

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

on the

Administration of Elections for Federal Office

1997-1998



A Report to the 106th Congress

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The National Voter Registration Act of 1993
on the
Administration of Elections for Federal Office
1997-1998**

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)



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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, 1997 through 1998.

This third 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. Nevada figures are not included because that State failed to respond to the 1999 FEC survey questionnaire.

General

States reported a total of 140,946,508 registered voters nationwide for 1998, amounting to 70.15% of the Voting Age Population (VAP). This is the highest percentage of voter registration in a Congressional election since 1970. The report also notes that the number of Americans actually voting in 1998 declined by over 2.38 percentage points from 1994.

According to the highlights of the report, which covers the second two years in which the new law was in effect, during 1997 and 1998:

- There were, in total, 35,372,213 registration applications or transactions processed nationwide.
- Nearly half, or 17,613,211 represented new registrations (i.e., registrations that were

new to the local jurisdiction and registrations across jurisdictional lines).

- There was a 6.46% rate of duplicates.
- The remaining 43.74% of the total transactions, or about 15,473,031 were changes of name and address.
- A total of 9,063,326 names were deleted from the registration lists under the new lists verification procedures of the law, while another 14,640,557 registrants were declared "inactive" and will be removed after 2000 if they fail to respond by or vote in that election.

In summary, the report finds that active voter registration in States covered by the NVRA rose in 1998 by 3.72 percentage points - or some 7,100,000 people -- over 1994, the previous comparable election.

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 quarter of all voter registration applications from 1997 through 1998. States reported few problems with mail registration beyond the routine ones of incomplete, illegible, or ineligible applications.

Motor Voter

As was the case in our last report, the motor vehicle provisions of the NVRA posed little problem for the majority of States. Motor vehicle agencies again yielded the highest volume of registration applications among the various agencies mandated by the NVRA, accounting for 42.9% (15,175,653) of the total

number of voter registration applications in the United States during 1997 and 1998.

Agency Registration

Voter registration activity by agencies mandated in Section 7 of the NVRA accounted for 8.22% (2,909,569) of voter registration applications during this reporting period. Public assistance agencies accounted for 4.37% (1,546,671) of this figure, State designated agencies tallied 3.09% (1,092,526) of the total, disability services agencies brought in an additional .70% (247,764) registration applications, and armed services recruitment offices accounted for the remaining .06% (22,608).

List Maintenance

Numerous States indicated that they had made adjustments to their procedures after 1996 in order to better their list maintenance programs. States reported several successes and fewer problems in maintaining accurate voter registration lists during 1997-1998, compared to 1995-1996. (For example, States with statewide voter registration databases reported how helpful they were in maintaining accurate voter registries.) Of the problems reported concerning list maintenance, most involved difficulties related to postal service and the high cost (time and money) of administering the program. Most of the recommendations reported by the States were in the nature of technical or administrative changes that could be implemented without changing federal law. A few States made recommendations that would require Congressional action.

Fail-safe Provisions

A number of States reported making changes to their procedures after 1996 in order to improve the administration of fail-safe voting. Several reported successes experienced in the last election cycle, while a very small

number reported problems with different aspects of the process. A couple of States made recommendations to address problems they had in their own State.

Recommendations

The most significant problems reported by the States continue to group into three broad categories. Accordingly, the FEC reiterates the three core recommendations offered in the last report for improving the implementation of 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 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 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 1997 - 1998

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 1997 through 1998. It is the third in 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 8.7). 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 1999 survey of the States -- although there were some difficulties in gathering and maintaining the data mostly in small, uncomputerized local registration offices. It should also be noted that Nevada did not respond to the 1999 survey questionnaire.

SECTION 2: APPLICABILITY OF THE NVRA

This report is based on survey results from 43 States and the District of Columbia. Of the 7 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 are therefore 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 **Nevada** is covered by the NVRA, they failed to respond to the 1999 FEC survey questionnaire.

- 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 had previously 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

SECTION 3: 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

four percent have, in lieu of a driver's license, an identification card issued by the State motor vehicle agency. Moreover, several States had already adopted a version of this "motor voter" approach [H.Rept. 103-9, at page 4].

Public assistance, state-funded disability programs, 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 Nondiscriminatory 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

Prior to 1993, 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. 1973gg et seq.].

A copy of the law, with citations to the U.S. Code, 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 Office of 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:
 - o Spanish
 - o Chinese
 - o Japanese
 - o Vietnamese, and
 - o 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 staff of the Office of Election Administration 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 Office of Election Administration 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. The office also produced and provided to the States a major study of Alternative Models for Integrating Voter Registration Data Bases.

Since 1995

Since 1995, the Federal Election Commission, through its Office of Election Administration, has continued to provide the States with assistance and guidance in understanding their responsibilities under the NVRA. In addition, of course, the FEC reported to the Congress on the impact of the NVRA on the administration of federal elections in 1996 and provided the States a more detailed report in 1998.

SECTION 4: COMPARISONS OF THE 1992, 1994, 1996 AND 1998 DATA

The results of the 1999 survey of the States are provided in Section 5 below and, along with baseline figures from 1992, 1994, as well as the survey results on 1996, in the accompanying tables. But in order to interpret the data properly, it is important to bear in mind their limitations.

Cautions About Making Comparisons Across Years

The first major problem 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 1998 should therefore be compared to the figures from 1994.

The second major problem 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). Hence, 1994 registration figures in Table 1 are somewhat inflated – although no one can know to what extent.

The NVRA, in contrast, prohibits the removal of names from the registry solely for failure to vote and replaces that purging process 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, States covered by this report now conduct a positive verification of their registration lists – although at different times and in different ways. Moreover, only 33 States opted to establish an “inactive” list. The remaining 11 States did not

distinguish between “active” and “inactive” registrants; hence, their *total* registration figures are inflated by the inclusion of the “inactives.”

In order to simplify comparisons for the reader, we have deduced the number of “inactives” in those States that do not distinguish between “actives” and “inactives.” We did so in the following manner: (1) We identified the number of confirmation notices that each such State mailed out and subtracted the number of responses to them that they received (on the conservative assumption that respondents were deleted from the list). (2) Since the remaining number would have been placed on an “inactive” list had there been one, we simply subtracted that number from the “total registration” number in order to arrive at an estimated “active registration” number. The numbers in Table 1 reflect this procedure in the following States: FL, IN, KS, ME, MI, MS NE, OH, RI, and VT. We were unable to make this adjustment in the case of Hawaii because that State was unable to report the number of their confirmation mailings or responses to them.

Finally, it is important to note that the 1998 data provided by some of the States are incomplete for the reasons explained immediately below.

Cautions About Making Comparisons Across States

Apart from the previously noted differences in list verification frequencies and procedures, the most significant problem in making comparisons of 1998 data across the States is the problem of incomplete reporting. Indeed, only 17 of the 44 States covered by this report indicated that their data were fully complete. The remainder reported problems in obtaining data from some of their local jurisdictions -- 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 1998 provided in Table 1 will in some cases be at variance with 1998 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.

With these limitations on the data in mind, the following Section summarizes the results of the 1999 survey.

SECTION 5: 1999 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 1997 through 1998. The survey was conducted from February through March of 1999 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 only the second 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 1998 by approximately 3.72 percentage points -- or by about 7,100,000 people -- over 1994, the previous comparable election. This is especially noteworthy in light of the fact that interest in the 1998 election, as measured by the turnout of the total voting age population, actually declined by 2.38 percentage points from 1994.

The approximately 140,946,508 active registered voters nationwide in 1998 represented the highest percentage (70.15%) of voting age population (VAP) in a Congressional year election since 1970 (in which 71.41% were registered).

Interestingly, voter registration in 1998 actually declined in 9 of the States under the NVRA for reasons that are not entirely clear. There are three possible explanations: (1) some States may have conducted a strikingly effective and first time ever verification of their voting lists in accordance with the NVRA, or (2) there was a genuine decline in public interest in the 1998 election reflected in the registration rates in those States, or (3) a combination of both these factors. Some support for the second explanation lies in the fact that registration rates also dropped in three of the six States that are exempt from the NVRA.

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 35,372,213 voter registration applications received from the close of the 1996 election to the close of the 1998 election.

It seems clear from the 1999 survey that, from 1997 through 1998, voter registration in motor vehicle offices continues to be the most productive feature of the NVRA. Registration in motor vehicle offices accounted for over two fifths (42.90%) 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 in the previous two years -- yielding nearly a quarter (24.86%) of all new registration applications. (Some of these mail applications resulted from voter registration drives and from people personally mailing in forms they obtained from public assistance agencies since in most States it was virtually impossible to detect where applicants obtained their mail-in forms.)

About another quarter (24.78%) 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 8.22% of registration applications -- public assistance offices yielding 4.37%, other agencies designated by the State (libraries, schools, and such) yielding 3.09%, offices providing services to the disabled yielding .70%, and Armed Forces recruiting offices yielding .06%.

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

(6.46%), while slightly up from last reporting period, was still 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.

Finally, 15,473,031 -- nearly half (43.74%) of the total number of applications -- were changes to current voter registration information or else rejected applications. The FEC deduced this figure by subtracting the total number of new registrations from the total number of non-duplicate 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 1998, 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.

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, usually, first class postage.

States vary in how and when they periodically verify their voter registration lists. Some use a direct mailing to their entire registry. Others use the NCOA files. Still others leave 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 forwardable 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 usually command first class postage (although the postage paid return postcard may be less expensive). In any event, from 1997 through 1998 a nationwide total of 17,801,458 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 2,910,871 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 1997 through 1998, this procedure triggered around 35,372,213 acknowledgment mailings from registrars nationwide at a cost, again, in seven figures.

Viewed nationwide, then, with

- quadrennial verification mailings to a minimum of 150,000,000 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)]. The FEC also made the national form available on its WEB site on the Internet so that it could be downloaded, completed, and mailed to one of the 24 States that will now accept paper reproductions of the form.

