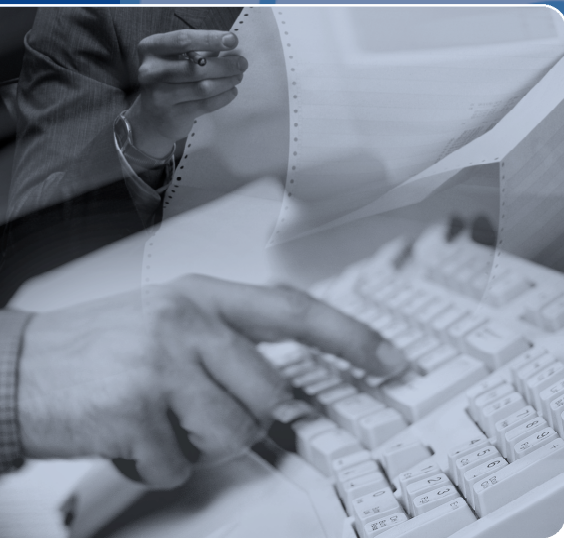


electionline.org

Briefing



Holding Form: Voter Registration 2006

For the past six years, the only constant in election reform has been change – from new rules at polling places and updated voter databases to new machines and ballot-counting procedures.

However, there is one area that appears relatively untouched — voter registration.

This, the 13th *electionline.org Briefing*, explores the user end of the registration process: how would-be voters obtain forms, complete them, and how much time they have before an election to do so.

As technology marches forward in virtually all other aspects of the election process, the methods of registration remain firmly entrenched in the 20th century, seemingly immune to numerous advances in e-governance.

Despite improvement in Internet security and expanded opportunities for consumers to use online services for purposes from banking to shopping to research and entertainment, the survey revealed that voter registration remains an ink, paper, stamp and mail

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process. States allow voters to download and print forms, but only one state allows voters to register entirely online while another allows a limited online registration from approved locations.

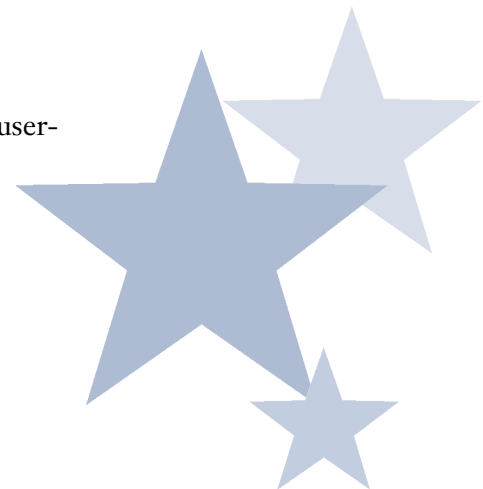
When researching election administration, the notion of “50 states, 50 systems” has been a recurring theme. The wide array of voting machines, voter ID rules and security standards are not particularly surprising given the more than 200 year-old tradition of decentralized election administration.

With the passage of the Help America Vote Act of 2002, with its requirement for statewide voter registration databases nationwide by January 2006, the vast lists of voters are similar from one state to another.

Yet, while voter lists share basic requirements and contain the same basic voter data, the processes voters go through to get on the list remain disparate. Each state has a different deadline for registration (or in some cases no deadline at all with election-day registration). States ask for different information on registration applications. Some allow for the verification of registration status online while just as many do not.

Some regulate the non-governmental organizations that operate registration drives, imposing fines for lost applications or requiring training programs for volunteers. Significantly more states do not.

Differences aside, there is one universal across the country – the possibility of less-cumbersome, more technologically-advanced and user-friendly voter registration remains largely unexplored. As this Briefing finds, the process of becoming a registered voter, from the beginning of the process to the end, is firmly entrenched in well-established, if not time worn, methods.



Executive Summary

While the casting and counting of ballots as well as the tracking of registered voters has seen profound changes in the past few years, the method of becoming a registered voter remains largely unchanged in most of the country.

electionline's research found a variety of practices across state lines. Voter registration continues to be almost exclusively confined to paper and pen, despite a growing number of online services available from state and local governments.

STILL A LOW-TECH PROCESS

Even with the implementation of computerized statewide voter registration databases – a mandate that was a key component of the Help America Vote Act of 2002 – would-be voters still must complete applications for registration with a significant amount of lead time, anywhere from two weeks to more than a month prior to Election Day. Currently, six states permit the practice of election-day registration, whereby voters can register and cast a ballot at a polling place. Montana will become the seventh state later this year.

Most states do not keep records on rejected registration applications, but all 37 states that responded to our survey reported that localities attempt to contact applicants with problems on their registration form by mail or phone giving the would-be voter an opportunity to fix errors. Still from a smattering of responses, the number of rejected applications could number in the hundreds of thousands.

Michigan officials reported rejecting more than 27,000 applications last year; Massachusetts rejected nearly 50,000 in 2004. The most common reasons listed for rejections: applicants are not old enough, do not have a valid address or are non-citizens.

THE INTERNET AND VOTER REGISTRATION

While only one state allows online voter registration, a majority of states use the Internet to make registration forms more readily available.

Most states offer links to forms that can be printed, filled out by hand and submitted via mail or in-person drop off at a registrar's office. There are other varieties of this method:

California allows applicants to fill in the form online, which will be returned to the applicant nearly complete, ready for a signature and return by mail.

Delaware has a similar system; however, the completed form must be printed by the applicant before it is signed and submitted.



Executive Summary continued

Only Arizona allows for paper-free online application, though the deadline for completing the process remains 29 days prior to the vote, among one of the nation's longest required lead times before an election. The state uses a digitized signature – on file with the Motor Vehicle Division – in lieu of a pen and paper signature. Rhode Island offers online registration at designated venues.

Concerns about online registration systems have been raised by a number of different organizations, particularly about the susceptibility to fraud, corruption or system overload in the days before an election.

REGISTRATION FORMS

Registration forms of 45 states and the District of Columbia examined by *electionline.org* ask for identical basic information - full name, residence address, mailing address if different from residence address, date of birth, signature, and have a check box verifying that applicants are U.S. citizens.

Yet there are also numerous variations:

- 25 states request party affiliation;
- 18 states ask if voters want to be poll workers;
- 11 states give the option of providing an e-mail address;
- Nine states ask if voters have special needs at the polls or are disabled;
- Three state forms require information on race: Alabama, North Carolina and South Carolina. In five states this information is optional – Florida, Georgia, Louisiana, Pennsylvania and Tennessee;
- Three states ask for naturalization information: Arizona, Kansas and Utah; and,
- Arizona's form requests occupation information.

THIRD-PARTY REGISTRATION

Millions of Americans have opted to register to vote through non-governmental (third-party) organizations that run pre-election registration drives. Supporters say efforts raise interest in voting, particularly among oft-ignored voting segments, such as low-income citizens or minority voters. But there have been a number of reported problems, including discarded registration applications from voters who registered for “the wrong party,” lost applications and unscrupulous or untrained workers who otherwise mishandled applications.

The research found that states have become increasingly restrictive of third-party drives. Seventeen states impose some restrictions on third-party registration drives. Variations include Florida's \$5,000 per-application per-day penalty for groups that fail to turn in forms; Ohio's anti-bundling rules that prohibit bulk delivery of applications; required classes in other states for volunteers to train them in the handling of applications and the registration process and mandatory registration of groups that run the drives to ensure oversight and accountability.



Key Findings

The election process has seen numerous changes in recent years. New voting machines are in place in many jurisdictions, new identification requirements at the polls have been enacted in more than a dozen states, provisional ballots are federal law and nearly every state has created a statewide voter registration database.

Voter registration, the first step in the election process, has changed as well, albeit minimally.

The Help America Vote Act of 2002 (HAVA) requires that a registration application contain “the applicant’s driver’s license number or the last four digits of the applicant’s Social Security number.”¹ (Voters with neither a driver’s license nor a Social Security number are to be assigned a unique identifying number.) It mandates first-time voters who register by mail to provide a required form of verification with their application or present ID at the polls.

Also per HAVA, the federal registration form must now include check boxes asking if the applicant will be at least 18 years old on Election Day and if the applicant is a U.S. citizen.

However, the process of registering is much the same as it has been since the passage of the National Voter Registration Act in 1993 (NVRA, also known as “motor voter”).² Many voters still fill out forms in ink and file them in person or mail them to the appropriate

election authority.

Despite numerous means of citizen contact, including the Internet, toll-free phone lines and the mail, many would-be voters do not have convenient ways to find out the status of their applications.

While computers are increasingly used as tools in vote casting and tabulating, and while vast networks hold voter information, linking hundreds of localities with real-time data and information to allow on-the-spot comparisons of records, the registration process almost always requires a stamp and patience.

The survey, undertaken in the spring of 2006, highlights registration practices across the country as they stood during the beginning of the federal primary season. It reveals a largely antiquated system. While Americans can file taxes and renew vehicle registrations online, make campsite reservations, secure fishing and hunting licenses, receive business assistance and partake in a myriad of other services from states, voter registration still looks like it did years ago.

Application availability

*Motor Voter*³

NVRA expanded opportunities to register, increasing the number of locations where voters would be able to find, complete and return

voter-registration applications.⁴ The addition of departments of motor vehicles locations (DMVs) allow millions of Americans already at a DMV the opportunity to register to vote at the same time.

And millions took advantage. From 2003 to 2004, a third of all applications received nationwide were filed through motor vehicle offices or other agencies. Another third of voters registered by mail.⁵

In most but not all states, the National Voter Registration form is also accepted. New Hampshire only accepts the federal form as a preliminary step to state registration. To register to vote in person in New Hampshire, one must complete a citizenship affidavit and domicile affidavit, both of which must be notarized. Wyoming does not accept the federal form while North Dakota does not have voter registration.⁶

NVRA also mandated that applications be made available at public assistance agencies such as Temporary Assistance for Needy Families (TANF) and Women, Infants and Children (WIC).

Advocacy organizations are concerned that states have not made their best efforts to implement this section of the law.

Recent analysis of registration data has shown that the number of people registering to vote at public assistance agencies declined nearly 60 percent from 1995-96 to 2003-04.⁷

The NVRA Implementation

Election-Day Registration

In most states, applicants must fill out registration forms, by mail or in person, from 10 to 30 days before an election to qualify to vote.

