voters who were confused and upset about having to go to a different polling place. (1) 	<ul style="list-style-type: none"> • Permitted those who showed a receipt for a registration application from motor vehicle office or agency, dated prior to registration deadline, to vote. (1) • Offered fail-safe voters the choice of voting a provisional ballot at the poll or a regular ballot at the central election office. (1)

Table 7

**STATE REPORTED PROBLEMS AND SOLUTIONS IN FAIL-SAFE VOTING
1995-1996**

PROBLEMS	SOLUTIONS
<p><i>Poll Worker Adaptation to New Procedures</i></p> <ul style="list-style-type: none"> • Difficulty in getting poll workers to adapt to new procedures. (3) • Poll workers who distributed the wrong ballot to some voters. (1) 	<ul style="list-style-type: none"> • Increased poll worker training. (1) • Increased written instructions for poll workers (1). • Simplified forms. (1)
<p><i>Potential for Fraud</i></p> <ul style="list-style-type: none"> • Voters who affirmed continued residence in the jurisdiction but subsequent to election were found to live there no longer. (2) • Possibility of voters voting in the new polling place, then returning to old to vote again. (1) • Concern that voters who do not live in the jurisdiction could determine outcome in close races. (1) 	<ul style="list-style-type: none"> • Referred cases of voting when no longer a resident of the jurisdiction for prosecution. (2) • Notified the old precinct to delete voter's name immediately. (1) • Considering changing to provisional ballots for fail-safe voters who move to new precinct. (1)

APPENDIX A
THE NATIONAL VOTER REGISTRATION ACT OF 1993

APPENDIX A

THE NATIONAL VOTER REGISTRATION ACT OF 1993

PUBLIC LAW 103-31—MAY 20, 1993

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Public Law 103-31
103d Congress

An Act

To establish national voter registration procedures for Federal elections, and for other purposes.

May 20, 1993
(H.R. 2)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Voter Registration Act of 1993".

National Voter
Registration Act
of 1993.
Inter-
governmental
relations.
42 USC 1973gg
note.
42 USC 1973gg.

SEC. 2. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—The Congress finds that—

- (1) the right of citizens of the United States to vote is a fundamental right;
- (2) it is the duty of the Federal, State, and local governments to promote the exercise of that right; and
- (3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.

(b) **PURPOSES.**—The purposes of this Act are—

- (1) to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office;
- (2) to make it possible for Federal, State, and local governments to implement this Act in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;
- (3) to protect the integrity of the electoral process; and
- (4) to ensure that accurate and current voter registration rolls are maintained.

SEC. 3. DEFINITIONS.

42 USC 1973gg-1.

As used in this Act—

- (1) the term "election" has the meaning stated in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1));
- (2) the term "Federal office" has the meaning stated in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3));
- (3) the term "motor vehicle driver's license" includes any personal identification document issued by a State motor vehicle authority;

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(4) the term "State" means a State of the United States and the District of Columbia; and

(5) the term "voter registration agency" means an office designated under section 7(a)(1) to perform voter registration activities.

42 USC 1973gg-2. **SEC. 4. NATIONAL PROCEDURES FOR VOTER REGISTRATION FOR ELECTIONS FOR FEDERAL OFFICE.**

(a) **IN GENERAL.**—Except as provided in subsection (b), notwithstanding any other Federal or State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

(1) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 5;

(2) by mail application pursuant to section 6; and

(3) by application in person—

(A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; and

(B) at a Federal, State, or nongovernmental office designated under section 7.

(b) **NONAPPLICABILITY TO CERTAIN STATES.**—This Act does not apply to a State described in either or both of the following paragraphs:

(1) A State in which, under law that is in effect continuously on and after March 11, 1993, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(2) A State in which, under law that is in effect continuously on and after March 11, 1993, or that was enacted on or prior to March 11, 1993, and by its terms is to come into effect upon the enactment of this Act, so long as that law remains in effect, all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

42 USC 1973gg-3. **SEC. 5. SIMULTANEOUS APPLICATION FOR VOTER REGISTRATION AND APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.**

(a) **IN GENERAL.**—(1) Each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application.

(2) An application for voter registration submitted under paragraph (1) shall be considered as updating any previous voter registration by the applicant.

(b) **LIMITATION ON USE OF INFORMATION.**—No information relating to the failure of an applicant for a State motor vehicle driver's license to sign a voter registration application may be used for any purpose other than voter registration.