In addition, States are permitted to use their own State mail registration form [Section 9(b)]. These, or the national form, are to be made available through governmental and private entities with particular emphasis on organized voter registration programs [Section 6(b)]. The individual State forms proved to be the preferred and most practical vehicle for mail registrations.

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) have chosen that option.

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

inherent in the mail registration process. First, there are continued complaints about the inevitable inadequate addresses, misdirected applications, underage applicants, ineligible applicants, practical joke names, and the like. Second, the United States Postal Service continued to draw a few complaints about applications being mangled by USPS equipment despite the fact that forms were designed in accordance with postal specifications.

Yet on the whole, States seem to have had few difficulties in administering the mail registration provisions of the NVRA. Indeed, Arizona reported considerable success with placing their State mail registration form in their State tax booklet and on their WEB home page while Connecticut noted their success in providing their State mail registration forms at INS swearing in ceremonies.

Regarding Motor Voter Registration Programs

The NVRA requires that individuals be given the 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.

Implementation of the motor vehicle provisions of the NVRA once again appears to have posed few problems for the States. As was the case in 1995-1996, motor voter agencies yielded the highest volume of registration applications among the various agencies mandated by the NVRA, accounting for 42.9% of the total number of registration applications in the United States during 1997 and 1998.

Only ten of the forty-four States responding to our survey reported encountering significant ongoing problems with the implementation of their motor voter programs. Six States reported problems with completed

voter registration applications not being delivered in a timely fashion to the appropriate election official. One of these six States reported that registrations in at least one county were being held for up to six weeks before being transmitted. Another State reported applications received at local election offices up to *four months* late. (Section 5 (e) of the Act requires that applications be forwarded to the appropriate election official within ten days of acceptance, or, if accepted within five days of the close of registration, within five days of acceptance.) The remaining four States reported difficulties with incomplete and/or illegible application forms received through a driver's license mail-in renewal program, data entry errors by DMV registry clerks, applications being lost or misdirected to the wrong local election authority, and with some individuals completing the change of address portion of the application instead of the application itself while attempting to register to vote.

As we noted in our previous report, the vast majority of these problems can be solved to a reasonable degree by cultivating an open avenue of communication between motor vehicle offices and election offices, and by periodic retraining of motor vehicle agency staff when and where necessary.

Two States had specific recommendations for Congress on changes they thought necessary to the motor voter registration portion of the Act. One State recommended (for fiscal considerations) that the law be changed to provide an exemption for those motor vehicle registration sites located within the same building as the county voter registration office. The other recommendation asked Congress to clarify the procedures to be used when individuals renew driver's licenses or identification cards over the telephone or via the Internet.

Several States reported implementing innovative ideas to improve various aspects of their motor voter programs.

- *Arkansas* developed laminated information cards for all driver's license services employees providing answers to the most frequently asked questions about voter registration.
- *Kentucky* placed voter information guides in all DMV offices to provide basic information to applicants on voter registration and the voting process.
- *Connecticut*, in addition to the statutory requirements, offered voter registration to all walk-in clients through individual greeters working in the waiting rooms of DMV offices.
- To alleviate the problem of misdirected or lost voter registration applications, *Missouri* election officials, in conjunction with their DMV, maintained a telephone helpdesk on election day to retrieve a copy of the driver's license application if a voter registration record could not be located, but the voter insisted that he/she completed a voter registration application at a DMV office. A copy of the license application was forwarded to the local election authority who, if the individual had indicated that he/she wished to register to vote on the driver's license application, could determine that a clerical error occurred and allow the individual to vote.
- In *Maryland*, the State Board of Election and the Motor Vehicle Administration (MVA) jointly developed a massive media campaign for the 1998 election. The MVA used their media relations department to issue public service announcements to all news organizations, to schedule television and radio interviews with the State NVRA Coordinator, and to develop election calendar posters for all NVRA agencies. The MVA also hired a marketing firm to develop a universal voter registration logo for all NVRA agencies. Finally, the MVA

included information about voter registration on their silent radio message boards and in license renewal notices.

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 for those 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.

Applications received at all agency sites combined to represent 8.22% of the total number of voter registration applications in the United States during 1997-1998. Public assistance agencies accounted for 4.37% of this figure; agencies designated by the States (such as public libraries, public high schools, unemployment offices, tax revenue offices, marriage license bureaus, and a variety of others) accounted for 3.09%; disability service offices accounted for .70%; and armed forces recruitment offices accounted for .06%.

While the number of reported problems associated with the agency registration provisions of the NVRA declined from our last report, several aspects still proved to be problematical for some States.

Four States reported problems with

the timely transmittal of completed voter registration applications from agency offices to local election offices as required by Section 7 (d) (1) & (2) of the Act. (As with motor vehicle agencies, all public assistance agencies covered by Section 7 of the Act are required to transmit completed applications to the appropriate election authority within ten days of acceptance, or within five days of acceptance if the applications are accepted within five days of the close of registration). In addition to delayed transmittals, one State also reported finding voter registration applications that had never been delivered to the local election official contained in a box of declination forms. Incomplete and excessive duplicate registration applications were cited as a significant problem in two States, while two others reported problems with incomplete statistical reporting from the various agencies. One State reported problems making sure that all agencies were using the appropriate version of the voter registration application.

Eight States submitted specific recommendations for Congress to either eliminate or modify the Act's provisions regarding the required language of the declination form and the need to retain these forms contained in Section 7 (a) (6) (A)&(B). Comments included a request to "allow the agencies to focus on voter registration and eliminate the need for declination forms. Boxes and boxes of these forms are filling our public records spaces." One State commented that "(t)he required language on the declination form is unduly threatening and should be deleted." Another State reported that the declination form is "cumbersome and inconsistently administered by voter registration agencies, and the records it produces are rarely used for any purpose."

States also reported adding to the number of agencies providing voter registration services. Agencies participating in this program include private community-based mental health offices, adult psychiatric hospitals, and an increasing number of public high schools.

Several States conveyed ideas which they implemented during this period to increase the effectiveness of their agency registration programs:

- *Arkansas* designed a laminated information card, similar to that produced for their motor vehicle offices, which answered frequently asked questions regarding voter registration in various agencies. The card also addressed issues such as paperwork requirements and reporting procedures essential in keeping the agencies in compliance with the Act.
- *Maryland's* Department of Social Services instituted a voter registration prompt with their computer program for tracking client declinations.
- *Oregon* produced and published a quarterly newsletter entitled "NVRA Connection." The newsletter was mailed to all agencies and contained statistical information from each agency, news regarding updates and changes to NVRA procedures, and answers to problems and concerns encountered in the agencies.
- *Pennsylvania* implemented an agency recognition program to reward agencies having an outstanding record of voter registration service.
- *Washington* implemented a quality maintenance program among agencies conducting voter registration. This program included site visits to the agencies in order to verify compliance with the Act.

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 another 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.

States covered by this report continue to approach list maintenance differently; however, it appears that they are learning from each other's experiences and are adopting successful techniques to improve their own process. Eighteen States indicated that they had made adjustments, since 1996, in order to improve their list maintenance program. While the nature of these alterations varied, the most commonly reported involved:

- expanding the sources of information used to identify registrants who may have moved or become ineligible to vote under State law (13 States);
- increasing State election office involvement in the dissemination to local jurisdictions of information necessary to maintain accurate lists (8 States); and
- growing use of computerized voter registries, statewide or locally (6 States).

States reported fewer challenges in maintaining accurate voter registration lists during 1997-1998, compared to 1995-1996. Thirteen States reported difficulties involving:

- high costs associated with maintaining accurate lists (8 States);
- logistic, postal service (11 States);
- administrative, or funding problems (4 States);
- inflated lists (3 States); and
- lack of response to confirmation mailings (2 States).

The national office of the U.S. Postal Service (USPS) made valiant efforts to assist election officials in alleviating their postal service problems during 1997-1998. USPS conducted training sessions for election officials and USPS staff nationwide, distributed a postal guide for election officials, created a special "Official Election Mail" logo to expedite official election mailings, and designated a "Team of 50" (one per State) whom election officials could contact to resolve problems. USPS also revised its address update procedures in an effort to improve the quality of the National Change of Address (NCOA) files. Yet, despite this effort, the States reported problems in the following areas:

- the reliability of the postal service NCOA information (4 States);
- the reliability of NCOA licensees (2 States);
- postal delivery errors (2 States);
- lack of post office assistance or cooperation (2 States);
- local postmasters' lack of knowledge (1 State); and
- the burdensome criteria to qualify for reduced postal rates (1 State).

USPS' national office continues to work with the Joint Election Officials Liaison Committee's Postal Service Task Force to try to resolve problems. Anecdotal evidence suggests, however, that the standards to qualify for reduced postal rates will continue to be an

obstacle to reducing postal costs for many jurisdictions.

Of the eight States expressing concern about the high cost (both in time and money) of maintaining accurate lists under the NVRA:

- three expressed concern about the high cost of the address confirmation process, in general;
- three indicated that it was futile and expensive to send confirmation mailings (with postage-paid reply card) to registrants if an earlier mailing was returned undeliverable by the postal service or if a jury duty summons has already been sent;
- two focused on the high postal costs of required mailings;
- two protested that the NVRA's address confirmation requirements are excessive, cumbersome, or burdensome; and
- one noted the expense of sending polling place and district change notices to "inactive" voters.

Of the four States reporting administrative and logistical difficulties:

- one remarked on the challenge of establishing a statewide voter registration database when local jurisdictions use different software to interface with it;
- another noted the difficulty of administering the program in numerous local jurisdictions without a statewide registry;
- a third cited the lack of statewide uniformity in administering list maintenance provisions (a problem to be corrected by new State regulations); and
- the fourth highlighted the resistance some local jurisdictions faced in obtaining the

necessary funding to administer list maintenance programs.