Six states offer an alternative, election-day registration (EDR), allowing citizens the convenience of voting without any advance planning to meet registration deadlines. Idaho, Minnesota, Maine, New Hampshire, Wisconsin, and Wyoming currently offer EDR, with Montana joining their ranks this year.⁸

States that have EDR also have traditional by-mail registration deadlines, ranging from 13 days before an election in Wisconsin to 30 days before an election in Wyoming. However, while the books in most of these states might be closed for a period before the election (except in Maine where a person can register to vote in person at any time), EDR states re-open the rolls on Election Day to allow residents to register before they cast their ballots.

Since Idaho, Minnesota, New Hampshire, Wisconsin, and Wyoming had EDR in place in August 1994, they are exempt from requirements of the National Voter Registration Act.⁹ Similarly states with EDR are exempt from the provisional ballot requirements of the Help America Vote Act.

The push for EDR has grown in several states. Legislatures in Massachusetts,¹⁰ North Carolina,¹¹ and Vermont¹² have recently considered proposals allowing the practice. North Carolina's EDR efforts were endorsed by numerous groups including the League of Women Voters of North Carolina and the NAACP of North Carolina.¹³

In all, EDR bills have been proposed in 34 states since 2001, with the vast majority failing, particularly in populous states. Lawmakers in New York, California, Florida, Texas, Ohio, Georgia and New Jersey have rejected EDR registration in recent years, with re-introduced bills facing similar fates the next year in most cases.¹⁴

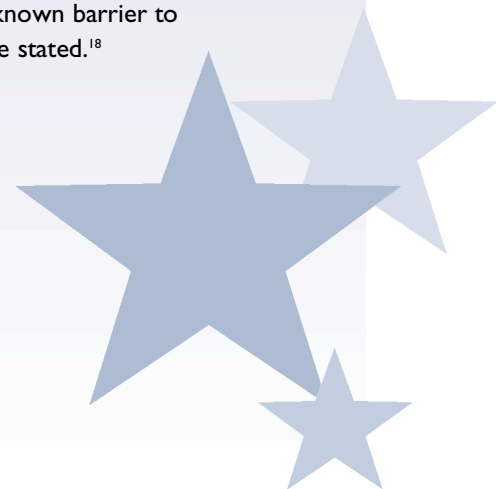
EDR advocates argue the practice will increase turnout. New York-based Demos, an election reform advocacy group, cites data from the U.S. Census Bureau revealing average turnout in the six EDR states in the 2000 Presidential election was 68 percent, approximately 10 points higher than the national average.¹⁵

Boston attorney Cameron Kerry wrote in an editorial that EDR “would include more people in the political conversation” and pointed out that of the five states with the highest voter turnout in November 2004, four have EDR.¹⁶

Critics charge that EDR may create more opportunities for vote fraud while potentially overwhelming already over-burdened poll workers. Curtis Gans, director of the Committee for the Study of the American Electorate, stated that while EDR might work in some states, it would not in those that have a history of fraud or corruption.¹⁷

Advocates have countered that fraud might be easier to detect as states implement new voter databases. Kele Williams of the Brennan Center for Justice testified before the Connecticut General Assembly in 2004 when it was considering EDR legislation.

“Connecticut should not let speculative concerns about voter fraud that can effectively be addressed using the statewide database and other measures prevent the state from dismantling a known barrier to political participation,” she stated.¹⁸



Project, composed of three voter advocacy groups – Association of Community Organization for ReformNow (ACORN), Demos and Project Vote conducted site visits to states in 2004 and 2005 and concluded that the decline is at least in part due to some states’ failures to comply with NVRA.


“In many states, Demos, Project Vote and ACORN witnessed widespread violations of NVRA in public assistance offices. Violations ranged from certain offices effectively offering no voter registration services whatsoever to voter registration not being offered to clients contacting agencies by phone or mail.”¹⁹

Leaders of the organizations say they worry that a lack of effort to fully comply with the law has led to potential disenfranchisement, especially among lower-income registrants. “Failure to provide public assistance applicants with the opportunity to register to vote is a violation of state and federal laws, one that disenfranchises thousands of citizens across the nation each day,” said Maxine Nelson, president of Project Vote.²⁰

The Internet and voter registration

electionline.org examined the availability of mail-in voter registration forms and found that while the Internet has made the process of finding and printing forms

While the Internet has made the process of finding and printing forms more convenient, states have moved more slowly in embracing technology in other facets of the process.



more convenient, states have moved slowly in embracing technology in other facets of the process.

Forty-one states and the District of Columbia have registration forms available online to print and mail. In the remaining states:

- California allows applicants to fill out and submit registration information online which are subsequently printed and mailed to the potential voter to sign and return. The state site also provides directions on obtaining a state registration form, as well as links to the federal form.
- Delaware also allows applicants to complete an online registration form. Unlike California applicants, they print out the completed form themselves and return it by mail. The state Web site also directs voters how to obtain an application in-person.
- In Maine, citizens can pick up a form at the town office, city hall, any DMV branch office, in most state and federal social services agencies or at voter registration drives.
- Massachusetts registrants can call the Elections Division or fill out a form online to request a voter registration form.²¹
- Missouri registrants can request a form online or pick up a form from the local election authority, DMV or from a designated state agency when receiving services from that agency.²²
- Nevada offers links to the federal registration form while also providing direction online about how to obtain a state registration form.
- “New Hampshire does not have mail-in voter registration, except for those persons who are absent from town during the town clerks’ regular business hours or disability reasons.”²³
- The New Mexico registration

form may be requested by mail, telephone or in person. It is also available at the offices of the County Clerk and the Secretary of State, as well as motor vehicle offices and other state agencies.

- North Dakota does not have voter registration.
- Colorado and South Dakota allow applicants to complete online registration forms, that can be printed out, signed and returned by mail.

Online voter registration

Only Arizona allows voters to complete and file their voter registration application entirely online from any location through the Department of Motor Vehicles Web site. Rhode Island allows voters to register online at any of the state's eight department of motor vehicles locations as well as at American Automobile Association (AAA) locations.²⁴

Proponents tout the advantages of online registration, including the ability to avoid having a two-step process whereby voters fill out paper forms and election workers, often overworked as a registration deadline approaches, might incorrectly input a voter's information into a database, potentially leading to a rejected application and an unregistered citizen.²⁵

Online registration streamlines the process by requiring the voter to separate information before their

registration information is verified by the locality, one group said.

"[Arizona's] EZVoter, with its instant registration, eliminates the problems of lost or mishandled registration forms, data entry errors and county recorder overload, while giving citizens an easy and convenient method for preparing to cast their ballots," stated a report by the National Association of State Chief Information Officials.²⁶

Online registration status check

Currently nine states – Indiana, Kentucky, Michigan, North Carolina, Ohio, Rhode Island, South Carolina, Virginia and Washington as well as the District of Columbia – allow voters to check their registration status online. Seven states – Delaware, Georgia, Hawaii, Louisiana, Minnesota, Pennsylvania and Utah – allow voters to enter information to find their polling place.

Registration form data²⁷

The data gathered on registration forms varies from state to state. *electionline.org* examined the registration forms of 45 states and the District of Columbia.

All 46 forms ask for basic information – full name, residence address, mailing address if different from residence address, date of birth, signature and a check box confirming that applicants are U.S. citizens.

The forms also provide

warnings for perjury.

- Forty-five states request phone numbers. In 22 states this is optional, while Oklahoma does not ask for a phone number.
- Forty-three states ask applicants to check off a box stating that they will be 18 years or older on Election Day. Alabama and Florida use the date of birth information to confirm age. Delaware's online voter registration form also uses the date of birth information to confirm age. In 33 states, the citizenship and age check boxes are the first two pieces of information requested. Thirteen states ask for this information further down in the application.
- Forty states ask for a driver's license number, a state ID number or the last four digits of the applicant's Social Security number. Six states – Georgia, Hawaii, Kentucky, South Carolina, Tennessee and Virginia – require full Social Security numbers.
- Twenty-four states ask for the applicant's gender in a check box. In six of the states the question is optional.
- Twenty-five states request party affiliation.
- Eighteen states ask if voters want to be poll workers.
- Eleven states give the option of providing an e-mail address.
- Nine states ask if voters have special needs at the polls or are disabled.
- Three states require information

Online Voter Registration

Although many states offer voters the opportunity to print voter registration forms from election Web sites, only Arizona allows the voter to fill out and submit the form online from any computer with an electronic signature.

Since launching “EZ Voter” in July 2002, Arizona has processed more than 50 percent of all voter registrations online. In September 2004, a record 44,472 people registered through EZ Voter and on October 4, 2004, the cut-off date to register for the 2004 presidential election, 21,100 people used the online system.

“It has been a goal of my administration from the very beginning to get more Arizonans registered to vote,” Secretary of State Jan Brewer (R) said at the time. “Making voter registration easy really helps ensure that everyone has an opportunity to participate in our democratic process...and EZ Voter does just that.”²⁸

To use the bilingual online system in Arizona, voters must have either an Arizona driver’s license or non-operating identification card issued by the Motor Vehicle Division during or after July 1997. Once a voter has registered online, they are given a confirmation number as receipt.

In California, voters are able to fill out and submit their registration online. The state then sends the completed form which the voter signs and returns to their appropriate county election official. It takes one to two weeks for the state to process and return the completed forms.

Delaware’s online voting system mirrors California’s — voters complete the form online, wait for it to be validated and then print, sign and mail the document to their local county official.

Rhode Island offers limited online voter registration. In October 2005, Secretary of State Matthew A. Brown (D) launched the “Motor Voter e-Registration” system that allows citizens to register to vote online at DMV offices and at AAA club locations.

“Motor Voter e-Registration encourages Rhode Islanders to register to vote by making the process more convenient,” Brown said. “This new technology will get more citizens to participate in elections.”²⁹

Rhode Island’s paper system averaged approximately 300 registrations per month. During the three-month pilot for e-Registration the number more than quadrupled to an average of 1,400 registrations per month.