(c) **FORMS AND PROCEDURES.**—(1) Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license.

(2) The voter registration application portion of an application for a State motor vehicle driver's license—

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(A) may not require any information that duplicates information required in the driver's license portion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) may require only the minimum amount of information necessary to—

(i) prevent duplicate voter registrations; and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(C) shall include a statement that—

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

(iii) requires the signature of the applicant, under penalty of perjury;

(D) shall include, in print that is identical to that used in the attestation portion of the application—

(i) the information required in section 8(a)(5) (A) and (B);

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and

(E) shall be made available (as submitted by the applicant, or in machine readable or other format) to the appropriate State election official as provided by State law.

(d) CHANGE OF ADDRESS.—Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver's license shall serve as notification of change of address for voter registration with respect to elections for Federal office for the registrant involved unless the registrant states on the form that the change of address is not for voter registration purposes.

(e) TRANSMITTAL DEADLINE.—(1) Subject to paragraph (2), a completed voter registration portion of an application for a State motor vehicle driver's license accepted at a State motor vehicle authority shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

SEC. 6. MAIL REGISTRATION.

42 USC 1973gg-4.

(a) FORM.—(1) Each State shall accept and use the mail voter registration application form prescribed by the Federal Election Commission pursuant to section 9(a)(2) for the registration of voters in elections for Federal office.

(2) In addition to accepting and using the form described in paragraph (1), a State may develop and use a mail voter registration

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form that meets all of the criteria stated in section 9(b) for the registration of voters in elections for Federal office.

(3) A form described in paragraph (1) or (2) shall be accepted and used for notification of a registrant's change of address.

(b) **AVAILABILITY OF FORMS.**—The chief State election official of a State shall make the forms described in subsection (a) available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

(c) **FIRST-TIME VOTERS.**—(1) Subject to paragraph (2), a State may by law require a person to vote in person if—

(A) the person was registered to vote in a jurisdiction by mail; and

(B) the person has not previously voted in that jurisdiction.

(2) Paragraph (1) does not apply in the case of a person—

(A) who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);

(B) who is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or

(C) who is entitled to vote otherwise than in person under any other Federal law.

(d) **UNDELIVERED NOTICES.**—If a notice of the disposition of a mail voter registration application under section 8(a)(2) is sent by nonforwardable mail and is returned undelivered, the registrar may proceed in accordance with section 8(d).

42 USC 1973gg-5.

SEC. 7. VOTER REGISTRATION AGENCIES.

(a) **DESIGNATION.**—(1) Each State shall designate agencies for the registration of voters in elections for Federal office.

(2) Each State shall designate as voter registration agencies—

(A) all offices in the State that provide public assistance; and

(B) all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.

(3)(A) In addition to voter registration agencies designated under paragraph (2), each State shall designate other offices within the State as voter registration agencies.

(B) Voter registration agencies designated under subparagraph (A) may include—

(i) State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, unemployment compensation offices, and offices not described in paragraph (2)(B) that provide services to persons with disabilities; and

(ii) Federal and nongovernmental offices, with the agreement of such offices.

(4)(A) At each voter registration agency, the following services shall be made available:

(i) Distribution of mail voter registration application forms in accordance with paragraph (6).

(ii) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance.

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(iii) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official.

(B) If a voter registration agency designated under paragraph (2)(B) provides services to a person with a disability at the person's home, the agency shall provide the services described in subparagraph (A) at the person's home.

(5) A person who provides service described in paragraph (4) shall not—

(A) seek to influence an applicant's political preference or party registration;

(B) display any such political preference or party allegiance;

(C) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

(D) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(6) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall—

(A) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance—

(i) the mail voter registration application form described in section 9(a)(2), including a statement that—

(I) specifies each eligibility requirement (including citizenship);

(II) contains an attestation that the applicant meets each such requirement; and

(III) requires the signature of the applicant, under penalty of perjury; or

(ii) the office's own form if it is equivalent to the form described in section 9(a)(2), unless the applicant, in writing, declines to register to vote;

(B) provide a form that includes—

(i) the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(ii) if the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

(iii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote (failure to check either box being deemed to constitute a declination to register for purposes of subparagraph (C)), together with the statement (in close proximity to the boxes and in prominent type), "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(iv) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

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(v) the statement, "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with _____," the blank being filled by the name, address, and telephone number of the appropriate official to whom such a complaint should be addressed; and

(C) provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance.