Of the three States referencing inflated lists, one specifically noted that "inactives" remain on the list too long and took issue with the adverse impact of inflated lists on voter turnout figures.

Of the two States expressing concern about the lack of response to election mailings used to verify the accuracy of the voter registration lists, one specifically noted the failure of residents who receive mail for former occupants of the same dwelling to notify election officials that the addressee is no longer there.

Twelve States reported successes in implementing the NVRA list maintenance requirements. Their accomplishments included the following specific achievements:

- *Arizona* reported that one county, which was having problems with Post Office failure to deliver to correct addresses, resolved the problem.
- *Virginia* reported saving \$16,000 by using nonprofit postal rates and business reply mail for the statewide confirmation mailings.
- *Arkansas, Kansas, and Missouri* reported that their new statewide voter registration databases helped significantly in identifying possible multiple registrations from the same person. (Missouri noted that the process identified approximately 85,000 possible multiple registrations. In addition, the State provided guidelines to local jurisdictions for deletions of multiple registrations.)
- The *District of Columbia* reported successfully identifying multiple registrants by comparing its voter registry with those of surrounding jurisdictions in Virginia and Maryland.

- *Washington* State, which does not have a statewide registry, noted that its multiple county registration analysis program succeeded in identifying 16,000 possible multiple registrations.
- *Kentucky* indicated that it deleted 40,000 from the statewide voter registry using the Social Security Death Index.
- *Arkansas* and *Massachusetts* both reported success in centralizing the dissemination of death information. (Massachusetts noted that its new statewide database enabled them to electronically notify all local jurisdictions of deceased persons reported to the State Department of Public Health.)
- *Maine* indicated that implementation of mandatory purge procedures under the NVRA has removed deadwood from the voter registries. (The State noted that the percentage of registered voters to Voting Age Population decreased from 106% to 98% in 1998.)
- *Alabama* indicated that its new list maintenance programs were successful in identifying voters whose residence address on the voter registration record was incorrect.
- *North Carolina* reported successful execution of list maintenance procedures.

Sixteen States forwarded recommendations to address some postal service problems, confront costs, or deal with inflated lists.

Concerning problems with postal service:

- one State advocated researching alternatives to or considering flexibility in using NCOA information; and

- another suggested providing NCOA licensees with training and detailed guidelines, requirements, and instructions to improve their performance in voter registration list maintenance programs.

To reduce the costs of maintaining accurate voter registration lists:

- one State recommended using the NCOA program statewide to generate batch confirmation mailings that can qualify for reduced postage (noting that the State had reduced costs from \$1.17 to \$.59 per confirmation mailing);
- another State recommended postage-free election mailings;
- a third suggested enforcing the reduced postal rates intended by the NVRA, in lieu of requiring jurisdictions to abide by USPS standards to qualify for reduced rates; and
- a fourth supported clarifying the NVRA provisions to permit the use of failure to vote or failure to update the registration record over a specified period of time as a trigger to generate fewer confirmation mailings.

Other cost-cutting proposals would involve revising the NVRA: (1) to eliminate the requirement for a forwardable confirmation mailing prior to removal if earlier mailings have been returned undeliverable (recommended by three States); (2) to permit States to declare “inactive” those registrants who fail to vote in two consecutive general elections, with subsequent failure to vote serving as grounds for removal, without the intervening confirmation mailing (recommended by one State); or (3) to permit States to remove inactive voters sooner (recommended by one State).

To combat problems with inflated lists:

- two States advocated establishing a program to assist in identifying multiple registrations from the same person across State lines;
- one State recommended requiring the last four digits of the registrant's Social Security Number to aid in identifying multiple registrations from an individual;
- one State recommended using jury duty responses to trigger confirmation mailings and help keep voter rolls clean;
- one suggested requiring election boards to encourage re-registration if voters have moved. (The NVRA prohibits election officials from requiring a person who moves within the registrar's jurisdiction to re-register; however, election officials could promote the update of information in the voter registry in such cases.); and
- one recommended keeping the registry updated to increase voter turnout figures.

Other proposals to address problems with inflated lists would involve revising the NVRA to permit the purge for nonvoting (noted by two States) or to permit the removal of inactive voters sooner (recommended by one State).

The Commission addressed a variety of list maintenance challenges in its March 1998 report entitled *Implementing the National Voter Registration Act: A Report to State and Local Election Officials on Problems and Solutions Discovered 1995-1996*. That report explored, in detail, the pros and cons of possible solutions to each problem, including proposals requiring Congressional intervention.

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.

As in the past, the States continue to pursue different approaches to this matter, making adjustments to their procedures to alleviate problems. Nine States reported making changes to their procedures after 1996 in order to improve the administration of fail-safe voting. Six of these made diverse changes in order to expedite fail-safe voting and/or alleviate problems with poll worker failure to follow proper procedures. Two reported changes made to address voter complaints about undesirable past practices. One reported changing the method of processing fail-safe voters in order to uphold the integrity of the voting process.

States reported fewer challenges in administering fail-safe voting during 1997-1998, compared to 1995-1996. Only four States reported any problems at all. One of these noted congestion at voting locations caused by voters waiting until election day to update registration information. Another reported both difficulties in determining voter eligibility in jurisdictions with more than one congressional district and complaints from fail-safe voters who were asked to show identification while other voters were not. A third noted the increased resources needed to process provisional ballots. The fourth reported that polling place officials had difficulty grasping fail-safe provisions and procedures, especially those who had worked the polls prior to NVRA implementation.

Eight States reported the following successes in administering fail-safe voting:

- *Delaware* indicated that expanded phone access seemed to expedite the fail-safe voting process;
- *Missouri* noted that its local officials continue to creatively cope with delays in voting by using electronic beepers, cell phones, special forms, and students under the “Youth Election Participation” program;
- *South Carolina* stated that its new early fail-safe voting procedure, which permits fail-safe voting in the voter registration office during the week prior to the election, reduces confusion and traffic in the voter registration office on election day;
- *Tennessee* reported that its voters appear to prefer the new fail-safe voting procedure (voting at the new polling place) over the former (voter’s choice between voting a provisional ballot at the old polling place or a regular ballot at a central location);
- *Arkansas* reported that State election authorities successfully established comprehensive poll worker training, with fail-safe voting as one of the primary topics;
- *North Carolina* indicated that a video and training materials assisted in ensuring uniform application of fail-safe voting procedures statewide;
- *Massachusetts* stated that requiring fail-safe voters to show identification (ID) and sign an affirmation, and challenging the votes of those without ID, enabled local officials to update their lists and ensure voting free from fraud. (The Commission noted in its March 1998 report to State and local election officials that, under most scenarios, requiring only fail-safe voters to show ID appears to violate NVRA provisions.); and

- *Ohio* reported having relatively few problems with its *statewide* fail-safe voting program, which permits registrants who move within the State to vote using fail-safe methods.

Two States made recommendations to address the problems they had reported. One suggested changing State implementing provisions to alleviate the pressure of processing numerous provisional ballots, thereby decreasing the resources currently needed. The other advocated requiring all voters to show ID at the polls, permitting many forms of ID and allowing those without ID to affirm in writing their current registration information, to allay fail-safe voter complaints about being singled out to provide ID.

The Commission addressed a variety of fail-safe voting challenges in its March 1998 report entitled *Implementing the National Voter Registration Act: A Report to State and Local Election Officials on Problems and Solutions Discovered 1995-1996*. That report explored, in detail, the pros and cons of possible solutions to each difficulty, including the importance of ensuring that fail-safe voting programs meet the requirements of federal law.

SECTION 6: FEC RECOMMENDATIONS

The Federal Election Commission’s survey of the 45 jurisdictions 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 to individual State legislatures, we limit our recommendations to those universal enough to be applicable to all States covered by the Act.

The most significant problems reported by the States continue to group into three broad categories. Accordingly, the FEC reiterates the three core recommendations offered in the last report:

- 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 voters¹. 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 States can and do *require* the full social security number. Two States *require* the last four digits of the social security number. Seventeen other States *request* the full social security number, and three 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.

¹ 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.

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.

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 such as Arkansas, Kansas, Massachusetts, and Missouri report that their initial investment in a computerized system has proven worthwhile.

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. 3629 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 revised its Domestic Mail Manual to read, 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 substantial 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 items containing the new “Official Election Mail” logo; 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.