Online voter registration has faced skepticism despite its popularity. The California Internet Voting Task Force reported in 2000 that a complete online voter registration system would, “be an invitation to automated, large-scale vote fraud.” The report recommended that the task force’s conclusion could be revisited if some sort of national identification infrastructure was created. The report cited problems associated with identification, eligibility and non-duplication.³⁰

A 2004 security analysis conducted of the U.S. Department of Defense’s “Secure Electronic Registration and Voting Experiment” listed some of the same concerns as the 2000 California study. The study noted that online registration has the potential to be a victim of its own success by allowing people to register until the deadline, increasing the potential for system overloads and crashes.³¹

Edward Foley, professor of law at The Ohio State University, said that online voter registration is the most reliable way to avoid voter disenfranchisement, especially in relation to registration through third-party registration drives.

Foley says the problems with third-party voter registration would “disappear if ... states would implement online voter registration as an option. Electronic submission of registration forms over the Internet need not entirely replace the submission of printed forms in person or by conventional mail, at least not for the foreseeable future. But online registration ought to be available now.”³²





on race: Alabama, North Carolina and South Carolina. In five states – Florida, Georgia, Louisiana, Pennsylvania and Tennessee – the information is optional.

- Three states ask for naturalization information – Arizona, Kansas and Utah.
- One state – Arizona – asks for an applicant's occupation.

Age requirements

Voters, of course, must be at least 18 years old to cast ballots in all states. But there are some variations on how old voters can be when they register:

- Alaska applicants must be either 18 or within 90 days of their 18th birthday when registering.
- Connecticut, Florida, Louisiana, Maine, Virginia and West Virginia applicants must be at least 17 to register.
- Georgia, Iowa, and Missouri applicants must be at least within six months of their 18th birthday when they register to vote.
- In Hawaii, applicants may register when they are 16.
- Residents of Indiana, Kentucky and Ohio may apply to register and are qualified to vote in a primary if they will be 18 by the general election.
- New York applicants must be 18 by December 31 the year that they register.
- Rhode Island applicants may register before they turn 18.
- Texas applicants must be 17 years

and 10 months or older on the day they register to vote.

Application processing

Incomplete forms

All 37 states that responded to the survey indicated that local registrars attempt to contact voters by mail or phone if they fail to complete registration applications, giving them the opportunity to correct or include the missing information.

Rejections

Most states did not provide data on the number of rejected voter registration applications. Of the surveyed states, the five that did provide data on recent numbers of rejected applications showed:

- Massachusetts rejected 13,474 applications by May 2006, 41,433 in 2005 and 48,359 in 2004.
- Michigan rejected 8,088 applications by May in 2006, 27,547 in 2005 and 27,479 in 2004.
- Arizona rejected 20,309 applications from November 2002 until November 2004.
- Washington, D.C. had rejected 221 applications by May in 2006, 856 in 2005, and 57 in 2004.
- Hawaii rejected 2,057 applications from November 2002 until November 2004 and 2,390 from November 2004 to May 2006.

“Applications are rejected for age; providing a business address instead of a residential address; non-citizenship; having an invalid address; no signature on a first – time registration; and incomplete information (full name, date of birth, etc.),” according to the Michigan survey response.³³

Problems arose in several states in 2004 during the processing of applications. In Florida some counties rejected applications where voters did not check off any response to a question regarding citizenship.³⁴ Lawsuits were filed but courts found in favor of rejecting these applications.

Similar problems occurred in Iowa where voters who failed to check a citizenship box were allowed to vote but only to cast ballots for state, not federal races.³⁵ In Wake County, N.C., nearly 1,000 voters who did not check off the citizenship and/or age box and were required to respond to letters from the county asking them to correct the information. If they did not, when they showed up to vote they were given a provisional ballot.³⁶

Matching

Advocacy groups have concerns about new state laws regulating voter registration and statewide voter registration databases. They contend that new rules involving matching data from registration forms to data from state and federal databases will wrongly disenfranchise voters,

Voter ID and Voter Registration

With a growing number of states opting to require voters to show identification before casting ballots at polling places, there has been a similar interest in having voters show more proof of who they are when registering to vote.

The Help America Vote Act (HAVA) mandates some changes in voter verification during registration, requiring that an applicant provide either their driver's license number, the last four digits of their Social Security number or another state-assigned "unique identifier" if they have neither of those documents.³⁷

The act also requires that if a voter registers to vote for the first time by mail, they must send a copy of their ID with their registration or present identification at a polling place on Election Day.³⁸

A decision to require further proof of citizenship in Arizona has put the state at odds with the federal government, a potential preview of fights over registration verification in other parts of the country.

Arizona voters approved Proposition 200 in 2004, a law that makes it mandatory for voters to present a form of state-approved documentation with registration applications. The National Voter Registration Form, available to all voters since the 1993 passage of the National Voter Registration Act, does not share the requirement, putting the state at odds with the federal mandate.

The U.S. Election Assistance Commission (EAC) weighed in in March 2006, informing Arizona Secretary of State Jan Brewer (R) that the additional ID requirement on the federal form would violate law.³⁹

Arizona officials disputed this interpretation.

"After consulting with the Arizona attorney general, I will instruct Arizona's county recorders to continue to administer and enforce the requirement that all voters provide evidence of citizenship when registering to vote....The law is the law, and states have rights," Brewer said.⁴⁰ Advocacy groups filed a lawsuit and have encouraged voters to use the federal form.

U.S. District Judge Roslyn Silver, who presided over the case, sided with Arizona in late June, stating, "Determining whether an individual is a United States citizen is of paramount importance when determining his or her eligibility to vote."⁴¹

Empowered by the ruling, Brewer demanded the EAC rethink their previous comments on the Arizona law. "I now call upon the U.S. Election Assistance Commission to properly instruct Arizona voters about the proof of citizenship requirement when registering to vote using the Federal form."⁴²

The issue is far from settled however. Battles over immigration extend from the U.S. Capitol across the country, with ramifications for all facets of American life, and most certainly elections. While no other state currently has a law matching Arizona's Prop. 200, advocates and officials are nonetheless watching developments closely.⁴³

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citing examples of states that have audited voter rolls revealing numerous data entry errors that are the responsibility of the state.

“In 2004 the New York City Board of Elections conducted an experiment to audit their voter rolls using match criteria similar to that being considered in states across the country. The Board of Elections attempted to match 15,000 new voter registration records against those in the state motor vehicle database. One out of five records failed to match solely because of typos by election officials,” stated a report by the New York University School of Law-based Brennan Center for Justice in a press release.⁴⁴

The organization is involved with other voter advocacy groups in the state of Washington suing over this issue.

“Matching is not, in and of itself, a bad thing,” said Justin Levitt of the Brennan Center. “The bad thing is making the match, which is an imperfect process at best, a precondition for voting.”⁴⁵

Sharing voter registration data

Several states have reached agreements to share voter list data to find potential duplicate registrants.

Kentucky, South Carolina and Tennessee compared voter rolls in early 2006, leading Kentucky officials to purge 8,000 duplicate voter records from their rolls before the May 2006 primary. Some state officials, however, said that they were

concerned the purge would disenfranchise legitimate voters who, for example, moved for a brief time to other states and returned or were attending university in other states.⁴⁶

A compromise was reached by Election Day allowing voters wrongly removed from the rolls to show ID and then be permitted to cast ballots.

“It’s certainly possible that we may have someone show up who was inadvertently deleted from the voter rolls,” said Les Fugate, a spokesman for Secretary of State Trey Grayson (R). “But we expect that to be few and far between, and if there is a problem, it will be resolved shortly.”⁴⁷

Missouri, Kansas, Iowa and Nebraska also entered into an agreement to study the feasibility of sharing lists. And in early 2006, officials from Oregon, Washington, Idaho, Montana and California met to consider a number of election administration issues including sharing registration data. While some expressed enthusiasm for the idea, others were more cautious.

“You are going to have to have a rock-solid, unimpeachable method [for removing duplicate voters off rolls] because as soon as you drop a voter from a list, you have the potential to disenfranchise someone,” said Chris Reynolds, California’s Help America Vote Act coordinator.⁴⁸

Blocking info/access to lists

All states permit access to

registration lists for partisan political purposes – i.e. to parties to contact voters through mailings, etc. Many states also use registration lists for jury pools and some states allow unrestricted access to lists, including for commercial purposes. Access is usually granted for a fee. All states redact certain information when supplying access to registration lists though what information is redacted varies from state to state, including Social Security numbers, birth dates and other info.⁴⁹

Thirty-five states allow certain voters to have some parts of their voter registration record (generally their address) withheld from public view, *electionline.org*’s survey and research found. Often this is available to members of the law enforcement community and victims of domestic violence. How states go about this varies.

In Colorado, for example, the process involves a fee.

“For a fee, voters who fear their safety may be compromised by public recording of their voter registration, driver’s license or vehicle registration may complete a voter confidentiality form and file it with their county clerk and recorder who then forward it to the appropriate state agency.”⁵⁰

Three states – Alaska, California and Virginia – include information about such privacy options on the voter registration form itself. (For more information, please see the snapshot of the states section, beginning on page 17.)

Third-Party Registration Restrictions

One of the enduring features of voter registration in the United States is the role of outside groups in the process. In many states, voters may register with organizations not affiliated or formally deputized by the election office, earning the name “third-party registration drives” because they occur outside the formal process. Some of these drives are conducted by volunteers, while others are performed by paid canvassers.

Third-party registration drives exist for numerous reasons. First, official registrars – that is, employees of the appropriate state or local office – simply cannot be everywhere, and registration drives fill the staffing void. Second, registration drives typically aim to register voters at events where demand for registration is high – rallies, community fairs, etc. Finally, such drives often reach communities who may be underserved by traditional registration methods, such as low-income or minority populations.

In 2004, third-party registration drives were important components of both campaigns – but their popularity also brought reports of problems. Paid workers in Nevada and Oregon were accused of destroying registration applications for voters who did not choose the organizers’ preferred party.⁵¹ There were also complaints from election officials nationwide about last-minute submissions of huge numbers of applications which complicated election preparations.⁵²

There were numerous responses to these reports:

- Groups themselves worked to educate their members on proper procedures for conducting drives, including “quality control” and delivering applications in a timely manner;⁵³
- Reform advocates and legal experts made recommendations to legislators and policymakers regarding ways to improve laws governing third-party drives;⁵⁴ and
- State legislatures nationwide enacted a variety of laws limiting and restricting registration applications. Such new laws included disclosure, timeliness and other requirements. In other states, individuals conducting drives are required to undergo training and obtain approval and/or certification before they may solicit registrations.⁵⁵

In Florida, a broad coalition of advocacy organizations is suing the state to overturn its new law imposing strict requirements on third-party registrations – enforced by hefty fines.