(7) No information relating to a declination to register to vote in connection with an application made at an office described in paragraph (6) may be used for any purpose other than voter registration.

(b) **FEDERAL GOVERNMENT AND PRIVATE SECTOR COOPERATION.**—All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a), and all nongovernmental entities are encouraged to do so.

(c) **ARMED FORCES RECRUITMENT OFFICES.**—(1) Each State and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the Armed Forces of the United States.

(2) A recruitment office of the Armed Forces of the United States shall be considered to be a voter registration agency designated under subsection (a)(2) for all purposes of this Act.

(d) **TRANSMITTAL DEADLINE.**—(1) Subject to paragraph (2), a completed registration application accepted at a voter registration agency shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

42 USC 1973gg-6 **SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.**

(a) **IN GENERAL.**—In the administration of voter registration for elections for Federal office, each State shall—

(1) ensure that any eligible applicant is registered to vote in an election—

(A) in the case of registration with a motor vehicle application under section 5, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(B) in the case of registration by mail under section 6, if the valid voter registration form of the applicant is postmarked not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

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(C) in the case of registration at a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency not later than the lesser of 30 days, or the period provided by State law, before the date of the election; and

(D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(2) require the appropriate State election official to send notice to each applicant of the disposition of the application;

(3) provide that the name of a registrant may not be removed from the official list of eligible voters except—

(A) at the request of the registrant;

(B) as provided by State law, by reason of criminal conviction or mental incapacity; or

(C) as provided under paragraph (4);

(4) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of—

(A) the death of the registrant; or

(B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d);

(5) inform applicants under sections 5, 6, and 7 of—

(A) voter eligibility requirements; and

(B) penalties provided by law for submission of a false voter registration application; and

(6) ensure that the identity of the voter registration agency through which any particular voter is registered is not disclosed to the public.

(b) CONFIRMATION OF VOTER REGISTRATION.—Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office—

(1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and

(2) shall not result in the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person's failure to vote.

(c) VOTER REMOVAL PROGRAMS.—(1) A State may meet the requirement of subsection (a)(4) by establishing a program under which—

(A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and

(B) if it appears from information provided by the Postal Service that—

(i) a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which

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the registrant may verify or correct the address information; or

(ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in subsection (d)(2) to confirm the change of address.

(2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude—

(i) the removal of names from official lists of voters on a basis described in paragraph (3) (A) or (B) or (4)(A) of subsection (a); or

(ii) correction of registration records pursuant to this Act.

(d) REMOVAL OF NAMES FROM VOTING ROLLS.—(1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant—

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B)(i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

(2) A notice is described in this paragraph if it is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address, together with a notice to the following effect:

(A) If the registrant did not change his or her residence, or changed residence but remained in the registrar's jurisdiction, the registrant should return the card not later than the time provided for mail registration under subsection (a)(1)(B). If the card is not returned, affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in a Federal election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice, and if the registrant does not vote in an election during that period the registrant's name will be removed from the list of eligible voters.

(B) If the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered, information concerning how the registrant can continue to be eligible to vote.

(3) A voting registrar shall correct an official list of eligible voters in elections for Federal office in accordance with change of residence information obtained in conformance with this subsection.

(e) PROCEDURE FOR VOTING FOLLOWING FAILURE TO RETURN CARD.—(1) A registrant who has moved from an address in the

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area covered by a polling place to an address in the same area shall, notwithstanding failure to notify the registrar of the change of address prior to the date of an election, be permitted to vote at that polling place upon oral or written affirmation by the registrant of the change of address before an election official at that polling place.

(2)(A) A registrant who has moved from an address in the area covered by one polling place to an address in an area covered by a second polling place within the same registrar's jurisdiction and the same congressional district and who has failed to notify the registrar of the change of address prior to the date of an election, at the option of the registrant—

(i) shall be permitted to correct the voting records and vote at the registrant's former polling place, upon oral or written affirmation by the registrant of the new address before an election official at that polling place; or

(ii)(I) shall be permitted to correct the voting records and vote at a central location within the same registrar's jurisdiction designated by the registrar where a list of eligible voters is maintained, upon written affirmation by the registrant of the new address on a standard form provided by the registrar at the central location; or

(II) shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote in the present election, upon confirmation by the registrar of the new address by such means as are required by law.