TABLE I

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 for 1992, 1994, and 1996 are from the U.S. Bureau of Census Estimated Voting Age Population based on the November 1996 Current Population Survey. The figures for 1998 are Census projections of State voting age populations and are subject to revision when Census issues its estimated populations later in 1999. VAP figures include a significant number of people *not eligible* to vote, including resident aliens, convicted felons (in most States), and those individuals who have been declared *non compos mentis* by a court of law. The numbers of such persons -- especially resident aliens -- vary remarkably from State to State.
- Registration figures 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. ("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	1998
ALABAMA				
Total VAP	3,080,000	3,138,000	3,220,000	3,293,000
Total Active		2,306,419	2,477,355	2,316,598
% Active		73.50%	76.94%	70.35%
Total Inactive		328,639	255,234	858,251
Total REG	2,367,972	2,635,058	2,732,589	3,174,849
% REG	76.88%	83.97%	84.86%	96.41%
ALASKA				
Total VAP	405,000	429,000	425,000	437,000
Total Active		336,226	414,815	456,914
% Active		78.37%	97.60%	104.56%
Total Inactive			54,216	46,054
Total REG	315,058	336,226	469,031	502,968
% REG	77.79%	78.37%	110.36%	115.10%
ARIZONA				
Total VAP	2,812,000	2,923,000	3,145,000	3,547,000
Total Active		2,073,442	2,247,662	2,265,879
% Active		70.94%	71.47%	63.88%
Total Inactive		242,320	254,932	327,104
Total REG	1,964,949	2,315,762	2,502,594	2,592,983
% REG	69.88%	79.23%	79.57%	73.10%
ARKANSAS				
Total VAP	1,774,000	1,817,000	1,873,000	1,882,000
Total Active		1,274,885	1,369,459	1,412,617
% Active		70.16%	73.12%	75.06%
Total Inactive				59,354
Total REG	1,317,944	1,274,885	1,369,459	1,471,971
% REG	74.29%	70.16%	73.12%	78.21%
CALIFORNIA				
Total VAP	22,521,000	23,225,000	22,826,000	23,665,000
Total Active		14,723,784	15,662,075	14,983,950
% Active		63.40%	68.62%	63.32%
Total Inactive			1,025,952	2,415,236
Total REG	15,101,473	14,723,784	16,688,027	17,399,186
% REG	67.06%	63.40%	73.11%	73.52%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
COLORADO				
Total VAP	2,579,000	2,713,000	2,862,000	2,961,000
Total Active		2,033,094	1,911,651	2,099,364
% Active		74.94%	66.79%	70.90%
Total Inactive			434,602	464,077
Total REG	2,003,375	2,033,094	2,346,253	2,563,441
% REG	77.68%	74.94%	81.98%	86.57%
CONNECTICUT				
Total VAP	2,508,000	2,486,000	2,479,000	2,464,000
Total Active		1,791,685	1,881,323	1,806,750
% Active		72.07%	75.89%	73.33%
Total Inactive			95,426	189,532
Total REG	1,961,503	1,791,685	1,976,749	1,996,282
% REG	78.21%	72.07%	79.74%	81.02%
DELAWARE				
Total VAP	521,000	534,000	548,000	568,000
Total Active		348,122	419,508	445,067
% Active		65.19%	76.55%	78.36%
Total Inactive			18,426	22,321
Total REG	342,088	348,122	401,082	467,388
% REG	65.66%	65.19%	73.19%	82.29%
DISTRICT OF COLUMBIA				
Total VAP	467,000	452,000	422,000	414,000
Total Active		361,890	361,419	353,503
% Active		80.06%	85.64%	85.39%
Total Inactive			34,273	65,982
Total REG	340,953	361,890	395,692	419,485
% REG	73.01%	80.06%	93.77%	101.32%
FLORIDA				
Total VAP	10,422,000	10,856,000	11,030,000	11,383,000
Total Active		6,559,598	7,484,341	7,494,005
% Active		60.42%	67.85%	65.84%
Total Inactive			593,536	726,261
Total REG	6,541,825	6,559,598	8,077,877	8,220,266
% REG	62.77%	60.42%	73.24%	72.22%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
GEORGIA				
Total VAP	5,006,000	5,159,000	5,418,000	5,678,000
Total Active		3,003,527	3,811,284	3,910,740
% Active		58.22%	70.34%	68.88%
Total Inactive				281,967
Total REG	3,177,061	3,003,527	3,811,284	4,192,707
% REG	63.47%	58.22%	70.34%	73.84%
HAWAII				
Total VAP	866,000	900,000	890,000	878,000
Total Active		488,889	544,916	601,404
% Active		54.32%	61.23%	68.50%
Total Inactive		61,620	17,127	0
Total REG	464,495	550,509	562,043	601,404
% REG	53.64%	61.17%	63.15%	68.50%
IDAHO <i>(exempt from the NVRA)</i>				
Total VAP	750,000	803,000	858,000	888,000
Total Active		625,803	700,430	661,433
% Active		77.93%	81.64%	74.49%
Total Inactive				
Total REG	611,121	625,803	700,430	661,433
% REG	81.48%	77.93%	81.64%	74.49%
ILLINOIS				
Total VAP	8,598,000	8,712,000	8,754,000	8,755,000
Total Active		6,119,001	6,663,301	6,493,881
% Active		70.24%	76.12%	74.17%
Total Inactive			797,513	1,186,143
Total REG	6,600,358	6,119,001	7,460,814	7,680,024
% REG	76.77%	70.24%	85.23%	87.72%
INDIANA				
Total VAP	4,209,000	4,298,000	4,374,000	4,410,000
Total Active		2,976,255	3,488,088	3,377,956
% Active		69.25%	79.75%	76.60%
Total Inactive				316,026
Total REG	3,180,157	2,976,255	3,488,088	3,693,982
% REG	75.56%	69.25%	79.75%	83.76%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
IOWA				
Total VAP	2,073,000	2,112,000	2,138,000	2,157,000
Total Active		1,640,533	1,741,949	1,763,827
% Active		77.68%	81.48%	81.77%
Total Inactive			34,464	97,593
Total REG	1,703,532	1,640,533	1,776,433	1,861,420
% REG	82.18%	77.68%	83.09%	86.30%
KANSAS				
Total VAP	1,840,000	1,889,000	1,897,000	1,925,000
Total Active		1,314,213	1,438,894	1,403,682
% Active		69.57%	75.85%	72.92%
Total Inactive				110,003
Total REG	1,365,847	1,314,213	1,438,894	1,513,685
% REG	74.23%	69.57%	75.85%	78.63%
KENTUCKY				
Total VAP	2,798,000	2,857,000	2,928,000	2,990,000
Total Active		2,132,152	2,391,190	2,512,318
% Active		74.63%	81.67%	84.02%
Total Inactive			4,896	48,021
Total REG	2,076,263	2,132,152	2,396,086	2,590,339
% REG	74.21%	74.63%	81.83%	86.63%
LOUISIANA				
Total VAP	3,045,000	3,100,000	3,131,000	3,149,000
Total Active		2,151,955	2,480,033	2,511,141
% Active		69.42%	79.21%	79.74%
Total Inactive			78,638	175,420
Total REG	2,292,129	2,151,955	2,558,671	2,686,561
% REG	75.28%	69.42%	81.72%	85.31%
MAINE				
Total VAP	932,000	931,000	945,000	957,000
Total Active		940,569	1,001,292	882,329
% Active		101.03%	105.96%	92.20%
Total Inactive				60,200
Total REG	974,603	940,569	1,001,292	942,528
% REG	104.57%	101.03%	105.96%	98.49%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
MARYLAND				
Total VAP	3,705,000	3,750,000	3,820,000	3,824,000
Total Active		2,299,580	2,577,191	2,569,316
% Active		61.32%	67.47%	67.19%
Total Inactive			110,060	241,884
Total REG	2,463,010	2,299,580	2,687,251	2,811,200
% REG	66.48%	61.32%	70.35%	73.51%
MASSACHUSETTS				
Total VAP	4,616,000	4,564,000	4,649,000	4,731,000
Total Active		3,153,341	3,494,927	3,378,165
% Active		69.09%	75.18%	71.40%
Total Inactive			329,749	340,363
Total REG	3,351,918	3,153,341	3,824,676	3,718,528
% REG	72.62%	69.09%	82.27%	78.60%
MICHIGAN				
Total VAP	6,947,000	6,983,000	7,072,000	7,266,000
Total Active		6,207,662	6,677,079	6,838,858
% Active		88.90%	94.42%	94.12%
Total Inactive				76,755
Total REG	6,147,083	6,207,662	6,677,079	6,915,613
% REG	88.49%	88.90%	94.42%	95.18%
MINNESOTA <i>(exempt from the NVRA)</i>				
Total VAP	3,272,000	3,362,000	3,422,000	3,483,000
Total Active		2,857,463	3,067,802	2,667,692
% Active		84.99%	89.65%	76.59%
Total Inactive				
Total REG	3,138,901	2,857,463	3,067,802	2,667,692
% REG	95.93%	84.99%	89.65%	76.59%
MISSISSIPPI				
Total VAP	1,873,000	1,905,000	1,967,000	2,014,000
Total Active		1,625,640	1,731,852	1,729,200
% Active		85.34%	88.05%	85.86%
Total Inactive			94,101	77,918
Total REG	1,640,150	1,625,640	1,825,953	1,807,118
% REG	87.57%	85.34%	92.83%	89.73%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
MISSOURI				
Total VAP	3,851,000	3,902,000	3,995,000	4,042,000
Total Active		2,952,642	3,342,849	3,240,657
% Active		75.67%	83.68%	80.17%
Total Inactive				395,334
Total REG	3,067,955	2,952,642	3,342,849	3,635,991
% REG	79.67%	75.67%	83.68%	89.96%
MONTANA				
Total VAP	600,000	623,000	656,000	658,000
Total Active		514,051	590,751	494,763
% Active		82.51%	90.05%	75.19%
Total Inactive				144,478
Total REG	529,822	514,051	590,751	639,241
% REG	88.30%	82.51%	90.05%	97.15%
NEBRASKA				
Total VAP	1,164,000	1,192,000	1,211,000	1,231,000
Total Active		919,321	1,015,056	981,160
% Active		77.12%	83.82%	79.70%
Total Inactive				75,191
Total REG	951,395	919,321	1,015,056	1,056,351
% REG	81.73%	77.12%	83.82%	85.81%
NEVADA				
Total VAP	1,011,000	1,088,000	1,212,000	1,314,000
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	890,000
Total Active		677,620	754,771	763,845
% Active		80.38%	86.66%	85.83%
Total Inactive				
Total REG	660,985	677,620	754,771	763,845
% REG	78.88%	80.38%	86.66%	85.83%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
NEW JERSEY				
Total VAP	5,964,000	5,974,000	6,034,000	6,075,000
Total Active		3,905,435	4,111,031	4,126,782
% Active		65.37%	68.13%	67.93%
Total Inactive			198,789	406,470
Total REG	4,060,337	3,905,435	4,309,820	4,533,252
% REG	68.08%	65.37%	71.43%	74.62%
NEW MEXICO				
Total VAP	1,121,000	1,167,000	1,224,000	1,250,000
Total Active		713,645	738,525	821,006
% Active		61.15%	60.34%	65.68%
Total Inactive			99,269	95,180
Total REG	706,966	713,645	837,794	916,186
% REG	63.07%	61.15%	68.45%	73.29%
NEW YORK				
Total VAP	13,705,000	13,646,000	13,564,000	13,590,000
Total Active		8,818,691	9,567,988	9,553,665
% Active		64.62%	70.54%	70.30%
Total Inactive			592,135	1,187,123
Total REG	9,193,391	8,818,691	10,160,123	10,740,788
% REG	67.08%	64.62%	74.91%	79.03%
NORTH CAROLINA				
Total VAP	5,190,000	5,364,000	5,519,000	5,685,000
Total Active		3,635,875	4,225,765	4,349,290
% Active		67.78%	76.57%	76.50%
Total Inactive			92,243	403,323
Total REG	3,817,380	3,635,875	4,318,008	4,752,613
% REG	73.55%	67.78%	78.24%	83.60%
NORTH DAKOTA <i>(exempt from the NVRA)</i>				
Total VAP	462,000	467,000	476,000	476,000
Total Active				
% Active				
Total Inactive				
Total REG				
% REG				