Not surprisingly, groups affected by these new requirements have begun to strike back. In Florida, a broad coalition of advocacy organizations is suing the state to overturn its new law imposing strict requirements on third-party registrations – enforced by hefty fines.⁵⁶ Many of the plaintiffs have suspended their voter registration activities in fear of bankrupting their coffers on the fines, which they assail as a “tax on democracy.”⁵⁷

A similar fight is brewing in Ohio, where advocates are challenging new regulations adopted by the Secretary of State’s office. The new rules discourage “bundling” of applications by drive sponsors and require forms to be delivered in person.⁵⁸ Opponents of the new rules decry the criminal penalties associated with the new restrictions and accuse the state of “trying to shut down voter registration efforts by non-partisan, not-for-profit organizations.”⁵⁹

Groups nationally are not only attacking the new laws head-on, they are also engaging in a potential end run. The Advancement Project directed registration groups to use the federal registration form mandated by the National Voter Registration Act. The group’s alert notes that, “as more and more states try to construct legislative roadblocks to voter registration — and particularly to groups that conduct registration drives — the courts have been much less willing to allow such restrictions when the federal form is involved.”⁶⁰

Third-party registration drives

In 2004, several states made the news with controversies over third parties conducting voter registration drives. Problems were reported with applications being destroyed and applications fraudulently completed.

From survey responses and research, the study found that 17 states regulate organizations that operate registration drives through registration procedures, mandatory training classes for volunteers or workers and/or strict rules governing financial incentives in exchange for new registration applications

In Florida, recently-enacted regulations require organizations to provide information on who is conducting the drive and imposes \$5,000 per application per day penalties for groups that fail to turn in forms or turn them in after deadlines.⁶¹

Some said they found the new regulations alarming. The League of Women Voters of Florida sued the state over the law, calling it burdensome to organizations. The costly fines for just a few misplaced forms would be too much to bear, the League said.

“Basically, it constricts our ability to carry out our core mission to educate voters and get them involved in the political process,” said Dianne Wheatley-Giliotti, the League’s deputy president.⁶²

In Ohio, rules were also recently implemented regulating third-party voter registration drives.

“If you have been entrusted with a completed voter registration form, you must return the applicant’s voter registration form directly to the office of a county board of elections or the Secretary of State. You shall not, under penalty of law, return the completed form to any other person, group, organization, office or entity.”⁶³

Voter-advocacy groups in Ohio say the rules will similarly depress registration drives by making the price of mistakes far too high.

“Over the past year, I’ve helped over 200 of my neighbors register to vote, but the new rules are too burdensome. I don’t want to be charged with a felony for being politically active in my community,” stated Linda Scammicci, a member of Ohio Association of Community organizations for Reform Now (ACORN).⁶⁴

Edward Foley, a law professor at The Ohio State University Moritz College of Law, said while the new rules might seem overly strict, they respond to a growing need for states to impose oversight of groups participating in the registration process. Consequences for disenfranchising citizens make sense, he said.

“When a third-party group loses a registration form or misses a deadline, that group should be held accountable. Ironically, those now criticizing the new regulations are often the loudest to attack local elections officials when they mistakenly misplace registration

forms or otherwise inadvertently omit new registrants from their voter lists. If a third-party group is going to undertake the responsibility of participating in the registration process, it needs to accept the consequences of disenfranchising citizens because of its own mistakes,” Foley said.⁶⁵

Deadlines/statistics

Despite advances in the databases themselves, would-be voters must remember to register with significant lead time before an election.

Twelve states have voter registration deadlines 10-20 days before Election Day, 31 states have voter registration deadlines 21-30 days before Election Day. Seven states offer election-day registration, including Montana which recently passed legislation allowing the practice. Those offering the same-day registration still have deadlines for mail-in registration forms, but those missing the deadline can still register and vote on election day.

States have always differed in how voter rolls are maintained – when they are cleaned, how they keep statistics. This has led to difficulties in comparing states and to some criticism on how records are kept.⁶⁶ Recent efforts by the Election Assistance Commission to collect data in a variety of areas including voter registration and new statewide databases have led to hopes that collection of registration data and its quality will improve.

U.S. Population, Voter Registration and Total Ballots Cast, 2004

State	Total population estimate July 1, 2004	Voting Age Population (VAP)	Voting Eligible Population (VEP)	Total registered	Active registered	Total ballots cast	Total registered/VAP	Total registered/VEP	Total ballots cast/VAP	Total ballots cast/VEP
UNITED STATES	293,655,404	221,285,099	202,746,417	174,283,989	163,386,677	123,535,883*	78.8%	86.0%	55.8%	60.9%
ALABAMA	4,530,182	3,425,842	3,298,398	2,597,629	2,597,629	1,890,317	75.8%	78.8%	55.2%	57.3%
ALASKA	655,435	470,024	444,473	472,160	472,160	314,502	100.5%	106.2%	66.9%	70.8%
ARIZONA	5,743,834	4,194,395	3,508,505	2,642,120	2,642,120	2,038,069	63.0%	75.3%	48.6%	58.1%
ARKANSAS	2,752,629	2,069,578	1,958,922	1,699,934	1,495,645	1,070,573	82.1%	86.8%	51.7%	54.7%
CALIFORNIA	35,893,799	26,647,974	20,979,660	16,646,555	16,646,555	12,589,367	62.5%	79.3%	47.2%	60.0%
COLORADO	4,601,403	3,456,281	3,139,806	3,101,956	2,405,306	2,148,036	89.7%	98.8%	62.1%	68.4%
CONNECTICUT	3,503,604	2,684,496	2,465,669	1,831,567	1,831,567	1,607,808	68.2%	74.3%	59.9%	65.2%
DELAWARE	830,364	629,012	579,294	553,917	532,336	377,407	88.1%	95.6%	60.0%	65.1%
DIST. OF COLUMBIA	553,523	448,818	403,399	383,919	383,919	230,105	85.5%	95.2%	51.3%	57.0%
FLORIDA	17,397,161	13,441,589	11,546,914	10,300,942	10,300,942	7,640,319	76.6%	89.2%	56.8%	66.2%
GEORGIA	8,829,383	6,534,901	5,781,729	4,248,802	4,248,802	3,317,336	65.0%	73.5%	50.8%	57.4%
HAWAII	1,262,840	980,145	887,931	647,238	580,035	431,662	66.0%	72.9%	44.0%	48.6%
IDAHO	1,393,262	1,025,470	947,302	915,637	798,015	612,786	89.3%	96.7%	59.8%	64.7%
ILLINOIS	12,713,634	9,518,511	8,810,724	7,195,882	7,195,882	5,350,493	75.6%	81.7%	56.2%	60.7%
INDIANA	6,237,569	4,635,693	4,510,774	4,296,602	4,296,602	2,512,142	92.7%	95.3%	54.2%	55.7%
IOWA	2,954,451	2,274,202	2,174,806	2,226,721	2,080,886	1,521,966	97.9%	102.4%	66.9%	70.0%
KANSAS	2,735,502	2,049,542	1,890,455	1,695,457	1,582,832	1,213,108	82.7%	89.7%	59.2%	64.2%
KENTUCKY	4,145,922	3,157,230	3,042,613	2,794,286	2,794,286	1,816,867	88.5%	91.8%	57.5%	59.7%
LOUISIANA	4,515,770	3,358,475	3,219,060	2,932,142	2,693,686	1,956,590	87.3%	91.1%	58.3%	60.8%
MAINE	1,317,253	1,038,834	1,023,903	1,026,219	1,026,219	751,519	98.8%	100.2%	72.3%	73.4%
MARYLAND	5,558,058	4,200,864	3,759,694	3,105,370	3,105,370	2,395,791	73.9%	82.6%	57.0%	63.7%
MASSACHUSETTS	6,416,505	4,956,251	4,603,023	4,098,634	3,688,693	2,927,455	82.7%	89.0%	59.1%	63.6%
MICHIGAN	10,112,620	7,616,370	7,292,820	7,164,047	7,164,047	4,875,692	94.1%	98.2%	64.0%	66.9%
MINNESOTA	5,100,958	3,872,377	3,682,001	2,977,496	2,977,496	2,842,912	76.9%	80.9%	73.4%	77.2%
MISSISSIPPI	2,902,966	2,139,838	2,074,244	1,469,608	1,469,608	1,152,365*	68.7%	70.9%	53.9%	55.6%
MISSOURI	5,754,618	4,344,701	4,133,315	4,194,416	3,642,606	2,764,635	96.5%	101.5%	63.6%	66.9%
MONTANA	926,865	715,516	708,691	638,474	520,056	456,096	89.2%	90.1%	63.7%	64.4%
NEBRASKA	1,747,214	1,316,507	1,223,642	1,160,193	1,160,193	792,906	88.1%	94.8%	60.2%	64.8%
NEVADA	2,334,771	1,737,785	1,495,627	1,073,869	1,073,869	831,563	61.8%	71.8%	47.9%	55.6%
NEW HAMPSHIRE	1,299,500	1,000,677	963,569	950,292	855,861	683,672	95.0%	98.6%	68.3%	71.0%
NEW JERSEY	8,698,879	6,573,016	5,637,378	5,011,693	4,643,061	3,638,153	76.2%	88.9%	55.3%	64.5%
NEW MEXICO	1,903,289	1,403,012	1,310,252	1,243,794	1,105,372	775,301	88.7%	94.9%	55.3%	59.2%
NEW YORK	19,227,088	14,790,563	12,958,958	11,837,068	10,635,725	7,448,266	80.0%	91.3%	50.4%	57.5%
NORTH CAROLINA	8,541,221	6,414,826	5,995,045	5,526,981	4,981,426	3,552,449	86.2%	92.2%	55.4%	59.3%
NORTH DAKOTA	634,366	490,193	484,526	N/A	N/A	316,049	N/A	N/A	64.5%	65.2%
OHIO	11,459,011	8,680,824	8,471,152	7,965,110	6,919,015	5,722,443	91.8%	94.0%	65.9%	67.6%
OKLAHOMA	3,523,553	2,664,546	2,495,323	2,143,978	1,840,028	1,463,758	80.5%	85.9%	54.9%	58.7%
OREGON	3,594,586	2,766,949	2,626,437	2,141,249	2,141,249	1,851,671*	77.4%	81.5%	66.9%	70.5%
PENNSYLVANIA	12,406,292	9,615,192	9,273,421	8,366,455	8,366,455	5,769,590*	87.0%	90.2%	60.0%	62.2%
RHODE ISLAND	1,080,632	842,974	744,909	707,234	707,234	440,228	83.9%	94.9%	52.2%	59.1%
SOUTH CAROLINA	4,198,068	3,174,275	3,069,791	2,318,235	2,318,235	1,626,720	73.0%	75.5%	51.2%	53.0%
SOUTH DAKOTA	770,883	576,223	563,178	502,261	502,261	394,930	87.2%	89.2%	68.5%	70.1%
TENNESSEE	5,900,962	4,516,712	4,306,650	3,748,235	3,352,390	2,456,610	83.0%	87.0%	54.4%	57.0%
TEXAS	22,490,022	16,263,943	13,890,814	13,098,329	11,000,678	7,410,765*	80.5%	94.3%	45.6%	53.4%
UTAH	2,389,039	1,645,373	1,518,074	1,278,912	1,278,912	942,010	77.7%	84.2%	57.3%	62.1%
VERMONT	621,394	488,177	474,713	444,508	444,508	314,220	91.1%	93.6%	64.4%	66.2%
VIRGINIA	7,459,827	5,695,264	5,240,509	4,515,675	4,179,304	3,223,156	79.3%	86.2%	56.6%	61.5%
WASHINGTON	6,203,788	4,732,168	4,276,814	3,508,208	3,508,208	2,883,499	74.1%	82.0%	60.9%	67.4%
WEST VIRGINIA	1,815,354	1,430,277	1,419,464	1,168,694	1,168,694	769,645	81.7%	82.3%	53.8%	54.2%
WISCONSIN	5,509,026	4,192,517	3,930,978	4,179,774	2,439,282	3,016,288	99.7%	106.3%	71.9%	76.7%
WYOMING	506,529	386,177	378,135	273,950	232,396	245,789	70.9%	72.4%	63.6%	65.0%