(B) If State law permits the registrant to vote in the current election upon oral or written affirmation by the registrant of the new address at a polling place described in subparagraph (A)(i) or (A)(ii)(II), voting at the other locations described in subparagraph (A) need not be provided as options.

(3) If the registration records indicate that a registrant has moved from an address in the area covered by a polling place, the registrant shall, upon oral or written affirmation by the registrant before an election official at that polling place that the registrant continues to reside at the address previously made known to the registrar, be permitted to vote at that polling place.

(f) CHANGE OF VOTING ADDRESS WITHIN A JURISDICTION.—In the case of a change of address, for voting purposes, of a registrant to another address within the same registrar's jurisdiction, the registrar shall correct the voting registration list accordingly, and the registrant's name may not be removed from the official list of eligible voters by reason of such a change of address except as provided in subsection (d).

(g) CONVICTION IN FEDERAL COURT.—(1) On the conviction of a person of a felony in a district court of the United States, the United States attorney shall give written notice of the conviction to the chief State election official designated under section 10 of the State of the person's residence.

(2) A notice given pursuant to paragraph (1) shall include—

- (A) the name of the offender;
- (B) the offender's age and residence address;
- (C) the date of entry of the judgment;
- (D) a description of the offenses of which the offender was convicted; and

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(E) the sentence imposed by the court.

(3) On request of the chief State election official of a State or other State official with responsibility for determining the effect that a conviction may have on an offender's qualification to vote, the United States attorney shall provide such additional information as the United States attorney may have concerning the offender and the offense of which the offender was convicted.

(4) If a conviction of which notice was given pursuant to paragraph (1) is overturned, the United States attorney shall give the official to whom the notice was given written notice of the vacation of the judgment.

(5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

(h) **REDUCED POSTAL RATES.**—(1) Subchapter II of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“§ 3629. Reduced rates for voter registration purposes

“The Postal Service shall make available to a State or local voting registration official the rate for any class of mail that is available to a qualified nonprofit organization under section 3626 for the purpose of making a mailing that the official certifies is required or authorized by the National Voter Registration Act of 1993.”

(2) The first sentence of section 2401(c) of title 39, United States Code, is amended by striking out “and 3626(a)–(h) and (j)–(k) of this title,” and inserting in lieu thereof “3626(a)–(h), 3626(j)–(k), and 3629 of this title”.

(3) Section 3627 of title 39, United States Code, is amended by striking out “or 3626 of this title,” and inserting in lieu thereof “3626, or 3629 of this title”.

(4) The table of sections for chapter 36 of title 39, United States Code, is amended by inserting after the item relating to section 3628 the following new item:

“3629. Reduced rates for voter registration purposes.”

Records

(i) **PUBLIC DISCLOSURE OF VOTER REGISTRATION ACTIVITIES.**—

(1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

(2) The records maintained pursuant to paragraph (1) shall include lists of the names and addresses of all persons to whom notices described in subsection (d)(2) are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

(j) **DEFINITION.**—For the purposes of this section, the term “registrars jurisdiction” means—

(1) an incorporated city, town, borough, or other form of municipality;

(2) if voter registration is maintained by a county, parish, or other unit of government that governs a larger geographic

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area than a municipality, the geographic area governed by that unit of government; or

(3) if voter registration is maintained on a consolidated basis for more than one municipality or other unit of government by an office that performs all of the functions of a voting registrar, the geographic area of the consolidated municipalities or other geographic units.

SEC. 9. FEDERAL COORDINATION AND REGULATIONS.

42 USC 1973gg-7.

(a) **IN GENERAL.**—The Federal Election Commission—

(1) in consultation with the chief election officers of the States, shall prescribe such regulations as are necessary to carry out paragraphs (2) and (3);

(2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act; and

(4) shall provide information to the States with respect to the responsibilities of the States under this Act.

Reports.

(b) **CONTENTS OF MAIL VOTER REGISTRATION FORM.**—The mail voter registration form developed under subsection (a)(2)—

(1) may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that—

(A) specifies each eligibility requirement (including citizenship);

(B) contains an attestation that the applicant meets each such requirement; and

(C) requires the signature of the applicant, under penalty of perjury;

(3) may not include any requirement for notarization or other formal authentication; and

(4) shall include, in print that is identical to that used in the attestation portion of the application—

(i) the information required in section 8(a)(5) (A) and (B);

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFICIAL.