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
OHIO				
Total VAP	8,207,000	8,313,000	8,347,000	8,401,000
Total Active		6,250,545	6,842,272	6,058,808
% Active		75.19%	81.97%	72.12%
Total Inactive				1,055,497
Total REG	6,542,931	6,250,545	6,842,272	7,114,305
% REG	79.72%	75.19%	81.97%	84.68%
OKLAHOMA				
Total VAP	2,352,000	2,394,000	2,426,000	2,463,000
Total Active		1,706,194	1,985,535	1,737,229
% Active		71.27%	81.84%	70.53%
Total Inactive		337,398		320,944
Total REG	2,302,279	2,043,592	1,985,535	2,058,173
% REG	97.89%	85.36%	81.84%	83.56%
OREGON				
Total VAP	2,220,000	2,311,000	2,411,000	2,484,000
Total Active		1,254,265	1,962,155	1,965,981
% Active		54.27%	81.38%	79.15%
Total Inactive		578,509	140,394	191,325
Total REG	1,775,416	1,832,774	2,102,549	2,157,306
% REG	79.97%	79.31%	87.21%	86.85%
PENNSYLVANIA				
Total VAP	9,161,000	9,212,000	9,197,000	9,118,000
Total Active		5,879,093	6,747,839	6,966,461
% Active		63.82%	73.37%	76.40%
Total Inactive			57,749	292,361
Total REG	5,993,002	5,879,093	6,805,612	7,258,822
% REG	65.42%	63.82%	74.00%	79.61%
RHODE ISLAND				
Total VAP	768,000	764,000	751,000	751,000
Total Active		552,638	602,692	629,786
% Active		72.33%	80.25%	83.86%
Total Inactive				3,169
Total REG	554,664	552,638	602,692	632,955
% REG	72.22%	72.33%	80.25%	84.28%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
SOUTH CAROLINA				
Total VAP	2,669,000	2,740,000	2,771,000	2,886,000
Total Active		1,499,589	1,814,776	2,021,763
% Active		54.73%	65.49%	70.05%
Total Inactive		103,950	213,599	63,407
Total REG	1,537,140	1,499,564	1,814,777	2,085,170
% REG	57.59%	54.73%	65.49%	72.25%
SOUTH DAKOTA				
Total VAP	505,000	522,000	535,000	538,000
Total Active		430,539	462,858	452,785
% Active		82.48%	86.52%	84.16%
Total Inactive			16,087	43,001
Total REG	448,292	430,539	478,945	495,786
% REG	88.77%	82.48%	89.52%	92.15%
TENNESSEE				
Total VAP	3,796,000	3,913,000	4,035,000	4,120,000
Total Active		2,693,003	3,011,195	3,057,008
% Active		68.82%	74.63%	74.20%
Total Inactive			86,141	187,254
Total REG	2,726,449	2,693,003	3,097,336	3,244,262
% REG	71.82%	68.82%	76.76%	78.74%
TEXAS				
Total VAP	12,681,000	13,166,000	13,597,000	14,299,000
Total Active		8,641,848	9,551,191	9,582,505
% Active		65.64%	70.24%	67.02%
Total Inactive			989,487	1,955,730
Total REG	8,440,143	8,641,848	10,540,678	11,538,235
% REG	66.56%	65.64%	77.52%	80.69%
UTAH				
Total VAP	1,169,000	1,246,000	1,333,000	1,432,000
Total Active		921,981	1,070,586	1,045,071
% Active		74.00%	80.31%	72.98%
Total Inactive				112,159
Total REG	965,211	921,981	1,070,586	1,157,210
% REG	82.57%	74.00%	80.31%	80.81%

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
VERMONT <i>(has not yet implemented the NVRA)</i>				
Total VAP	429,000	429,000	445,000	448,000
Total Active		373,442	385,328	389,191
% Active		87.05%	86.59%	86.87%
Total Inactive				11,030
Total REG	383,371	373,442	385,328	400,221
% REG	89.36%	87.05%	86.59%	89.34%
VIRGINIA				
Total VAP	4,855,000	4,967,000	5,083,000	5,165,000
Total Active		3,000,560	3,180,862	3,470,660
% Active		60.41%	62.58%	67.20%
Total Inactive			140,910	255,261
Total REG	3,045,662	3,000,560	3,321,772	3,725,921
% REG	62.73%	60.41%	65.35%	72.14%
WASHINGTON				
Total VAP	3,812,000	4,000,000	4,115,000	4,257,000
Total Active		2,896,519	3,078,128	3,119,562
% Active		72.41%	74.80%	73.28%
Total Inactive			147,233	268,108
Total REG	2,814,680	2,896,519	3,225,361	3,387,670
% REG	73.84%	72.41%	78.38%	79.58%
WEST VIRGINIA				
Total VAP	1,376,000	1,389,000	1,417,000	1,406,000
Total Active		884,315	950,548	951,581
% Active		63.67%	67.08%	67.68%
Total Inactive			20,197	56,230
Total REG	956,172	884,315	970,745	1,007,811
% REG	69.49%	63.67%	68.51%	71.68%
WISCONSIN <i>(exempt from the NVRA)</i>				
Total VAP	3,675,000	3,777,000	3,824,000	3,877,000
Total Active				
% Active				
Total Inactive				
Total REG				
% REG				

Table 1 - Voting Age Population and Voter Registration				
	1992	1994	1996	1998
WYOMING	<i>(exempt from the NVRA)</i>			
Total VAP	329,000	343,000	356,000	354,000
Total Active		337,863	228,554	230,360
% Active		98.50%	64.20%	65.07%
Total Inactive				
Total REG	234,260	337,863	240,711	230,360
% REG	71.20%	98.50%	67.62%	65.07%
TOTALS FOR ALL STATES				
Total VAP	189,529,000	193,650,000	196,498,000	200,929,000
Total Active		129,431,244	142,983,699	140,946,508
% Active		66.84%	72.77%	70.15%
Total Inactive		1,652,436	7,083,794	14,640,557
Total REG	133,801,584	130,979,705	149,829,538	156,685,527
% REG	70.60%	67.64%	76.25%	77.98%
ADJUSTED TOTALS FOR THE NVRA STATES				
Total VAP	179,774,000	183,626,000	186,246,000	190,961,000
Total Active	0	124,559,053	136,791,845	136,623,178
% Active	0	67.83%	73.45%	71.55%
Total Inactive	0	1,652,436	8,138,763	14,640,557
Total REG	128,772,946	126,107,514	144,680,496	151,973,006
% REG	71.63%	68.68%	77.68%	79.58%

TABLE 2
SOURCES OF VOTER REGISTRATION APPLICATIONS
1997-1998

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
ALABAMA					
Motor Vehicle Offices	35,402	11.09%	2,734	7.72%	
By mail	74,865	23.45%	2,306	3.08%	
Public Assistance Offices	25,932	8.12%	2,650	10.22%	
Disability services	3,071	0.96%	150	4.88%	
Armed Forces Offices	677	0.21%	36	5.32%	
State Designated Sites	6,048	1.89%	557	9.21%	
All other sources	173,312	54.28%	13,322	7.69%	
TOTAL	319,307		21,755	6.81%	212,285
ALASKA					
Motor Vehicle Offices	40,996	23.95%	1,114	2.72%	
By mail	19,565	11.43%	610	3.12%	
Public Assistance Offices	604	0.35%	16	2.65%	
Disability services	79	0.05%	3	3.80%	
Armed Forces Offices	11	0.01%	-	0.00%	
State Designated Sites	48,049	28.07%	6,119	12.73%	
All other sources	61,894	36.15%	3,306	5.34%	
TOTAL	171,198		11,168	6.52%	42,099
ARIZONA					
Motor Vehicle Offices	89,973	19.15%	1,177	1.31%	
By mail	240,683	51.23%	6,663	2.77%	
Public Assistance Offices	29,902	6.36%	989	3.31%	
Disability services	3,813	0.81%	108	2.83%	
Armed Forces Offices	2,652	0.56%	219	8.26%	
State Designated Sites	6,930	1.48%	246	3.55%	
All other sources	95,873	20.41%	2,856	2.98%	
TOTAL	469,826		12,258	2.61%	230,834
ARKANSAS					
Motor Vehicle Offices	62,295	32.68%	5,074	8.15%	
By mail	33,794	17.73%	795	2.35%	
Public Assistance Offices	11,343	5.95%	385	3.39%	
Disability services	568	0.30%	16	2.82%	
Armed Forces Offices	431	0.23%	24	5.57%	
State Designated Sites	2,147	1.13%	24	1.12%	
All other sources	80,024	41.98%	1,224	1.53%	
TOTAL	190,602		7,542	3.96%	171,770