Definitions

Voting age population (VAP): Includes every resident 18 years and over.

Voting eligible population (VEP): Adjusted voting age-population excluding ineligible voters, i.e. convicted felons and non-citizens.

Total registered and active registered voters: States' collection of registration data varies. According to the methodology of the Election Day Survey, conducted in 2005 for the U.S. Election Assistance Commission, "For states that report only active voters (26 states), reported total registration represents solely active voters. For states that report both active and inactive voters (20 states), reported total registration is a combination of active and inactive voters. In four states—Iowa, New Jersey, Ohio, and Wisconsin—local election jurisdictions decide whether to report report active and inactive voters. Therefore reported total registration is a combination of active and inactive voters, depending on local practice."

Total Ballots Cast: Represents all voters who cast ballots, including over-votes and undervotes. According to the United State Election Project, some but not all states provide total ballots cast data.

*Data for Mississippi, Oklahoma, Pennsylvania and Texas is total votes recorded for highest office, not total ballots cast. The U.S. total is not the sum total of all states, but rather an estimate of the United States Election Project.

Sources

Total Population data from "U.S. Census Bureau, Annual Estimates of the Population for the United States and States, and for Puerto Rico: April 1, 2000 to July 1, 2004," released August 11, 2005.

Population 18 and Over, Voting Eligible Population and Total Turnout Data from the United States Election Project, "2004 Voting-Age and Voting-Eligible Population Estimates and Voter Turnout," last updated June 5, 2006, available at http://elections.gmu.edu/Voter_Turnout_2004.htm.

Total Registered and Active Registered data from Election Day Survey, conducted by Election Data Services for the Election Assistance Commission, released Sept. 27, 2005.



Snapshot of the States:

Notes: States marked with an asterisk did not respond to the *electionline.org* survey. Information for these states was collected by examining election Web sites and state law and/or administrative code.

Registration deadline and information on the availability of registration status checks was gleaned from state election Web sites.

For registration data, the percentage of registered voters relative to the state's voting-eligible population (VEP— U.S. citizens over 18 excluding ineligible felons and non-citizens) is also provided. Only states for which 2006 registration data could be found have had this calculated as a percentage of 2006 VEP. VEP estimates for 2006 were provided by Michael McDonald and the United States Election Project.

Alabama^{67*}

Registration: 2,653,456, May 2006 (78.7% of VEP)

Registration deadline: 10 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Did not respond to survey.

Registration information privacy rules: No regulations found and did not respond to survey.

Third-party registration regulations: No regulations found and did not respond to survey.

Alaska

Registration: 452,382, April 2006 (97.1% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: No

Applicants notified of problematic forms: The applicant is sent a letter describing what information is needed. In addition, the applicant is sent a blank voter registration application as well as the copy of the original, deficient application.

Registration information privacy rules: Voters may check an option on the registration application to keep the residence address private.

Third-party registration regulations: “A registration official shall be a qualified state voter and shall take an oath. Training for registration officials shall be provided by the director. On the completion of training, the director may require that officials demonstrate their competence by a test or other

method. A registration official shall transmit completed voter registration forms to the election supervisor within five days following completion by the voter.”⁶⁸

Arizona⁶⁹

Registration: 2,624,559, March 2006 (65.4% of VEP)

Registration deadline: 29 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified if there is a problem with their application form such as missing name, residence address, date of birth, signature, or proof of citizenship. The applicant can provide the missing information and the application is effective from the original date signed, unless proof of citizenship was not provided. In this situation, a new registration form with proper proof of citizenship is required with a new registration date.

Registration information privacy rules: Law enforcement, domestic violence victims and others can request to have their address, phone number and other data kept confidential.

Third-party registration regulations: None

Arkansas

Registration: 1,659,501, April 2006 (80.8% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: No

Applicants notified of problematic forms: A copy of the application is generally sent with the necessary items

flagged so the applicant can resubmit it with the necessary information.

Registration information privacy rules: An individual may request that their personal information not be made public along with a reason why the request is being made.

Third-party registration regulations: “Anyone assisting a person with registration as a part of a voter drive or who gathers or possesses completed applications for submission to the permanent registrar or the Secretary of State must deliver all applications within twenty-one (21) days of the date on the voter registration application, and in any event no later than the deadline for voter registration for the next election.”⁷⁰

California⁷¹

Registration: 15,570,469, April 2006 (73.8% of VEP)

Registration deadline: 15 days before an election.

Online registration status check: No

Applicants notified of problematic forms: State law and regulation require election officials to contact the voter to obtain missing information (or information that is different than that which is on the DMV database) prior to completing that voter’s registration.

Registration information privacy rules: Victims of domestic violence and others may have their voter registration information made confidential, and any person may request a court to seal their voter registration information due to a life-threatening circumstance.

Third-party registration regulations: Persons who are paid to register voters must provide identifying information about themselves and their employer on the registration form.

Colorado

Registration: 2,908,634, April 2006 (89.6% of VEP)

Registration deadline: 29 days before an election.

Online registration status check: No

Applicants notified of problematic forms: “The county clerk shall notify the applicant by mail stating the additional information required. If within 20 business days after receipt of the application the notification is returned to the county clerk as undeliverable, the applicant shall not be registered. If the notification is not returned within 20 business days, as undeliverable, then the applicant shall be deemed registered as of the date of the application if the additional information is provided at any time prior to the actual voting.”⁷²

Registration information privacy rules: Voters who fear their safety may be compromised by public recording of their voter registration may complete voter confidentiality forms and file it with county clerks and recorders who then forward the requests to the appropriate state agency. A fee is charged to the voters.

Third-party registration regulations: “The voter registration drive organizer shall file a statement of intent to conduct a voter registration drive with the Secretary of State. There is a class of instruction which must be attended by the organizer or agent. A circulator working on a voter registration drive shall deliver the applications collected from electors to the organizer. The organizer must deliver all registrations to the appropriate election official no later than five days after the registration was signed by the voter. If mailed, it must be postmarked within five days of the voter’s signature. Voter registration circulators may not be paid based on the number of voter registration applications the circulator distributes or collects.”⁷³

Connecticut

Registration: 2,086,609, October 2005

Registration deadline: Rules vary by election. For primaries, voters may apply five days before a vote or in person by noon on the last business day before the primary. For general elections, voters may apply up to 14 days for mail-in and seven for in-person registration.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified of missing signature, unchecked citizenship box, no date of birth and/or for clarification of illegible information on the application.

Registration information privacy rules: “State law allows for the non-disclosure of residential addresses of certain individuals, such as judges, police officers, victims of domestic violence and others.”⁷⁴

Third-party registration regulations: None

District of Columbia⁷⁵

Registration: 375,387, April 2006 (98.5% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: Applicants are notified by telephone or mail of any problems with the required information on the application form. Applicants may be required to complete a new application or they may be required to show ID at the polls on Election Day.

Registration information privacy rules: In cases of court-issued documents to victims of domestic violence and high-security designated government officials, the board allows records to be kept confidential.

Third-party registration regulations: None

Delaware⁷⁶

Registration: 552,031, July 2006 (91.3% of VEP)

Registration deadline: 20 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: Applicants are notified if there is a problem with their form.

Registration information privacy rules: Name and address can be kept private.

Third-party registration regulations: Same regulations as major parties.

Florida

Registration: 10,496,047, April 2006 (86.3% of VEP)

Registration deadline: 29 days before an election.

Online registration status check: No

Applicants notified of problematic forms: The supervisors of elections are required to notify each applicant when an application is denied, incomplete or a duplicate of a current registration. Generally, the supervisor of elections will provide an applicant with a new voter registration application with the information provided already filled in and the boxes which must be completed by the applicant highlighted.