42 USC 1973gg-8.

Each State shall designate a State officer or employee as the chief State election official to be responsible for coordination of State responsibilities under this Act.

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42 USC 1973gg-9. SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF ACTION.

(a) **ATTORNEY GENERAL.**—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this Act.

(b) **PRIVATE RIGHT OF ACTION.**—(1) A person who is aggrieved by a violation of this Act may provide written notice of the violation to the chief election official of the State involved.

(2) If the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(3) If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action under paragraph (2).

(c) **ATTORNEYS FEES.**—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) **RELATION TO OTHER LAWS.**—(1) The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this Act shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) Nothing in this Act authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

42 USC
1973gg-10.

SEC. 12. CRIMINAL PENALTIES.

A person, including an election official, who in any election for Federal office—

(1) knowingly and willfully intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person for—

(A) registering to vote, or voting, or attempting to register or vote;

(B) urging or aiding any person to register to vote, to vote, or to attempt to register or vote; or

(C) exercising any right under this Act; or

(2) knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by—

(A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or

(B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held,

shall be fined in accordance with title 18, United States Code (which fines shall be paid into the general fund of the Treasury, miscellaneous receipts (pursuant to section 3302 of title 31, United

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States Code), notwithstanding any other law), or imprisoned not more than 5 years, or both.

SEC. 12. EFFECTIVE DATE.42 USC 1973gg
note.

This Act shall take effect—

(1) with respect to a State that on the date of enactment of this Act has a provision in the constitution of the State that would preclude compliance with this Act unless the State maintained separate Federal and State official lists of eligible voters, on the later of—

(A) January 1, 1996; or

(B) the date that is 120 days after the date by which, under the constitution of the State as in effect on the date of enactment of this Act, it would be legally possible to adopt and place into effect any amendments to the constitution of the State that are necessary to permit such compliance with this Act without requiring a special election; and

(2) with respect to any State not described in paragraph (1), on January 1, 1995.

Approved May 20, 1993.

LEGISLATIVE HISTORY—H.R. 2 (S. 460):

HOUSE REPORTS: Nos. 103-9 (Comm. on House Administration) and 103-66 (Comm. of Conference).

SENATE REPORTS: No. 103-6 accompanying S. 460 (Comm. on Rules and Administration).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Feb. 4, considered and passed House.

Mar. 10, 11, 15-17, S. 460 considered in Senate; H.R. 2, amended, passed in lieu.

May 5, House agreed to conference report.

May 6-8, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

May 20, Presidential remarks.





APPENDIX B
REPORTING REQUIREMENTS UNDER THE NVRA



REPORTING REQUIREMENTS UNDER THE NVRA

Prepared by:

**The National Clearinghouse
on Election Administration**

Federal Election Commission

**August, 1995
(Updated October 1995)**

REPORTING REQUIREMENTS UNDER THE NVRA

Recently we have heard a few misgivings from State and local election officials about the reporting requirements developed and issued by the FEC under the National Voter Registration Act. Some concerns seem to stem from a misunderstanding of what the requirements are. Other concerns seem to reflect certain difficulties on the part of local officials in systematically collecting and maintaining records on their voter registration activities. It may therefore be helpful to explain in greater detail exactly what information we need and why we need it.

Section 9 of the NVRA requires, among other things, that the FEC submit to the Congress each two years "a report assessing the impact of this Act on the administration of elections for Federal office...including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act".

Note that we are not required to report the NVRA's impact on voter turnout (since there are too many other factors that affect turnout). In fact, the law does not even specifically require us to report the NVRA's impact on the number of registered voters (although we assume that the Congress would like to know whether the Act is achieving one of its main objectives).

Yet registration figures alone, or even the numbers of newly registered voters, do not reflect the total effort that local registration offices have spent on activities required by the NVRA. If we are to assess "the impact of this Act on the administration of elections for Federal office", then we must know the numbers of the various types of transactions mandated by the Act.

By the same token, registration figures alone do not provide us enough information to recommend to the Congress any "improvements in Federal and State procedures, forms, and other matters affected by the Act". In order to do so, we need to know how effective various aspects of the Act have proved to be.

Accordingly, we have required by regulation (11 CFR Part 8, Subpart C) that the chief State election official of each State report to us (based, presumably, on reports to them from local registration offices) the following items for the reasons indicated.