Table 2 - Sources of Voter Registration Applications 1997-1998					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
CALIFORNIA					
Motor Vehicle Offices	1,431,732	31.08%	39,135	2.73%	
By mail	1,611,319	34.98%	246,042	15.27%	
Public Assistance Offices	75,875	1.65%	5,199	6.85%	
Disability services	4,857	0.11%	730	15.03%	
Armed Forces Offices	1,209	0.03%	34	2.81%	
State Designated Sites	14,746	0.32%	3,618	24.54%	
All other sources	1,466,495	31.84%	104,852	7.15%	
TOTAL	4,606,233		399,610	8.68%	2,230,936
COLORADO					
Motor Vehicle Offices	697,194	68.23%	40,856	5.86%	
By mail	79,546	7.78%	4,503	5.66%	
Public Assistance Offices	15,282	1.50%	889	5.82%	
Disability services	1,173	0.11%	49	4.18%	
Armed Forces Offices	391	0.04%	51	13.04%	
State Designated Sites	5,156	0.50%	334	6.48%	
All other sources	223,074	0.00%	4,856	2.18%	
TOTAL	1,021,816		51,538	5.04%	529,066
CONNECTICUT					
Motor Vehicle Offices	30,084	12.59%	4,847	16.11%	
By mail	63,977	26.78%	2,402	3.75%	
Public Assistance Offices	13,690	5.73%	2,302	16.82%	
Disability services	200	0.08%	16	8.00%	
Armed Forces Offices	267	0.11%	4	1.50%	
State Designated Sites	5,132	2.15%	87	1.70%	
All other sources	125,535	52.55%	3,626	2.89%	
TOTAL	238,885		13,284	5.56%	167,547
DELAWARE					
Motor Vehicle Offices	145,410	87.64%	4,387	3.02%	
By mail	1,243	0.75%	43	3.46%	
Public Assistance Offices	4,100	2.47%	204	4.98%	
Disability services	1,356	0.82%	88	6.49%	
Armed Forces Offices	372	0.22%	19	5.11%	
State Designated Sites	2,686	1.62%	176	6.55%	
All other sources	10,752	6.48%	173	1.61%	
TOTAL	165,919		5,090	3.07%	51,006

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
DISTRICT OF COLUMBIA					
Motor Vehicle Offices	89,752	66.17%	9,003	10.03%	
By mail	25,149	18.54%	3,496	13.90%	
Public Assistance Offices	3,444	2.54%	467	13.56%	
Disability services	15	0.01%	5	33.33%	
Armed Forces Offices	43	0.03%	4	9.30%	
State Designated Sites		0.00%			
All other sources	17,227	12.70%	1,152		
TOTAL	135,630		14,127	10.42%	40,792
FLORIDA					
Motor Vehicle Offices	1,193,027	51.43%	19,760	1.66%	
By mail	563,443	24.29%	19,367	3.44%	
Public Assistance Offices	47,990	2.07%	2,208	4.60%	
Disability services	4,616	0.20%	162	3.51%	
Armed Forces Offices	2,047	0.09%	54	2.64%	
State Designated Sites	28,921	1.25%	735	2.54%	
All other sources	479,786	20.68%	7,640	1.59%	
TOTAL	2,319,830		49,926	2.15%	1,322,668
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%	370,150
HAWAII					
Motor Vehicle Offices	25,287	18.90%	5,787	22.89%	
By mail	61,756	46.15%	4,240	6.87%	
Public Assistance Offices	3,443	2.57%	147	4.27%	
Disability services	-	0.00%	-		
Armed Forces Offices	-	0.00%	-		
State Designated Sites	7,912	5.91%	462	5.84%	
All other sources	35,412	26.46%	6,190	17.48%	
TOTAL	133,810		16,826	12.57%	60,418

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
IDAHO	<i>is exempt from the NVRA</i>				
ILLINOIS					
Motor Vehicle Offices	865,895	55.88%	53,199	6.14%	
By mail	123,203	7.95%	10,642	8.64%	
Public Assistance Offices	23,785	1.53%	2,878	12.10%	
Disability services	24,624	1.59%	3,464	14.07%	
Armed Forces Offices	568	0.04%	48	8.45%	
State Designated Sites	6,021	0.39%	430	7.14%	
All other sources	505,505	32.62%	22,156	4.38%	
TOTAL	1,549,601		92,817	5.99%	1,180,800
INDIANA					
Motor Vehicle Offices	395,121	51.86%	46,674	11.81%	
By mail	143,507	18.83%	63,446	44.21%	
Public Assistance Offices	25,741	3.38%	2,872	11.16%	
Disability services	3,073	0.40%	326	10.61%	
Armed Forces Offices	314	0.04%	37	11.78%	
State Designated Sites	8,907	1.17%	1,347	15.12%	
All other sources	185,284	24.32%	7,081	3.82%	
TOTAL	761,947		121,783	15.98%	374,916
IOWA					
Motor Vehicle Offices	232,155	33.94%	11,055	4.76%	
By mail	222,191	32.48%	2,021	0.91%	
Public Assistance Offices	12,246	1.79%	306	2.50%	
Disability services	809	0.12%	8	0.99%	
Armed Forces Offices	244	0.04%	2	0.82%	
State Designated Sites	-	0.00%	-		
All other sources	216,446	31.64%	5,897	2.72%	
TOTAL	684,091		19,289	2.82%	238,425
KANSAS					
Motor Vehicle Offices	198,121	51.90%	17,639	8.90%	
By mail	76,507	20.04%	6,123	8.00%	
Public Assistance Offices	12,500	3.27%	1,285	10.28%	
Disability services	366	0.10%	47	12.84%	
Armed Forces Offices	391	0.10%	46	11.76%	
State Designated Sites	5,584	1.46%	853	15.28%	
All other sources	88,285	23.13%	10,695	12.11%	
TOTAL	381,754		36,688	9.61%	188,298

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
KENTUCKY					
Motor Vehicle Offices	738,639	54.55%	-	0.00%	
By mail	13,215	0.98%	-	0.00%	
Public Assistance Offices	23,271	1.72%	-	0.00%	
Disability services	2,050	0.15%	-	0.00%	
Armed Forces Offices	93	0.01%	-	0.00%	
State Designated Sites	11,202	0.83%	-	0.00%	
All other sources	565,614	41.77%	-	0.00%	
TOTAL	1,354,084			0.00%	289,550
LOUISIANA					
Motor Vehicle Offices	187,503	54.70%	11,783	6.28%	
By mail	71,265	20.79%	1,693	2.38%	
Public Assistance Offices	21,958	6.41%	846	3.85%	
Disability services	3,032	0.88%	90	2.97%	
Armed Forces Offices	382	0.11%	4	1.05%	
State Designated Sites	15,621	4.56%	326	2.09%	
All other sources	43,008	12.55%	127	0.30%	
TOTAL	342,769		14,869	4.34%	327,900
MAINE					
Motor Vehicle Offices	139,145	55.77%	5,092	3.66%	
By mail	31,646	12.68%		0.00%	
Public Assistance Offices	10,883	4.36%		0.00%	
Disability services	169	0.07%		0.00%	
Armed Forces Offices	83	0.03%		0.00%	
State Designated Sites	4,469	1.79%		0.00%	
All other sources	63,102	25.29%	3,289	5.21%	
TOTAL	249,497		8,381	3.36%	94,176
MARYLAND					
Motor Vehicle Offices	198,850	47.92%	20,591	10.36%	
By mail	140,795	33.93%	7,537	5.35%	
Public Assistance Offices	22,095	5.32%	1,403	6.35%	
Disability services	129	0.03%	12	9.30%	
Armed Forces Offices	204	0.05%	-	0.00%	
State Designated Sites	14,818	3.57%	1,110	7.49%	
All other sources	38,068	9.17%	2,504	6.58%	
TOTAL	414,959		33,157	7.99%	416,221

Table 2 - Sources of Voter Registration Applications 1997-1998					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
MASSACHUSETTS					
Motor Vehicle Offices	802,783	68.00%	49,451	6.16%	
By mail	198,137	16.78%	11,260	5.68%	
Public Assistance Offices	18,921	1.60%	1,203	6.36%	
Disability services	2,928	0.25%	224	7.65%	
Armed Forces Offices	43	0.00%	-	0.00%	
State Designated Sites	3,058	0.26%	161	5.26%	
All other sources	154,682	13.10%	9,461	6.12%	
TOTAL	1,180,552		71,760	6.08%	608,871
MICHIGAN					
Motor Vehicle Offices	1,064,743	83.15%	135,859	12.76%	
By mail	50,520	3.95%	8,684	17.19%	
Public Assistance Offices	55,095	4.30%	6,840	12.41%	
Disability services	6,824	0.53%	1,386	20.31%	
Armed Forces Offices	1,829	0.14%	537	29.36%	
State Designated Sites		0.00%			
All other sources	101,507	7.93%	12,600	12.41%	
TOTAL	1,280,518		165,906	12.96%	804,251
MINNESOTA	<i>is exempt from the NVRA</i>				
MISSISSIPPI					
Motor Vehicle Offices	5,776	4.72%	4,779		
By mail	38,579	31.50%	2,806	7.27%	
Public Assistance Offices	8,250	6.74%	3,142	38.08%	
Disability services	7,203	5.88%	181	2.51%	
Armed Forces Offices	592	0.48%	79	13.34%	
State Designated Sites		0.00%			
All other sources	62,078	50.69%	6,614	10.65%	
TOTAL	122,478		17,601	14.37%	109,894
MISSOURI					
Motor Vehicle Offices	363,454	33.52%	9,658	2.66%	
By mail	77,298	7.13%	4,589	5.94%	
Public Assistance Offices	68,475	6.32%	4,141	6.05%	
Disability services	1,796	0.17%	112	6.24%	
Armed Forces Offices	1,077	0.10%	38	3.53%	
State Designated Sites	3,450	0.32%	95	2.75%	
All other sources	568,628	52.45%	4,723	0.83%	
TOTAL	1,084,178		23,356	2.15%	533,010