Registration information privacy rules: “Persons who are victims of domestic violence and have become eligible for assistance under the Attorney General’s Address Confidentiality Program do not have their registration information made public. Other persons - judges, law enforcement officers, state attorneys among them - may request in writing that their home addresses and telephone numbers be exempt from public disclosure.”⁷⁷

Third-party registration regulations: “A third-party voter registration organization shall name a registered agent in the state and submit to the division, in a form adopted by the division, information about the organization. Fines for filing applications late: \$250 for each application received more than 10 days after the applicant delivered the completed voter registration application; \$500 for each application received by the division or the supervisor of elections after the book closing deadline for such election. \$5,000 for each application collected which is not submitted to the division or supervisor of elections.”⁷⁸

Georgia⁷⁹

Registration: 4,991,108, May 2006 (81.6% of VEP)

Registration deadline: 29 days (5th Monday before an election).

Online registration status check: Yes

Applicants notified of problematic forms: If there is missing information or any other problem the county registrar will notify the applicant in writing, giving the voter 30 days to respond. Failure to respond within 30 days may result in the application being rejected. The problem can be corrected either in person or by mail.

Registration information privacy rules: No

Third-party registration regulations: The state is reviewing and revising its rules and regulations regarding third-party voter registration drives.

Hawaii⁸⁰

Registration: 642,772, May 2006 (70.1% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: Applicants are notified if application information is insufficient. Registrants are provided the opportunity to correct the problem by reapplying.

Registration information privacy rules: Yes

Third-party registration regulations: Persons conducting registration drives that collect completed application forms must attend a training session to become a volunteer deputy voter registrar.

Idaho⁸¹

Registration: 713,535, May 2006 (68.8% of VEP)

Registration deadline: 25 days before an election for mailed registrations and election-day registration.

Online registration status check: No

Applicants notified of problematic forms: The county clerk's office will notify the individual either by phone or by sending the individual a letter and their registration card, depending upon the problem. If the applicant is called, the information can be taken over the phone. If the registration card is returned to the applicant, they can complete the missing information and return the card to the county clerk.

Registration information privacy rules: The county clerk along with the county prosecuting attorney can make the determination that there is reasonable cause to allow the applicant's residence address to be exempt from public disclosure.

Third-party registration regulations: None

Illinois⁸²

Registration: 7,263,969, March 2006 (82.6% of VEP)

Registration deadline: 28 days before an election.

Online registration status check: No

Applicants notified of problematic forms: The local jurisdiction is responsible for notifying an applicant of the rejection of their registration. Once notified of the reason for the rejection, they are given the opportunity to rectify the problem by visiting the clerk's office.

Registration information privacy rules: Victims of domestic violence can have certain information kept confidential.

Third-party registration regulations: None

Indiana*

Registration: 4,333,360, February 2006 (94.7% of VEP)

Registration deadline: 29 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: Voters "may be contacted and asked to provide additional information."⁸³

Registration information privacy rules: Victims of domestic violence can have certain information kept confidential.

Third-party registration regulations: No regulations found and did not respond to survey.

Iowa

Registration: 2,019,915, April 2006 (90.9% of VEP)

Registration deadline: 10 days before a primary or general election and 11 days for all others.

Online registration status check: No

Applicants notified of problematic forms: “The acknowledgment shall advise the applicant what additional information is required. The commissioner shall enclose a new registration by mail form for the applicant to use. If the incomplete application is received during the twelve days before the close of registration for an election, the commissioner shall provide the registrant with an opportunity to complete the form before the close of registration.”⁸⁴

Registration information privacy rules: None

Third-party registration regulations: None

Kansas

Registration: 1,694,365, November 2004

Registration deadline: 15 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified that they must contact the county election office and submit the necessary information.

Registration information privacy rules: “State law allows certain registered voters to file a request to have their residential addresses restricted from public disclosure. Any such person must be able to ‘specify a clearly unwarranted invasion of personal privacy or a threat to the voter’s safety. It is intended for law enforcement and judicial officers and victims of crime.’”⁸⁵

Third-party registration regulations: None

Kentucky

Registration: 2,709,959, May 2006 (86.6% of VEP)

Registration deadline: 28 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: A postcard is sent to the voter requesting that he/she contact the clerk’s office. Applicants are given an opportunity to rectify the problem by turning in a signed voter registration card (with citizenship attested to) or by clarifying the address over the phone to the county clerk, if that is the problem.

Registration information privacy rules: None

Third-party registration regulations: New law enacted in 2006 states, “Any person who provides compensation or makes any such expenditure as payment or consideration for registering voters that is based upon the total number of voters a person registers or the total number of voters a person registers in a particular party, political group, political organization, or voters of independent status shall be guilty of a Class B misdemeanor.”⁸⁶

Louisiana*

Registration: 2,855,957, March 2006 (87% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: “If an applicant fails to provide all of the required information on the application for voter registration, the registrar shall notify the applicant in writing of the missing information and inform him that he has 10 days from the date on which the notice was mailed to provide the information. If the applicant provides the information and the registrar determines he is eligible to register, the applicant shall be added to the official list of voters and the registrar shall send a notice of registration to the applicant. In the event the applicant does not respond to the request for the missing information within 10 days, the application shall be rejected and the registrar shall so advise the applicant in writing. If the registrar’s request for the missing information is returned by the U.S. Postal Service, the applicant’s name shall not be added to the official list of voters and the registrar shall

attempt to notify the applicant of such action.”⁸⁷

Registration information privacy rules: “The registrar shall not disclose the name and address of a law enforcement officer, other than on a general list, if he has received certification from the law enforcement agency employing the officer that the officer is engaging in hazardous activities to the extent that it is necessary for his name and address to be kept confidential.”⁸⁸

Third-party registration regulations: “No person shall fail to submit to the parish registrar of voters a completed registration application collected through a registration drive within thirty days of receipt of the completed application from the applicant. Whoever violates any provision of this Section shall be fined not more than one thousand dollars or be imprisoned for not more than one year, or both. On a second offense, or any succeeding offense, the penalty shall be a fine of not more than \$2,500 or imprisonment for not more than five years, or both.”⁸⁹

Maine*

Registration: 1,023,956, November 2004

Registration deadline: Election-day registration. By mail applications must be received no later than 21 days before an election. In-person applications are accepted any time.

Online registration status check: No

Applicants notified of problematic forms: “If required information is omitted, the municipal registrar of voters must notify the applicant that the form is incomplete, and must later reject the application if the information is not provided. If optional information is omitted, the registrar must still process the application and may not reject it for that reason.”⁹⁰

Registration information privacy rules: Yes. The state has an Access Confidentiality Program for victims of domestic violence and stalking.

Third-party registration regulations: No regulations found and did not respond to survey.

Maryland⁹¹

Registration: 3,084,236, February 2006 (82% of VEP)

Registration deadline: 21 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified by mail if there is a problem with their application. Notices are also sent to those applicants who provide a driver’s license or Social Security number and the number cannot be verified by the appropriate government agency.

Registration information privacy rules: Generally, law enforcement personnel, persons being threatened and others can request confidentiality of their residential address and telephone number. An individual requesting confidentiality must provide evidence of employment, proof of a threat, or other information to substantiate the request.

Third-party registration regulations: State law specifies the qualifications for a voter registration volunteer, how they are trained, disqualification of a voter registration volunteer, etc. Recent legislation (H.B. 800 of the 2006 Legislative Session) prohibits a voter registration volunteer from copying or collecting certain information on a voter registration application and prohibits the voter registration volunteer from being paid based on the number of applications collected.

Massachusetts⁹²

Registration: 3,941,506, April 2006 (87.5% of VEP)

Registration deadline: 20 days before an election.

Online registration status check: No

Applicants notified of problematic forms: If the application is missing any information other than a signature, the notice the applicant is sent will explain what is missing and request that the

information be supplied within 20 days. If the information is supplied within that timeframe, the applicant will be registered as of the date of the original application. If the signature is missing, the applicant will be registered as of the date the signature is provided.

Registration information privacy rules: There is a confidential voter program for persons who have a court order granting protection, live in protective shelters or who are victims of crimes.

Third-party registration regulations: None

Michigan

Registration: 7,084,358, April 2006 (96.4% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: “A rejection notice is mailed to any applicant who submits an unacceptable voter registration application. Instructions on remedying the deficiency involved are provided in the notice. A reply card is provided with the notice.”⁹³

Registration information privacy rules: None

Third-party registration regulations: None

Minnesota*

Registration: 3,114,459, August 2005

Registration deadline: Election-day registration; by-mail applications must be received at least 20 days before an election.

Online registration status check: Yes

Applicants notified of problematic form: “Voter registration office employees can contact applicants if they have questions about an application.”⁹⁴

Registration information privacy rules: Victims of domestic violence and law enforcement officers can request certain information be kept confidential.

Third-party registration regulations: “A state or local agency or an individual that accepts completed voter registration cards from a voter must submit the completed cards to the secretary of state or the appropriate county auditor within 10 days after the cards are dated by the voter.”⁹⁵

Mississippi⁹⁶

Registration: 1,791,160, May 2006 (83.7% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants may be notified via telephone, mail or in person within 25 days of submitting application.

Registration information privacy rules: Social Security numbers, telephone numbers, date of birth and age information are exempt from the Mississippi Public Records Act of 1983.

Third-party registration regulations: None

Missouri⁹⁷

Registration: 3,985,950, June 2006 (91.5% of VEP)

Registration deadline: 4th Wednesday before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are informed by mail of problems with applications and are asked to provide the information necessary to successfully complete the application.

Registration information privacy rules: Any person working as an undercover officer of a local, state or federal law enforcement agency, persons in witness protection programs, and victims of domestic violence and abuse who have received orders of protection may have their residential address kept confidential pursuant to a court order.

Third-party registration regulations: Effective August 28, 2006, all non-deputized circulators of 10 or more voter registration applications will be required to register with the Secretary of State.

Montana⁹⁸

Registration: 624,082, April 2006 (84.4% of VEP)

Registration deadline: 30 days before an election and Election Day Registration as of Nov. 7, 2006.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified if there is a problem, which is often due to no ID number, or not having their residence listed on their form. They are given the opportunity to fix issues up until 10 days before an election.

Registration information privacy rules: For law enforcement officials and domestic violence victims.

Third-party registration regulations: None

Nebraska*

Registration: 1,160,199, November 2004

Registration deadline: Third Friday preceding an election.