WITH REGARD TO THE REGISTRATION INTAKE PROVISIONS OF THE ACT

The NVRA requires certain categories of public offices to provide their clientele with an opportunity to apply for voter registration (or to change their voter registration data) simultaneous with their application (or change of address) for the offices' other services. In order to compare the productivity of the different categories of public offices as well as to gauge the workload that this requirement entails on the part of local registrars and the public offices involved, we need to know the total volume of such transactions from each category of public offices. This information is doubly important since the NVRA requires that each registration application be acknowledged by mail -- another important element of the total workload. We therefore need to know:

- o The total number of voter registration applications (regardless of whether the applications were valid, rejected, duplicative, or address, name, or party changes) that were received between federal general elections
 - From all motor vehicle offices statewide (collectively, not by individual offices)
 - By mail statewide (collectively and regardless of origin)
 - From all public assistance agencies statewide that are mandated by the Act (collectively, not by individual agencies)
 - From all state-funded agencies statewide primarily serving persons with disabilities (collectively, not by individual agencies)
 - From all Armed Forces recruiting offices statewide (collectively, not by individual offices)
 - From all other agencies statewide that were designated by the State (collectively, not by individual agencies)
 - From all other sources statewide such as in-person, deputy registrars, organized registration drives delivering forms directly to registrars, etc. (collectively, not by source of origin)

Although these numbers will tell us about the relative productivity of the various application sources and, hence, about the workload entailed on the part of local registrars and public offices, they will not tell us about how fruitful the various sources are or, putting it another way, how much unfruitful effort is being devoted to the enterprise by registrars and the public offices involved. In order to report that, we need to know:

- o The number of duplicate applications (i.e., those that contain exactly the same information -- same name, same address, same everything -- as a registration already on file) that were received between federal general elections from the same categories of sources as listed above.

WITH REGARD TO THE LIST MAINTENANCE PROVISIONS OF THE ACT

The NVRA requires registrars to send confirmation mailings (including a response notice) to registrants who, based on information provided by the Postal Service, have changed their address. For those registrants thought to have moved outside of the registrar's jurisdiction, the confirmation mailing is described in section 8(d)(2) of the Act. For those registrants thought to have moved within the registrar's jurisdiction, the confirmation mailing is described in section 8(c)(B)(i) of the Act. Section 8(i)(2) of the NVRA further requires registrars to keep records on registrants who were sent 8(d)(2) confirmation mailings as well as any response notices received from such registrants.

In order to gauge the effort and resources devoted to this task (and since under law the records must be maintained in any event), we need to know:

- o The statewide total number of 8(d)(2) confirmation mailings as well as the statewide total number of responses received to these mailings between federal general elections.

The NVRA permits removing from the registry the names of those registrants who were sent an 8(d)(2) confirmation mailing and who failed to respond to it and also failed to vote in the subsequent two federal general elections. In addition, it permits the immediate removal of names of registrants who have died, who have been convicted of a disenfranchising criminal offense, who have been determined to have a disenfranchising mental incapacity, or who

personally request their removal from the list. Since changes in voter registration figures are the result of both deletions from as well as additions to the list, we need to know:

- o The total number statewide of registrants who were (for whatever reason) deleted from the registration list between federal general elections. If the State maintains an "inactive" list onto which they place the names of registrants who have been sent an 8(d)(2) confirmation mailing, deletions from the "active" and "inactive" lists are to be reported separately.

Over time, these numbers (especially from the States that maintain an "8(d)(2) inactive list") will provide some indication of the number of persons who in fact moved outside the registrar's jurisdiction but who nevertheless had to be maintained on the list of potential voters for two federal general elections subsequent to their being sent and failing to respond to an 8(d)(2) confirmation mailing.

WITH REGARD TO OVERALL REGISTRATION NUMBERS

No report on the administrative impact of the NVRA would be complete or satisfying without including the overall changes in the numbers of registered voters (along with the changes in the percentages of registered voters which we will derive from voting age population figures provided by the Bureau of Census). But, as noted previously, changes in overall registration figures are the result of both additions to and deletions from the list. Since we have already asked for the total number of deletions between federal general elections, we also have to know:

- o The total number of new valid registrations accepted between federal general elections. New valid registrations are those that are new to the local jurisdiction including automatic reregistrations across local jurisdictional lines (in States that provide that service) but excluding all applications that exactly duplicate a registration already on file; that are rejected; or that are merely changes in name, address, or other information.