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
MONTANA					
Motor Vehicle Offices	50,194	75.65%	316	0.63%	
By mail	5,025	7.57%	206	4.10%	
Public Assistance Offices	1,489	2.24%	66	4.43%	
Disability services	28	0.04%	-	0.00%	
Armed Forces Offices	282	0.42%	36	12.77%	
State Designated Sites	943	1.42%	-		
All other sources	8,392	12.65%	320	3.81%	
TOTAL	66,353		944	1.42%	48,490
NEBRASKA					
Motor Vehicle Offices	106,086	43.07%	6,450	6.08%	
By mail	22,670	9.20%	881	3.89%	
Public Assistance Offices	3,117	1.27%	151	4.84%	
Disability services	1,106	0.45%	49	4.43%	
Armed Forces Offices	224	0.09%	6	2.68%	
State Designated Sites	84	0.03%	4	4.76%	
All other sources	113,010	45.88%	1,500	1.33%	
TOTAL	246,297		9,041	3.67%	127,836
NEVADA <i>Failed to report on 1998</i>					
Motor Vehicle Offices					
By mail					
Public Assistance Offices					
Disability services					
Armed Forces Offices					
State Designated Sites					
All other sources					
TOTAL	-		-		
NEW HAMPSHIRE <i>is exempt from the NVRA</i>					
NEW JERSEY					
Motor Vehicle Offices	196,159	13.53%	5,603	2.86%	
By mail	32,023	2.21%	137	0.43%	
Public Assistance Offices	31,902	2.20%	553	1.73%	
Disability services	7,137	0.49%	58	0.81%	
Armed Forces Offices	673	0.05%	-		
State Designated Sites	377,781	26.05%	6,771	1.79%	
All other sources	804,518	55.48%	950	0.12%	
TOTAL	1,450,193		14,072	0.97%	478,842

Table 2 - Sources of Voter Registration Applications 1997-1998					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
NEW MEXICO					
Motor Vehicle Offices	22,939	13.06%	918	4.00%	
By mail	71,302	40.59%	2,139	3.00%	
Public Assistance Offices	8,811	5.02%	64	0.73%	
Disability services	582	0.33%	12	2.06%	
Armed Forces Offices	305	0.17%	-	0.00%	
State Designated Sites	4,975	2.83%	72	1.45%	
All other sources	66,732	37.99%	5,338	8.00%	
TOTAL	175,646		8,543	4.86%	83,958
NEW YORK					
Motor Vehicle Offices	893,414	24.52%	84,428	9.45%	
By mail	2,119,738	58.17%	344,783	16.27%	
Public Assistance Offices	256,214	7.03%	46,906	18.31%	
Disability services	110,757	3.04%	3,535	3.19%	
Armed Forces Offices	240	0.01%	14	5.83%	
State Designated Sites	106,552	2.92%	12,928	12.13%	
All other sources	157,301	4.32%		0.00%	
TOTAL	3,644,216		492,594	13.52%	1,608,473
NORTH CAROLINA					
Motor Vehicle Offices	595,905	46.66%	12,491	2.10%	
By mail	224,665	17.59%	2,777	1.24%	
Public Assistance Offices	21,152	1.66%	812	3.84%	
Disability services	5,067	0.40%	152	3.00%	
Armed Forces Offices	878	0.07%	71	8.09%	
State Designated Sites	57,042	4.47%	1,396	2.45%	
All other sources	372,549	29.17%	6,061	1.63%	
TOTAL	1,277,258		23,760	1.86%	644,656
NORTH DAKOTA	<i>is exempt from the NVRA</i>				
OHIO					
Motor Vehicle Offices	500,252	34.77%	40,814	8.16%	
By mail	252,146	17.53%	25,393	10.07%	
Public Assistance Offices	38,499	2.68%	5,054	13.13%	
Disability services	2,276	0.16%	199	8.74%	
Armed Forces Offices	362	0.03%	47	12.98%	
State Designated Sites	120,841	8.40%	4,589	3.80%	
All other sources	524,351	36.45%	40,261	7.68%	
TOTAL	1,438,727		116,357	8.09%	735,542

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
OKLAHOMA					
Motor Vehicle Offices	171,886	41.77%	2,103	1.22%	
By mail	98,802	24.01%	859	0.87%	
Public Assistance Offices	22,703	5.52%	453	2.00%	
Disability services	505	0.12%	14	2.77%	
Armed Forces Offices	59	0.01%	-	0.00%	
State Designated Sites	1,607	0.39%	12	0.75%	
All other sources	115,980	28.18%	1,519	1.31%	
TOTAL	411,542		4,960	1.21%	227,660
OREGON					
Motor Vehicle Offices	230,064	27.49%	1,412	0.61%	
By mail	366,042	43.74%	1,501	0.41%	
Public Assistance Offices	37,368	4.47%	222	0.59%	
Disability services	2,813	0.34%	9	0.32%	
Armed Forces Offices	-	0.00%	16		
State Designated Sites	1,306	0.16%	103	7.89%	
All other sources	199,196	23.80%	166	0.08%	
TOTAL	836,789		3,429	0.41%	25,236
PENNSYLVANIA					
Motor Vehicle Offices	722,491	48.82%	77,794	10.77%	
By mail	412,018	27.84%	22,223	5.39%	
Public Assistance Offices	31,993	2.16%	2,614	8.17%	
Disability services	1,349	0.09%	106	7.86%	
Armed Forces Offices	1,104	0.07%	79	7.16%	
State Designated Sites	8,351	0.56%	217	2.60%	
All other sources	302,511	20.44%	28,155	9.31%	
TOTAL	1,479,817		131,188	8.87%	944,410
RHODE ISLAND					
Motor Vehicle Offices	48,831	57.81%		0.00%	
By mail	5,029	5.95%		0.00%	
Public Assistance Offices	2,130	2.52%		0.00%	
Disability services	2,344	2.77%		0.00%	
Armed Forces Offices		0.00%			
State Designated Sites		0.00%			
All other sources	26,139	30.94%			
TOTAL	84,473		1,499	1.77%	30,263

Table 2 - Sources of Voter Registration Applications 1997-1998					
	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
SOUTH CAROLINA					
Motor Vehicle Offices	169,057	67.28%		0.00%	
By mail	51,722	20.58%			
Public Assistance Offices	22,035	8.77%		0.00%	
Disability services	8,386	3.34%		0.00%	
Armed Forces Offices	61	0.02%		0.00%	
State Designated Sites		0.00%			
All other sources		0.00%			
TOTAL	251,261			0.00%	206,986
SOUTH DAKOTA					
Motor Vehicle Offices	4,975	6.50%	41	0.82%	
By mail	15,601	20.38%	202	1.29%	
Public Assistance Offices	10,116	13.21%	829	8.19%	
Disability services	210	0.27%	7	3.33%	
Armed Forces Offices	287	0.37%	3	1.05%	
State Designated Sites	2,881	3.76%	31	1.08%	
All other sources	42,492	55.50%	641	1.51%	
TOTAL	76,562		1,745	2.28%	43,829
TENNESSEE					
Motor Vehicle Offices	127,522	25.75%	6,204	4.87%	
By mail	160,409	32.39%	9,633	6.01%	
Public Assistance Offices	66,081	13.34%	5,341	8.08%	
Disability services		0.00%			
Armed Forces Offices	1,609	0.32%	58	3.60%	
State Designated Sites	20,174	4.07%	759	3.76%	
All other sources	119,489	24.13%	3,736	3.13%	
TOTAL	495,284		25,731	5.20%	338,602
TEXAS					
Motor Vehicle Offices	200,043	45.85%	19,674	9.83%	
By mail	127,227	29.16%	8,490	6.67%	
Public Assistance Offices	19,726	4.52%	1,563	7.92%	
Disability services	468	0.11%	35	7.48%	
Armed Forces Offices	231	0.05%	26	11.26%	
State Designated Sites	11,989	2.75%	506	4.22%	
All other sources	76,652	17.57%	4,866	6.35%	
TOTAL	436,336		35,160	8.06%	209,665

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
UTAH					
Motor Vehicle Offices	81,964	39.29%	5,994	7.31%	
By mail	35,733	17.13%	776	2.17%	
Public Assistance Offices	7,356	3.53%	270	3.67%	
Disability services	88	0.04%	13	14.77%	
Armed Forces Offices	402	0.19%	50	12.44%	
State Designated Sites	21,270	10.20%	559	2.63%	
All other sources	61,777	29.62%	1,737	2.81%	
TOTAL	208,590		9,399	4.51%	136,600
VERMONT					
Motor Vehicle Offices	16,469	88.35%			
By mail					
Public Assistance Offices	1,914	10.27%			
Disability services	9				
Armed Forces Offices					
State Designated Sites					
All other sources	248	1.33%			
TOTAL	18,640				14,893
VIRGINIA					
Motor Vehicle Offices	899,585	71.72%	103,965	11.56%	
By mail	247,740	19.75%	8,496	3.43%	
Public Assistance Offices	39,631	3.16%	1,031	2.60%	
Disability services	3,208	0.26%	27	0.84%	
Armed Forces Offices	919	0.07%	57	6.20%	
State Designated Sites	2,187	0.17%	266	12.16%	
All other sources	60,990	4.86%	340	0.56%	
TOTAL	1,254,260		114,182	9.10%	563,209
WASHINGTON					
Motor Vehicle Offices	304,900	39.83%	19,059	6.25%	
By mail	259,752	33.93%	13,159	5.07%	
Public Assistance Offices	24,416	3.19%	1,063	4.35%	
Disability services	2,480	0.32%	41	1.65%	
Armed Forces Offices	735	0.10%	45	6.12%	
State Designated Sites	7,865	1.03%	276	3.51%	
All other sources	165,328	21.60%	9,381	5.67%	
TOTAL	765,476		43,024	5.62%	462,500