Online registration status check: No

Applicants notified of problematic forms: “Upon receipt of this application, the county election office will send an acknowledgement to you indicating whether your voter registration is complete.”⁹⁹

Registration information privacy rules: “A registered voter may file an affidavit with the election commissioner or county clerk to have the information relating to his or her residence address and telephone number remain confidential.”¹⁰⁰

Third-party registration regulations: “Any registered voter may apply to the election commissioner or county clerk to be appointed as a deputy registrar for the purpose of registering voters. The election commissioner or county clerk, at his or her discretion, may approve or disapprove the deputy registrar’s plans for voter registration and shall notify the deputy registrar of such decision. Any person appointed as a deputy registrar shall attend a training session conducted by an election commissioner or county clerk.”¹⁰¹

Nevada*

Registration: 1,198,034, April 2006 (73.5% of VEP)

Registration deadline: The last day to register to vote without appearing in person is the fifth Saturday before Election Day. The 10-day period for in-office registration starts the fifth Sunday before Election Day and ends the third Tuesday before Election Day.

Online registration status check: No

Applicants notified of problematic forms: A notice is mailed to the applicant informing him/her that additional information is required to complete the application. If the applicant provides the information requested by the county clerk within 15 days after the county clerk mails the notice, the county clerk shall, within 10 days after he/she receives the information, mail to the applicant: A notice informing him that she/he is registered to vote or a notice informing him that the registrar of voters’ register has been corrected to reflect any changes indicated on the application. If the applicant does not provide the additional information within the prescribed period, the application is void.¹⁰²

Registration information privacy rules: “A registered voter may submit a written request to the county clerk to have his address and telephone number withheld from the public.”¹⁰³

Third-party registration regulations: “It is unlawful for a person to provide compensation for registering voters that is based upon the total number of voters a person registers or the total number of voters a person registers in a particular political party. A person who violates any provision of this section is guilty of a category E felony.”¹⁰⁴

New Hampshire¹⁰⁵

Registration: 855,861, November 2004

Registration deadline: Election-day registration; however, mail-in forms must be received at least 10 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Absentee voter applicants are notified by mail if the application is deficient.

Registration information privacy rules: Voters with a valid protective order shall be maintained on a non-public list. The office of the Attorney General also has a post office where qualified voters may receive all their mail and which may be used as their non-public voting address, although the voters register in the town where they are domiciled.

Third-party registration regulations: Third parties are not allowed to conduct voter registration drives. Only the locally elected officials may participate in voter registration.

New Jersey*

Registration: 4,837,943, May 2006 (86.5% of VEP)

Registration deadline: 21 days before an election.

Online registration status check: No

Applicants notified of problematic forms: “Failure to properly complete other portions of the application may cause the county commissioner of registration to return the form for proper completion. Prior to rejection, a commissioner of registration shall take all steps necessary to provide the voter with the opportunity to complete his or her voter registration application.”¹⁰⁶

Registration information privacy rules: “A person who is a victim of domestic violence or a victim of stalking shall be allowed to register to vote without disclosing the person’s street address.”¹⁰⁷

Third-party registration regulations: No regulations found and did not respond to survey.

New Mexico¹⁰⁸

Registration: 1,074,751, April 2006 (78.8% of VEP)

Registration deadline: 28 days before an election.

Online registration status check: No

Applicants notified of problematic forms: The applicant is notified (if possible) by mail if there is a problem with their registration.

Registration information privacy rules: Victims of domestic violence can have certain information kept confidential.

Third-party registration regulations: As of 2005, any person other than a government agency or agencies listed above must register with the Secretary of State or county clerks as third party agents.

New York*

Registration: 11,627,385, April 2006 (90.8% of VEP)

Registration deadline: 25 days before an election.

Online registration status check: No

Applicants notified of problematic forms: “Notices of approval, notices of approval with requests for more information or notices of rejection shall be sent.”¹⁰⁹

Registration information privacy rules: No regulations found and did not respond to survey.

Third-party registration regulations: No regulations found and did not respond to survey.

North Carolina¹¹⁰

Registration: 5,462,489, April 2006 (89.6% of VEP)

Registration deadline: 25 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: A letter is mailed asking for any missing or incomplete information and how to provide the missing information.

Registration information privacy rules: Victims of domestic violence can have certain information kept confidential.

Third-party registration regulations: A third party must timely submit a voter registration form entrusted to them by the registering person in order to allow them to vote in any upcoming election. It is a misdemeanor to fail to turn in forms in a timely

manner.

North Dakota

No voter registration

Ohio*

Registration: 7,683,621, April 2006 (90.4% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: “If the board does not accept your registration application, it will immediately mail you a notice stating why your application was rejected and requesting you to provide whatever information or verification is necessary to complete your application.”¹¹¹

Registration information privacy rules: No regulations found and did not respond to survey.

Third-party registration regulations: “You must return an applicant’s properly completed voter registration form directly to the office of a county board of elections or the Secretary of State. You shall not, under penalty of law, return the completed form to any other person, group, organization, office or entity. You must submit the completed voter registration form(s) no later than the 10th day after the applicant has completed the form, or before the 30th day before the election, whichever is earlier. If you receive the form on the 31st day before the election, you must submit the form within 10 days. You must submit a single copy of the affirmation referenced in step 3, above, with each set of voter registration forms you return to a county board of elections.”¹¹²

Oklahoma

Registration: 2,020,601, April 2006 (77.5% of VEP)

Registration deadline: 25 days before an election.

Online registration status check: No

Applicants notified of problematic forms: If an application is rejected, a letter is mailed to the applicant. The letter explains the problem, and if additional information is needed, it includes a section in which the applicant can provide the missing information. If it is necessary to complete a new application, a blank application is included with the letter.

Registration information privacy rules: “Law enforcement personnel, corrections officers, and persons covered by victim’s protection orders may request their residence address and mailing address be kept confidential. The Secretary of State also administers an Address Confidentiality Program. Persons certified as participants in this program may register to vote through special procedures.”¹¹³

Third-party registration regulations: None

Oregon¹¹⁴

Registration: 2,050,956, January 2006 (77.9% of VEP)

Registration deadline: 21 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Some counties send the original card back with the missing information highlighted. Other counties send a letter with a new card for the individual to complete and send back. If the identification is what is missing they notify them in writing.

Registration information privacy rules: The state will have an address confidentiality program in place by January 2007.

Third-party registration regulations: None

Pennsylvania¹¹⁵

Registration: 8,073,337, November 2005

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: The county

makes an effort to contact the individual (by phone or mail) to complete the necessary information.

Registration information privacy rules: Victims of domestic violence and members of law enforcement and others can request certain information remain confidential.

Third-party registration regulations: An individual is prohibited from giving, soliciting or accepting payment or financial incentive to obtain a voter registration if the payment or incentive is based on the number of registrations or applications obtained.

Rhode Island*

Registration: 709,050, October 2004

Registration deadline: 30 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: An application for voter registration will not be accepted or processed and will be returned to the applicant if the application fails to include “Declaration of Citizenship and Age” or if the applicant fails to sign the application.¹¹⁶

Registration information privacy rules: The state has an address confidentiality program for victims of domestic violence.

Third-party registration regulations: No regulations found and did not respond to survey.

South Carolina¹¹⁷

Registration: 2,415,156, April 2006 (76% of VEP)

Registration deadline: 30 days before an election

Online registration status check: Yes

Applicants notified of problematic forms: If possible, applicants are notified, usually by mail, and given the opportunity to provide the missing information.

Registration information privacy rules: None

Third-party registration regulations: None

South Dakota¹¹⁸

Registration: 487,989, May 2006 (84.7% of VEP)

Registration deadline: 15 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified for any information left off the form or information that is not correct. The applicant may correct the problem in person, by mail and, depending on the problem, over the phone.

Registration information privacy rules: None

Third-party registration regulations: None

Tennessee¹¹⁹

Registration: 3,958,913, December 2005

Registration deadline: 30 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified by letter if there is a problem with their application and are given the opportunity to correct the deficiency. The voter may make the correction by the 5th day before Election Day or the voter may complete an application at the polls as a provisional voter on Election Day.

Registration information privacy rules: None

Third-party registration regulations: None

Texas

Registration: 12,722,671, March 2006 (89.1% of VEP)

Registration deadline: 30 days before an election.

Online registration status check: No

Applicants notified of problematic forms: The registrar will send notification to the applicant of the rejection no later than the second day after the date of rejection and indicate the reason for the rejection. The applicant then has the opportunity to rectify the defect in his/her application and resubmit for

review and acceptance. However, if the applicant corrects his application within 10 days of receiving notice from the voter registrar, the voter's application is given an effective date based on the date the application was originally sent.

Registration information privacy rules: Law enforcement officials and employees of the Texas Department of Criminal Justice can request that certain information remain confidential.

Third-party registration regulations: "Volunteer deputy registrars are appointed by a registrar and are allowed to distribute voter registration application forms and receive registration applications. On receipt of a completed voter registration application, the volunteer deputy will issue a receipt to the applicant for proof of registration. A voluntary deputy registrar must be 18 years or older and must sign a certificate of appointment from the registrar, indicating that the deputy has been duly appointed by the registrar."¹²⁰

Utah^{121*}

Registration: 1,278,912, May, 2004

Registration deadline: By-mail applications must be received no later than 30 days before an election or, if in person, at a satellite registration site or at a county clerk's office on the 15th and 18th day before the election.

Online registration status check: Yes

Applicants notified of problematic forms: No regulations found and did not respond to survey.

Registration information privacy rules: No regulations found and did not respond to survey.

Third-party registration regulations: No regulations found and did not respond to survey.

Vermont¹²²

Registration: 420,346, April 2006 (87.1% of VEP)

Registration deadline: Second Monday before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are notified by the clerk if there is information missing from the application and given an opportunity to provide the necessary information. This may be done by phone or by mail.

Registration information privacy rules: There is an address confidentiality program for victims of domestic violence and the program allows the person to be registered as "blind ballot voter # x" and to vote by absentee ballot sent to the Secretary of State's office. The month and day of birth as well as driver's license number, last four digits of Social Security numbers and legal addresses if different from mailing addresses were all made confidential as of January 1, 2006.

Third-party registration regulations: None

Virginia¹²³

Registration: 4,505,543, May 2006 (83% of VEP)

Registration deadline: 29 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: The registrar will call to obtain certain types of information. Otherwise a letter is sent in lieu of an initial denial to allow the applicant to provide the missing information.