Knowing the number of additions to and deletions from the registration lists between federal general elections will allow us to make more sense out of the next item we need to know:

- o The total number of registered voters statewide in the most recent federal general election (combining both "active" and "inactive" numbers in States that maintain "inactive" lists).

But pursuant to our particular interest in the "inactive" lists in States that maintain them, we also need to know from those States:

- o The total number of registrants statewide that were considered "inactive" at the close of the most recent federal general election.

And just to make sure that we are all working with the same figures from before, we need:

- o The total number of registered voters statewide (both "active" and "inactive") in the federal general election two years previous.

WITH REGARD TO OTHER GENERAL ITEMS

The NVRA provides States with a number of options in implementing its various provisions. It is important to the States as well as to the Congress to know which States followed which options. In order to provide this information, we need:

- o Answers to a series of questions with categorical responses for the State to indicate which options of procedures the State has selected in implementing the NVRA or any significant changes to the State's voter registration program.

And finally, we welcome (but do not require):

- o Any additional information (noteworthy successes, noteworthy problems, etc.) that you think would be helpful to us in preparing our report.

ITEMS THAT WE DO NOT REQUIRE

Despite rumors to the contrary, there are many items of information that we do not require. Note, for example, that:

- o We are not asking for the number of applications received from individual public offices or agencies

- o We are not asking for the numbers of declinations filed in the public agencies
- o We are not asking for the number of applications that are rejected
- o We are not asking for the number of changes of name, address, or of other information
- o We are not asking for the number of fail-safe voters
- o We are not asking whether new registrants subsequently vote in any election, and
- o We are not asking for turnout figures.

ENDNOTES

Finally, we recognize that the admittedly detailed numbers we do require may constitute some additional burden on State and local registration officials. This is especially true in those offices that are not yet computerized. And even computerized offices may want to alter their programming or else obtain programs designed to collect and maintain the information we need.

Nevertheless, we hope that you now better understand what items of information we require and why we need them. We also hope you share our belief that gathering this information will actually help you monitor and improve your own State and local voter registration programs.

In the end, then, we hope that gathering and reporting this information will benefit you, in both the short and the long run, as much as it will serve the Congress.



APPENDIX C
THE METHOD USED BY THE FEC TO CALCULATE
THE 1996 REGISTRATION RATES IN THE STATES
UNDER THE NVRA

Appendix C

The Method Used by the FEC to Calculate the 1996 Registration Rates in States Under the NVRA

In order to calculate the 1996 voter registration rate in States under the NVRA, the FEC used the following method:

1. We excluded from the figures in Table 1 the voting age population and registration figures from Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming because they are exempt from the NVRA. We also excluded those figures from Vermont because it has not yet implemented the NVRA.
2. In the 31 States that distinguished between "active and "inactive" registrants, we excluded the number of "inactive" registrants and used only number of "active " registrants (on the conservative assumption that registrants on an "inactive" list had, in all likelihood, moved out of the local jurisdiction).
3. In order to deduce the number of "active" registrants in the 13 States that did not distinguish between "active" and "inactive", we identified, where possible, the number of confirmation notices they mailed out (see Table 3). We then subtracted from that figure the number of confirmation responses that were received (again see Table 3) on the conservative assumption that all respondents were deleted from the registry. The resulting figure would be the number of "inactive" registrants in those States that failed to make that distinction. By subtracting that number from the total registration figure from those States, we were able to infer the number of "active" registrants that they would have reported had they made the distinction. (Here is another way to look at it: The total number of "active" registrants from all 44 States that have implemented the Act in 1996 was 137,846,814. In those States that did not distinguish between "active" and "inactive" , the total number of confirmation mailings sent out less the number of responses they received equaled a presumed "inactive" of 1,054,922. Subtracting that figure from the total "active" yields a total "adjusted active" figure of 136,791,892 for the 44States).
4. We then totaled the number of "active" and "adjusted active" registrants and divided that total by the voting age population of the 44 States in question. (136,791,892 divided by 186,246,000 = 73.45%)

5. We also totaled the number of registered voters reported by the same 44 States in 1992 and divided that by the total voting age population for those States in 1992. (128,783,538 divided by 179,774 = 71.63%)

6. By subtracting the 1992 percentage from the 1996 percentage, we concluded that voter registration had increased by 1.82% -- or by 3,389,677 people based on the voting age population in 1996 in those States under the NVRA.