Table 2 - Sources of Voter Registration Applications 1997-1998

	Number of Applications	Percent of Total Apps	Number of Duplicates	Percent Duplicates	Total New Registrations
WEST VIRGINIA					
Motor Vehicle Offices	27,161	25.69%		0.00%	
By mail	27,070	25.60%		0.00%	
Public Assistance Offices	13,487	12.75%		0.00%	
Disability services	1,546	1.46%		0.00%	
Armed Forces Offices	86	0.08%		0.00%	
State Designated Sites	5,059	4.78%		0.00%	
All other sources	31,331	29.63%		0.00%	
TOTAL	105,740		3,108		85,678
<i>WISCONSIN</i>	<i>is exempt from the NVRA</i>				
<i>WYOMING</i>	<i>is exempt from the NVRA</i>				
UNITED STATES					
Motor Vehicle Offices	15,175,653	42.90%	907,922	5.98%	
By mail	8,792,200	24.86%	859,169	9.77%	
Public Assistance Offices	1,546,671	4.37%	109,167	7.06%	
Disability services	247,764	0.70%	11,509	4.65%	
Armed Forces Offices	22,608	0.06%	1,756	7.77%	
State Designated Sites	1,092,526	3.09%	48,337	4.42%	
All other sources	8,765,163	24.78%	343,513	3.92%	
TOTAL	35,372,213		2,285,971	6.46%	17,613,211

TABLE 3
DELETIONS FROM VOTER REGISTRATION LISTS
1997-1998

Table 3 - Deletions from Voter Registration Lists 1997-1998

	Number of Confirmation Notices Sent	Number of Responses Received	Percent	Number Deleted from Active List	Number Deleted from Inactive List	Total Number Deleted
ALABAMA	2,732,589	-	0.00%	-	-	-
ALASKA	-	-		-	8,162	8,162
ARIZONA	509,410	30,009	5.89%	65,671	139,580	219,986
ARKANSAS	163,665	-		69,816	-	69,816
CALIFORNIA	1,497,214	556,146	37.15%			946,396
COLORADO	423,956	86,612	20.43%	155,848	71,512	227,360
CONNECTICUT	193,861	74,969	38.67%	149,403	38,270	187,673
DELAWARE	21,374	8,635	40.40%	5,598	2,178	7,776
DISTRICT OF COLUMBIA	55,571	9,615	17.30%	21,213	55,571	76,784
FLORIDA	878,647	152,386	17.34%	675,849		675,849
GEORGIA		-		172,677	-	172,677
HAWAII	670,944	52,852	7.88%	-	14,429	14,429
IDAHO	<i>is exempt from the NVRA</i>					
ILLINOIS	353,005	77,905	22.07%	266,158	121,268	392,857
INDIANA	524,161	208,135	39.71%			205,164
IOWA	102,908	6,663	6.47%	120,888	33,019	153,907
KANSAS	155,658	45,655	29.33%			96,925
KENTUCKY	57,418	1,723	3.00%	74,623		74,623
LOUISIANA	261,439	152,014	58.15%			179,586
MAINE	91,846	31,646	34.46%	94,058		94,058
MARYLAND	507,557	52,911	10.42%	193,148	32,394	225,542
MASSACHUSETTS	285,080	29,738	10.43%	300,136	121,510	421,646
MICHIGAN	119,113	42,358	35.56%	449,171		449,171
MINNESOTA	<i>is exempt from the NVRA</i>					
MISSISSIPPI	100,867	22,949	22.75%	95,896	5,349	101,245
MISSOURI	291,673	138,206	47.38%			251,565
MONTANA	772	80		9,450	2,168	11,618
NEBRASKA	142,730	67,539	47.32%	86,541		86,541
NEVADA	<i>failed to report</i>					98,968
NEW HAMPSHIRE	<i>is exempt from the NVRA</i>					
NEW JERSEY	595,510	84,674	14.22%			237,611
NEW MEXICO	37,805	20,878	55.23%	48,265	8,533	56,798
NEW YORK	1,669,375		0.00%	581,945		581,945
NORTH CAROLINA	411,063	31,275	7.61%	248,519		248,519
NORTH DAKOTA	<i>is exempt from the NVRA</i>					

Table 3 - Deletions from Voter Registration Lists 1997-1998

	Number of Confirmation Notices Sent	Number of Responses Received	Percent	Number Deleted from Active List	Number Deleted from Inactive List	Total Number Deleted
OHIO	1,373,792	318,295	23.17%	416,841		416,841
OKLAHOMA	420,682	34,352				139,300
OREGON	227,477	36,152	15.89%	190,603		190,603
PENNSYLVANIA	404,086	35,204	8.71%	260,834	14,041	274,875
RHODE ISLAND	3,169	-	0.00%			23,779
SOUTH CAROLINA	-	-		-	-	-
SOUTH DAKOTA	25,234	3,582	14.20%	19,427	3,417	24,529
TENNESSEE	134,526	30,013	22.31%	172,164	19,621	191,785
TEXAS	1,453,881	230,601	15.86%			758,639
UTAH	83,733	10,314	12.32%			51,893
VERMONT	15,702	4,672	29.75%			13,194
VIRGINIA	380,147	78,257	20.59%			90,697
WASHINGTON	299,382	89,533	29.91%	193,225	65,868	278,115
WEST VIRGINIA	124,436	54,323	43.66%			42,041
WISCONSIN	<i>is exempt from the NVRA</i>					
WYOMING	<i>is exempt from the NVRA</i>					
UNITED STATES	17,801,458	2,910,871	16.35%	5,137,967	756,890	9,063,326

TABLE 4
COMPLETENESS OF NUMERICAL DATA REPORTED
ON 1998

Table 4 - Completeness of Numerical Data Reporting in 1998

ALABAMA	Data are complete
ALASKA	Data are complete
ARIZONA	A few counties did not report all requested data.
ARKANSAS	Data on responses to confirmation notices are incomplete because some counties failed to properly employ State-provided software and neglected to record all responses.
CALIFORNIA	Data are incomplete because 6 of 58 counties failed to track and report either intakes, duplicates, confirmation notices, or deletions.
COLORADO	Data on intake agencies incomplete because 3 counties failed to report complete data.
CONNECTICUT	Data are incomplete because 11 local jurisdictions failed to report. In addition, 11 of the reporting jurisdictions could not report the number of deletions from the list over the two-year period..
DELAWARE	Data are complete
DISTRICT OF COLUMBIA	The DC Election Board does not monitor in-person registrations.
FLORIDA	Data are complete.
GEORGIA	The State failed to collect and compile data on the number of deletions from the lists.
HAWAII	Data on disability agencies are included in public assistance agency figures. Data on Armed Forces recruiting offices are included in "all other sources."
IDAHO	<i>is exempt from the NVRA.</i>

Table 4 - Completeness of Numerical Data Reporting in 1998

ILLINOIS	Data are incomplete because a few jurisdiction (about 10) did not report all intake and duplicate figures in all categories.
INDIANA	Data are 99% complete -- missing only a few monthly reports from small counties.
IOWA	Data are complete.
KANSAS	Data are complete.
KENTUCKY	Data are complete.
LOUISIANA	The total registration applications actually reflect only the total valid registrations rather than the total number of applications. Duplicates were derived mathematically from other figures.
MAINE	Two of 519 local jurisdictions failed to report figures. Maine has no method of tracking duplicate registrations from various sources.
MARYLAND	Data are complete.
MASSACHUSETTS	Data incomplete because some of 351 local jurisdictions do not properly employ the statewide computerized voter registration system.
MICHIGAN	Data incomplete because 484 of 1515 local jurisdictions failed to provide data.
MINNESOTA	<i>is exempt from the NVRA.</i>
MISSISSIPPI	Some of the 82 counties reported only partial data.
MISSOURI	Data are complete

Table 4 - Completeness of Numerical Data Reporting in 1998

MONTANA	Data are incomplete because 14 of 56 counties failed to provide data.
NEBRASKA	Data are complete.
NEVADA	<i>Failed to report</i>
NEW HAMPSHIRE	<i>is exempt from the NVRA.</i>
NEW JERSEY	Data are complete.
NEW MEXICO	Data are complete.
NEW YORK	Data are complete except for unavailable figures on duplicates from "other agencies" and the number of responses received to confirmation notices.
NORTH CAROLINA	Data are complete
NORTH DAKOTA	<i>is exempt from the NVRA.</i>
OHIO	Data are complete
OKLAHOMA	Data are complete
OREGON	Data on armed forces not collected because of parallel data collection by the Department of Defense.
PENNSYLVANIA	Data are virtually complete except that public assistance agencies also includes some disability numbers since they were not always recorded separately.

Table 4 - Completeness of Numerical Data Reporting in 1998

RHODE ISLAND	The number of duplicates by individual intake sources is unavailable as is the number of responses to confirmation notices.
SOUTH CAROLINA	Data are complete.
SOUTH DAKOTA	Data are incomplete because, although all 66 jurisdictions reported, some were missing one or more of the requested data elements.
TENNESSEE	Data are complete.
TEXAS	Data are incomplete because 8 of 254 counties failed to provide consistent data.
UTAH	Data are virtually complete less a few monthly reports from a few counties because of computer and other technical problems.
VERMONT	Data are incomplete because 108 local jurisdictions failed to report to the State.
VIRGINIA	The number of duplicate applications is underreported by local jurisdiction owing to confusion over changes in data reporting procedures.
WASHINGTON	Duplicates were not designated by agency in some counties.
WEST VIRGINIA	Data are collected from counties on a quarterly basis -- with 6-10 counties failing to report in any given quarter. Data on duplicates were not collected by agency.
WISCONSIN	<i>is exempt from the NVRA.</i>
WYOMING	<i>is exempt from the NVRA.</i>

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 registrant 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 “registrar’s 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) **ATTORNEY'S 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. 13. 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.

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