Registration information privacy rules: Victims of domestic violence can have certain information kept confidential.

Third-party registration regulations: Must fill out an application with the state board of elections and follow state guidelines.

Washington¹²⁴

Registration: 3,374,541, October 2005

Registration deadline: If an application is submitted by mail, it must be received no later than 30 days before an election. If filed in person, it must be received no later than 15 days before an election.

Online registration status check: Yes

Applicants notified of problematic forms: The county auditor's office sends the applicant a form to collect missing information, or signatures required to complete their registration application. The applicant may also submit a new application.

Registration information privacy rules: State law allows victims of domestic violence, sexual assault and stalking to protect the confidentiality of their address.

Third-party registration regulations: State law requires a person or organization collecting voter registration application forms must transmit the forms to the Secretary of State or county auditor at least once weekly.

West Virginia*

Registration: 1,130,008, April 2006 (79.4% of VEP)

Registration deadline: 21 days before an election.

Online registration status check: No

Applicants notified of problematic forms: "If the reason for denial is an incomplete application, the clerk shall inform the voter of the right to reapply and shall enclose a mail voter registration form for the purpose."¹²⁵

Registration information privacy rules: No regulations found and did not respond to survey.

Third-party registration regulations: "Up to 100 mail-in voter registration forms will be available per organization/individual per election. The following information is required for requests of 10 or more forms: Name of organization/individual requesting forms, name of contact person, address (if to be mailed), amount picked up (or mailed), date of drive and location of drive."¹²⁶

Wisconsin¹²⁷

Registration: Unavailable. Until January 1, 2006, voter registration was not required in 1,539 of Wisconsin's 1,851 municipalities. There has been only one

election since voter registration has been required in all jurisdictions, April 4, 2006. The state is still compiling the statistical information from that election.

Registration deadline: Election-day registration; however, by-mail applications must be received no later than 13 days before an election.

Online registration status check: No

Applicants notified of problematic forms: Applicants are contacted by the municipal clerk and provided direction on how to correct any problem that can be corrected.

Registration information privacy rules: State law permits victims of domestic abuse, sexual assault or stalking to have a confidential voter registration listing.

Third-party registration regulations: Third party entities that wish to register voters must apply to be appointed as a special registration deputy. They must sign an agreement to abide by specified procedures and take a training course from the appointing authority. They must print their name on the registration form along with their assigned statewide voter registration system number. They may not be compensated by the number of registration forms collected.

Wyoming¹²⁸

Registration: 250,910, February 2006 (64.4% of VEP)

Registration deadline: Election-day registration; however, by-mail applications must be received 30 days before an election.

Online registration status check: No

Applicants notified of problematic forms: County clerks inform applicants of problems with applications.

Registration information privacy rules: None

Third-party registration regulations: Voter registration drives are not allowed. Registration is conducted solely by the county clerk in their office and on Election Day with those designated by the county clerk.

Methodology

Information for this report was derived largely from the results of a survey of state election directors conducted from April-June 2006. To supplement the research – and to collect data from the 13 states that did not respond to the survey – data was derived from state law. Secondary sources, including news reports, information provided by other non-governmental organizations, state election Web sites and an election reform information database created by the National Conference of State Legislatures, were also used.

All non-survey sources are cited in the endnotes section.

The opinions expressed by election officials, lawmakers and other interested parties in this document do not reflect the views of non-partisan, non-advocacy *electionline.org* or the Election Reform Information Project.

All questions concerning research should be directed to Sean Greene, research director, at 202-338-9860.

- 1 HAVA, P.L. 107-252, sec 303.
- 2 NVRA, P.L. 103-31.
- 3 The act covers all states except the following with election-day registration – Idaho, Minnesota, New Hampshire, Wisconsin and Wyoming – and North Dakota, which has no voter registration.
- 4 For information on where a voter can register by state, see: Election Assistance Commission, “The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office,” 2003-2004.
- 5 Ibid.
- 6 The Federal Election Commission National Mail Voter Registration Form information page, www.fec.gov/voteregis/vr.shtml, last visited June 19, 2006.
- 7 “Ten Years Later, A Promised Unfulfilled: The National Voter Registration Act in Public Assistance Agencies, 1995-2005,” Demos, Acorn and Project Vote, Sept. 14, 2005.
- 8 “Same-day voter sign-ups to be allowed,” The Associated Press as reported in *Billings-Gazette*, Jan. 20, 2006.
- 9 U.S. Department of Justice Civil Rights Division Voting Section Home Page, “About the National Voter Registration Act – Provisions of the NVRA,” www.usdoj.gov/crt/voting/nvra/activ_nvra.htm, last visited June 26, 2006.
- 10 Greenberger, Scott S., “Voter registration bill gains ground,” *The Boston Globe*, Aug. 22, 2005.
- 11 General Assembly of North Carolina, Session 2005, House Bill 851.
- 12 S.0164 Elections and Voter Registration ordered to lie in the House May 9, 2006, www.political.com/govsites/state-legislatures/vt.html, last visited June 26, 2006.
- 13 Democracy North Carolina – Reinventing Democracy, A New Way to Vote in North Carolina, www.democracy-nc.org/improving/samedayreg.htm, last visited June 26, 2006.
- 14 Information from National Conference of State Legislatures, Database of Election Reform Legislation, last viewed June 26, 2006.
- 15 Demos, “About Election-Day Registration, Why Do We Need EDR?” www.demos.org/page52.cfm, last visited June 26, 2006.
- 16 Keny, Cameron F., “Voting made easy,” *The Boston Globe*, Oct. 3, 2005.
- 17 Op cit Greenberger.
- 18 Williams, Kele. “Testimony before the Connecticut General Assembly Government Administration and Election Committee,” Brennan Center for Justice at NYU School of Law, Feb. 9, 2004.
- 19 Op cit “Ten Years Later a Promise Unfulfilled.”
- 20 Press release. “Demos, Project Vote Criticize DOJ After Meeting About NVRA Enforcement,” Sept. 28, 2004.
- 21 Massachusetts Elections Division Voter Registration Form Request, www.sec.state.ma.us/ele/electu/stuidx.htm, last visited June 12, 2006.
- 22 Missouri Secretary of State – Request a Voter Registration Form, <https://www.sos.mo.gov/firstvote/students/request.asp>, last visited June 12, 2006.
- 23 New Hampshire survey response, received April 24, 2006.
- 24 Brown, The Honorable Matt. Press release: “Secretary of State Matt Brown Launches First Electronic Motor-Voter Registration Program in the Country,” Office of the Rhode Island Secretary of State, Oct. 12, 2005.
- 25 For example, according to reports from the Brennan Center, the New York City Board of Elections did a small audit of their registration process and discovered thousands of voter data that had been incorrectly entered into the city’s database.
- 26 “Executive Summary – EZVoter,” NASCIO, 2005, www.nascio.org/scoring/files/2005.Arizona4.doc, last visited June 12, 2006.
- 27 *electionline.org* viewed the registration forms in May and June 2006. For a detailed look at similar information and more from 2002, please see: Alexander, Kim and Mills, Keith. “Voter Privacy in the Digital Age,” The California Voter Foundation, May 2004. This report can be found at www.calvoter.org/issues/votprivacy/pub/voterprivacy/index.html.
- 28 Brewer, the Honorable Jan. Press release: “Sec. of State’s Office Breaks Daily Online Voter Registration Record Again.” Office of Arizona Secretary of State Jan Brewer, Oct. 5, 2004.
- 29 Brown, the Honorable Matt. Press Release: “Secretary of State Matt Brown Launches First Electronic ‘Motor Voter’ e-Registration Program in the Country.” Office of Rhode Island Secretary of State Matt Brown, Oct. 12, 2005.
- 30 California Internet Voting Task Force Technical Committee Recommendations: “Security Problems in Paperless Internet Voter Registration System,” 3.2.3, January 2000.
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- 37 HAVA, P.L. 107-252, sec 303.
- 38 Ibid.
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- 41 Benson, Matthew. “Request to halt ID rules rejected,” *The Arizona Republic*, June 20, 2006.
- 42 Brewer, the Honorable Jan. Press release: “Sec. of State Brewer Succeeds in Defending Proposition 200,” Office of the Arizona Secretary of State, June 19, 2006.
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- 45 Woodward, Chris. “Critics sue over voting changes,” *The Associated Press* as reported in *The News Tribune*, May 25, 2006.
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- 48 Moretti, Mindy. "Western States Contemplate Voter Information Sharing," *electionline Weekly*, Feb. 2, 2006.
- 49 Op cit Alexander and Mills.
- 50 Colorado survey response, received May 11, 2006.
- 51 Packer, Adrienne, "Voter Fraud Alleged", *Las Vegas Review Journal*, Oct. 14, 2004.
- 52 See, e.g., Cameron, Darla, "Officials May Challenge Vote ID Law," *Columbia Missourian*, June 18, 2006. (quoting Boone County Clerk regarding 7,000 registrations submitted by "clipboard groups" in 2004 on the last day of registration).
- 53 See, e.g. Project Vote, "Ensuring Integrity in Voter Registration Drives", Policy Brief, October 2005, projectvote.org/fileadmin/ProjectVote/pdfs/Project_Vote_Policy_Brief_4_Ensuring_Integrity_in_Voter_Registration_Drives.pdf, last visited June 20, 2006.
- 54 The Century Foundation, "Balancing Access and Integrity," July 2005. ("Third-party voter registration groups should consider providing voters a receipt that serves as proof of attempted registration and as a record of the entity that conducted the registration.")
- 55 A summary of these requirements may be found at Project Vote, "Restricting Voter Registration Drives," January 2006, projectvote.org/fileadmin/ProjectVote/pdfs/Project_Vote_Policy_Brief_5_Restricting_Voter_Registration_Drives_v21.pdf, last visited June 20, 2006.
- 56 *League of Women Voters v. Cobb*, United States District Court, Southern District of Florida, Case No. 06-21265-CIV-JORDAN (available online at moritzlaw.osu.edu/electionlaw/litigation/floridalwv.php).
- 57 Press release: "League of Women Voters, Others File Suit to Stop Florida Law's 'Chilling' Effect On Voter Registration," The Brennan Center for Justice, May 18, 2006.
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